CHIEF'S PREFACE
The men and women of the Washougal Police Department strive to provide excellent service to the residents and visitors to our community. The character and responsibilities surrounding the law enforcement field requires all personnel to be given competent and consistent instruction. This manual is designed to provide each member of the Washougal Police Department a working guide to follow in the performance of their duties. While sworn and non-sworn personnel are responsible for making discretionary decisions, we are all bound by law and professional standards. The policies, procedures, and rules set forth in this manual are a guide to the exercise of discretion and the execution of duty.

This manual is a tool to be used to supplement individual training and experience, and is not intended to discourage employee initiative. This manual will not encompass every situation encountered by a member, so the reasonable exercise of discretion may be required. Discretionary actions taken by members that may be viewed as deviating from the tenants of this manual are approved provided the actions are reasonable taken in the context of the knowledge of the member at the time action was taken.

All personnel are required to be familiar with the directives in this manual, and when necessary, seek guidance and clarification from a supervisor. Members are encouraged to submit recommendations for constructive changes to improve the efficiency and effectiveness of the service delivery of the Washougal Police Department. This manual will be updated as necessary to reflect changes in the law, personnel responsibilities, and Department goals and objectives.

The policies, procedures and rules expressed in this manual are for Departmental use only and do not apply in any criminal or civil proceedings. Any policy, procedure and/or rule shall not be construed as a higher legal standard of care or safety in an evidentiary sense with respect to third party claims. When a conflict occurs in any directive in this manual with Federal laws, State Statutes, labor contracts, City Ordinances, and City Personnel Policies, existing Federal law, State Statute, labor contract, City Ordinance or City Personnel Policies will supersede the directive in conflict. Violations of any component of this manual will only form the basis for Department administrative sanctions.

Wendi Steinbronn, Chief of Police
City of Washougal
LAW ENFORCEMENT CODE OF ETHICS

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.
OUR MISSION, VISION AND VALUES

Our Mission

Maintain the trust and confidence of our citizens while delivering the highest level of service possible, enforcing the laws without bias, and providing a safe environment for all.

Our Vision

Provide professional, proactive, and personable police services
Embrace an open relationship with our citizens and government organizations
Focus on improving quality of life

Our Values

HONESTY: We are committed to the highest standards of honesty and ethical conduct, which are the cornerstones of our profession

RESPECT: We recognize the authority we hold and will treat others as we would like to be treated

CHARACTER: We strive to achieve the highest standards of personal and organizational excellence as well as the character to confront fear, danger, uncertainty, and intimidation.
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Chapter 1 - Law Enforcement Role and Authority
Law Enforcement Authority

100.1 PURPOSE AND SCOPE
The purpose of this policy is to affirm the authority of the members of the Washougal Police Department to perform their functions based on established legal authority.

100.2 PEACE OFFICER POWERS
Sworn members of this department shall be considered peace officers as defined by RCW 9A.04.110(13) and RCW 9A.04.110(15).

100.2.1 OREGON AUTHORITY
Sworn members of this department who enter the state of Oregon in order to provide or attempt to provide law enforcement assistance have Oregon peace officer authority within 50 miles of the Washington-Oregon border under the following circumstances (ORS 133.405):

(a) In response to a request for law enforcement assistance initiated by an Oregon sheriff, constable, marshal, municipal police officer or member of the Oregon State Police.

(b) In response to a reasonable belief that emergency law enforcement assistance is necessary to preserve life and circumstances make it impractical for Oregon law enforcement officials to formally request assistance.

(c) For the purpose of assisting Oregon law enforcement officials with emergency assistance in response to criminal activity, traffic accidents, emergency incidents or other similar public safety situations, whether or not an Oregon law enforcement official is present at the scene of the incident.

Washougal Police Department officers have no authority to enforce Oregon traffic or motor vehicle laws.

Whenever practicable, officers should seek permission from a department supervisor before entering Oregon to provide law enforcement services. As soon as practicable, officers exercising law enforcement authority in Oregon shall submit any appropriate written reports concerning the incident to the Oregon agency having primary jurisdiction over the area in which the incident occurred.

100.2.2 ARREST AUTHORITY
The arrest authority of the Washougal Police Department includes (RCW 10.31.100):

(a) When a peace officer has probable cause to believe that a person has committed or is committing a felony, the peace officer shall have the authority to arrest the person without a warrant.

(b) A peace officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of a peace officer, except as provided in RCW 10.31.100 (e.g., when there is probable cause...
for certain offenses that involve domestic violence, driving under the influence, motor vehicle accidents).

(c) A peace officer may arrest a person in compliance with an arrest warrant after confirming the existence and extradition. A peace officer making an arrest must inform the person that the peace officer is acting under the authority of a warrant and must provide the person with a copy of the warrant at the time of the arrest or arrival at the holding facility.

100.3 CONSTITUTIONAL REQUIREMENTS
All members shall observe and comply with every person’s clearly established rights under the United States and Washington Constitutions.

100.4 POLICY
It is the policy of the Washougal Police Department to limit its members to only exercise the authority granted to them by law.

While this department recognizes the power of peace officers to make arrests and take other enforcement action, officers are encouraged to use sound discretion in the enforcement of the law. This department does not tolerate abuse of law enforcement authority.

100.5 INTERSTATE PEACE OFFICER POWERS
Peace officer powers may be extended to other states:

(a) As applicable under interstate compacts, memorandums of understanding or mutual aid agreements in compliance with the laws of each state.

(b) When an officer enters Idaho or Oregon in fresh pursuit of a person believed to have committed a felony (Idaho Code 19-701; ORS 133.430).

When an officer makes an arrest in Idaho or Oregon, the arresting officer shall cause the person to be taken without delay to a magistrate in the county where the arrest was made (Idaho Code 19-702; ORS 133.440).
Law Enforcement Certification

101.1 PURPOSE AND SCOPE
All sworn officers employed by the Washougal Police Department shall receive certification by CJTC prior to assuming law enforcement duties and responsibilities, and shall begin attending an approved academy within the first six months of employment (RCW 43.101.095(1); RCW 43.101.200(1)).
Oath of Office

102.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure that oaths, when appropriate, are administered to department members.

102.2 POLICY
It is the policy of the Washougal Police Department that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.

102.3 OATH OF OFFICE
All department members, when appropriate, shall take and subscribe to the oaths or affirmations applicable to their positions (RCW 43.101.021).

If a member is opposed to taking an oath, he/she shall be permitted to substitute the word “affirm” for the word “swear,” and the words "so help me God" may be omitted.

102.4 MAINTENANCE OF RECORDS
The oath of office shall be filed in accordance with the established records retention schedule and any applicable state and/or local law.
Policy Manual

103.1 PURPOSE AND SCOPE
The manual of the Washougal Police Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, rules and guidelines of this department. All members are to conform to the provisions of this manual.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, procedures, orders and other regulations that have not been included herein shall remain in effect, provided that they do not conflict with the provisions of this manual.

103.2 POLICY
Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and circumstances may arise which warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably available at the time of any incident.

103.2.1 DISCLAIMER
The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Washougal Police Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the City, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for department administrative action, training or discipline. The Washougal Police Department reserves the right to revise any policy content, in whole or in part.

103.3 AUTHORITY
The Chief of Police shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Chief of Police or the authorized designee is authorized to issue Departmental Directives, which shall modify those provisions of the manual to which they pertain. Departmental Directives shall remain in effect until such time as they may be permanently incorporated into the manual.

103.4 DEFINITIONS
The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

Adult - Any person 18 years of age or older.

City - The City of Washougal.

Non-sworn - Employees and volunteers who are not sworn peace officers.

CJTC - The Criminal Justice Training Commission.

Department/WPD - The Washougal Police Department.

DOL - The Department of Licensing.

Employee - Any person employed by the Department.

Juvenile - Any person under the age of 18 years.


May - Indicates a permissive, discretionary or conditional action.

Member - Any person employed or appointed by the Washougal Police Department, including:
  - Full- and part-time employees
  - Sworn peace officers
  - Reserve, auxiliary Officers
  - Non-sworn employees
  - Volunteers

Officer - Those employees, regardless of rank, who are sworn peace officer employees of the Washougal Police Department.

On-duty - A member’s status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

Rank - The title of the classification held by an officer.


Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

Supervisor - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., officer-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.
When there is only one department member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member’s off-duty supervisor or an on-call supervisor.

USC - United States Code.


WSP - The Washington State Patrol.

103.5 ISSUING THE POLICY MANUAL
An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Chief of Police or the authorized designee.

Each member shall acknowledge that he/she has been provided access to, and has had the opportunity to review the Policy Manual and Departmental Directives. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

103.6 PERIODIC REVIEW OF THE POLICY MANUAL
The Chief of Police will ensure that the Policy Manual is periodically reviewed and updated as necessary.

103.7 REVISIONS TO POLICIES
All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all Policy Manual revisions.

Each supervisor will ensure that members under his/her command are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their supervisor, who will consider the recommendations and forward them to the command staff as appropriate.
Chapter 2 - Organization and Administration
Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE
The organizational structure of this department is designed to create an efficient means to accomplish our mission and goals and to provide for the best possible service to the public.

200.2 DEPARTMENT SECTIONS
The Chief of Police is responsible for administering and managing the Washougal Police Department. There are four sections in the Police Department as follows:

- Administrative
- Patrol
- Detectives
- Animal Control

200.2.1 ADMINISTRATIVE
The Administrative Section is supervised by the Chief of Police, whose primary responsibility is to provide general management direction and control. The Administrative Section consists of all services provided by administrative assistants to include case management, and evidence room.

200.2.2 PATROL
The Patrol Section is supervised by the Captain, whose primary responsibility is to provide general management direction and control. The Patrol Section consists of all uniformed positions to include all patrol personnel, K-9, SRO, and officers assigned to regional specialty units such as SWAT.

200.2.3 DETECTIVES
The Detectives Section is supervised by the Detective Sergeant, whose primary responsibility is to provide general management direction and control.

200.2.4 ANIMAL CONTROL
The Animal Control Section is supervised by Patrol Sergeants, whose primary responsibility is to provide general management direction and control.

200.3 COMMAND PROTOCOL

200.3.1 ORDERS
Members shall respond to and make a good faith and reasonable effort to comply with the lawful order of superior officers and other proper authority.

200.3.2 SUCESSION OF COMMAND
The Chief of Police exercises command over all personnel in the Department. The Captain is the acting Chief of Police when the Chief of Police is absent. A sergeant will be designated to serve as acting Chief of Police if the Chief of Police and the Captain are both absent or unavailable.
Except when designated as above, the order of command authority in the absence or unavailability of the Chief of Police is as follows:

(a) Captain
(b) Detective Sergeant
(c) Senior Patrol Sergeant

200.3.3 UNITY OF COMMAND
The principles of unity of command ensure efficient supervision and control within the Department. Generally, each employee shall be accountable to one supervisor at any time for a given assignment or responsibility. Except where specifically delegated authority may exist by policy or special assignment (e.g., K-9, SWAT), any supervisor may direct any subordinate if an operational necessity exists.
Departmental Directive

201.1 PURPOSE AND SCOPE
Departmental Directives establish an interdepartmental communication that may be used by the Chief of Police to make immediate changes to policy and procedure. Departmental Directives will immediately modify or change and supersede sections of this manual to which they pertain.

201.1.1 DEPARTMENTAL DIRECTIVE PROTOCOL
Departmental Directives will modify existing policies or create a new policy as appropriate and will be rescinded upon incorporation into the manual.

Any Departmental Directives issued after publication of the manual shall be numbered consecutively starting with the last two digits of the year, followed by the number “01”. For example, 08-01 signifies the first Departmental Directive for the year 2008.

201.2 RESPONSIBILITIES

201.2.1 CHIEF OF POLICE
The Chief of Police or designee shall issue all Departmental Directives.

201.3 ACCEPTANCE OF DEPARTMENTAL DIRECTIVES
All employees are required to read and obtain any necessary clarification of all Departmental Directives. All employees are required to acknowledge in writing the receipt and review of any new Departmental Directive. Signed acknowledgement forms and/or e-mail receipts showing an employee’s acknowledgement will be maintained by the Captain.
Training Policy

202.1 PURPOSE AND SCOPE
It is the policy of this department to administer a training program that will provide for the professional growth and continued development of its personnel. By doing so, the Department will ensure its personnel possess the knowledge and skills necessary to provide a professional level of service that meets the needs of the community.

202.2 PHILOSOPHY
The Washougal Police Department seeks to provide ongoing training and encourages all personnel to participate in advanced training and formal education on a continual basis. Training is provided within the confines of funding, requirements of a given assignment, staffing levels, and legal mandates. Whenever possible, the Department will use courses certified by the Washington Criminal Justice Training Commission (CJTC).

202.3 OBJECTIVES
The objectives of the Training Program are to:
   (a) Enhance the level of law enforcement service to the public.
   (b) Increase the technical expertise and overall effectiveness of our personnel.
   (c) Provide for continued professional development of department personnel.

202.4 TRAINING PLAN
A training plan for all employees will be developed and maintained by the Captain. It is the responsibility of the Captain to maintain, review, and update the training plan on an annual basis. The plan will ensure, at minimum, the following:
   (a) All sworn members will successfully complete an annual in-service training program of no less than 24 hours that includes the training required by the CJTC (WAC 139-05-300).
      1. Successful completion of the CJTC’s two-hour annual online crisis intervention course shall be included in the 24 hours (RCW 43.101.427).
   (b) All officers must complete a minimum of 40 hours of continuing de-escalation and mental health training every three years as provided in WAC 139-11-020 and WAC 139-11-060.
      1. This training may substitute the annual 24 hours in-service requirement under WAC 139-05-300 in the year the officer completes the 40-hour violence de-escalation training.
   (c) All sworn members will successfully complete an annual in-service training program on the department use of force and deadly force policies.
   (d) All sworn members will successfully complete in-service training on less-than-lethal weapons every two years.
Training Policy

(e) Full-time supervisors or managers will receive appropriate training and certification required by CJTC.

(f) All sworn members will successfully complete the National Incident Management System (NIMS) introductory training course.

(g) Members who will serve as school resource officers will receive training for school resource officers (RCW 28A.320.124).

(h) Any request for exemption, waiver, extension, or variance from any requirement of CJTC training must be made under WAC 139-03-030 and corresponding information be made available to the public in accordance with the Records Maintenance and Release Policy (WAC 139-11-030).

202.5 TRAINING NEEDS ASSESSMENT
The Training will conduct an annual training-needs assessment of the Department. The needs assessment will be reviewed by staff. Upon approval by the staff, the needs assessment will form the basis for the training plan for the fiscal year.

202.6 TRAINING DOCUMENTATION
Detailed records shall be kept of all in-service training sponsored by or presented on behalf of the Washougal Police Department. Records should minimally include the following:

- An overview of the course content and/or an instructor lesson plan.
- Names and agency contact information of all attendees.
- Instructor credentials or resume.
- Individual attendee test results (if applicable).
- Course completion roster.

202.7 TRAINING PROCEDURES

(a) All employees assigned to attend training shall attend unless previously excused by their immediate supervisor. Excused absences from mandatory training should be limited to:

1. Court appearances
2. First choice vacation
3. Sick leave
4. Physical limitations preventing the employee’s participation.
5. Emergency situations

(b) When an employee is unable to attend mandatory training, that employee shall:
Training Policy

1. Notify his/her supervisor as soon as possible, but no later than one hour prior to the start of training.
2. Document his/her absence in a memorandum to his/her supervisor.
3. Make arrangements through his/her supervisor and the Captain to attend an alternate date.

202.8 DAILY TRAINING BULLETINS
The Lexipol Daily Training Bulletins (DTBs) are contained in a web-accessed system that provides training on the Washougal Police department policy manual and other important topics. Generally, one training bulletin is available for each day of the month. However, the number of DTBs may be adjusted by the Captain.

Personnel assigned to participate in DTBs shall only use login credentials assigned to them by the Captain or his/her designee. Personnel should not share their password with others and should frequently change their password to protect the security of the system. After each session, employees should logoff the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Department.

Employees who are assigned to participate in the DTB program should complete each DTB at the beginning of their shift or as otherwise directed by their supervisor. Employees should not allow uncompleted DTBs to build up over time. Personnel may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any Internet active computer, employees shall only take DTBs as part of their on-duty assignment unless directed otherwise by a supervisor.

Supervisors will be responsible for monitoring the progress of personnel under their command to ensure compliance with this policy.
Electronic Mail

203.1   PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the proper use and application of the Department electronic email system by employees of this department. Email is a communication tool available to employees to enhance efficiency in the performance of job duties and is to be used in accordance with generally accepted business practices and current law (e.g., Washington Public Disclosure Act). Messages transmitted over the email system must only be those that involve official business activities or contain information essential to employees for the accomplishment of business-related tasks and/or communication directly related to the business, administration, or practices of the Department.

203.2   EMAIL RIGHT OF PRIVACY
All email messages, including any attachments, that are transmitted over department networks are considered department records and therefore are the property of the department. The Department reserves the right to access, audit or disclose, for any lawful reason, any message, including any attachment, that is transmitted over its email system or that is stored on any department system.

The email system is not a confidential system and therefore is not appropriate for confidential communications. If a communication must be confidential, an alternative method to communicate the message should be used. Employees using the department email system shall have no expectation of privacy concerning communications transmitted over the system.

Employees should not use personal accounts to exchange email or other information that is related to the official business of the Department.

203.3   PROHIBITED USE OF EMAIL
Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, and harassing or any other inappropriate messages on the email system will not be tolerated and may result in discipline.

Email messages addressed to the entire department are to be used for official business only.

It is a violation of this policy to transmit a message under another user’s name. Users are strongly encouraged to log off the network when their computer is unattended. This added security measure would minimize the misuse of an individual’s email, name and/or password by others.

203.4   EMAIL RECORD MANAGEMENT
Email may, depending upon the individual content, be a public record under the Washington Public Records Act and must be managed in accordance with the established records retention schedule and in compliance with state law.

The City of Washougal I.T. manager shall ensure that email messages are retained and recoverable.
Administrative Communications

204.1 PURPOSE AND SCOPE
Administrative communications of this department are governed by the following policies.

204.2 DEPARTMENT EMAIL
Email may be issued periodically by the Chief of Police to announce and document promotions, transfers, hiring of new personnel, separations, personnel and group commendations, or other changes in status.

204.3 CORRESPONDENCE
All external correspondence on paper shall be on department letterhead. Personnel should use department letterhead only for official business and with approval of their supervisor.

204.4 SURVEYS
All surveys made in the name of the Department shall be authorized by the Chief of Police or the Captain.
Staffing Levels

205.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure that proper supervision is available for all shifts. The Department intends to balance the employee's needs against the need to have flexibility and discretion in using personnel to meet operational needs. While balance is desirable, the paramount concern is the need to meet operational requirements of the Department.

205.2 MINIMUM STAFFING LEVELS
Minimum staffing levels should result in the scheduling of at least one regular supervisor on duty whenever possible.

Minimum Staffing Levels for Patrol requires a minimum of two sworn personnel on duty.

205.2.1 SUPERVISION DEPLOYMENTS
When operationally necessary an officer may be appointed by the Chief of Police to the position of acting sergeant.
Concealed Pistol License

206.1 PURPOSE AND SCOPE
The Chief of Police is given the statutory responsibility to issue, monitor, and revoke a license to carry a concealed pistol to residents within the community (RCW 9.41.070). This policy will provide a written process for the application, issuance, and revocation of such licenses.

206.2 QUALIFIED APPLICANTS
All applicants for a concealed pistol license shall qualify to receive such a license unless the applicant is ineligible for a license or to possess a pistol under any of the following conditions (RCW 9.41.070):

(a) The applicant is ineligible or is prohibited to possess a firearm under the provisions of RCW 9.41.040, RCW 9.41.045 or federal law.
(b) The applicant's concealed pistol license is in a revoked status.
(c) The applicant is under twenty-one years of age.
(d) The applicant is subject to a court order or injunction regarding firearms.
(e) The applicant is free on bond or personal recognizance pending trial, appeal, or sentencing for a felony offense.
(f) The applicant has an outstanding warrant for his/her arrest from any court of competent jurisdiction for a felony or misdemeanor.
(g) The applicant has been ordered to forfeit a firearm under RCW 9.41.098(1)(e) within one year before filing an application to carry a pistol concealed on his/her person.
(h) The applicant has been convicted of a felony or is otherwise restricted from possessing a firearm unless the person has been granted relief from disabilities by the United States Attorney General under 18 USC § 925(c), or RCW 9.41.040(3) or (4) applies.

Non-immigrant aliens are not eligible for concealed pistol licenses. However, they may be eligible for an alien firearm license for the purposes of hunting and sport shooting, subject to certain eligibility requirements. Any non-immigrant alien who wishes to obtain an alien firearm license should be directed to apply to the sheriff in the county in which he/she resides (RCW 9.41.173).

206.3 APPLICATION PROCESS AND RENEWAL
The Chief of Police has 30 days after the filing of an application of any person to issue a license to carry a concealed pistol. If the applicant does not have a valid permanent Washington driver license or identification card or has not been a resident of the state for the previous consecutive 90 days, the Chief of Police has 60 days to issue a license. The Chief of Police must accept completed applications for concealed pistol licenses during regular business hours (RCW 9.41.070).
Concealed Pistol License

The Chief of Police is required to check with the National Instant Criminal Background Check System, the Washington State Patrol (WSP) electronic database, the Department of Social and Health Services electronic database, and with other agencies or resources as appropriate, to determine whether the applicant is ineligible under RCW 9.41.040 or RCW 9.41.045, or is prohibited under federal law to possess a firearm and therefore ineligible for a concealed pistol license. This check applies for a new concealed pistol license or to renew a concealed pistol license.

A background check for an original license shall be conducted through the WSP Criminal Identification Section and shall include a national check from the Federal Bureau of Investigation through the submission of fingerprints. The applicant may request and receive a copy of the results of the background check from the Chief of Police (RCW 9.41.070).

The license application shall bear the full name, residential address, telephone number and/or email address at the option of the applicant, date and place of birth, race, gender, physical description, not more than two complete sets of fingerprints, and signature of the licensee, and the licensee’s driver license number or state identification card number if used for identification in applying for the license. A signed application for a concealed pistol license shall constitute a waiver of confidentiality and written request that the Department of Social and Health Services, mental health institutions, and other health care facilities release information relevant to the applicant’s eligibility for a concealed pistol license to an inquiring court or law enforcement agency.

If the applicant is not a United States citizen, the applicant must provide his/her country of citizenship, United States-issued alien number or admission number, and the basis for any exemptions from federal prohibitions on firearm possession by aliens. The applicant shall not be required to produce a birth certificate or other evidence of citizenship. A person who is not a citizen of the United States shall meet the additional requirements of RCW 9.41.173 and provide proof of compliance (RCW 9.41.070).

The application for an original license shall include a complete set of fingerprints to be forwarded to the WSP (RCW 9.41.070(4)).

206.3.1 REQUIRED WARNINGS
The license and application shall contain a warning substantially as follows:

“CAUTION: Although state and local laws do not differ, federal law and state law on the possession of firearms differ. If you are prohibited by federal law from possessing a firearm, you may be prosecuted in federal court. A state license is not a defense to a federal prosecution.”

The license shall contain a description of the major differences between state and federal law and an explanation of the fact that local laws and ordinances on firearms are preempted by state law and must be consistent with state law (RCW 9.41.070). The application shall contain questions about the applicant’s eligibility under RCW 9.41.040 to possess a pistol, the applicant’s place of birth, and whether the applicant is a United States citizen.
206.3.2 DOCUMENTATION AND FEES
The Chief of Police shall deliver the original license to the licensee, within seven days send the duplicate to the Director of Licensing, and shall preserve the triplicate or other form prescribed by the Department of Licensing for six years after the license has expired, been voided or revoked, or as otherwise provided in the department's established records retention schedule (RCW 9.41.070(4)).

The nonrefundable fee for the original five-year license must be paid upon application. Additional charges imposed by the Federal Bureau of Investigation are payable by the applicant. No other state or local branch or unit of government may impose any additional charges on the applicant for the issuance of the license.

A nonrefundable fee for the renewal of such license, or the replacement of lost or damaged licenses is required of the licensee. No other branch or unit of government may impose any additional charges on the licensee for the renewal of the license.

Payment shall be by cash, check, or money order at the option of the applicant. Additional methods of payment may be allowed at the option of the Chief of Police.

206.4 LICENSE RENEWAL
A licensee may renew a license if the licensee applies for renewal within 90 days before or after the expiration date of the license. A license so renewed shall take effect on the expiration date of the prior license. A licensee renewing after the expiration date of the license must pay a late renewal penalty in addition to the renewal fee (RCW 9.41.070(9)).

An active-duty member of the armed forces who is unable to renew his/her license within the prescribed time period because of assignment, reassignment, or deployment for out-of-state military service may renew his/her license by the department-established mail renewal procedures or within 90 days after returning to Washington state. Verification for this concealed pistol license renewal exception is subject to the requirements of RCW 9.41.070.

206.5 TEMPORARY EMERGENCY LICENSE
The Chief of Police may issue a temporary emergency license for good cause to an applicant who resides within his/her jurisdiction pending review. However, a temporary emergency license issued under this subsection shall not exempt the holder of the license from any records check requirement. The Chief of Police shall assure temporary emergency licenses are easily distinguishable from regular licenses (RCW 9.41.070).

206.6 REVOCATION OF LICENSES
The Chief of Police shall revoke any license issued pursuant to this policy immediately upon (RCW 9.41.075(1)):

(a) Discovery that the person was ineligible under RCW 9.41.070 for a concealed pistol license when applying for the license or license renewal.
Concealed Pistol License

(b) Conviction of the licensee of an offense, or commitment of the licensee for mental health treatment, that makes a person ineligible under RCW 9.41.040 to possess a firearm.

(c) Conviction of the licensee for a third violation of RCW Chapter 9.41 within five calendar years.

(d) An order that the licensee forfeit a firearm under RCW 9.41.098(1)(d).

(e) Upon notification from the Department of Licensing that the licensee has lost his/her right to possess a firearm as identified in RCW 9.41.047.

206.6.1 INELIGIBILITY
Upon discovering a person issued a concealed pistol license was ineligible for the license, the Chief of Police shall contact the Department of Licensing to determine whether the person purchased a pistol while in possession of the license. If the person did purchase a pistol while in possession of the concealed pistol license, and if the person may not lawfully possess a pistol without a concealed pistol license, the Chief of Police shall require the person to present satisfactory evidence of having lawfully transferred ownership of the pistol. The Chief of Police shall require the person to produce the evidence within fifteen days of the revocation of the license (RCW 9.41.075(2)).

206.6.2 FIREARM FORFEITURE
When a licensee is ordered to forfeit a firearm under RCW 9.41.098(1)(d), the Chief of Police shall (RCW 9.41.075(3)):

(a) On the first forfeiture, revoke the license for one year.

(b) On the second forfeiture, revoke the license for two years.

(c) On the third or subsequent forfeiture, revoke the license for five years.

Any person whose license is revoked as a result of a forfeiture of a firearm under RCW 9.41.098(1) (d) may not reapply for a new license until the end of the revocation period.

The Chief of Police shall notify the Department of Licensing in writing of the revocation of a license.

206.7 RECIPROCITY
The Chief of Police will recognize the validity of a concealed pistol license issued from another state if the laws of that state recognize and give effect to a concealed pistol license issued under the laws of the State of Washington (RCW 9.41.073). A nonresident so licensed is authorized to carry a concealed pistol in this state if:

(a) The licensing state does not issue concealed pistol licenses to persons under twenty-one years of age, and
(b) The licensing state requires mandatory fingerprint-based background checks of criminal and mental health history for all persons who apply for a concealed pistol license, and

(c) The Chief of Police will honor such a license only while the license holder is not a resident of this state. A license holder from another state must carry the handgun in compliance with the laws of this state.

206.8 RESIDENCY
The Chief of Police may issue a license to an applicant if the applicant resides within this City. The Chief of Police may issue a license to non-resident of the state in accordance with these procedures and state law.

206.9 CONFIDENTIAL RECORDS
Mental health information received by the Chief of Police pursuant to RCW 9.41.047, RCW 9.41.070, RCW 9.41.090 or RCW 9.41.173 is exempt from disclosure except as provided in RCW 42.56.240 (RCW 9.41.097). Disclosure of information otherwise obtained in the licensing process shall be limited as defined by RCW 42.56.240.

206.10 SUSPENSION OF LICENSES
The Chief of Police shall suspend any license issued pursuant to this policy immediately upon notice from the Department of Licensing that the person has been detained under RCW 71.05.150 or RCW 71.05.153 on the grounds that the person presents a likelihood of serious harm due to a mental disorder or substance use disorder (RCW 9.41.049).

The license shall remain suspended for a period of six months from the date the person was released from the 72-hour detention or upon notice from the Department of Licensing of a restoration order (RCW 71.05.182; RCW 9.41.047(3)(f)).
Appeal Process for Firearm Transfers and Concealed Pistol Licenses (CPL)

207.1 BACKGROUND

I. In accordance with state and federal regulations, law enforcement agencies shall develop a procedure whereby denied persons may request the reason for the denial from the agency that conducted the National Instant Criminal Background Check (NICS). Persons denied a firearm transfer or a Concealed Pistol License (CPL) must be made aware of the denying agency’s appeal process.

II. The following are federal prohibitors for which an agency can deny an individual a transfer of a firearm or CPL:

(a) Section 922(g)(1) Felony Conviction
(b) Section 922(g)(2) Active Criminal Warrant
(c) Section 922(g)(3) Use of Controlled Substance
(d) Section 922(g)(4) Mental Health
(e) Section 922(g)(5) Illegal/Unlawful Alien
(f) Section 922(g)(6) Dishonorable Discharge
(g) Section 922(g)(7) Renounced Citizenship
(h) Section 922(g)(8) Protection Order
(i) Section 922(g)(9) Misdemeanor Crime of Domestic Violence
(j) Section 922(g)(n) Indictment/Information

207.2 PROCEDURE

A. If a person is denied the purchase of a firearm or denied the issuance or renewal of a CPL, he or she can appeal the denial through The Washougal Police Department and request the reason for the denial.

B. The denied individual may also appeal through the NICS Section. If the denied individual chooses to appeal through the NICS Section, The Washougal Police Department may refer the denied individual to www.fbi.gov/nics-appeals.

207.3 STEP 1 - INFORM

A. The Washougal Police Department will inform the denied individual of the existence of a state or federal prohibitor. No further information can be provided until identity is verified.
207.4 STEP 2 - VERIFY IDENTITY

A. If the individual is denied based on a federal or state prohibitor, the Washougal Police Department will verify identity by submitting fingerprints.

B. If the fingerprint based prohibitor is within Washington State, fingerprint cards may be submitted to the Washington State Patrol via mail to:

   Background Check Unit
   Washington State Patrol
   PO Box 42633
   Olympia WA 98504

   A. The reason fingerprinted must be “RECORD REVIEW NICS APPEAL” and there is a fee associated with this request. Electronic fingerprinting is not available for these requests.

   B. There is no process for submitting fingerprints for out-of-state fingerprint based prohibitors. In these cases, appellants should be referred to the out-of-state law enforcement agency holding the denying record to address the out-of-state prohibitor.

207.5 STEP 3 - RELEASING DENIAL INFORMATION

A. After identity is verified, provide the reason for the denial to the appellant indicating the federal or state statute the individual was denied under. The Washougal Police Department must respond to the appeal request within 5 business days and/or advise of a reasonable timeline of when a determination will be prepared.

B. The Washougal Police Department can share the following information after identity is verified:

   1. FBI/SID number
   2. Reason for denial
   3. Date of arrest
   4. Offense
   5. Arresting agency and contact information

C. If the Washougal Police Department is unable to resolve the appeal, the appellant will be notified and provided the name and address of the agency that originated the document containing the information upon which the denial was based.

D. If the Washougal Police Department determines the appellant is not the subject of record via fingerprint comparison, the appellant may be directed to www.fbi.gov/nics-appeals to pursue the Voluntary Appeal File (VAF) option.
Retiree Concealed Firearms

208.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Washougal Police Department identification cards under the Law Enforcement Officers’ Safety Act (LEOSA) (18 USC § 926C).

208.2 POLICY
It is the policy of the Washougal Police Department to provide identification cards to qualified former or retired officers as provided in this policy.

208.3 LEOSA
The Chief of Police may issue an identification card for LEOSA purposes to any qualified former officer of this department who (18 USC § 926C(c)):

(a) Separated from service in good standing from this department as an officer.
(b) Before such separation, had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.
(c) Has not been disqualified for reasons related to mental health.
(d) Has not entered into an agreement with this department where the officer acknowledges that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.
(e) Is not prohibited by federal law from receiving or possessing a firearm.

208.3.1 LEOSA IDENTIFICATION CARD FORMAT
The LEOSA identification card should contain a photograph of the former officer and identify him/her as having been employed as an officer.

If the Washougal Police Department qualifies the former officer, the LEOSA identification card or separate certification should indicate the date the former officer was tested or otherwise found by the Department to meet the active duty standards for qualification to carry a firearm.

208.3.2 AUTHORIZATION
Any qualified former law enforcement officer, including a former officer of this department, may carry a concealed firearm under 18 USC § 926C when he/she is:

(a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and one of the following:

1. An indication from the person’s former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement
Retiree Concealed Firearms

agency to meet agency-established active duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.

2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.

(b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.

(c) Not prohibited by federal law from receiving a firearm.

(d) Not in a location prohibited by Washington law or by a private person or entity on his/her property if such prohibition is permitted by Washington law.

208.4 WASHINGTON IDENTIFICATION CARD
The Chief of Police may issue an identification card to a retired officer of this department for the purposes of carrying a concealed weapon within the State of Washington under RCW 9.41.060 who:

(a) Has retired from this department.

(b) Did not retire because of a mental or stress-related disability.

(c) Has not been convicted or found not guilty by reason of insanity of a crime making him/her ineligible for a concealed pistol license.

If issued, the identification card must document all of the above qualifications (RCW 9.41.060).

Any retired person receiving such an identification card shall abide by all of the other requirements of this policy that are applicable to a LEOSA identification card.

208.5 FORMER OFFICER RESPONSIBILITIES
A former officer with a card issued under this policy shall immediately notify the Patrol Sergeant of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Employee Convictions Policy.

208.5.1 RESPONSIBILITIES UNDER LEOSA
In order to obtain or retain a LEOSA identification card, the former officer shall:

(a) Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.

(b) Remain subject to all applicable department policies and federal, state and local laws.
(c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.

208.6 FIREARM QUALIFICATIONS
The Firearms Instructor may provide former officers from this department an opportunity to qualify. Written evidence of the qualification and the weapons used will be provided and will contain the date of the qualification. The Firearms Instructor will maintain a record of the qualifications and weapons used.

If provided, the qualification shall include the firearms course and certificate developed by the Washington Association of Sheriffs and Police Chiefs (RCW 36.28A.090).

208.7 QUALIFICATION COURSE
The Qualification Course is the Standard CJTC Retired Law Enforcement Firearm Qualification using the Standard BLEA-2 Target. A minimum score of 175pts/70% on the qualification course is required to pass. The target scoring standards are written on the qualification sheet.

208.8 NON-QUALIFYING RETIREE
If any Retiree fails to meet minimum standards for Firearms Qualification for any reason, including injury, Illness, scheduling conflicts, that Retiree will request in writing to the Chief of Police or designee to reschedule another qualification date at the departments next availability. Retiree’s certification will be void and not reissued until standards are met.

Those who fail to meet the minimum standards or qualify on the first shooting attempt will be given two additional attempts to meet the minimum qualification standard. If standards are not met after three attempts, Retiree will have to coordinate with the Washougal Police Firearms staff requesting another qualification date at staff’s availability.
Emergency Management Plan

209.1 PURPOSE AND SCOPE
The City has prepared an Emergency Management Plan Manual for use by all employees in the event of a major disaster, civil disturbance, mass arrest or other emergency event. The manual provides for a strategic response by all employees and assigns specific responsibilities in the event the plan is activated.

The City Emergency Management Plan is written in accordance with the State of Washington’s comprehensive emergency management plan and program, and has been approved for local use (RCW 38.52.070). This plan provides guidance for City emergency operations within and outside its borders.

209.1.1 WASHOUGAL CODES
An emergency management organization has been established by the City of Washougal. This ordinance has been approved by the City Council (WAC 118-30-050).

209.2 ACTIVATING THE EMERGENCY PLAN
The Emergency Management Plan may be activated by the Chief of Police, the highest ranking official on-duty or a responder who is at the scene of a major emergency.

Upon activation of the plan, the Chief of Police or the authorized designee should, if the need is anticipated, contact the State Emergency Operations Center to assist with a mutual aid response in which local, state and federal law enforcement agencies provide resources to this department.

209.2.1 RECALL OF PERSONNEL
In the event that the Emergency Management Plan is activated, all employees of the Washougal Police Department are subject to immediate recall. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief of Police or the authorized designee.

Failure to respond to an order to report for duty may result in discipline.

209.3 LOCATION OF EMERGENCY MANAGEMENT PLAN
The manual for the employees is available in the copy room above the ACCESS computer and the Patrol Room. All supervisors should familiarize themselves with the Emergency Management Plan and what roles police personnel will play when the plan is implemented. The Captain should ensure that all personnel receive periodic training on the Emergency Management Plan.

The Chief of Police or his/her designee shall ensure that all copies of the Emergency Management Plan manual are kept current and available to all personnel.

209.4 BUILDING EVACUATION PLAN
In the event of a disaster or emergency which requires evacuation of the police department, all employees shall follow implemented evacuation plans and posted exit strategies. The posted
exit strategies shall include any special directions for physically impaired employees (WAC 296-24-567).

209.5 UPDATING OF MANUALS
The Chief of Police or the authorized designee shall review the Emergency Management Plan Manual at least once every two years to ensure that the manual conforms to any revisions made by the National Incident Management System (NIMS) (WAC 118-30-060(7)).

209.6 TRAINING
The Department should provide annual training in the Emergency Management Plan for all supervisors and other appropriate personnel. All supervisors should familiarize themselves with the Emergency Management Plan and the roles police personnel will play when the plan is implemented. Training should incorporate a full or partial exercise, tabletop or command staff discussion.
Chapter 3 - General Operations
Use of Force

300.1 PURPOSE AND SCOPE
This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial and reasonable manner.

300.1.1 DEFINITIONS
Definitions related to this policy include:

Deadly force - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

Force - The application of physical techniques or tactics, chemical agents or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed or restrained.

300.2 POLICY
The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

300.2.1 DUTY TO INTERCEDE
Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

300.3 USE OF FORCE
Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

The "reasonableness" of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably
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appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by the Department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

300.3.1 USE OF FORCE TO EFFECT AN ARREST
An officer may use all means reasonably necessary to effect an arrest if, after notice of the intention to arrest the person, he/she either flees or forcibly resists (RCW 10.31.050).

300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE
When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include but are not limited to:

(a) Immediacy and severity of the threat to officers or others.
(b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
(c) Officer/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
(d) The effects of drugs or alcohol.
(e) Subject’s mental state or capacity.
(f) Proximity of weapons or dangerous improvised devices.
(g) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
(h) The availability of other options and their possible effectiveness.
(i) Seriousness of the suspected offense or reason for contact with the individual.
(j) Training and experience of the officer.
(k) Potential for injury to officers, suspects, and others.
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(l) Whether the person appears to be resisting, attempting to evade arrest by flight or is attacking the officer.

(m) The risk and reasonably foreseeable consequences of escape.

(n) The apparent need for immediate control of the subject or a prompt resolution of the situation.

(o) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.

(p) Prior contacts with the subject or awareness of any propensity for violence.

(q) Any other exigent circumstances.

300.3.3 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

(a) The degree to which the application of the technique may be controlled given the level of resistance.

(b) Whether the person can comply with the direction or orders of the officer.

(c) Whether the person has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

300.3.4 VASCULAR NECK RESTRAINT (VNR)

The Vascular Neck Restraint (VNR) and/or the use of any type of neck hold that intentionally restricts blood flow or breathing shall be considered use of lethal force. It shall not be used to subdue an individual, except as a last resort, and then only when officers have a reasonable belief that their life is in imminent danger or to prevent the escape of any suspect whose freedom is reasonably believed to represent an imminent threat of death or serious bodily injury to the officer or others.

300.3.5 USE OF FORCE TO SEIZE EVIDENCE

In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used to seize evidence, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Officers are encouraged to use techniques and methods taught by the Washougal Police Department for this specific purpose.
300.4 DEADLY FORCE APPLICATIONS

Use of deadly force is justified in the following circumstances:

(a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes would be an imminent threat of death or serious bodily injury.

(b) An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the person has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the subject is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible. Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes any of the following:

1. The person has a weapon or is attempting to access one and it is reasonable to believe the person intends to use it against the officer or another.
2. The person is capable of causing serious bodily injury or death without a weapon and it is reasonable to believe the person intends to do so.

300.4.1 SHOOTING AT OR FROM MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective. When possible, Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

300.5 REPORTING THE USE OF FORCE

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure or law.

300.5.1 NOTIFICATION TO SUPERVISORS

Supervisory notification shall be made as soon as practicable following the application of force. If a supervisor is not on duty the involved officer shall notify a supervisor by telephone as soon as practicable. A non-involved officer may make the telephone notification to a supervisor if the involved officer(s) are not able to make the supervisory notification themselves.
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300.5.2 NOTIFICATION TO INDIAN AFFAIRS
When the use of force by an officer results in the death of a person who is an enrolled member of a federally recognized Indian tribe, notification shall be made to the Governor’s Office of Indian Affairs within a reasonable period of time, but not more than 24 hours after the department has good reason to believe the person was an enrolled member. Notice shall include sufficient information for the Governor’s Office of Indian Affairs to attempt to identify the deceased person and tribal affiliation (Chapter 4 § 6, Laws of 2019).

300.6 MEDICAL CONSIDERATION
Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed.

Based upon the officer’s initial assessment of the nature and extent of the subject’s injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called “excited delirium”), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away if appropriate.

300.7 SUPERVISOR RESPONSIBILITIES
When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

(a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.

(b) Ensure that any injured parties are examined and treated.
(c) When possible, interview the subject upon whom force was applied. If this interview is conducted without the person having voluntarily waived his/her Miranda rights, the following shall apply:

1. The content of the interview should not be summarized or included in any related criminal charges.
2. The fact that a recorded interview was conducted should be documented in a property or other report.
3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.

(d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired.

(e) Identify any witnesses not already included in related reports.

(f) Review and approve all related reports.

(g) Determine if there is any indication that the subject may pursue civil litigation.
   1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.

(h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy non-compliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

300.7.1 REVIEWAL OF RESPONSE TO RESISTANCE (RTR) REPORTS
The supervisor who reviews/approves a case report in which force was used by any member of this department shall also review all RTR's associated to the case to ensure compliance with this policy and to address any training issues.

300.8 TRAINING
Officers will receive periodic training on this policy and demonstrate their knowledge and understanding.

300.9 USE OF FORCE ANALYSIS
At least annually, the captain should prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects or case numbers, and should include:

(a) The identification of any trends in the use of force by members.

(b) Training needs recommendations.
(c) Equipment needs recommendations.
(d) Policy revision recommendations.
Use of Force Review Boards

301.1 PURPOSE AND SCOPE
This policy establishes a process for the Washougal Police Department to review the use of force by its employees.

This review process shall be in addition to any other review or investigation that may be conducted by any outside or multi-agency entity having jurisdiction over the investigation or evaluation of the use of deadly force.

301.2 POLICY
The Washougal Police Department will objectively evaluate the use of force by its members to ensure that their authority is used lawfully, appropriately and is consistent with training and policy.

301.3 REMOVAL FROM LINE DUTY ASSIGNMENT
Generally, whenever an employee's actions or use of force in an official capacity, or while using department equipment, results in death or very serious injury to another, that employee will be placed in a temporary administrative assignment pending an administrative review. The Chief of Police may exercise discretion and choose not to place an employee in an administrative assignment in any case.

301.4 REVIEW BOARD
The Use of Force Review Board will be convened when the use of force by a member results in very serious injury or death to another.

The Use of Force Review Board will also investigate and review the circumstances surrounding every discharge of a firearm, whether the employee was on- or off-duty, excluding training or recreational use.

The Chief of Police may request the Use of Force Review Board to investigate the circumstances surrounding any use of force incident.

The Captain will convene the Use of Force Review Board as necessary. The involved employee's supervisor will ensure that all relevant reports, documents and materials are available for consideration and review by the board.

301.4.1 COMPOSITION OF THE BOARD
The Captain will serve as the chairperson of the Use of Force Review Board and is responsible for selecting at least four additional members from the following, as appropriate:

- At least one WPD sergeant
- At least one WPD officer
- At least one officer or deputy from an outside law enforcement agency
Use of Force Review Boards

- Department instructor(s) for the type of weapon(s), device(s) or technique(s) used

301.4.2 RESPONSIBILITIES OF THE BOARD
The Use of Force Review Board is empowered to conduct an administrative review and inquiry into the circumstances of an incident.

The board members may request further investigation, request reports be submitted for the board's review, call persons to present information and request the involved employee to appear. The involved employee will be notified of the meeting of the board and may choose to have a representative through all phases of the review process.

The board does not have the authority to recommend discipline.

The Chief of Police will determine whether the board should delay its review until after completion of any criminal investigation, review by any prosecutorial body, filing of criminal charges, the decision not to file criminal charges, or any other action. The board should be provided all relevant available material from these proceedings for its consideration.

The review shall be based upon those facts which were reasonably believed or known by the officer at the time of the incident, applying any legal requirements, department policies, procedures and approved training to those facts. Facts later discovered but unknown to the officer at the time shall neither justify nor call into question an officer's decision regarding the use of force.

Any questioning of the involved employee conducted by the board will be in accordance with the department's disciplinary procedures, the Personnel Complaints Policy, the current collective bargaining agreement and any applicable state or federal law.

The board shall make one of the following recommended findings:
   (a) The employee's actions were within department policy and procedure.
   (b) The employee's actions were in violation of department policy and procedure.

A recommended finding requires a majority vote of the board. The board may also recommend additional investigations or reviews, such as disciplinary investigations, training reviews to consider whether training should be developed or revised, and policy reviews, as may be appropriate. The board chairperson will submit the written recommendation to the Chief of Police.

The Chief of Police shall review the recommendation, make a final determination as to whether the employee's actions were within policy and procedure and will determine whether any additional actions, investigations or reviews are appropriate. The Chief of Police's final findings will be forwarded to the Captain for review and appropriate action. If the Chief of Police concludes that discipline should be considered, a disciplinary process will be initiated.

At the conclusion of any additional reviews, copies of all relevant reports and information will be filed with the Chief of Police.
Handcuffing and Restraints

302.1 PURPOSE AND SCOPE
This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

302.2 POLICY
The Washougal Police Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy and department training. Restraint devices shall not be used to punish, to display authority or as a show of force.

302.3 USE OF RESTRAINTS
Only members who have successfully completed Washougal Police Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, officers should carefully balance officer safety concerns with factors that include but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing in the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

302.3.1 RESTRAINT OF DETAINEES
Situations may arise where it may be reasonable to restrain a person who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to ensure the safety of officers and others. When deciding whether to remove restraints from a detainee, officers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

302.3.2 RESTRAINT OF PREGNANT PERSONS
Persons who are known to be pregnant should be restrained in the least restrictive manner available and reasonable under the circumstances, but in no case shall leg irons or waist chains be used. Handcuffs behind the body should not be used unless the officer has a reasonable suspicion that the person may resist, attempt escape, injure herself or others, or damage property (RCW 70.48.500).
Handcuffing and Restraints

When the person is in labor no restraints of any kind shall be used. This does not prohibit a treating physician licensed under Title 18 RCW from requesting the use of hospital restraints for the medical safety of the person (RCW 70.48.500).

302.3.3 RESTRAINT OF JUVENILES
A juvenile under 14 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the officer or damage property.

Members who are school resource officers should only use restraints on a student participating in school-sponsored instruction or activity when there is an imminent likelihood of serious harm and pursuant to the school policy for students and staff (RCW 28A.600.485).

302.3.4 NOTIFICATIONS
Whenever an officer transports a person with the use of restraints other than handcuffs, the officer shall inform the jail staff upon arrival at the jail that restraints were used. This notification should include information regarding any other circumstances the officer reasonably believes would be potential safety concerns or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during, transportation to the jail.

302.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS
Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person’s hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Department. Officers should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, officers should not conclude that in order to avoid risk every person should be handcuffed regardless of the circumstances.

In most situations handcuffs should be applied with the hands behind the person’s back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the person or may cause unreasonable discomfort due to the person’s size, officers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

302.5 APPLICATION OF SPIT HOODS
Spit hoods are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.
Handcuffing and Restraints

Spit hoods may be placed upon persons in custody when the officer reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Officers should provide assistance during the movement of a restrained person due to the potential for impairing or distorting that person's vision. Officers should avoid commingling those wearing spit hoods with others and detainees.

Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated including hair, head, and clothing, prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

302.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES
Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort and mobility.

Only department-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

302.7 APPLICATION OF LEG RESTRAINT DEVICES
Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest, or transportation. Only restraint devices approved by the department shall be used.

In determining whether to use the leg restraint, officers should consider:

(a) Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a person.

(b) Whether it is reasonably necessary to protect the person from his/her own actions (e.g., hitting his/her head against the interior of the patrol vehicle, running away from the arresting officer while handcuffed, kicking at objects or officers).

(c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol vehicle).
302.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS
When applying leg restraints, the following guidelines should be followed:

(a) If practicable, officers should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.

(b) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.

(c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person’s ability to breathe.

(d) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.

(e) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.

(f) When transported by emergency medical services, the restrained person should be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration).

302.8 REQUIRED DOCUMENTATION
If a person is restrained and released without an arrest, the officer shall document the details of the detention and the need for handcuffs or other restraints.

If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report.

Officers should document the following information in reports, as appropriate, when restraints other than handcuffs are used on a person:

(a) The factors that led to the decision to use restraints.
(b) Supervisor notification and approval of restraint use.
(c) The types of restraint used.
(d) The amount of time the person was restrained.
(e) How the person was transported and the position of the person during transport.
(f) Observations of the person’s behavior and any signs of physiological problems.
(g) Any known or suspected drug use or other medical problems.
Handcuffing and Restraints

302.8.1 SCHOOL RESOURCE OFFICERS
Members working as school resource officers shall prepare a report pursuant to RCW 28A.600.485 and provide a copy to the school administrator whenever a student is restrained in a room or other enclosure or restrained by handcuffs or other restraint devices during school-sponsored instructions or activities.

302.9 TRAINING
Subject to available resources, the Admin Sergeant should ensure that officers receive periodic training on the proper use of handcuffs and other restraints, including:

   (a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.

   (b) Response to complaints of pain by restrained persons.

   (c) Options for restraining those who may be pregnant without the use of leg irons, waist chains, or handcuffs behind the body.

   (d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.
Control Devices and Techniques

303.1 PURPOSE AND SCOPE
This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

303.2 POLICY
In order to control subjects who are violent or who demonstrate the intent to be violent, the Washougal Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

303.3 ISSUING, CARRYING, AND USING CONTROL DEVICES
Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Chief of Police or the authorized designee.

Only officers who have successfully completed department-approved training and have demonstrated satisfactory skill and proficiency in the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain, or arrest a subject who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using control devices, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

303.4 RESPONSIBILITIES

303.4.1 PATROL SERGEANT RESPONSIBILITIES
The Patrol Sergeant may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed the required training.

303.4.2 FIREARMS INSTRUCTOR RESPONSIBILITIES
The Firearms Instructor shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced.

Every control device will be periodically inspected by the Firearms Instructor or the designated instructor for a particular control device. The inspection shall be documented.
303.4.3 USER RESPONSIBILITIES
All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

Officers shall document in a memo any damaged, inoperative, or outdated control devices or munitions in their control or possession. The memo shall explain the cause of the damage, if applicable. The memo shall be forwarded up the chain of command and a copy to the Firearms Instructor for disposition.

303.5 BATON GUIDELINES
The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

When carrying a baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.

303.6 OLEORESIN CAPSICUM (OC) GUIDELINES
As with other control devices, oleoresin capsicum (OC) spray and pepper projectiles may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in violent behavior. Pepper projectiles and OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

303.6.1 OC SPRAY
Uniformed personnel carrying OC spray shall carry the device in its holster on the equipment belt. Plainclothes and non-field personnel may carry OC spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

303.6.2 TREATMENT FOR OC SPRAY EXPOSURE
Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those persons who complain of further severe effects shall be examined by appropriate medical personnel.

303.7 POST-APPLICATION NOTICE
Whenever tear gas or OC has been introduced into a residence, building interior, vehicle or other enclosed area, officers should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that clean up will be at the owner’s expense. Information regarding the method of notice and the individuals notified should be included in related reports.
303.8 KINETIC ENERGY PROJECTILE GUIDELINES
This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

303.8.1 DEPLOYMENT AND USE
Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.

Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

(a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
(b) The suspect has made credible threats to harm him/herself or others.
(c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
(d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

303.8.2 DEPLOYMENT CONSIDERATIONS
Before discharging projectiles, the officer should consider such factors as:

(a) Distance and angle to target.
(b) Type of munitions employed.
(c) Type and thickness of subject’s clothing.
(d) The subject’s proximity to others.
(e) The location of the subject.
(f) Whether the subject’s actions dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.

Officers should keep in mind the manufacturer’s recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to
manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

303.9 TRAINING FOR CONTROL DEVICES
The Captain shall ensure that all personnel who are authorized to carry a control device have been properly trained, have demonstrated satisfactory skill and proficiency, are certified to carry the specific control device, and are retrained or recertified as necessary.

(a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.

(b) All training and proficiency for control devices will be documented in the officer’s training file.

(c) Officers who fail to demonstrate proficiency with the control device or knowledge of this agency’s Use of Force Policy will be provided remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of this agency’s Use of Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline.

303.10 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES
Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy.
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304.1 PURPOSE AND SCOPE
This policy provides guidelines for the issuance and use of TASER® devices.

304.2 POLICY
The TASER device is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device should result in fewer serious injuries to officers and suspects.

304.3 ISSUANCE AND CARRYING TASERS
Only members who have successfully completed department-approved training may be issued and carry the TASER device.

TASER devices are issued for use during a member’s current assignment. Those leaving a particular assignment may be required to return the device to the department’s inventory.

Officers shall only use the TASER device and cartridges that have been issued by the Department. Uniformed officers who have been issued the TASER device shall wear the device in an approved holster on their person. Non-uniformed officers may secure the TASER device in the driver’s compartment of their vehicle.

Members carrying the TASER device should perform a spark test on the unit prior to every shift.

When carried while in uniform officers shall carry the TASER device in a weak-side holster on the side opposite the duty weapon or in a position intended to be drawn with the weak-side hand.

(a) All TASER devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.

(b) Whenever practicable, officers should carry two or more cartridges on their person when carrying the TASER device.

(c) Officers shall be responsible for ensuring that their issued TASER device is properly maintained and in good working order.

(d) Officers should not hold both a firearm and the TASER device at the same time.

304.4 VERBAL AND VISUAL WARNINGS
A verbal warning of the intended use of the TASER device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

(a) Provide the individual with a reasonable opportunity to voluntarily comply.
(b) Provide other officers and individuals with a warning that the TASER device may be deployed.

If, after a verbal warning, an individual is unwilling to voluntarily comply with an officer’s lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, display the electrical arc (provided that a cartridge has not been loaded into the device), or the laser in a further attempt to gain compliance prior to the application of the TASER device. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the TASER device in the related report.

304.5 USE OF THE TASER
The TASER device has limitations and restrictions requiring consideration before its use. The TASER device should only be used when its operator can safely approach the subject within the operational range of the device. Although the TASER device is generally effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

304.5.1 APPLICATION OF THE TASER
The TASER device may be used in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person:

(a) The subject is violent or is physically resisting.

(b) The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, him/herself or others.

Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the TASER device to apprehend an individual.

304.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS
The use of the TASER device on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

(a) Individuals who are known to be pregnant.

(b) Elderly individuals or obvious juveniles.

(c) Individuals with obviously low body mass.

(d) Individuals who are handcuffed or otherwise restrained.
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(e) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.

(f) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

Because the application of the TASER device in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance, the use of the drive-stun mode generally should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

The TASER device shall not be used to psychologically torment, elicit statements or to punish any individual.

304.5.3 TARGETING CONSIDERATIONS
Reasonable efforts should be made to target lower center mass and avoid the head, neck, chest and groin. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the TASER device probes to a precise target area, officers should monitor the condition of the subject if one or more probes strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

304.5.4 MULTIPLE APPLICATIONS OF THE TASER
Officers should apply the TASER device for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the TASER device against a single individual are generally not recommended and should be avoided unless the officer reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple applications.

If the first application of the TASER device appears to be ineffective in gaining control of an individual, the officer should consider certain factors before additional applications of the TASER device, including:

(a) Whether the probes are making proper contact.

(b) Whether the individual has the ability and has been given a reasonable opportunity to comply.

(c) Whether verbal commands, other options or tactics may be more effective.

Officers should generally not intentionally apply more than one TASER device at a time against a single subject.
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304.5.5 ACTIONS FOLLOWING DEPLOYMENTS
Officers shall notify a supervisor of all TASER device discharges. The cartridge serial number should be noted and documented on the evidence paperwork. The probes should be removed from the cartridge and discarded in a sharps container prior to packaging the cartridge.

304.5.6 DANGEROUS ANIMALS
The TASER device may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

304.5.7 OFF-DUTY CONSIDERATIONS
Officers are not authorized to carry department TASER devices while off-duty.

Officers shall ensure that TASER devices are secured while in their homes, vehicles or any other area under their control, in a manner that will keep the device inaccessible to others.

304.6 DOCUMENTATION
Officers shall document all TASER device discharges in the related arrest/crime report and an RTR must be completed by the officer who discharged the TASER. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, laser activation and arcing the device will also be documented on the report form.

304.6.1 REPORTS
The officers shall include the following in the arrest/crime report and RTR:

(a) Identification of all personnel firing TASER devices
(b) Identification of all witnesses
(c) Medical care provided to the subject
(d) Observations of the subject’s physical and physiological actions
(e) Any known or suspected drug use, intoxication or other medical problems
(f) Upload all photographs to the Quetel evidence system

304.7 MEDICAL TREATMENT
Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel should remove TASER device probes from a person’s body. Used TASER device probes shall be treated as a sharps biohazard, similar to a used hypodermic needle and handled appropriately. Universal precautions should be taken.

All persons who have been struck by TASER device probes or who have been subjected to the electric discharge of the device shall be medically assessed prior to booking. Additionally, any
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such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

(a) The person is suspected of being under the influence of controlled substances and/or alcohol.

(b) The person may be pregnant.

(c) The person reasonably appears to be in need of medical attention.

(d) The TASER device probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).

(e) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the TASER device.

304.8 SUPERVISOR RESPONSIBILITIES
When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the TASER device may be used. A supervisor should respond to all incidents where the TASER device was activated.

A supervisor should review each incident where a person has been exposed to an activation of the TASER device. The device’s onboard memory should be downloaded through the data port by a supervisor or Firearms Instructor and saved with the related arrest/crime report. Photographs of probe sites should be taken and witnesses interviewed.

304.9 TRAINING
Personnel who are authorized to carry the TASER device shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the TASER device as a part of their assignment for a period of six months or more shall be recertified by a department-approved TASER device instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued TASER devices should occur every year. A reassessment of an officer’s knowledge and/or practical skill may be required at any time if deemed appropriate by the Captain. All training and proficiency for TASER devices will be documented in the officer’s training file.
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Command staff, supervisors and investigators should receive TASER device training as appropriate for the investigations they conduct and review.

Officers who do not carry TASER devices should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

The Administrative Sergeant is responsible for ensuring that all members who carry TASER devices have received initial and annual proficiency training. Periodic audits should be used for verification.

The Administrative Sergeant should ensure that all training includes:

(a) A review of this policy.
(b) A review of the Use of Force Policy.
(c) Performing weak-hand draws or cross-draws to reduce the possibility of unintentionally drawing and firing a firearm.
(d) Target area considerations, to include techniques or options to reduce the unintentional application of probes near the head, neck, chest and groin.
(e) Handcuffing a subject during the application of the TASER device and transitioning to other force options.
(f) De-escalation techniques.
(g) Restraint techniques that do not impair respiration following the application of the TASER device.
(h) Read and sign the Warnings, Risks & Release Agreement for those who volunteer to be exposed to the application of a TASER.

Application of the TASER during training could result in injury to personnel and is not mandatory for certification.

It is the responsibility of TASER instructors to have all personnel who volunteer to be exposed to the application of a TASER, whether it be by arc or by probes, must first read and sign the Warnings, Risks & Release Agreement that is attached directly below:

Click her for: Taser Release Agreement Aug 2018.pdf
Officer-Involved Shootings and Deaths

305.1 PURPOSE AND SCOPE
The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured or dies as the result of an officer-involved shooting or as a result of other action of an officer.

In other incidents not covered by this policy, the Chief of Police may decide that the investigation will follow the process provided in this policy.

305.2 POLICY

Per the Clark County Mutual Law Enforcement Assistance Agreement all employee-involved fatal or critical incidents within Clark County are investigated by the Clark County Regional Major Crimes Team (RMCT).

In addition to this policy, it is important for all members of the Washougal Police Department to familiarize themselves with the RMCT OIS Protocol as it outlines how the Regional Major Crimes Team and the Washougal Police Department will conduct all criminal investigations involving employee involved fatal or critical incidents.

Links to the Mutual Law Enforcement Assistance Agreement and the Regional Major Crimes Team Protocol for Employee-Involved Fatal or Critical Incidents (RMCT OIS) are directly below:

Click here to see attachment: RMCT Master Protocol.pdf
Click here to see attachment: RMCT OIS Protocol Feb 2018.pdf
Click here to see attachment: RMCT OIS Command Checklist 2014.pdf

305.3 DEFINITIONS
Employee-Involved Fatal or Critical Incidents: Incidents involving two or more people, in which a law enforcement officer is involved as an actor, victim, custodial officer, or where a fatal or critical injury occurs based on actions taken. Examples of such incidents include:

- Intentional or unintentional officer involved shootings (OIS)
- Intentional or unintentional use of any other dangerous or deadly weapons
- Serious assaults upon law enforcement or other agency employees who are on-duty or are acting with a law enforcement purpose
- Any fatal or critical injury to a person in police custody
- Any fatal or critical injury to a person who is a passenger of a law enforcement officer (citizen ride-a-long, emergency transport)
- Vehicular collisions specifically including any vehicle fatality or critical injury that occurs as a result of use of force (enforcement intervention techniques such as ramming,
roadblocks, or forcing a vehicle to alter its course by cutting in front of it or by contact). This does not apply to vehicular collisions where the only injury is suffered by a law enforcement officer who was the sole occupant of a vehicle that was not involved in a collision with any other occupied vehicle.

• Employee-involved serious injury or fatal incident, either to themselves or another.

Actor: A person, including a supervisor who issues an order, whose act is a "proximate cause" of a fatal or critical injury to another person, or a person who intends that his or her act be a "proximate cause" of serious bodily injury or death to another person who is actually seriously injured or killed by another.

Administrative/Internal Investigators: Investigators who have been assigned by the Chief of Police to conduct the investigation and review of the incident in terms of compliance with department policy and procedures.

Criminal Investigators: Investigators assigned per the Regional Major Crimes Team Agreement to conduct the criminal investigation of the incident.

Fatal or Critical Injury: Death or such severe injury that death is likely to result.

Law Enforcement Employee and Agent: All staff of all law enforcement agencies listed as parties to the Regional Major Crimes Team Agreement, whether on-duty or off-duty, and to informants when they are working under the direct control and supervision of a certified law enforcement officer.

Proximate Cause: A cause which, in a natural and continuous sequence, produces a fatal or critical injury.

RMCT: Regional Major Crimes Team. This team is comprised of qualified investigators from Clark County law enforcement agencies.

Venue Agency: The agency with primary geographical jurisdiction over the incident. The venue agency will have the primary responsibility for media relations and incident command.

Victim: The person who is injured or killed by the act of an actor, whether intentional or not. For purposes of this policy section, the word "victim" does not imply the existence of criminal liability, it is used simply to designate the person who is physically harmed.

305.4 TYPES OF INVESTIGATIONS
Employee-involved serious injury or fatal incidents such as officer involved shootings (OIS) involve several separate investigations. The investigations may include:

• A criminal investigation of the suspect's actions.
• A criminal investigation of the involved officer's action.
• An administrative investigation as to policy compliance by involved officers.
• A civil investigation to determine potential liability.
305.5 CONTROL OF INVESTIGATIONS

Jurisdiction is determined by the location of the employee-involved serious injury or fatal incident.

The Washougal Police Department will have primary jurisdiction (venue agency) when an employee-involved serious injury or fatal incident occurs solely within the city limits of Washougal. The RMCT will be activated and investigators from the RMCT will be assigned to work on the criminal investigation. If at all possible, the investigative team will have at least one investigator from the Washougal Police Department.

When an incident occurs, in part, in two or more jurisdictions, each jurisdiction will be a venue agency. When an incident occurs on the boundary of two or more jurisdictions, or at a location where the relevant boundary is not readily ascertainable or is in dispute, the venue agency shall be:

- The employer agency if the actor is employed by either of the boundary agencies.
- Both boundary agencies if the actors are employed by both.
- The agency having greater interest in the case by virtue of having the predominant leading up to the termination of the incident.

For custodial deaths, the agency having custody of the person at the time his/her distress was first discovered is the venue agency. Also, a venue agency is the agency within whose jurisdiction any serious injury or fatal act was inflicted.

- If the conduct resulted in the serious injury or fatality was apparently criminal, the lead venue agency is the one within whose geographical jurisdiction the act occurred. If there is apparently no criminal conduct involved, the lead venue agency is the one having custody of the injured/deceased when distress was first discovered.

Certain circumstances or multi-agency law enforcement operations may result in special venue and/or control situations; refer to RMCT Agreement Section 5.

- When joint venue exists, the lead venue agency may abdicate its responsibility to the other agency or agencies by mutual agreement at the level of Assistant Chief or above, Chief or Sheriff.

305.5.1 ACTIVATION OF REGIONAL MAJOR CRIMES TEAM (RMCT)

The Chief of Police or his/her designee has the authority to request the assistance of the RMCT. To activate the RMCT the chief or designee will contact a RMCT supervisor. The RMCT supervisor and the WPD supervisor in charge of the incident will evaluate the situation to determine the need for tactical, forensic, and support resources. The RMCT supervisor will activate the number of team members he or she feels is required to begin the investigation.

If the incident is in the City of Washougal a Washougal Police Department supervisor shall be the incident commander for the duration of the investigation and shall provide general support to the RMCT. The Washougal supervisor will also coordinate all activity associated with the investigation with the RMCT supervisor to achieve mutually desired results. The RMCT supervisor shall retain full tactical authority to assign, deploy, initiate, or discontinue action by RMCT personnel.
Officer-Involved Shootings and Deaths

When possible RMCT investigators and forensics specialists will be teamed with WPD investigators. The teaming of WPD personnel will be dependent on the availability of WPD personnel.

The RMCT supervisor is responsible for establishing a liaison with the Prosecuting Attorney's Office. It is recommended that prosecutorial staff respond to the scene and personally observe conditions at the scene and to avail themselves for advice to investigators.

305.5.2 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS
The investigation of any possible criminal conduct by the suspect is controlled by the agency in whose jurisdiction the suspect's crime occurred. For example, the Washougal Police Department would control the investigation if the suspect’s crime occurred in Washougal.

If multiple crimes have been committed in multiple jurisdictions, identification of the agency that will control the investigation may be reached in the same way as with any other crime. The investigation may be conducted by the agency in control of the criminal investigation of the involved officer, at the discretion of the Chief of Police and with concurrence from the other agency.

305.5.3 CRIMINAL INVESTIGATION OF OFFICER ACTIONS
The control of the criminal investigation into the involved officer’s conduct during the incident will be determined by the employing agency’s protocol. When an officer from this department is involved, the criminal investigation will be handled according to the Criminal Investigation section of this policy.

Requests made of this department to investigate a shooting or death involving an outside agency’s officer shall be referred to the Chief of Police or the authorized designee for approval.

305.5.4 ADMINISTRATIVE AND CIVIL INVESTIGATION
Regardless of where the incident occurs, the administrative and civil investigation of each involved officer is controlled by the respective employing agency.

305.5.5 OFFICER/DEPUTY USE OF FORCE INVESTIGATIONS
Where the use of deadly force by an officer results in death, substantial bodily harm, or great bodily harm, an investigation shall be completed by an independent investigative team that is independent of the Department and meets the independent investigations criteria of the Criminal Justice Training Commission (RCW 10.114.011; WAC 139-12-020; WAC 139-12-030).

305.6 INVESTIGATION PROCESS
The following procedures are guidelines used in the investigation of an officer-involved shooting or death.

305.6.1 UNINVOLVED OFFICERS RESPONSIBILITIES
Upon arrival at the scene of an officer-involved shooting or death, the first uninvolved WPD officer will be the officer-in-charge and will assume the responsibilities of a supervisor until properly relieved. This officer should, as appropriate:
Officer-Involved Shootings and Deaths

(a) Secure the scene and identify and eliminate hazards for all those involved.
(b) Take reasonable steps to obtain emergency medical attention for injured individuals.
(c) Request additional resources from the Department or other agencies.
(d) Coordinate a perimeter or pursuit of suspects.
(e) Check for injured persons and evacuate as needed.
(f) Brief the supervisor upon arrival.

305.6.2 SUPERVISOR RESPONSIBILITIES
Upon arrival at the scene, the first uninvolved WPD supervisor should ensure completion of the duties as outlined above, plus:

(a) Attempt to obtain a brief overview of the situation from any uninvolved officers.
   1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.
(b) If necessary, the supervisor may administratively order any WPD officer to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.
   1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident scene, identity of known or potential witnesses and any other pertinent information.
   2. The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.
(c) Provide all available information to the Patrol Sergeant and CRESA. If feasible, sensitive information should be communicated over secure networks.
(d) Take command of and secure the incident scene with additional WPD members until properly relieved by another supervisor or other assigned personnel or investigator.
(e) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.
   1. Each involved WPD officer should be given an administrative order not to discuss the incident with other involved officers or WPD members pending further direction from a supervisor.
   2. When an involved officer’s weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that he/she is provided with a comparable replacement weapon or transported by other officers.

305.6.3 NOTIFICATIONS
The following persons shall be notified as soon as practicable:

- Chief of Police
Officer-Involved Shootings and Deaths

- Captain
- WPD detectives
- Regional Major Crimes Team supervisor
- Psychological/peer support personnel
- Chaplain
- WPOA representative

305.6.4 INVOLVED OFFICERS
The following shall be considered for the involved officer:

(a) Any request for legal or union representation will be accommodated.
   1. Involved WPD officers shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.
   2. Requests from involved non-WPD officers should be referred to their employing agency.

(b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.

(c) Discussions with agency representatives/employee groups will be privileged only as to the discussion of non-criminal information.

(d) A licensed psychotherapist shall be provided by the Department to each involved WPD officer. A licensed psychotherapist may also be provided to any other affected WPD members, upon request.
   1. Interviews with a licensed psychotherapist will be considered privileged.
   2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
   3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).

(e) The Department will consider communications between qualified peer counselors and involved officers to be privileged (RCW 5.60.060).

Care should be taken to preserve the integrity of any physical evidence present on the involved officer’s equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can properly retrieve it.

Each involved WPD officer shall be given reasonable paid administrative leave following an officer-involved shooting or death. It shall be the responsibility of the Patrol Sergeant to make schedule adjustments to accommodate such leave.
305.7 CRIMINAL INVESTIGATION
The County Prosecutor’s Office is responsible for the criminal investigation into the circumstances of any officer-involved shooting or death.

If available, investigative personnel from this department may be assigned to partner with investigators from outside agencies or the County Prosecutor’s Office to avoid duplicating efforts in related criminal investigations.

Once public safety issues have been addressed, criminal investigators should be given the opportunity to obtain a voluntary statement from involved officers and to complete their interviews. The following shall be considered for the involved officer:

(a) WPD supervisors and Internal Affairs personnel should not participate directly in any voluntary interview of WPD officers. This will not prohibit such personnel from monitoring interviews or providing the criminal investigators with topics for inquiry.

(b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney prior to speaking with criminal investigators. However, in order to maintain the integrity of each involved officer’s statement, involved officers shall not consult or meet with a representative or an attorney collectively or in groups prior to being interviewed.

(c) If any involved officer is physically, emotionally or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.

(d) Any voluntary statement provided by an involved officer will be made available for inclusion in any related investigation, including administrative investigations. However, no administratively coerced statement will be provided to any criminal investigators unless the officer consents.

305.7.1 REPORTS BY INVOLVED WPD OFFICERS
In the event that suspects remain outstanding or subject to prosecution for related offenses, this department shall retain the authority to require involved WPD officers to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals.

While the involved WPD officer may write the report, it is generally recommended that such reports be completed by assigned investigators, who should interview all involved officers as victims/witnesses. Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved officers should focus on evidence to establish the elements of criminal activities by suspects. Care should be taken not to duplicate information provided by involved officers in other reports.

Nothing in this section shall be construed to deprive an involved WPD officer of the right to consult with legal counsel prior to completing any such criminal report.
Officer-Involved Shootings and Deaths

Reports related to the prosecution of criminal suspects will be processed according to normal procedures but should also be included for reference in the investigation of the officer-involved shooting or death.

305.7.2 WITNESS IDENTIFICATION AND INTERVIEWS
Because potential witnesses to an officer-involved shooting or death may become unavailable or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to promptly coordinate with criminal investigators to utilize available law enforcement personnel for the following:

(a) Identification of all persons present at the scene and in the immediate area.
   1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
   2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, attempts to identify the witness prior to his/her departure should be made whenever feasible.

(b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Department.
   1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.

(c) Promptly contacting the suspect’s known family and associates to obtain any available and untainted background information about the suspect’s activities and state of mind prior to the incident.

305.7.3 ACCESS TO REPORTS AND EVIDENCE
All materials created or collected as a result of the criminal investigation, including evidentiary documentation, will be made available as timely as possible to agencies and their investigators involved in the criminal and administrative investigation.

Release of any materials connected to the investigation should be coordinated with, and approved by, the Prosecuting Attorney.

Investigative materials include all reports or other documentation, photographs, diagrams, audio and video recordings, and physical evidence.

305.7.4 EVIDENCE STORAGE AND RETENTION
The release of any items seized as evidence during the course of an officer involved serious injury or fatal incident investigation shall only occur upon the approval of the Prosecuting Attorney or his/her designee.
When the Prosecuting Attorney concludes that physical evidence collected by criminal investigators is no longer needed for the criminal aspect of the incident, the department shall be notified of that decision and will assume responsibility for the preservation or release of evidentiary items.

No evidence shall be released or destroyed without the consent of all agencies involved including the prosecutor’s office and the employer’s civil attorneys.

305.8 ADMINISTRATIVE INVESTIGATION
In addition to all other investigations associated with an officer-involved shooting or death, this department will conduct an internal administrative investigation of involved WPD officers to determine conformance with department policy. This investigation will be conducted under the supervision of the Internal Affairs and will be considered a confidential peace officer personnel file.

Interviews of members shall be subject to department policies and applicable laws.

(a) Any officer involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.

(b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.

1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of his or her prior statement before proceeding with any subsequent interviews.

(c) In the event that an involved officer has elected to not provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.

1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer’s physical and psychological needs have been addressed before commencing the interview.

2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. However, in order to maintain the integrity of each individual officer’s statement, involved officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

3. Administrative interviews should be recorded by the investigator. The officer may also record the interview.
4. The officer shall be informed of the nature of the investigation. If an officer refuses to answer questions, he/she should be given his/her Garrity rights and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.

5. The Internal Affairs shall complete all relevant information and reports necessary for the Department to determine compliance with applicable policies.

6. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Use of Force Review board, which will restrict its findings as to whether there was compliance with the Use of Force Policy.

7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

305.9 CIVIL LIABILITY RESPONSE
A member of this department may be assigned to work exclusively under the direction of the legal counsel for the Department to assist in the preparation of materials deemed necessary in anticipation of potential civil litigation.

All materials generated in this capacity shall be considered attorney work product and may not be used for any other purpose. The civil liability response is not intended to interfere with any other investigation but shall be given reasonable access to all other investigations.

305.10 AUDIO AND VIDEO RECORDINGS
Any officer involved in a shooting or death may be permitted to review available Mobile Audio/Video (MAV), body-worn video, or other video or audio recordings prior to providing a recorded statement or completing reports.

Upon request, non-law enforcement witnesses who are able to verify their presence and their ability to contemporaneously perceive events at the scene of an incident may also be permitted to review available MAV, body-worn video, or other video or audio recordings with the approval of assigned investigators or a supervisor.

Any MAV, body-worn and other known video or audio recordings of an incident should not be publicly released during an ongoing investigation without consulting the prosecuting attorney or City Attorney’s Office, as appropriate.

305.11 SCENE WALK-THRU FOR INVOLVED AGENCIES
A scene walk-thru will be conducted at the request of the Chief of Police. The walk-thru will only take place upon the completion of the crime scene processing and evidence collection and just prior to the scene being released. Involved officers will not be ordered to participate in this
Officer-Involved Shootings and Deaths

administrative walk-thru. The lead detective and lead supervisor of the investigation will participate in the walk-thru.

305.12 DEBRIEFING
Following an officer-involved shooting or death, the Washougal Police Department shall conduct a critical incident/stress debriefing, a tactical debriefing, and a case review meeting.

305.12.1 CRITICAL INCIDENT/STRESS DEBRIEFING
A critical incident/stress debriefing should occur as soon as practicable. The Administrative Captain is responsible for organizing the debriefing. Notes and recorded statements should not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a traumatic event.

The debriefing is not part of any investigative process. Care should be taken not to release or repeat any communication made during a debriefing unless otherwise authorized by policy, law or a valid court order.

Attendance at the debriefing shall only include those members of the Department directly involved in the incident, which can include support personnel (e.g., dispatcher, other non-sworn). Family or other support personnel may attend with the concurrence of those involved in the incident. The debriefing shall be closed to the public and should be closed to all other members of the Department, including supervisory and Internal Affairs personnel.

305.12.2 TACTICAL DEBRIEFING
A tactical debriefing should take place to identify any training or areas of policy that need improvement. The Chief of Police should identify the appropriate participants. This debriefing should not be conducted until all involved members have provided recorded or formal statements to criminal and/or administrative investigators.

305.12.3 CASE OVERVIEW MEETING
A case overview meeting may be conducted at the request of the Chief of Police. The case overview is intended to brief the agency command staff and legal department on what occurred during the incident and what investigative steps were undertaken. The lead investigator and supervisor will be responsible for presenting the case review to the agency command staff. Involved officer(s) will not be present for the case overview meeting.

305.13 CASE REVIEW / REPORT APPROVALS
The incident commander and/or the RMCT supervisor are responsible for reviewing all incident reports investigated by RMCT members and shall also review all submittals to include PC Statements, to the prosecuting attorney's office requesting charges.

305.14 MEDIA RELATIONS
Any media release shall be prepared with input and concurrence from the supervisor and department representative responsible for each phase of the investigation. Releases will be
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available to the Patrol Sergeant, Detective Captain and Public Information Officer in the event of inquiries from the media.

No involved WPD officer shall make any comment to the media unless he/she is authorized by the Chief of Police or a Captain.

Department members receiving inquiries regarding officer-involved shootings or deaths occurring in other jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.
Specialty Impact Munitions

306.1 PURPOSE AND SCOPE
This department is committed to reducing the potential for violent confrontations. “Less lethal force” such as Specialty Impact Munitions may be utilized to defuse, prevent, and stop potentially deadly situations. It may be used when conventional police tactics seem inadequate to control a subject whose behavior is assaultive or potentially assaultive and appears likely to cause serious bodily injury or death unless stopped. “Less lethal force” may only be utilized when there are specific, articulable reasons to support its use.

306.2 DEFINITIONS
Delivery System: An agency issued launch system that is capable of delivering less lethal impact munitions. The Washougal Police Department currently utilizes a 40mm launch system.

Specialty Impact Munitions: An agency issued round of ammunition that is designed to be less lethal than standard duty ammunition. Even though this cartridge is designed to be less lethal, it is not considered "non-lethal."

Less lethal Force: Force which the officer uses with the intent of gaining control of a non-complying subject, knowing that the force used carries a substantial risk of physical injury or serious physical injury, and may cause death. It provides a low lethality response where force is authorized.

306.3 TRAINING FOR CONTROL DEVICES
No officer shall carry or fire a designated less lethal delivery system until the officer has been trained and certified for such use. Officers certified to carry less lethal delivery system will receive training and demonstrate proficiency annually

(a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.

(b) All training and proficiency for control devices will be documented in the officer's training file.

(c) Officers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline.

306.4 DEPLOYMENT
Only a department-approved launch system that is capable of delivering less lethal impact munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.
Specialty Impact Munitions

Officers are not required or compelled to use less lethal munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of subjects engaged in criminal behavior or other behavior likely to cause death or harm to others or self.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

(a) Subject is armed with an instrument, other than firearm, that can be used as a weapon.
(b) Subject is a threat of harming civilians.
(c) Subject is imminent threat of harming himself/herself.
(d) The officer acts in defense of self or defense of other officers.
(e) Selective incapacitation of intoxicated or mentally disturbed persons who are a threat to the safety of themselves or others.
(f) Selective intervention in civil disturbances.
(g) The subject is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
(h) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

306.5 DEPLOYMENT CONSIDERATIONS
Before discharging projectiles, the officer should consider such factors as:

A verbal warning should be given by the “less lethal designated shooter” just prior to the firing of the less lethal specialty impact munitions round. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and also to warn other officers and individuals that the device is being deployed in order to avoid contagious live fire.

Exceptions to the verbal warning are allowable for specific incidents where stealth and surprise are necessary components to the successful outcome of a plan, such as in a SWAT incident. Exception may also be made if the verbal warning endangers the safety of officers, or when it is not practicable due to circumstances.

Officers should keep in mind the manufacturer's recommendations and their training regarding deployment distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

Certified officers should not deploy a less lethal delivery system without the immediate presence of an armed back up officer or deputy.
306.6 INSPECTION PROCEDURES
Officers carrying a less lethal delivery system will inspect it at the beginning of each shift to ensure that it is in proper working order. These weapons should be periodically inspected by armorers to insure they are in good working condition.

306.7 LOADING/UNLOADING PROCEDURES
(a) Loading and unloading of the less lethal delivery system is the sole responsibility of the certified operator.
(b) The officer who takes out a less lethal delivery system will inspect the system upon receipt, ensuring that all rounds are the approved less lethal specialty impact munitions rounds.
(c) The officer will not load the cylinder or chamber of the launcher system unless a situation or incident requires the deployment of the weapon. The specialty impact munition rounds will be stored with the delivery system in the provided carrying case when it is not being actively deployed.
Firearms

307.1 PURPOSE AND SCOPE
This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance, and firearms training.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies.

This policy only applies to those members who are authorized to carry firearms.

307.2 POLICY
The Washougal Police Department will equip its members with firearms to address the risks posed to the public and department members by violent and sometimes well-armed persons. The Department will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

307.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS
Members shall only use firearms that are issued or approved by the Department and have been thoroughly inspected by the Firearms Instructor. No firearm shall be carried by a member who has not qualified with that firearm at an authorized department range.

All other weapons not provided by the Department, including, but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by members in the performance of their official duties without the express written authorization of the member’s Captain. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

307.3.1 HANDGUNS
The authorized department-issued handgun is the Glock Model 34 or 35. The following additional handguns are approved for on-duty use:

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307.3.2 PATROL RIFLES
The authorized department-issued patrol rifle is the Colt AR-15. The following additional patrol rifles are approved for on-duty use:

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Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:
Firearms

(a) Situations where the member reasonably anticipates an armed encounter.

(b) When a member is faced with a situation that may require accurate and effective fire at long range.

(c) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.

(d) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.

(e) When a member reasonably believes that a suspect may be wearing body armor.

(f) When authorized or requested by a supervisor.

(g) When needed to euthanize an animal.

While on duty and when not deployed, the patrol rifle shall be properly secured consistent with department training in a locking weapons rack in the patrol vehicle.

Under no circumstances will rifles have a round chambered (live load) unless the rifle is deployed on an incident and there is a necessity to do so. If rounds are chambered (live load) the on scene supervisor must designate an area for unloading and clearing when a clearing barrel is not available. The designated area will be an area, where in the event a round is discharged, the impact of the round(s) will not cause damage or chances of injury.

307.3.3 PERSONALLY OWNED DUTY FIREARMS
Members desiring to carry an authorized but personally owned duty firearm must receive written approval from the Chief of Police or the authorized designee. Once approved, personally owned duty firearms are subject to the following restrictions:

(a) The firearm shall be in good working order and on the department list of approved firearms.

(b) The firearm shall be inspected by the Firearms Instructor prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.

(c) Prior to carrying the firearm, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.

(d) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Firearms Instructor, who will maintain a list of the information.

307.3.4 AUTHORIZED SECONDARY HANDGUN
Members desiring to carry department or personally owned secondary handguns are subject to the following restrictions:

(a) The handgun shall be in good working order and on the department list of approved firearms.
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(b) Only one secondary handgun may be carried at a time.

(c) The purchase of the handgun and ammunition shall be the responsibility of the member unless the handgun and ammunition are provided by the Department.

(d) The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.

(e) The handgun shall be inspected by the Firearms Instructor prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.

(f) Ammunition shall be the same as department issue. If the caliber of the handgun is other than department issue, the Chief of Police or the authorized designee shall approve the ammunition.

(g) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.

(h) Members shall provide written notice of the make, model, color, serial number and caliber of a secondary handgun to the Firearms Instructor, who will maintain a list of the information.

307.3.5 AUTHORIZED OFF-DUTY FIREARMS

The carrying of firearms by members while off-duty is permitted by the Chief of Police but may be rescinded should circumstances dictate (e.g., administrative leave). Members who choose to carry a firearm while off-duty, based on their authority as peace officers, will be required to meet the following guidelines:

(a) A personally owned firearm shall be used, carried and inspected in accordance with the Personally Owned Duty Firearms requirements in this policy.

   1. The purchase of the personally owned firearm and ammunition shall be the responsibility of the member.

(b) The firearm shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.

(c) It will be the responsibility of the member to submit the firearm to the Firearms Instructor for inspection prior to being personally carried. Thereafter the firearm shall be subject to periodic inspection by the Firearms Instructor.

(d) Prior to carrying any off-duty firearm, the member shall demonstrate to the Firearms Instructor that he/she is proficient in handling and firing the firearm and that it will be carried in a safe manner.

(e) The member will successfully qualify with the firearm prior to it being carried.

(f) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Firearms Instructor, who will maintain a list of the information.
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(g) If a member desires to use more than one firearm while off-duty, he/she may do so, as long as all requirements set forth in this policy for each firearm are met.

(h) Members shall only carry department-authorized ammunition.

(i) When armed, officers shall carry their badges and Washougal Police Department identification cards under circumstances requiring possession of such identification.

307.3.6 AMMUNITION
Members shall carry only department-authorized ammunition. Members shall be issued fresh duty ammunition in the specified quantity for all department-issued firearms during the member’s firearms qualification. Members carrying personally owned authorized firearms of a caliber differing from department-issued firearms shall be responsible for obtaining fresh duty ammunition in accordance with the above, at their own expense. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Firearms Instructor when needed, in accordance with established policy.

Members carrying personally owned authorized firearms of a caliber differing from department-issued firearms shall be responsible for obtaining fresh duty ammunition in accordance with the above, at their own expense.

307.4 EQUIPMENT
Firearms carried on- or off-duty shall be maintained in a clean, serviceable condition. Maintenance and repair of authorized personally owned firearms are the responsibility of the individual member.

307.4.1 REPAIRS OR MODIFICATIONS
Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or the Firearms Instructor.

Firearms that are the property of the Department or personally owned firearms that are approved for department use may be repaired or modified only by a person who is department-approved and certified as an armorer or gunsmith in the repair of the specific firearm. Such modification or repair must be authorized in advance by the Firearms Instructor.

Any repairs or modifications to the member’s personally owned firearm shall be done at his/her expense and must be approved by the Firearms Instructor.

307.4.2 HOLSTERS
Only department-approved holsters shall be used and worn by members. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun.

307.4.3 TACTICAL LIGHTS
Tactical lights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Firearms Instructor. Once the approved tactical lights have been
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properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

307.4.4 OPTICS OR LASER SIGHTS
Optics or laser sights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Firearms Instructor. Any approved sight shall only be installed in strict accordance with manufacturer specifications. Once approved sights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

Except in an approved training situation, a member may only sight in on a target when the member would otherwise be justified in pointing a firearm at the target.

307.5 SAFE HANDLING, INSPECTION AND STORAGE
Members shall maintain the highest level of safety when handling firearms and shall consider the following:

(a) Members shall not unnecessarily display or handle any firearm.

(b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Firearms Instructor. Members shall not dry fire or practice quick draws except as instructed by the Firearms Instructor or other firearms training staff.

(c) Members shall not clean, repair, load or unload a firearm anywhere in the Department, except the armory and where clearing barrels are present.

(d) Rifles removed from vehicles or from the Armory shall only be loaded and unloaded by using the clearing barrel.

(e) Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing an arrestee, but shall place all firearms in a secured location. Members providing access to the jail section to persons from outside agencies are responsible for ensuring firearms are not brought into the jail section.

(f) Members shall not use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory, except with approval of a supervisor.

(g) Any firearm authorized by the Department to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Department or a Firearms Instructor for inspection. Any firearm deemed in need of repair or service by the Firearms Instructor will be immediately removed from service. If the firearm is the member’s primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.
307.5.1 INSPECTION AND STORAGE
Members shall ensure that all handguns and ammunition are locked and secured in a department issued gun safe while in their homes. Members are responsible for immediately reporting department issued gun safes that are damaged or otherwise not operating correctly. If firearms and ammunition must be stored in a vehicle or any other area under their control, they must be stored in a manner that will keep them inaccessible to children and others who should not have access.

Members who keep a rifle in their take-home vehicle will secure the rifle in a gun safe large enough to accommodate long guns. Members may also keep the rifle in the take-home vehicle if it is equipped with a department approved lockable gun retention device or department approved lockable container/safe mounted to the vehicle. Regardless if the rifle is in a departmental approved gun retention device or not rifles are not allowed to remain in take home vehicles when the member is off duty and the rifle is in plain view from outside of the vehicle.

307.5.2 STORAGE AT HOME
Members shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit department-issued firearms to be handled by anyone not authorized by the Department to do so. Members should be aware that negligent storage of a firearm could result in civil liability.

307.5.3 ALCOHOL AND DRUGS
Firearms shall not be carried by any member, either on- or off-duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication, or has taken any combination thereof that would tend to adversely affect the member’s senses or judgment.

307.6 FIREARMS TRAINING AND QUALIFICATIONS
All members who carry a firearm while on-duty will qualify at least annually with their duty firearms. Members will also qualify annually with off-duty and secondary firearms. Firearms training and qualifications must be department approved and on an approved range.

At least annually, all members carrying a firearm should receive practical training designed to simulate field situations including low-light shooting.

307.6.1 NON-CERTIFICATION OR NON-QUALIFICATION
If any member fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status or scheduling conflict, that member shall submit a memorandum to his/her immediate supervisor prior to the end of the required training or qualification period.

Those who fail to meet minimum standards or qualify on their first shooting attempt shall be provided remedial training and will be subject to the following requirements:

(a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.
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(b) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.

(c) No range credit will be given for the following:
   1. Unauthorized range make-up.
   2. Failure to meet minimum standards or qualify after remedial training.

Members who repeatedly fail to meet minimum standards will be removed from field assignment and may be subject to disciplinary action.

307.7 FIREARM DISCHARGE
Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shootings and Deaths Policy. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

In all other cases, written reports shall be made as follows:

(a) If on-duty at the time of the incident, the member shall file a written report with his/her Captain or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.

(b) If off-duty at the time of the incident, a written report shall be submitted or recorded statement provided no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

307.7.1 WARNING AND OTHER SHOTS
Generally, warning shots or shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the member reasonably believes that they appear necessary, effective and reasonably safe.

307.7.2 DESTRUCTION OF ANIMALS
Members are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, TASER device, oleoresin capsicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.
307.7.3 INJURED ANIMALS
With the approval of a supervisor, a member may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical.

307.8 FIREARMS INSTRUCTOR DUTIES
The range will be under the exclusive control of the Firearms Instructor. All members attending will follow the directions of the Firearms Instructor. The Firearms Instructor will maintain a roster of all members attending the range and will submit the roster to the Administrative Sergeant after each range date. Failure of any officer to sign in and out with the Firearms Instructor may result in non-participation or non-qualification.

The range shall remain operational and accessible to department members during hours established by the Department.

The Firearms Instructor has the responsibility of making periodic inspections, at least once a year, of all duty weapons carried by officers of this department to verify proper operation. The Firearms Instructor has the authority to deem any department-issued or personally owned firearm unfit for service. The member will be responsible for all repairs to his/her personally owned firearm; it will not be returned to service until inspected and approved by the Firearms Instructor.

The Firearms Instructor has the responsibility for ensuring each member meets the minimum requirements during training shoots and, on at least a yearly basis, can demonstrate proficiency in the care, cleaning and safety of all firearms the member is authorized to carry.

The Firearms Instructor shall complete and submit to the Administrative Sergeant documentation of the training courses provided. Documentation shall include the qualifications of each instructor who provides the training, a description of the training provided and, on a form that has been approved by the Department, a list of each member who completes the training. The Firearms Instructor shall keep accurate records of all training shoots, qualifications, repairs, maintenance or other records as directed by the Captain.

307.9 FLYING WHILE ARMED
The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to officers who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

(a) Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure, and must have a need to have the firearm accessible, as determined by the Department based on the law and published TSA rules.

(b) Officers must carry their Washougal Police Department identification card, bearing the officer’s name, a full-face photograph, identification number, the officer’s signature and the signature of the Chief of Police or the official seal of the Department and must present this identification to airline officials when requested. The officer should also
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carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver license, passport).

(c) The Washougal Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA will send the Washougal Police Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message on the day of travel to airport personnel as authorization to travel while armed.

(d) An official letter signed by the Chief of Police authorizing armed travel may also accompany the officer. The letter should outline the officer's need to fly armed, detail his/her itinerary, and include that the officer has completed the mandatory TSA training for a law enforcement officer flying while armed.

(e) Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department-appointed instructor.

(f) It is the officer's responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier's check-in counter.

(g) Any officer flying while armed should discreetly contact the flight crew prior to take-off and notify them of his/her assigned seat.

(h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.

(i) Officers should try to resolve any problems associated with flying armed through the flight captain, ground security manager, TSA representative or other management representative of the air carrier.

(j) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

307.10 OUT OF STATE PEACE OFFICERS IN WASHINGTON
Pursuant to 18 USC 926C, any full-time or retired out-of-state peace officer is authorized to carry a concealed firearm in Washington subject to the following conditions:

(a) The officer shall have in his/her possession a photographic identification from the issuing law enforcement agency which indicates that the officer has met the state's training and qualification standards within not less than one year prior to the date of issuance.

(b) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.

(c) Out-of-state peace officers are not authorized to carry a concealed firearm into government buildings or areas otherwise expressly restricted by state or local law.
307.11 CARRYING FIREARMS OUT OF STATE
Qualified, active, full-time officers of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

(a) The officer shall carry his/her Washougal Police Department identification card whenever carrying such firearm.

(b) The officer is not the subject of any current disciplinary action.

(c) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.

(d) The officer will remain subject to this and all other department policies (including qualifying and training).

Officers are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

Active permits from other states are subject to all requirements set forth in 18 USC § 926B.
Knives and Multi-Tools

308.1 PURPOSE AND SCOPE
On-duty personnel may carry a knife or multi-tool on their person or duty belt to use for the following purposes:

(a) As an operational utility tool; and/or
(b) As a last-resort defensive weapon under exigent circumstances.

Use of a knife as an offensive or defensive weapon shall be considered use of deadly force.

308.2 DEFINITIONS
Fixed-blade knife: Any single- or double-edged blade, with or without a point or serrations, secured to an immovable handle, which has no moving parts, and is normally carried in a sheath.

Folding-blade knife: Any knife with a single- or double-edged blade which can be folded, bent, or otherwise secured in such a fashion that renders it safe or inoperative; and can be carried in a sheath, clipped within a belt, pocket, boot, or carried in a pocket.

308.3 AUTHORIZED KNIVES AND MULTI-TOOLS
Folding blade knives or multi-tools worn on the duty belt or otherwise exposed may have a blade length not to exceed 4 inches.

Fixed blade knives may not exceed a blade length of more than 4 inches. (Fixed blade knives have restrictions on how carried)

Automatic or spring-assisted knives which usually have a locking mechanism and require manual manipulation to close are allowed. (Reference RCW 9.41.251 Dangerous Weapons-Exemption for Law Enforcement Officers)

308.4 HOW CARRIED OR DISPLAYED
Officers may carry a folding blade knife or multi-tool on duty:

(a) In a sheath or pouch on the duty belt as long as the sheath or pouch is similar in color and construction to the issued duty belt and has a retention device (snap, Velcro, belt loop, etc.);

(b) Clipped within a belt, pocket or boot.

Fixed-blade knives may not be carried by on-duty Officers unless:

(a) Completely concealed in the officer’s uniform in a sheath or pouch that has some type of retention device (snap, Velcro, compression, etc.);

(b) If worn outside of the uniform; blade length is not to exceed 3 inches and the handle may not be of a color and type that it draws attention to the knife or causes it to be
Knives and Multi-Tools

prominently displayed (e.g., push daggers). It must be in a sheath or pouch that has some type of retention device.

On-duty Officers carrying approved knives shall:

(a) Carry the knife in a professional and discreet manner;

(b) Handle the knife or multi-tool in a safe manner;

(c) Be responsible for the operational maintenance and safe storage.
Vehicle Pursuit Policy

309.1 PURPOSE
The purpose of this Policy is: to establish guidelines and to identify expected behavior for vehicle pursuits by employees of the Washougal Police Department; to develop procedures and identify role expectations for pursuits within the City of Washougal, and those which may enter other jurisdictions, both within and outside of the jurisdictional boundaries of Washougal; Clark County and its other municipalities; to provide a framework for the better management of interagency pursuits; to reduce the risk of injury to employees, citizens and damage to property; to reduce confusion between jurisdictions; and to provide officers guidelines for initiating, participating in, and terminating vehicular pursuits.
This Policy will be updated to reflect accepted recommendations based upon the Annual Pursuit Analysis Report and changes within the Mutual Law Enforcement Assistance Agreement in Conducting Vehicular Pursuits. This Policy and the referenced Agreement should be reviewed by enforcement personnel on an annual basis.

309.2 DEFINITIONS
PURSUIT: A driver of a motor vehicle who willfully fails or refuses to immediately bring their vehicle to a stop and who drives their vehicle in a reckless manner while attempting to elude a pursuing vehicle being operated by a readily identifiable law enforcement officer, after being given a visual or audible signal to bring the vehicle to a stop. The signal given by the law enforcement officer may be by hand, voice, emergency light, or siren. The law enforcement officer must be able to show by a preponderance of the evidence that the subject is aware of the law enforcement officer’s attempt to stop the vehicle.

PURSUING VEHICLE: A law enforcement officer, able to be readily identified as a law enforcement officer, operating a vehicle of this agency equipped with at least one lamp capable of displaying a red, blue, or red/blue combination light visible from a least five hundred feet in normal sunlight and a siren capable of giving an audible signal.

ATTEMPT TO ELUDE: Any driver of a motor vehicle who willfully fails or refuses to immediately bring his vehicle to a stop and who drives his vehicle in a manner indicating a wanton or willful disregard for the lives or property of others while fleeing a pursuing police vehicle, after being given a visual or audible signal to bring the vehicle to a stop.

PRIMARY PURSUIT UNIT: The police unit that initiates a pursuit and is closest to the fleeing vehicle, or any unit which assumes control of the pursuit, and has the responsibility of attempting to stop a fleeing vehicle.

SUPPORT PURSUIT UNIT(S): Any police vehicle that becomes involved as a backup to the primary pursuit unit.
Vehicle Pursuit Policy

PURSUIT SUPERVISOR: Any officer with supervisory rank or responsibility actively engaged in the pursuit. The highest ranking officer will assume the pursuit supervisor position.

ORIGINATING AGENCY: The representative agency of the officer/deputy that originates the pursuit.

RECEIVING AGENCY: The agency having primary law enforcement responsibility within the jurisdiction the pursuit travels to.

TACTICAL VEHICLE INTERVENTION (TVI): The range of techniques intended to intervene in a suspect’s attempt to flee or avoid apprehension while operating a motor vehicle.

BARRICADE: The intentional blocking of a roadway, by any means, to stop a vehicle being pursued.

BOXING IN: The placement of a police vehicle into the path or potential path of a vehicle with the intent of slowing and stopping the vehicle or keeping the vehicle stopped.

INTENTIONAL INTERVENTION (Ramming): Using a police vehicle to purposely cause forceful contact with another vehicle in order to bring that vehicle to a stop.

SPIKE STRIPS: A strip of belting containing specially designed hollow spikes which penetrate tires, thereby slowly deflating a tire(s).

PURSUIT IMMOBILIZATION TECHNIQUE (PIT): The intentional and forced rotational contact of a suspect vehicle by a pursuing police vehicle in an effort to stop the suspect’s flight.

OUTRAGEOUS: In assessing whether driving constitutes outrageous behavior, the following should be taken into consideration:

(a) A reasonable suspicion that the driving conduct is so outrageous that failure to apprehend the driver will endanger the driver of the suspect vehicle, the officer or members of the public, including occupants of the suspect vehicle. The officer must have this suspicion prior to the initiation of the stop.

(b) Excessive speed or erratic vehicular movement, without potential or imminent danger to human life, is not justification for initiating a pursuit. Some examples of qualifying circumstance include, but are not limited to, the following:

1. Actual collision or imminent collision with other vehicles, including emergency vehicles.
2. Opposite lane travel where potential of oncoming vehicle danger is significant.
3. Specific equipment violations that substantially threaten the safety of other motorists or pedestrians.
4. Driving at night without lights at speeds that will not warn others of the vehicle’s presence.
5. Driving at high speed on flat tires or metal rims.
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6. The presence of large numbers of pedestrians or others in the immediate path or vicinity of the fleeing vehicle. Large public events such as the County Fair or Fort Vancouver fireworks are examples.

7. Extreme disregard for traffic control devices directly imperiling cross traffic.

8. Off the road actions such as cutting through parking lots at high speed, where pedestrians or others are likely to be present, including driving up on sidewalks, etc.

QUALIFYING FELONY: A violent felony.

309.3 INITIATING A PURSUIT
The primary considerations when determining whether to initiate, continue or terminate a vehicular pursuit are public safety, and the safety of officers. All personnel shall balance the necessity for immediate apprehension against the danger to life and property inherent in pursuit situations.

When deciding whether to initiate a pursuit, officers shall scrutinize property crimes more closely than violent crimes. Property crimes alone do not constitute justification for a pursuit barring extraordinary circumstances. Examples of extraordinary circumstances include, but are not limited to, the display of a weapon, or any situation where the suspect’s actions constitute a threat to citizen or public safety. The extraordinary circumstance must be present prior to the time that a pursuit is initiated. In the event that a stolen vehicle flees, a pursuit is not authorized where the only factor involved is the crime of vehicle theft, or possession of a stolen vehicle.

Officers engaged in pursuing a stolen vehicle must be able to articulate other permissible factors justifying the pursuit of the stolen vehicle.

Officers are authorized to engage in vehicular pursuits in the following circumstances:

(a) When the officer has a reasonable suspicion that a qualifying violent felony has or is about to occur (refer to property crimes restrictions, as well as other restrictions found within this policy).

(b) When the officer has a reasonable suspicion that the driving conduct is so outrageous that failure to apprehend the driver will endanger the driver of the suspect vehicle, the officer or members of the public, including occupants of the suspect vehicle. The officer must have this suspicion prior to the initiation of the stop.

(c) When the officer has reasonable suspicion that the offense of driving while under the influence is occurring and where the driving of the subject prior to the attempted stop already presents an intolerable risk of injury or death to person(s) other than the subject.

(d) When the officer has a reasonable suspicion that a domestic violence assault is occurring.
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(e) Where a violent felony has been committed, or the officer has a reasonable suspicion that a violent felony will be committed if the subject is allowed to escape, even if the subject is known and could be apprehended by a warrant at a later date.

(f) Pursuits other than those authorized by this Policy are strictly prohibited.

309.4 PROHIBITED PURSUITS

1. Pursuits other than those authorized by this policy and procedure.
2. When the police vehicle involved contains any non-commissioned passenger inside the vehicle.
3. Misdemeanors and infractions, except as listed above.
4. When the primary reason for the pursuit is the “attempt to elude” felony.
5. Pursuits in the opposing or “wrong” direction on a freeway; or divided highway.
6. Pursuits of stolen vehicles if the only factor involved is the crime of vehicle theft, or possession of a stolen vehicle.
7. Pursuits for property crimes unless extraordinary circumstances are present.

309.5 PURSUIT PROCEDURES

Because of the extremely hazardous circumstances created during a pursuit, it is absolutely imperative that all personnel who operate an emergency vehicle adhere to the following policies and procedures:

Officers will take specific actions when initiating a pursuit:

(a) In all pursuit situations the safety of the officer, the suspect, and the public shall be the ultimate concern of the Washougal Police Department.

(b) Officers shall be able to articulate that the necessity to immediately apprehend the fleeing suspect(s) outweighs the risk to life and property inherent in pursuit situations.

(c) Officers shall consider a number of factors when deciding whether to initiate a pursuit including, among others, the safety of the public in the area, the safety of the pursuing officer and the conditions of the pursuit.

(d) Officers will advise CRESA over the radio whenever a pursuit is initiated. The first supervisor or designated acting supervisor that responds or becomes aware of the pursuit will assume command responsibility for the incident.

(e) When a officer becomes engaged in a pursuit, the officer shall immediately notify dispatch of the following, if possible:
   1. That a pursuit has been initiated;
   2. Direction of travel and roadway used;
   3. A description of the vehicle being pursued;
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4. A description of the driver and number of occupants, if possible;
5. The estimated speed of the suspect vehicle;
6. The purpose of the pursuit;
7. Circumstances causing you to pursue.

(f) Should the person attempting to avoid apprehension stop the fleeing vehicle and proceed on foot, the officer should stop, advise his or her location and continue efforts on foot. Officer safety should be remembered and tactics consistent with departmental guidelines and training should be utilized.

(g) Once a suspect is stopped, the primary and secondary pursuit units of the pursuit team and the supervisor are the only officers authorized to go to or remain at the scene (unless additional units are specifically requested by the officer in charge at the scene). If no supervisor is available, it is up to the primary pursuit officer to control over-response to the scene.

Officers will follow specific guidelines during vehicular pursuits.

(a) The primary pursuit unit initiates a pursuit and has responsibility for attempting to stop the fleeing vehicle and/or terminate the pursuit within guidelines.

(b) The support pursuit unit(s) provide backup to the primary pursuit unit. The support unit behind the primary pursuit unit is responsible for calling the pursuit over the radio and to keep all other units informed of the progress of the pursuit to allow the lead officer to focus on maintaining contact with the fleeing vehicle.

(c) Officers who are on duty but are not involved in the pursuit do not respond to assist unless specifically assigned to do so by a supervisor.

(d) Officers who are on duty but are not involved in the pursuit may take action that would increase the safety of vehicular and pedestrian traffic, such as stopping cross traffic ahead of the pursuit path. Actions by officers not a part of the pursuit team are to be limited to steps to increase the safety for the motoring public.

(e) Officers hearing of a pursuit will limit radio traffic to keep the frequency clear for the pursuing officer.

(f) Officers hearing of a pursuit will keep themselves available for assignment, should the need arise, but will remain in the City of Washougal.

(g) Caravanning: a maximum of three (3) units, regardless of combination of departments, will be engaged in a pursuit. (Exceptional circumstances authorized by a supervisor may warrant an exception to this restriction, i.e., multiple dangerous suspects, shots fired, armed robbery.)

(h) On duty supervisory personnel have the primary responsibility to be aware of the pursuits and to assume command responsibility for the monitoring and control of the pursuit as it progresses.

(i) Unless authorized by a supervisor, no more than three patrol vehicles are to engage in a pursuit, except as provided under “factors in multiple vehicle assignment to pursuits.”
Vehicle Pursuit Policy

(j) If appropriate, and if approved by a supervisor, air support may be used during a pursuit.

(k) Whenever the course of the pursuit is extended off of the roadway, as when the fleeing vehicle leaves the roadway and continues cross country, the pursuing officer must carefully consider whether or not the seriousness of the offense outweighs the risk to his/her safety and the potential damage to the police vehicle and/or private property.

Officers engaged in a vehicular pursuit will drive with due regard for their personal safety and all other persons within the pursuit area.

(a) During a pursuit a officer must remember that a citizen using a public highway does not expect to encounter a high speed pursuit during his or her travel.

(b) Officers are not to engage in pursuit techniques that require the officer to drive in the opposing or wrong direction on a freeway or divided highway.

(c) Officers should not overtake and pass a suspect in an attempt to get in front of the suspect vehicle.

(d) Officers are not to attempt to pull alongside a fleeing vehicle and intentionally attempt to force it into any obstacle.

(e) Officers are not to direct the spotlight at the direct vision of the suspect or at the windshield or side windows of a suspect vehicle while in motion. Directing the spotlight from behind into the back of the suspect vehicle to aid in identifying occupants may be utilized. This requirement does not limit the use of a spotlight to increase officer safety after a vehicle has come to a stop.

Personnel operating unmarked or special purpose vehicles are authorized to engage in vehicular pursuits when:

(a) The vehicle is equipped with at least one lamp capable of displaying a red, blue, or a red/blue combination light visible from at least five hundred feet in normal sunlight and a siren capable of giving an audible signal.

(b) The vehicle being pursued is being operated by a fleeing suspect who represents an immediate and direct threat to life.

(c) All other requirements of this policy can be met.

(d) When a marked vehicle becomes available to take over the pursuit, the unmarked vehicle assumes the position of a support pursuit unit until a second marked unit arrives. At that time, the unmarked vehicle may assume the position of the third support pursuit unit for purposes of tactical vehicle intervention or for officer safety purposes should the pursuit be terminated and the suspect vehicle stopped.

309.6 TACTICAL VEHICLE INTERVENTION (TVI)
Personnel are authorized to use Tactical Vehicle Intervention techniques to control a pursuit, to reduce risks associated with the pursuit and/or to bring a pursuit to a conclusion.
Vehicle Pursuit Policy

(a) Tactical Vehicle Intervention techniques are considered a use of force and may be deadly force. Officers will use tactical vehicle intervention techniques in accordance with department policy.

(b) Officers are authorized to use Tactical Vehicle Intervention techniques only after receiving training in the specific technique used.

(c) Prior to the deployment of any pursuit intervention technique, all officers actively engaged in the pursuit shall be communicating on the same radio frequency and shall communicate their actions or intended actions to others prior to deployment.

(d) The Washougal Police Department authorizes the following techniques:
   (a) Pursuit Immobilization Technique (PIT) to stop and apprehend a fleeing suspect whose actions indicate a disregard for the safety of the public and officers.
   (b) Tire Deflation Devices (Spike Strips) alone or in conjunction with other pursuit intervention techniques only after the supervisor in command of the pursuit is notified of the intended use of spike strips and authorizes such use.
   (c) Intentional Intervention (Ramming) is authorized when there is a necessity to stop the suspect by using deadly force in order to protect officers and the public.
   (d) Barricading Roadways when there is a necessity to stop the suspect by using deadly force in order to protect officers and the public.

309.7 TERMINATION OF PURSUITS
In the case of all pursuits, the officer will constantly evaluate the pursuit taking into consideration the following:

1. Does the seriousness of the crime warrant a pursuit at unsafe speeds?
2. What is the possibility of apprehension at a later time?
3. Will the pursuit take place in a business or residential area?
4. What are the street and traffic conditions?
5. What are the weather and light conditions?
6. Is the identity of the suspect known?

When, in the officer’s assessment, the risks of the pursuit outweigh the necessity of the pursuit then the pursuit shall be terminated. Officers and/or supervisors may terminate pursuits under any one of the following circumstances:

1. Any officer or supervisor involved in the pursuit reasonably believes that the risks associated with continued pursuit are greater than the risks to the public associated with the suspect remaining at large.
2. The suspect’s identity has been established and immediate apprehension is not necessary to protect the public or officers.
3. The pursuit vehicle’s location is no longer known.
4. Weather or traffic conditions substantially increase the danger of pursuit beyond the work of apprehending the suspect.

5. The distance between the pursuit and fleeing vehicles is so great that further pursuit is futile.

6. If a pursuit travels outside of the boundaries of the initiating agency, another agency accepts responsibility for the pursuit or communicates refusal to accept responsibility.

7. If an accident occurs in the pursuit with an uninvolved citizen and there are no other police or medical personnel readily available.

When an officer terminates a pursuit he shall:

1. Immediately notify CRESA they have terminated pursuit.

2. All emergency equipment will be turned off and police vehicles will be pulled to the side of the roadway.

3. Upon reentering traffic, the vehicle will be operated in compliance with all state traffic regulations.

No officer will be disciplined for termination of a pursuit.

309.8 INTER-JURISDICTIONAL PURSUIT RESPONSIBILITIES

Pursuits which are initiated in another jurisdiction and come into the city limits of Washougal come within the authority of the Washougal Police Department. Initial department response will be to move to assume responsibility for the pursuit, while ascertaining the basis for the pursuit. If a determination is made that the basis of the pursuit does not meet department policy guidelines, then the supervisor shall advise units to terminate the pursuit. The officer may continue in the direction of the pursuit within posted speed limits to provide any necessary assistance for the purpose of officer safety.

Pursuits which begin in Washougal and enter another jurisdiction come within the authority of the agency having primary jurisdiction.

Caravanning: a maximum of three (3) units, regardless of combination of departments, will be engaged in a pursuit. (Exceptional circumstances authorized by a supervisor may warrant an exception to this restriction, i.e., multiple dangerous suspects, shots fired, armed robbery.)

Vehicular pursuits traveling into other Washington jurisdictions.

(a) Officers involved in a pursuit traveling outside of their jurisdictional limits will contact CRESA to request assistance from the appropriate jurisdiction.

(b) The pursuing agency will provide CRESA with the reason for the pursuit, and provide location, direction of travel, and vehicle/suspect description as soon as possible.

(c) The receiving agency will advise as soon as possible what role they will assume (engagement, supervisory control, or perimeter support).

(d) The primary and two additional support pursuit units continue in direct pursuit until the agency having jurisdiction is capable of accepting responsibility.
(e) Once the agency having jurisdiction assumes the primary and support pursuit units, all involved original units will terminate the pursuit. One original unit may continue, obeying all traffic regulations, to the ultimate stop to assist in the establishment of probable cause for enforcement action against the offending driver.

(f) If the agency having jurisdiction does not have a support unit, the original primary unit will remain in the pursuit as a support unit.

(g) Involved units will monitor the pursuit on their vehicle radio until their part in the pursuit is terminated.

(h) If the receiving agency refuses to accept responsibility for the pursuit or terminates the pursuit, the originating agency may choose to continue to assume responsibility for the pursuit and to continue the pursuit. If the receiving agency chooses to terminate the pursuit due to a known public safety concern (i.e. community event, road closure, construction) then all involved units will terminate the pursuit.

(i) Following conclusion of the pursuit, the primary/originating agency supervisor will communicate with the receiving agency.

Vehicular pursuits into the State of Oregon are authorized only if the subject being pursued has committed a felony or is reasonably suspected of having committed a felony or a violation of another state law relating to driving while under the influence of drugs or alcohol.

(a) The primary or support pursuit unit, whichever unit is transmitting locations and directions to dispatch, will notify CRESA when the pursuit appears that it is going into Oregon.

(b) Dispatch will notify the appropriate Oregon agency of the pursuit and attempt to align interagency communication by informing them of the talk group being used.

(c) Dispatch will provide the receiving agency the reason for the pursuit and the location, vehicle/suspect description and the direction of the pursuit.

(d) The receiving agency should advise as soon as possible what role they will assume (engagement, supervisory control, or perimeter support).

(e) Once the Oregon agency assumes primary and support pursuit units, and after facilitating their taking control of the pursuit, all involved Washington units will terminate the pursuit. One original unit may continue, obeying all traffic regulations, to the conclusion point of the pursuit to assist in the establishment of probable cause for enforcement action against the offending driver.

(f) The agency with geographic jurisdiction may take control over the pursuit at any time, including supervisory control. Supervisory control is not meant to supersede or violate another agency’s pursuit policy.

(g) If the receiving agency does not have a support unit, the primary unit will remain in the pursuit as the support unit.

(h) If the Oregon agency refuses to accept responsibility for the pursuit or terminates the pursuit, all involved units will terminate the pursuit.
(i) For pursuits into Oregon, as agreed in the Portland Metropolitan Pursuit Agreement, a supervisor or officer, from any agency, may exert authority to terminate the pursuit if circumstances warrant.

(j) Caravanning: A maximum of three (3) units, regardless of combination of departments, shall be engaged in a pursuit. (Exceptional circumstances authorized by a supervisor, i.e., multiple dangerous suspects, shots fired, armed robbery).

(k) Support: Units not directly engaged will endeavor to position themselves to provide assistance for perimeter containment or traffic control.

(l) Pursuit Interventions: Before deploying a Tactical Vehicle Intervention technique (i.e., spike strips, ramming, boxing in, barricading, deadly physical force, air support, PIT) the deploying agency will endeavor to make advance notification, including defining the type of intervention.

(m) Accident Investigations: For pursuits into Oregon, as agreed in the Portland Metropolitan Pursuit Agreement, in pursuits where an accident occurs involving a police vehicle, the jurisdiction of occurrence will conduct the appropriate accident investigation.

(n) Following conclusion of the pursuit, the primary/originating agency supervisor will

\[309.9 \ \text{SUPERVISOR PURSUIT DUTIES}\]

When a pursuit becomes necessary or is initiated by an officer, the first supervisor becoming aware of the situation shall immediately assume command. Vehicle deployment, assignment, and use will be at the discretion of the supervisor and will be coordinated with communications.

(a) The supervisor shall identify and assign the 3 primary units responsible for the pursuit. The supervisor will control over-response to the pursuit. If the supervisor or acting supervisor is not immediately available, it is the responsibility of the officer initiating the pursuit to identify the 3 primary units in the pursuit and conduct the pursuit consistent with departmental policy.

(b) The supervisor will take command and control tactical responses as required.

(c) The supervisor will continue to assess the need for continuation of the pursuit and weigh compliance with policy and risks involved.

(d) The supervisor will terminate pursuits that are outside of policy.

Factors in multiple vehicle assignment to pursuits.

(a) The supervisor may approve and assign additional backup vehicles to assist the primary and backup pursuit vehicles based on an analysis of:

(a) The nature of the offense for which the pursuit was initiated.

(b) The number of suspects and any known propensity for violence.

(c) The number of officers in the pursuit vehicles.

(d) The number of officers necessary to make an arrest at the conclusion of the pursuit.
Vehicle Pursuit Policy

(e) Any other clear and articulable facts that would warrant the increased hazards caused by numerous pursuit vehicles.

(b) As a general rule, response in excess of 3 vehicles must be justified by the supervisor.

309.10 PURSUIT REPORT RESPONSIBILITIES

All vehicular pursuits will be documented and reviewed consistent with the guidelines and policies of the Washougal Police Department.

(a) All pursuing units will complete required reports detailing the pursuit to include but not limited to the following information, if available:

1. The initial reason for the pursuit;
2. The route of the pursuit using a map tracing the route;
3. Other police units/agencies involved, naming the officer if possible;
4. Weather and traffic conditions on the route of the pursuit;
5. How and why the pursuit was terminated;
6. A list of people who witnessed the pursuit;
7. Any special circumstances that arose during the pursuit.

(b) Units not in pursuit, but moving to support the pursuit do not need to complete the pursuit report. Such movement may include movements, if allowed by policy, to traffic control positions, movements to position stop sticks, or movements toward the pursuit termination. Units supporting the pursuit will complete a police report if their observations and/or actions will be needed to facilitate the identification, apprehension, and/or prosecution of the offender.

1. Failure to report a police pursuit may subject the employee to disciplinary action.

2. Sergeants shall:

   (a) Review all written reports relating to police pursuits involving officers under their supervision.

   (b) Complete the Supervisor’s Pursuit Report in Guardian Tracking and make a determination whether the pursuit was within guidelines.

   (c) Forward Pursuit Report to the Captain.

3. The Captain will review the completed Pursuit Reports to ensure the actions of the officers were reasonable and prudent under the conditions existing at the time of the pursuit.

4. In those instances in which the Captain believes a pursuit occurred contrary to current policies and procedures, the Captain shall return the report to the sending Sergeant for investigation and further actions as necessary and consistent with this Policy.
Vehicle Pursuit Policy

309.11 SECTION TITLE

An annual report will be generated summarizing and analyzing all pursuits. This annual report may reveal trends that indicate specific training needs and/or modifications of this policy. In addition, a documented annual review of pursuit policies and reporting procedures will be conducted. The Captain or his/her designee is responsible for the annual report and the policy and procedure review.
Officer Response to Calls

310.1 PURPOSE AND SCOPE
This policy provides officers with guidelines for the safe and appropriate vehicular response to emergency and non-emergency incidents or requests for assistance, whether these are dispatched or self-initiated.

310.2 POLICY
It is the policy of this department to appropriately respond to emergency and non-emergency calls for service or requests for assistance, whether these are dispatched or self-initiated.

310.3 RESPONSE TO CALLS
Officers responding to non-emergency calls shall proceed accordingly, unless they are sent or redirected to a higher priority call, and shall obey all traffic laws.

310.4 SUPERVISOR RESPONSIBILITIES
Upon being notified that an emergency response has been initiated or requested, the supervisor shall verify that:

(a) The proper response has been initiated.
(b) No more than those officers reasonably necessary under the circumstances are involved in the response.
(c) Affected outside jurisdictions are being notified as practicable.

The supervisor shall monitor the response until it has been stabilized or terminated and assert control by directing officers into or out of the response, if necessary. If, in the supervisor's judgment, the circumstances require additional officers to be assigned an emergency response, the supervisor may do so.

It is the supervisor's responsibility to terminate an emergency response that, in his/her judgment is inappropriate due to the circumstances.

When making the decision to authorize an emergency response, the supervisor should consider:

- The type of call or crime involved.
- The type and circumstances of the request.
- The necessity of a timely response.
- Weather, traffic and road conditions.
- The location of the responding officers and the location of the incident.
**Canines**

**311.1 PURPOSE AND SCOPE**
This policy establishes guidelines for the use of canines to augment law enforcement services in the community including, but not limited to, locating individuals and contraband and apprehending criminal offenders.

**311.2 POLICY**
It is the policy of the Washougal Police Department that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

**311.2.1 DUTY OF REQUESTING OFFICER**
The officer at the scene requesting canine should protect the area from contamination by other officers and civilians. The officer should be able to articulate the facts of the case to the canine handler so a determination can be made of the extent of services needed.

The requesting officer should also provide the canine handler with the following information:

(a) Last known point and direction of the suspect.

(b) The time factor.

(c) Which areas of escape are sealed off.

**311.2.2 REPORTING CANINE USE, BITES AND INJURIES**
Whenever the canine is deployed, a Canine Use Report shall be completed by the handler and turned in to the Unit Coordinator as required.

If a bite or injury results from the use of the canine, that information shall be documented on a Canine Use Report form, Response to Resistance Report (RTR), and included in the case narrative/supplemental report.

(a) In all cases of bites or injury resulting from the use of a canine, photographs shall be taken of the bite or injury after first tending to the immediate needs of the injured party. The photographs will be labeled Canine Incident - Do Not Destroy, and uploaded onto the Washougal Police Media Drive. If the injury requires medical attention, the subject should be transported to an appropriate medical facility. In the event an in-custody suspect requires medical attention, an officer should standby with the suspect until treatment has been rendered.

(b) Whenever a bite results, the handler shall notify the a supervisor as soon after the incident as practicable.

(c) If a subject alleges an injury that is not visible, notification shall be made to a supervisor and the location of the alleged injury should be documented and photographed.

It shall be the responsibility of the Chief of Police or designee to ensure that related photographs are retained until the potential need for use in any related civil proceeding has expired.
**311.3 ASSIGNMENT**
Canine teams are assigned to Patrol however, they may be assigned to other functions based on operational needs.

**311.4 CANINE COORDINATOR**

The canine coordinator is the Captain or his/her designee.

The responsibilities of the coordinator include, but are not limited to:

- Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program.
- Maintaining a liaison with the vendor kennel.
- Maintaining a liaison with command staff and functional supervisors.
- Maintaining a liaison with other agency canine coordinators.
- Maintaining accurate records to document canine activities.
- Recommending and overseeing the procurement of equipment and services for the teams of handlers and canines.
- Scheduling all canine-related activities.
- Ensuring the canine teams are scheduled for regular training to maximize their capabilities.

**311.5 REQUESTS FOR CANINE TEAMS**

Patrol Section members are encouraged to request the use of a canine.

**311.5.1 OUTSIDE AGENCY REQUEST**

All requests for canine assistance from outside agencies are subject to the following:

- Canine teams shall not be used for any assignment that is not consistent with this policy.
- The canine handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.
- Calling out off-duty canine teams is discouraged.
- It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.
- It shall be the responsibility of the canine handler to complete all necessary reports or as directed.
- It shall be the responsibility of the canine handler to notify the chain of command when ever requested by an outside agency.
311.5.2 PUBLIC DEMONSTRATIONS
All public requests for a canine team shall be reviewed and, if appropriate, approved by the canine coordinator prior to making any resource commitment. The canine coordinator is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols. Canine handlers shall not demonstrate any apprehension work unless authorized to do so by the canine coordinator.

311.6 APPREHENSION GUIDELINES
A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that the individual has committed, is committing, or is threatening to commit any serious offense and if any of the following conditions exist:

(a) There is a reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any officers, or the handler.

(b) The suspect is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.

(c) The suspect is believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of officers or the public.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a canine.

Absent a reasonable belief that a suspect has committed, is committing, or is threatening to commit a serious offense, mere flight from a pursuing officer, without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

Use of a canine to locate and apprehend a suspect wanted for a lesser criminal offense than those identified above requires approval from the Patrol Sergeant. Absent a change in circumstances that presents an imminent threat to officers, the canine, or the public, such canine use should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine as soon as it becomes reasonably practicable.

If the canine has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler should promptly command the canine to release the suspect.

311.6.1 PREPARATION FOR DEPLOYMENT
Prior to the use of a canine to search for or apprehend any suspect, the canine handler and/or the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include but is not limited to:

(a) The nature and seriousness of the suspected offense.
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(b) Whether violence or weapons were used or are anticipated.
(c) The degree of resistance or threatened resistance, if any, the suspect has shown.
(d) The suspect’s known or perceived age.
(e) The potential for injury to officers or the public caused by the suspect if the canine is not utilized.
(f) Any potential danger to the public and/or other officers at the scene if the canine is released.
(g) The potential for the suspect to escape or flee if the canine is not utilized.

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.

It is the canine handler’s responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable. The canine handler shall have the authority to decline the use of the canine whenever he/she deems deployment is unsuitable.

A supervisor who is sufficiently apprised of the situation may prohibit deploying the canine.

Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

311.6.2 WARNINGS AND ANNOUNCEMENTS

Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine. The handler should allow a reasonable time for a suspect to surrender and should quiet the canine momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.

If a warning is not to be given, the canine handler, when practicable, should first advise the supervisor of his/her decision before releasing the canine. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.

311.6.3 REPORTING DEPLOYMENTS, BITES, AND INJURIES

Handlers should document canine deployments in a canine use report. Whenever a canine deployment results in a bite or causes injury to an intended suspect, a supervisor should be promptly notified and the injuries documented in the canine use report. The injured person shall be promptly treated by Emergency Medical Services personnel and, if appropriate, transported to an appropriate medical facility for further treatment. The deployment and injuries should also be included in any related incident or arrest report.

Any unintended bite or injury caused by a canine, whether on- or off-duty, shall be promptly reported to the canine coordinator. Unintended bites or injuries caused by a canine should be documented in an administrative report, not in a canine use report.
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If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual’s injured and uninjured areas shall be photographed as soon as practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.

311.7 NON-APPREHENSION GUIDELINES

Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The canine handler is responsible for determining the canine’s suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply:

(a) Absent a change in circumstances that presents an imminent threat to officers, the canine, or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.

(b) Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

(c) Throughout the deployment, the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make himself/herself known.

(d) Once the individual has been located, the handler should place the canine in a down-stay or otherwise secure it as soon as reasonably practicable.

311.7.1 ARTICLE DETECTION

A canine trained to find objects or property related to a person or crime may be used to locate or identify articles. A canine search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries.

311.7.2 NARCOTICS DETECTION

A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

(a) The search of vehicles, buildings, bags, and other articles.

(b) Assisting in the search for narcotics during a search warrant service.

(c) Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause.

A narcotics-detection trained canine will not be used to search a person for narcotics unless the canine is trained to passively indicate the presence of narcotics.

311.8 HANDLER SELECTION

The minimum qualifications for the assignment of canine handler include:
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(a) An officer who is currently off probation.
(b) Residing in an adequately fenced single-family residence (minimum 5-foot-high fence with locking gates).
(c) A garage that can be secured and can accommodate a canine vehicle.
(d) Living within 30 minutes travel time from the Washougal City limits.
(e) Agreeing to be assigned to the position for a minimum of three years.

311.9 HANDLER RESPONSIBILITIES

The canine handler shall ultimately be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection, and living conditions.

The canine handler will be responsible for the following:

(a) Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.
(b) The handler shall maintain all department equipment under his/her control in a clean and serviceable condition.
(c) When not in service, the handler shall maintain the canine vehicle in a locked garage, away from public view.
(d) When a handler is off-duty for an extended number of days, the assigned canine vehicle should be stored at the Washougal Police Department facility.
(e) Handlers shall permit the canine coordinator to conduct spontaneous on-site inspections of affected areas of their homes as well as their canine vehicles to verify that conditions and equipment conform to this policy.
(f) Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the canine coordinator as soon as possible.
(g) When off-duty, the canine shall be in a kennel provided by the City at the home of the handler. When a canine is kenneled at the handler’s home, the gate shall be secured with a lock. When off-duty, the canine may be let out of the kennel while under the direct control of the handler.
(h) The canine should be permitted to socialize in the home with the handler’s family for short periods of time and under the direct supervision of the handler.
(i) Under no circumstances will the canine be lodged at another location unless approved by the canine coordinator or Patrol Sergeant.
(j) When off-duty, the handler shall not involve the canine in any law enforcement activity or official conduct unless approved in advance by the canine coordinator or Patrol Sergeant.
(k) Whenever a canine handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the canine. In those situations, the handler shall
give reasonable notice to the canine coordinator so that appropriate arrangements can be made.

311.9.1 CANINE IN PUBLIC AREAS
The canine should be kept on a leash when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the canine is trained.

(a) A canine shall not be left unattended in any area to which the public may have access.
(b) When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the canine. The handler shall also ensure that the unattended vehicle remains inhabitable for the canine.

311.10 CANINE INJURY AND MEDICAL CARE
In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the canine coordinator or Patrol Sergeant as soon as practicable and appropriately documented.

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained in the handler’s personnel file.

311.11 TRAINING AND CERTIFICATION
Before assignment in the field, each canine team shall be trained and certified to meet current Criminal Justice Training Commission (CJTC) standards. Cross-trained canine teams or those canine teams trained exclusively for the detection of narcotics and/or explosives also shall be trained and certified to meet current CJTC standards (WAC 139-05-915).

The canine coordinator shall be responsible for scheduling periodic training for all department members in order to familiarize them with how to conduct themselves in the presence of department canines. Because canines may be exposed to dangerous substances such as opioids, as resources are available, the canine coordinator should also schedule periodic training for the canine handlers about the risks of exposure and treatment for it.

All canine training shall be conducted while on-duty unless otherwise approved by the canine coordinator or Patrol Sergeant.

311.11.1 CONTINUED TRAINING
Each canine team shall be recertified to current CJTC standards. A canine team’s certification will automatically expire if the handler and canine originally paired at the time of certification are no longer working together, or if the function for which the team was certified changes (WAC 139-05-915). Additional training considerations are as follows:

(a) Canine teams should receive training as defined in the current contract with the Washougal Police Department canine training provider.

(b) Canine handlers are encouraged to engage in additional training with approval of the canine coordinator.
Canines

(c) To ensure that all training is consistent, no handler, trainer or outside vendor is authorized to train to a standard that is not reviewed and approved by the Department.

311.11.2 FAILURE TO SUCCESSFULLY COMPLETE TRAINING
Any canine team failing to graduate or obtain certification shall not be deployed in the field for tasks the team is not certified to perform until graduation or certification is achieved. When reasonably practicable, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties.

311.11.3 TRAINING RECORDS
A record for each canine that includes training, performance and identification records, and that meets CJTC requirements, shall be created and maintained in the canine handler’s and the canine’s training file.

311.11.4 TRAINING AIDS
Training aids are required to effectively train and maintain the skills of canines. Officers possessing, using or transporting controlled substances or explosives for canine training purposes must comply with federal and state requirements. Alternatively, the Washougal Police Department may work with outside trainers with the applicable licenses or permits.

311.11.5 CONTROLLED SUBSTANCE TRAINING AIDS
Officers acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics-detection canine training in compliance with state and federal laws. (21 USC § 823(f); RCW 69.50.302; RCW 69.50.508; WAC 246-887-200).

The Chief of Police or the authorized designee may authorize a member to seek a court order to allow controlled substances seized by the Washougal Police Department to be possessed by the member or a narcotics-detection canine trainer who is working under the direction of this department for training purposes, provided the controlled substances are no longer needed as criminal evidence.

As an alternative, the Chief of Police or the authorized designee may request narcotics training aids from the Drug Enforcement Administration (DEA).

These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled narcotics.

311.11.6 CONTROLLED SUBSTANCE PROCEDURES
Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of the canine’s accidental ingestion of these controlled substances, the following procedures shall be strictly followed:

(a) All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler or trainer.

(b) The weight and test results shall be recorded and maintained by this department.
Canines

(c) Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.

(d) All controlled substance training samples will be inspected, weighed, and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the canine coordinator with a copy forwarded to the dispensing agency.

(e) All controlled substance training samples will be stored in locked, airtight, and watertight cases at all times, except during training. The locked cases shall be secured in the trunk of the canine handler’s assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.

(f) The canine coordinator shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.

(g) Any unusable controlled substance training samples shall be returned to the Evidence Room or to the dispensing agency.

(h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

311.11.7 USE OF CONTROLLED SUBSTANCE TRAINING AIDS
When using controlled substance training aids, the aids in it's original evidence package will be placed in a department approved additional barrier.

The placement of training aids will be checked by a second person.
Domestic Violence

312.1 PURPOSE AND SCOPE
The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of this department to take enforcement action when appropriate, to provide assistance to victims and to guide officers in the investigation of domestic violence.

312.1.1 DEFINITIONS
Definitions related to this policy include:

Court order - All forms of orders related to domestic violence, that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

Domestic violence - Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, sexual assault, or stalking of one intimate partner by another intimate partner; or physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, sexual assault, or stalking of one family or household member by another family or household member (RCW 10.99.020; RCW 26.50.010).

312.2 POLICY
The Washougal Police Department’s response to incidents of domestic violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic violence is criminal behavior. It is also the policy of this department to facilitate victims’ and offenders’ access to appropriate civil remedies and community resources whenever feasible.

312.3 OFFICER SAFETY
The investigation of domestic violence cases often places officers in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all officers to exercise due caution and reasonable care in providing for the safety of any officers and parties involved.

312.4 INVESTIGATIONS
The following guidelines should be followed by officers when investigating domestic violence cases:

(a) Calls of reported, threatened, imminent, or ongoing domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.

(b) When practicable, officers should obtain and document statements from the victim, the suspect, and any witnesses, including children, in or around the household or location of occurrence.
Domestic Violence

(c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.

(d) When practicable and legally permitted, video or audio record all significant statements and observations.

(e) All injuries should be photographed, regardless of severity, taking care to preserve the victim’s personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Detective Section in the event that the injuries later become visible.

(f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.

(g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement, and make an arrest or seek an arrest warrant if appropriate.

(h) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence.

   1. Officers who have probable cause that a crime has been committed shall lawfully seize all firearms and ammunition that they reasonably believe were used or threatened to be used in the commission of the offense. Officers shall also seize all firearms in plain sight or discovered in a lawful search. Officers shall request consent to take temporary custody of any other firearms and ammunition that the alleged suspect may have access to (RCW 10.99.030).

   2. Officers shall separate the victim and inquire whether there are any firearms or ammunition in the home, whether the suspect has access to any firearms either on the premises or stored elsewhere, whether the suspect has a concealed pistol license, and whether a firearm has ever been used by the suspect under other circumstances that could be threatening or coercive (RCW 10.99.030).

(i) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order, and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.

(j) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:

   1. Marital status of suspect and victim.
   2. Whether the suspect lives on the premises with the victim.
   3. Claims by the suspect that the victim provoked or perpetuated the violence.
Domestic Violence

4. The potential financial or child custody consequences of arrest.
5. The physical or emotional state of either party.
6. Use of drugs or alcohol by either party.
7. Denial that the abuse occurred where evidence indicates otherwise.
8. A request by the victim not to arrest the suspect.
9. Location of the incident (public/private).
10. Speculation that the complainant may not follow through with the prosecution.
11. The racial, cultural, social, professional position, or sexual orientation of the victim or suspect.

(k) Unless doing so would jeopardize the criminal investigation, the victim should be apprised of investigative plans such as when the suspect or witnesses are going to be interviewed and any plans for making an arrest.

312.4.1 HOSPITALIZED VICTIM
When responding to a medical facility regarding an injured person, officers should make a reasonable attempt to determine whether the injury was a result of domestic violence prior to contacting the victim or person who reported the incident.

If domestic violence is suspected, contact should be made with the medical facility representatives out of the view and hearing of the victim and any potential suspects when practical.

312.4.2 IF A SUSPECT IS ARRESTED
If a suspect is arrested, officers should:

(a) Advise the victim that there is no guarantee the suspect will remain in custody.

(b) Provide the victim’s contact information to the jail staff to enable notification of the victim upon the suspect’s release from jail.

(c) Advise the victim whether any type of court order will be in effect when the suspect is released from jail.

312.4.3 IF NO ARREST IS MADE
If no arrest is made, the officer should:

(a) Advise the parties of any options, including but not limited to:
   1. Voluntary separation of the parties.
   2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness unit).

(b) Document the resolution in a report.

312.5 VICTIM ASSISTANCE
Victims may be traumatized or confused. Officers should:
Domestic Violence

(a) Recognize that a victim’s behavior and actions may be affected.
(b) Provide the victim with the department’s domestic violence information handout, even if the incident may not rise to the level of a crime.
(c) Alert the victim to any available victim advocates, shelters and community resources.
(d) Stand by for a reasonable amount of time when an involved person requests law enforcement assistance while removing essential items of personal property.
(e) Seek medical assistance as soon as practicable for the victim if he/she has sustained injury or complains of pain.
(f) Ask the victim whether he/she has a safe place to stay. Assist in arranging to transport the victim to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists.
(g) Make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
(h) Seek or assist the victim in obtaining an emergency order if appropriate.

312.6 DISPATCH (CRESA) ASSISTANCE

Dispatchers are not required to verify the validity of court orders. Officers should request dispatchers to check whether any of the involved persons are subject to the terms of a court order.

312.7 FOREIGN COURT ORDERS

Various types of orders may be issued in domestic violence cases. Any foreign court order properly issued by a court of another state, Indian tribe or territory shall be enforced by officers as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court order shall be enforced, regardless of whether the order has been properly registered with this state.

312.7.1 CANADIAN COURT ORDERS

Any foreign court order properly issued in Canada shall be enforced by an officer as a foreign court order above. Any notice, if required, should be made in compliance with RCW 26.55.020.

312.8 VERIFICATION OF COURT ORDERS

Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, officers should carefully review the actual order when available, and, where appropriate and practicable:
Domestic Violence

(a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms, and efforts to respond to the order.

(b) Check available records or databases that may show the status or conditions of the order.

(c) Contact the issuing court to verify the validity of the order.

(d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

Officers should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Officers should contact a supervisor for clarification when needed.

312.9 STANDARDS FOR ARRESTS

Officers investigating a domestic violence report should consider the following:

(a) The primary duty of officers when responding to a domestic violence situation is to enforce the laws allegedly violated and to protect the complaining party (RCW 10.99.030(1)).

(b) When an officer responds to a domestic violence call and has probable cause to believe that a crime has been committed, he/she shall make an arrest pursuant to the criteria in RCW 10.31.100 and RCW 10.99.030(2)(a).

(c) When an officer has confirmed that a valid court order exists and has probable cause to believe the defendant has violated that order, the officer shall make a physical arrest (RCW 10.99.055; RCW 10.31.100(2)). Whenever a member of this department serves or assists in serving a court order and that service is completed, a return of service form shall be completed and submitted to the Washington Crime Information Center (WACIC).

312.10 REPORTS AND RECORDS

(a) Officers responding to a domestic violence call shall take a complete offense report, including the disposition of the case (RCW 10.99.030(2)(b)).

1. The report shall include all information about firearms and concealed pistol licenses and be properly coded to alert any officials reviewing the report to the existence of the information concerning firearms (RCW 10.99.030).

(b) All such reports should be documented under the appropriate crime classification and should use the distinction “Domestic Violence” in the Type of Crime box of the crime report form (RCW 10.99.035).

(c) Whenever there is probable cause to believe that a crime has been committed and unless the case is under active investigation, the Detective Supervisor shall ensure that all domestic violence crime reports are forwarded to the County Prosecutor’s Office within 10 days of the date the incident was reported (RCW 10.99.035).
Domestic Violence

(d) The Lead Administrative Assistant shall ensure that accurate records of domestic violence incidents are maintained and submitted to the Washington Association of Sheriffs and Police Chiefs, in accordance with state law (RCW 10.99.035).

(e) The Lead Administrative Assistant should ensure that the original receipt issued for any firearm, dangerous weapon, or pistol license surrendered after service of a protection order is filed with the court within 24 hours of service of the order and retain a copy of the receipt electronically if available (RCW 9.41.801).

312.11 COURT ORDERS
The Lead Administrative Assistant shall ensure that no-contact orders received from the court are entered into the WACIC or other applicable criminal intelligence information system for one year or until the expiration date specified on the order (RCW 10.99.040; RCW 10.99.050).

312.12 SERVICE OF COURT ORDERS
The officer serving a protection order, no-contact order, or restraining order that includes an order to surrender all firearms, dangerous weapons, and a concealed pistol license under RCW 9.41.800 shall (RCW 9.41.801):

(a) Advise the subject that the order is effective upon service.

(b) Request that any firearms, dangerous weapons, and any concealed pistol license be immediately surrendered. Officers shall take possession of any firearms discovered in plain view, lawful search, or consent from the subject.

1. If the subject indicates by word or action that he/she will not comply with a request to surrender firearms, dangerous weapons, or a concealed pistol license, consideration should be given to obtaining a search warrant for seizure.

(c) Issue a receipt for any surrendered items.

1. The officer should ensure the original receipt is forwarded to the Lead Administrative Assistant as soon as practicable for filing with the court.

All firearms and weapons collected shall be handled and booked in accordance with the Property and Evidence Policy.
Civil Process

313.1 PURPOSE AND SCOPE
The purpose of this policy is to clarify the processing of civil papers received by the Washougal Police Department.

The function of the Civil Process is to receive and process papers of various types issued by the County and other jurisdictions as mandated by RCW 36.28.010.

313.1.1 RESPONSIBILITY

CHIEF or DESIGNEE:
The Chief of Police or his/her designee has overall responsibility of the Civil Process, its processes and actions contained in this chapter.

ADMINISTRATIVE ASSISTANT:
The administrative assistant will be responsible for the initial intake of the civil order, ensure the proper paperwork is in order and ready for service, and then passing the appropriate paperwork to an available sergeant in a timely manner. Once the civil order has been approved and the return of service has been completed, the administrative assistant will be responsible to ensure the paperwork is in order and distributed as necessary.

SERGEANT:
The sergeant will be responsible for receiving the civil order in a timely manner and ensuring it is assigned to an available officer to be served. The sergeant will be responsible for understanding the intake and review process in order to answer any questions that may arise when serving the order. Once the order is served, the sergeant will be responsible for approving all necessary paperwork and forwarding back to the administrative assistant for distribution.

PATROL OFFICER:
The officer will be responsible for obtaining the order from the sergeant and attempting to serve the civil order in a timely fashion. The “Return of Service” will be completed by the officer and faxed to the appropriate destination for entry into NCIC. The officer will also be responsible for creating a police report and logging all attempts to serve the order in the form of a base case report or supplemental.

313.1.2 DEFINITIONS

Respondent: Reference to Protection Orders; Refers to the party being served or has been served the civil order.

Petitioner: Reference to Protection Orders; Refers to the party who has petitioned the court to review the case. In the event of a violation of the order, the petitioner can also be the victim.

Service: The delivery of any item of civil process that is complete with the act of delivery and does not require physical or legal seizure of a person or thing.
Civil Process

Protection/Restraining Order: A restraining or protection order is a legal order issued by the courts which require one person to stop harming another. (Needs to be SERVED)

Civil Protection Order or “Civil Order”: For purposes of this policy, a Civil Order or Civil Protection Order (CPO) is a document issued by a court to protect a victim of domestic violence. A CPO is intended to prevent further domestic violence. CPO’s are typically longer in duration than a temporary protection order (TPO). (Needs to be SERVED)

Law Enforcement Information Sheet (LEI): Also called the “face sheet,” this form provides information necessary for Law Enforcement to enter the protection order into the police computers, to serve papers on Respondent and to notify Petitioner of service or non-service. See RCW 26.50.090(4). (Retained with report – NOT SERVED)

Temporary Order for Protection and Notice of Hearing: The temporary order is in effect from the moment the Judge or Commissioner signs it, BUT, LE will not be able to arrest or request criminal charges against the respondent for violating the order until there is proof that the respondent was personally served with a copy of the order. Once respondent has been served, he or she can be arrested or charged for violations. (Needs to be SERVED)

Petition for Order for Protection: Request to the courts that a protective order be issued. The forms ask for such information as a description of the abuse, the respondent's date of birth, and a place to serve the respondent with the legal papers. The judge / commissioner will review the completed forms, may ask some questions, and will make a decision based on the information provided. (Needs to be SERVED)

Child Custody Information Sheet: Request to the courts seeking protection for children or requesting custody of children. (Needs to be SERVED)

Order to Surrender Weapons Issued without Notice: Request to the courts seeking for respondent to surrender weapons. (Needs to be SERVED)

Return of Service: Written acknowledgement stating that there was service of legal documents. (Fill out and return to court)

Extreme Risk Protection Order (EPRO): Extreme Risk Protection Orders (ERPO) prevent individuals at high risk of harming themselves or others from accessing firearms by allowing family, household members, and police to obtain a court order when there is demonstrated evidence that the person poses a significant danger.

Family or household members and Law Enforcement Officers may obtain an ERPO when there is evidence that the person poses a significant danger, including danger because of a dangerous mental health crisis or violent behavior. The purpose and intent is to reduce gun deaths and injuries through an order temporarily restricting a person's access to firearms.

This does not affect the ability of the Law Enforcement Officer to remove a firearm or concealed pistol license from any person or conduct any search and seizure for firearms under other lawful authority.
313.2 POLICY
The Washougal Police Department provides assistance to the functions of courts by attempting to provide effective service of court-ordered civil process documents. The Clark County Sheriff’s Office or civilian process servers serve most of the civil process documents.

A. Washougal police officers will only become involved with the service of civil process under a limited number of circumstances:
   (a) Court orders issued by courts of jurisdiction specifically directing a police action
   (b) Domestic Violence Orders where the party to be served resides within the city boundaries of Washougal
   (c) Subpoenas stemming from WPD cases issued through Camas/Washougal Municipal Court or the Clark County Court System and at the court or prosecutor’s request

B. Unless directed by a supervisor, Washougal police officers will not become involved with the service of civil process related to:
   (a) Civil actions related to evictions and non-criminal landlord/tenant disputes
   (b) Subpoenas for other agencies or from courts other than Camas/Washougal Municipal Court or the Clark County Court system
   (c) Court orders absent specific orders for police action or wherein the court lacks jurisdiction. (i.e. divorce papers, parenting plans or modifications to either of those types of documents)

C. The Washougal Police Department will not hold court order papers that need to be served on a future date. In the event the petitioner knows the respondent will not be home or is gone for an extended period of time; the petitioner will be directed to return the paperwork at a later date when the respondent is known to be home.

313.3 SERVICE PROCEDURE
(a) The Washougal Police Department receives a “packet” requesting service of court-ordered civil process documents which meets the requirements listed above (See 321.2(A)).
   (a) The “Packet” is received by the administrative assistant and examined to determine if the order meets all the requirements for service:
      i. Signed by a Judge/Commissioner (required)
      ii. Law Enforcement Information Sheet (required)
      iii. Return of Service Sheet (required)
      iv. Temporary Order for Protection with a petition for Order for Protection (may be included)
      v. Permanent Order for Protection (may be included)
      vi. Notice of Hearing (may be included)
vii. Re-issuance of Temporary Order for Protection with a copy of the original Temporary Order for Protection (may be included)

viii. Other less common forms, (e.g., Modification Order or Application for Modification Order; Order Transferring Action to Superior Court; Order to Surrender Weapons)

(b) Packet is then logged into the “log book” containing the court cause number, date and time received, date and time assigned, police report case number, and date and time the order was served. The intent of the “log book” is to provide a quick reference for tracking the status of incoming orders

(c) A copy of the “Packet” is made:
   i. Original “service copy” is placed into a yellow case jacket for delivery to the sergeant
   ii. Copy is also placed in the yellow case jacket stamped “COPY”. This copy can then be placed into the protection order folder for future reference if needed

(b) The yellow case jacket along with the supporting documents are then placed into the sergeant admin box to be reviewed by the on-duty sergeant for assignment:
   1. Sergeant will be required to check the admin box regularly for incoming paperwork
   2. Sergeant will then receive the packet and double check to confirm all the necessary paperwork is in order (see above)
   3. Sergeant will then assign the “packet” for service by a patrol officer
   4. Sergeant has the discretion to serve the paperwork him/herself if needed

(c) “Packet” is received by the assigned patrol officer:
   1. Officer is required to assign a case number and place on the case jacket. Fill in the required police report base case in preparation for serving the order. Label the case “PAPER SERVICE”
   2. Officer is required to look over paperwork to determine its contents and what needs to be served and what needs to be retained
   3. Review the Law Enforcement Information Sheet (NOT SERVED) for officer safety information and a physical description of the respondent. If an order to surrender a firearm or concealed weapons permit (CPL) is included, refers to “Court-Ordered Surrendered Firearm” listed in this procedure.
   4. Check the respondent in WACIC and NCIC to check if:
      i. The order has already been served
      ii. There are outstanding warrants
      iii. Hazard flags are associated with the respondent or address
iv. The respondent has two or more convictions for violating court orders, (the third violation is a felony)

5. Verify the packet includes a Return of Service sheet. If not, obtain one from the Department Forms or from the department FORMS folder on the network.

6. Check the date of the Temporary Order for Protection to ensure the order has a judicial signature and the hearing date has not expired
   i. If the hearing date has expired or the order is unsigned, complete the police report with your findings and send the packet to the on-duty sergeant, noting the problem in your report

7. Check the Permanent Order for Protection to ensure the order has a judicial signature and has not expired
   i. The effective date is usually on page one of the order above the judicial signature. If the effective date has expired or the order is unassigned, complete the police report with your findings and send the packet to the sergeant, noting the problem in your report.

313.4 IMPORTANT CONSIDERATION

(a) Officers assigned to serve a court order on a respondent will:
   1. Verify that the correct person is being served
   2. Give the respondent copies of all the forms EXCEPT:
      i. Law Enforcement Information sheet
      ii. Motion and Order for Waiver of Fees (if in packet)
      iii. Return of Service sheet

(b) If the petitioner is present, remain on the scene to ensure the petitioner’s safety

(c) If the order is served at the petitioner’s home, the officer will remain on-scene until the respondent departs

(d) If the order is served at the respondent’s home, the officer will remain on-scene until the petitioner departs

(e) If the order is served at a third party location, the officer will remain on-scene until either the respondent or the petitioner depart

(f) If the only option is to serve the order at the respondent’s place of employment;
   1. First make every effort to try and serve the order someplace other than the respondent’s place of employment
   2. Before attempting service at the place of employment, obtain written permission from the business owner or manager

(g) Complete and sign the Return of Service sheet and mark the appropriate boxes with an “X” for each document served. Note: The title is located in the upper right corner of each document.
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(h) Complete a police report whether or not service was completed

(i) If service was not completed by the assigned officer prior to their scheduled days off or due to sickness:
   1. Return the entire packet to the sergeant admin box for re-assignment
   2. Document the date/time of ALL attempted services in your police report

(j) If attempted service (minimum 2 attempts):
   1. Complete and sign the Return of Service
   2. Document the reason the order was not served on the Return of Service and in your report

(k) If the order was served, then return these items to the sergeant for review/approval:
   1. Law Enforcement Information sheet
   2. Motion/Order for Waiver of Fees (if in packet)
   3. Completed/signed Return of Service sheet

(l) If the respondent is served on a weekend or after hours, fax the “Return of Service” sheet to CCSO Records at (360)397-6074 so the appropriate entry can be updated in WACIC/NCIC.
   1. If the court order is from another county (other than Clark County SO), fax the return of service to the appropriate agency/county so entry can be updated in WACIC/NCIC
   2. Retain a copy of the fax transmittal confirmation and include with the report

313.5 OFFICER SERVING A PROTECTION OR ANTI-HARASSMENT ORDER DURING AN INVESTIGATION
If during the investigation of a violation of a Protection Order or Anti-Harassment Order, and the officer determines that the respondent has not been served, the officer will:

(a) Serve the order to the respondent
(b) Complete a police report and “Return of Service” form
(c) Fax the “Return of Service” to CCSO Records
(d) Attempt to obtain a copy of the order for the petitioner;
   (a) If you are unable to obtain a copy of the order for the petitioner and the petitioner’s copy is served on the respondent, give the petitioner a business card noting the service, plus the court cause number, issuing court, and type of order
   (b) Advise the petitioner to obtain another copy from the issuing court

313.6 OFFICER COMPLETING A POLICE REPORT FOR A VIOLATION OF A COURT ORDER
When writing a police report for a Violation of a Court Order, officers will:
(a) Articulate in the narrative the manner in which the suspect violated the order

(b) Document information about the order in the narrative to include:
   1. Type of Court Order
   2. Which court issued the order
   3. The Court Order number and issue date

(c) Document in the narrative how service was verified or that the respondent had knowledge of the order:
   1. Computer verification through WACIC
   2. Notation on petitioner’s copy of the order or other receipt
   3. Prior police reports
   4. Records Advised of Service

(d) Document in the narrative any statements made by the petitioner reference the order or knowledge of the order

313.7 PATROL SERVICE OF AN ORDER TO SURRENDER A FIREARM AND/OR CPL
On occasion patrol will be required to serve an order to surrender a firearm and/or CPL during the course of serving a court order.

ADMINISTRATIVE ASSISTANT:

(a) Verify the order.

(b) Collection of the “Packet” and necessary documentation as described in 321.3.

SERGEANT:

(a) Verify the order. Evaluate the incident using the Warrant Risk Assessment Matrix (See “Risk Assessment Form.doc” located in the forms folder on the WPD network) and follow instructions on the matrix

(b) Other factors that determine the risk associated with a court order:
   1. Prior assault (domestic violence and non-domestic violence)
   2. Prior assault or threat against children
   3. Prior assault against law enforcement
   4. Physical violence or sexual harm toward victim
   5. Threat to harm or kill victim
   6. Conviction involving violent acts
   7. Firearms convictions
   8. History of crimes involving alcohol or substance abuse
   9. Violence against pets
   10. Behavioral crisis incidents indicative of dangerousness to self or others
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(c) If Patrol will serve the order, attach the completed matrix to the order and assign the service of the order to the officer

(d) Retrieve the packet from the administrative assistant and assign a patrol officer the responsibility of attempting to serve the packet

PATROL OFFICER ASSIGNED:

(a) Read the court order thoroughly

(b) Verify that the correct person is being served

(c) If the respondent is served in the petitioner’s presence, take reasonable steps to ensure the petitioner’s safety. See Washburn v. Federal Way, 178 Wn.2nd 732 (2013).

(d) Document steps taken to ensure petitioner’s safety. The steps may include:

1. If the order is served at the petitioner’s home, the officer will remain on-scene until the respondent departs

2. If the order is served at the respondent’s home, the officer will remain on-scene until the petitioner departs

3. If the order is served at a third party location, the officer will remain on-scene until either the respondent or the petitioner departs

4. If the petitioner has provided information that there are other firearms to which the respondent has access, the officer will obtain them or will remain with the respondent if additional assistance is needed to obtain them

(e) Attempt to determine if the respondent understands the order

(f) Give the respondent copies of all the forms EXCEPT

1. Law Enforcement Information sheet

2. Motion and Order for Waiver of Fees (if in packet)

3. Return of Service sheet

(g) Request that the respondent immediately surrender all firearms in his or her custody, control, or possession and any concealed pistol license (CPL) issued under RCW 9.41.070

(h) If respondent is not physically located where his/her firearms and CPL are located, in order to reduce risk of lethality and harm, attempt to transport or follow respondent to retrieve the firearms. The intent of the law is to safeguard possible victims. There is an allowed 48 hour surrender period for firearms which are not in the immediate vicinity of the service of the order; however only in rare circumstances should the respondent be given up to 48-hours to surrender firearm(s) and CPL to the LEA.

(i) Explain to the respondent this is a temporary court order, restricting the firearms and provide options on court appearance to contest restrictions

(j) If the respondent refuses to surrender firearms and/or CPL, advise the respondent that possessing or acquiring a firearm or CPL is prohibited and that violating the order may subject the respondent to criminal and civil penalties
(k) If respondent still refuses, check with a supervisor to determine the best available options
(l) Take possession of all firearms belonging to the respondent surrendered, in plain sight, or discovered under a lawful search and the CPL
(m) Take possession of all firearms, ammunition, and CPL belonging to the respondent surrendered, in plain sight, or discovered under a lawful search
(n) If the service is for an ERPO (Extreme Risk Protection Order), and the officer is unable to seize the firearm, the respondent has 48 hours to surrender the firearm to law enforcement
(o) Instruct the respondent to call 911 and arrange to surrender the firearm(s)
(p) Provide the respondent a receipt identifying all firearms surrendered
(q) Complete Return of Service form;
   1. Mark all appropriate boxes for each document
   2. Note on the return of service form any other information observed regarding threat of harm or risk that would be important for the court to be aware of at the hearing, such as threats made by the respondent or other behaviors or evidence observed by the officer
   3. Sign and dates the form
(r) Complete a police report supplemental
(s) Complete a property report listing all firearm(s) and CPL
(t) Submit the firearms to the Evidence Unit
(u) Fax “Return of Service” to advise date/time of service
(v) Keep a copy of the Fax Confirmation
(w) Mail a copy to the petitioner (if requested by the petitioner)

313.8 EXTREME RISK PROTECTION ORDERS (ERPO)
Extreme Risk Protection Orders (ERPO) prevent individuals at high risk of harming themselves or others from accessing firearms by allowing family, household members, and police to obtain a court order when there is demonstrated evidence that the person poses a significant danger.

Family or household members and Law Enforcement officers may obtain an ERPO when there is evidence that the person poses a significant danger, including danger because of a dangerous mental health crisis or violent behavior. The purpose and intent is to reduce gun deaths and injuries through an order temporarily restricting a person's access to firearms.

This does not affect the ability of the Law Enforcement officer to remove a firearm or concealed pistol license from any person or conduct any search and seizure for firearms under other lawful authority.
313.9 EXTREME RISK PROTECTION ORDER DEFINITIONS

**Extreme Risk Protection Order**: means a temporary order or a final order granted by the court.

**Ex-Parte Order**: is a temporary order issued by a court pending a formal hearing. If the court finds there is a significant danger of the respondent injuring self or others by having in his or her custody or control, purchasing, possessing, or receiving a firearm, the court will issue an ex-parte order without notice to the respondent.

- This temporary order lasts up to 14 days. There must be a hearing within 14 days. At the hearing the court can then issue a final order. Final orders must last for a period of one year.

**Petitioner**: means the person who asks the court to issue the ERPO. The Petitioner can be a family member or law enforcement.

**Family or household member**: means, regarding a respondent:

(a) Persons related by blood, marriage, or adoption;
(b) Dating partners;
(c) Persons with a child in common, regardless of whether such persons have been married or have lived together;
(d) Persons who reside or have resided together within the past year;
(e) Domestic partners;
(f) Persons in a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren; and
(g) Persons acting or have acted as the respondent's legal guardian.

**Respondent**: means the person to whom the ERPO applies who is prohibited from having access to firearms and having a CPL.

313.10 THE DEPARTMENT COORDINATES THE SERVICE OF ERPO'S

(a) The Department will provide personal service of the notice of hearing and petition to the respondent not less than five court days prior to the hearing.

(b) The Department must, if requested, provide prior notice of the return of a firearm to a respondent to family or household members of the respondent in the manner provided in RCW 9.41.340 and 9.41.345.

(c) Service of an ERPO will take priority over other orders needed to be served, unless the other orders are of a similar emergency nature and those respondents present an equivalent or greater risk of harm if not immediately served.

(d) Service is not considered valid unless the respondent is personally served, or unless the court specifies otherwise.

(e) The first attempt at service will occur within 24 hours of receiving the order and service packet.
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1. If the first attempt failed, at least three attempts will be made to serve the order. If the order was determined to be a high risk, additional attempts at service will be made.

(f) Each attempt at service is noted in a report along with the service packet, with the date, time, address, officer’s/detective’s name, and reason service was not completed.

(g) Court orders that have expired or are unsigned will not be served.

(h) Officers will screen with a sergeant, any order received from an outside agency, presented at a department or directly to an officer

1. See: 321.7 Patrol Service of an Order to Surrender a Firearm and/or CPL

313.11 LAW ENFORCEMENT OFFICERS MAY PETITION FOR AN ERPO AND/OR REFER THE PUBLIC TO PURSUE AN ERPO

When an officer encounters a situation where an ERPO may be appropriate the officer will record the incident in a police report with information supporting the pursuit of an ERPO.

(a) Patrol officers may work with the sergeant to pursue an ERPO following the procedures of this policy.

(b) Sergeant will generally be responsible for pursuing an ERPO when appropriate and for handling all administrative requirements of the order. (See 321.12 Law Enforcement officer Reporting the Need for an Extreme Risk Protection Order)

313.12 LAW ENFORCEMENT OFFICER REPORTING THE NEED FOR AN EXTREME RISK PROTECTION ORDER

PATROL OFFICER:

(a) Identify a situation where an ERPO may be appropriate.

(b) If encountering a person where an ERPO may assist their situation, explain to the person what an ERPO is and how to obtain one at the Clark County Courthouse

(c) If encountering a situation that requires a primary investigation, complete a police report and the LEA Addendum.

(d) Articulate facts supporting the ERPO in the report and thoroughly complete the LEA Addendum.

(e) With the approval of their sergeant, seek the petition for an EPRO by following the steps below (321.13).

SERGEANT:

(a) Screen and approves all associated reports.

(b) Determine if petitioning for an ERPO is appropriate.

313.13 COMPLETING AND FILING THE PETITION

When completing an ERPO petition the Law Enforcement officer will:
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(a) Access the required forms Extreme Risk Protection Order Forms (https://www.courts.wa.gov/forms/?fa=forms.contribute&formID=106)

(b) Completes a petition and the LEA Addendum (if not completed by patrol) that contains:
   (a) A detailed explanation why the respondent poses a significant danger of injuring self or others by having in his or her custody or control, purchasing, possessing, or receiving a firearm.
   (b) Identify the number, types, and locations of any firearms the officer believes to be in the respondent's current ownership, possession, custody, or control;
   (c) Identify whether a known existing protection order governs the respondent.
   (d) Make the address of record on the petition "Washougal Police Department, 1320 A Street, Washougal WA. 98671".
   (e) If the petition states that disclosure of the petitioner's address would risk harm to the petitioner or any member of the petitioner's family or household, the petitioner's address may be omitted from all documents filed with the court. If the petitioner has not disclosed an address, the petitioner must designate an alternative address at which the respondent may serve notice of any motions. If the petitioner is a Law Enforcement officer or agency, the address of record must be that of the law enforcement agency.

(c) Complete the required information on the Return of Service and the Extreme Risk Protection Order or Temporary Extreme Risk Protection Order-Without Notice. Makes sure every box is marked for each document showing service was complete.

(d) Submit the completed forms to the Superior Court clerk at the Clark County Courthouse.
   (a) The clerk will assign the petition a case number and provide a date and time for the hearing.
   (b) If a temporary order is not sought, the court may take up to 14 days to issue the order.

(e) Once the order is signed by a judge, submit the paperwork back to the court clerk who will enter the order and provide certified copies.

(f) Compile copies of any paper documents from the investigation:
   (a) Route original paper documents to administrative assistant through normal distribution processes.

(g) Make a good faith effort to provide notice to a family or household member of the respondent and to any known third party who may be at risk of violence.
   (a) The notice must state that the petitioner intends to petition the court for an ERPO or has already done so, and includes referrals to appropriate resources, including mental health, domestic violence, and counseling resources.
   (b) The petitioner must attest in the petition to having provided such notice, or attest to the steps that will be taken to provide such notice.
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(c) Record in the police report or supplemental, where and when and any attempts to notify the involved parties

(h) If an ex-parte ERPO is sought and given, serve the order.

(a) See: 321.7 Patrol Service of an Order to Surrender a Firearm and/or CPL

313.13.1 ADDITIONAL CONSIDERATIONS FOR THE PETITION

(a) A recent act or threat of violence by the respondent against self or others, whether or not such violence or threat of violence involves a firearm;

(b) A pattern of acts or threats of violence by the respondent within the past twelve months including, but not limited to, acts or threats of violence by the respondent against self or others;

(c) A violation by the respondent of a protection order or a no-contact order issued under chapter 7.90, 7.92, 10.14, 9A.46, 10.99, 26.50, or 26.52 RCW;

(d) A previous or existing extreme risk protection order issued against the respondent;

(e) A violation of a previous or existing extreme risk protection order issued against the respondent;

(f) A conviction of the respondent for a crime that constitutes domestic violence as defined in RCW 10.99.020;

(g) The respondent's ownership or access to, or intent to possess firearms;

(h) The unlawful or reckless use, display, or brandishing of a firearm by the respondent;

(i) The history of use, attempted use, or threatened use of physical force by the respondent against another person, or the respondent's history of stalking another person;

(j) Any prior arrest of the respondent for a felony offense or violent crime;

(k) Corroborated evidence of the abuse of controlled substances or alcohol by the respondent; and

(l) Evidence of recent acquisition of firearms by the respondent.
Search and Seizure

314.1 PURPOSE AND SCOPE
Both the federal and state Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Washougal Police Department personnel to consider when dealing with search and seizure issues.

314.2 POLICY
It is the policy of the Washougal Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to officers as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

314.3 SEARCHES
The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Exigent circumstances

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.

Whenever practicable, officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.
Search and Seizure

314.3.1 RESTRICTIONS ON CELL SITE SIMULATOR USE
A member may only install or use a pen register, trap and trace device or cell site simulator device with a supporting court order or when there is both coordination with a prosecuting attorney and joint determination of probable cause to believe an emergency situation exists that involves immediate danger of death or serious bodily injury to a person. A court order must be obtained within 48 hours after installation of the pen register, trap and trace device or cell site stimulator device when an emergency situation exists (RCW 9.73.260).

314.4 SEARCH PROTOCOL
Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

(a) Members of this department will strive to conduct searches with dignity and courtesy.

(b) Officers should explain to the person being searched the reason for the search and how the search will be conducted.

(c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.

(d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.

(e) When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:

1. Another officer or a supervisor should witness the search.

2. The officer should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

314.5 DOCUMENTATION
Officers are responsible to document any search and to ensure that any required reports are sufficient including, at minimum, documentation of the following:

- Reason for the search
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
- What, if any, injuries or damage occurred
- All steps taken to secure property
- The results of the search, including a description of any property or contraband seized
Search and Seizure

- If the person searched is the opposite sex, any efforts to summon an officer of the same sex as the person being searched and the identification of any witness officer. Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.
Adult Abuse

315.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Washougal Police Department members as required by law.

315.1.1 DEFINITIONS
Definitions related to this policy include:

Adult abuse - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult’s care, or any other act that would mandate reporting or notification to a social service agency or law enforcement.

315.2 POLICY
The Washougal Police Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

315.3 MANDATORY NOTIFICATION
Members of the Washougal Police Department shall notify the Washington State Adult Protective Services Division (APS) of the Department of Social and Health Services (DSHS) when there is reasonable cause to believe that abandonment, abuse, financial exploitation or neglect of a vulnerable adult has occurred. Members shall also notify APS when there is reason to suspect sexual assault or physical assault or reasonable cause to believe that an act has caused fear of imminent harm. The medical examiner or coroner shall also be notified when there is reason to suspect that the death of a vulnerable adult was caused by abuse, neglect or abandonment by another person (RCW 74.34.035).

For purposes of notification (RCW 74.34.020):

- Abandonment is action or inaction by a person or entity with a duty of care for a vulnerable adult that leaves the person without the means or ability to obtain necessary food, clothing, shelter or health care.
- Abuse is willful action or inaction that inflicts injury, unreasonable confinement or restraint, sexual abuse, physical abuse, financial exploitation, mental abuse, intimidation or punishment as provided.
- A vulnerable adult is a person who is:
  
  (a) 60 years or older who has the functional, mental or physical inability to care for himself/herself.
  
  (b) Is found by the superior court to be incapacitated under RCW 11.88.005 et seq.
  
  (c) Has a developmental disability as defined under RCW 71A.10.020.
  
  (d) Is admitted to any facility as defined in RCW 74.34.020 (assisted living facility, nursing home or other facility licensed by DSHS).
Adult Abuse

(e) Is receiving services from an individual provider or licensed home health, hospice or home care agency.

(f) Self-directs his/her own care and receives services from a personal aide under RCW 74.39.001 et seq.

315.3.1 NOTIFICATION PROCEDURE
Notification should occur as follows (RCW 74.34.035):

(a) All notification to APS shall be made immediately or as soon as practicable by telephone.

(b) Information provided shall include, if known:

(a) The name and address of the person making the report.

(b) The name and address of the vulnerable adult.

(c) The name and address of the facility or agency providing care for the vulnerable adult.

(d) The name and address of the legal guardian or alternate decision maker.

(e) The nature and extent of the abandonment, abuse, financial exploitation, neglect or self-neglect.

(f) Any history of previous abandonment, abuse, financial exploitation, neglect or self-neglect.

(g) The identity of the alleged perpetrator, if known.

(h) Any other information that may be helpful in establishing the extent of abandonment, abuse, financial exploitation, neglect or the cause of death of the deceased vulnerable adult.

315.4 QUALIFIED INVESTIGATORS
Qualified investigators should be available to investigate cases of adult abuse. These investigators should:

(a) Conduct interviews in appropriate interview facilities.

(b) Be familiar with forensic interview techniques specific to adult abuse investigations.

(c) Present all cases of alleged adult abuse to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.

(e) Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.

(f) Participate in or coordinate with multidisciplinary investigative teams as applicable.
**315.5 INVESTIGATIONS AND REPORTING**

All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated. If the investigation reveals that a crime may have been committed, the City prosecutor shall be provided a written report of the incident (RCW 74.34.063(3)).

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

(a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.

(b) Any relevant statements the victim may have made and to whom he/she made the statements.

(c) If a person is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.

(d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.

(e) Whether the victim was transported for medical treatment or a medical examination.

(f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.

(g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.

(h) Previous addresses of the victim and suspect.

(i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim’s environment.

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

**315.6 PROTECTIVE CUSTODY**

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the officer should make reasonable attempts to contact APS. Generally, removal of an adult abuse victim from his/her family, guardian or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the officer should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger
the victim or result in abduction. If this is not a reasonable option, the officer shall ensure that the adult is delivered to APS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking an adult abuse victim into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking the adult into protective custody.

When adult abuse victims are under state control, have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

In any situation which an officer reasonably believes that an elder or dependent adult is in immediate and present danger of abuse based on an allegation of a recent incident of abuse or threat of abuse (other than financial abuse alone), the officer should make an attempt to obtain a protective order against the person alleged to have committed or threatened such abuse pursuant to RCW 74.34.110; RCW 74.34.210; or other applicable statutes.

315.7 INTERVIEWS

315.7.1 PRELIMINARY INTERVIEWS
Absent extenuating circumstances or impracticality, officers should audio record the preliminary interview with a suspected adult abuse victim. Officers should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

315.7.2 DETAINING VICTIMS FOR INTERVIEWS
An officer should not detain an adult involuntarily who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without his/her consent or the consent of a guardian unless one of the following applies:

(a) Exigent circumstances exist, such as:
   1. A reasonable belief that medical issues of the adult need to be addressed immediately.
   2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.
   3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.

(b) A court order or warrant has been issued.

315.8 MEDICAL EXAMINATIONS
When an adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency or entity having legal
custody of the adult. The officer should also arrange for the adult’s transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the adult for a medical examination, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

315.9 DRUG-ENDANGERED VICTIMS
A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

315.9.1 SUPERVISOR RESPONSIBILITIES
The Detective Section supervisor should:

(a) Work with professionals from the appropriate agencies, including APS, other law enforcement agencies, medical service providers and local prosecutors, to develop community-specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.

(b) Activate any available interagency response when an officer notifies the Detective Section supervisor that he/she has responded to a drug lab or other narcotics crime scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives.

(c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the adult.

315.9.2 OFFICER RESPONSIBILITIES
Officers responding to a drug lab or other narcotics crime scene where an adult abuse victim is present or where there is evidence that an adult abuse victim lives should:

(a) Document the environmental, medical, social and other conditions of the adult, using photography as appropriate and the checklist or form developed for this purpose.

(b) Notify the Detective Section supervisor so an interagency response can begin.

315.10 STATE MANDATES AND OTHER RELEVANT LAWS
Washington requires or permits the following:

315.10.1 RECORDS SECTION RESPONSIBILITIES
The Records Section is responsible for:

(a) Providing a copy of the adult abuse report to APS as required by law.

(b) Retaining the original adult abuse report with the initial case file.
315.10.2 RELEASE OF REPORTS
Information related to incidents of adult abuse or suspected adult abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (RCW 74.34.035(9); RCW 74.34.095).

315.10.3 ARREST WITHOUT WARRANT
When an officer has confirmed that a valid court order for protection, including a temporary order, exists and has probable cause to believe that a person has violated that order, he/she has the authority to arrest the person without a warrant (RCW 10.31.100; RCW 26.50.110).

315.11 TRAINING
The Department should provide training on best practices in adult abuse investigations to members tasked with investigating these cases. The training should include:

(a) Participating in multidisciplinary investigations, as appropriate.
(b) Conducting interviews.
(c) Availability of therapy services for adults and families.
(d) Availability of specialized forensic medical exams.
(e) Cultural competence (including interpretive services) related to adult abuse investigations.
(f) Availability of victim advocates or other support.
Discriminatory Harassment

316.1 PURPOSE AND SCOPE
This policy is intended to prevent department members from being subjected to discrimination or sexual harassment.

316.2 POLICY
The Washougal Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against employees in hiring, promotion, discharge, compensation, fringe benefits and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights it is designed to protect.

The non-discrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

316.3 DISCRIMINATION PROHIBITED

316.3.1 DISCRIMINATION
The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on race, color, religion, sex, age, national origin or ancestry, genetic information, disability, military service, sexual orientation and other classifications protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual’s protected class. It has the effect of interfering with an individual’s work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment, can include making derogatory comments, crude and offensive statements or remarks, making slurs or off-color jokes, stereotyping, engaging in threatening acts, making indecent gestures, pictures, cartoons, posters or material, making inappropriate physical contact, or using written material or department equipment and/or systems to transmit or receive offensive material, statements or pictures. Such conduct is contrary to department policy and to the department’s commitment to a discrimination free work environment.

316.3.2 SEXUAL HARASSMENT
The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person’s sex.
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Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors or other verbal, visual or physical conduct of a sexual nature when:

(a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment position or compensation.

(b) Submission to, or rejection of, such conduct is used as the basis for employment decisions affecting the member.

(c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

316.3.3 ADDITIONAL CONSIDERATIONS
Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles or standards, including:

(a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission (EEOC) and the Washington State Human Rights Commission.

(b) Bona fide requests or demands by a supervisor that a member improve his/her work quality or output, that the member report to the job site on time, that the member comply with City or department rules or regulations, or any other appropriate work-related communication between supervisor and member.

316.3.4 RETALIATION
Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because he/she has engaged in protected activity, filed a charge of discrimination, participated in an investigation or opposed a discriminatory practice. Retaliation will not be tolerated.

316.4 RESPONSIBILITIES
This policy applies to all department personnel. All members shall follow the intent of these guidelines in a manner that reflects department policy, professional law enforcement standards and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to his/her immediate supervisor may bypass the chain of command and make the report to a higher ranking supervisor or manager. Complaints may also be filed with the Chief of Police, Director of Human Resources or the City Manager.

Any member who believes, in good faith, that he/she has been discriminated against, harassed, subjected to retaliation, or who has observed harassment or discrimination, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.
Supervisors receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with resolution as stated below.

316.4.1 SUPERVISOR RESPONSIBILITY
Each supervisor shall:

(a) Continually monitor the work environment and strive to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.

(b) Take prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment or retaliation.

(c) Ensure their subordinates understand their responsibilities under this policy.

(d) Ensure that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.

(e) Notify the Chief of Police in writing of the circumstances surrounding any reported allegations or observed acts of discrimination/harassment no later than the next business day.

316.4.2 SUPERVISOR'S ROLE
Because of differences in individual values, supervisors may find it difficult to recognize that their behavior or the behavior of others is discriminatory, harassing or retaliatory. Supervisors shall be aware of the following considerations:

(a) Behavior of supervisors should represent the values of the Department and professional law enforcement standards.

(b) False or mistaken accusations of discrimination, harassment or retaliation have negative effects on the careers of innocent members.

(c) Supervisors must act promptly and responsibly in the resolution of such situations.

(d) Supervisors shall make a timely determination regarding the substance of any allegation based upon all available facts.

Nothing in this section shall be construed to prevent supervisors from discharging supervisory responsibilities, such as determining duty assignments, evaluating or counseling members or issuing discipline, in a manner that is consistent with established procedures.

316.5 INVESTIGATION OF COMPLAINTS
Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved members should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Department that all complaints of discrimination or harassment shall be fully documented, and promptly and thoroughly investigated. The participating or opposing member should be protected against
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retaliation, and the complaint and related investigation should be kept confidential to the extent possible.

316.5.1 SUPERVISORY RESOLUTION
Members who believe they are experiencing discrimination, harassment or retaliation should be encouraged to inform the individual that his/her behavior is unwelcome, offensive, unprofessional or inappropriate. However, if the member feels uncomfortable, threatened or has difficulty expressing his/her concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

316.5.2 FORMAL INVESTIGATION
If the complaint cannot be satisfactorily resolved through the process described above, a formal investigation will be conducted.

The member assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint or for offering testimony or evidence in any investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include, but not be limited to, details of the specific incident, frequency and dates of occurrences and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed or retaliated against because of their protected status are encouraged to follow the chain of command but may also file a complaint directly with the Chief of Police, Director of Human Resources, or the City Manager.

316.5.3 ALTERNATIVE COMPLAINT PROCESS
No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed, discriminated or retaliated against are entitled to bring complaints of employment discrimination to federal, state and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

316.6 NOTIFICATION OF DISPOSITION
The complainant and/or victim will be notified in writing of the disposition of the investigation and the action taken to remedy or address the circumstances giving rise to the complaint.

316.7 DOCUMENTATION OF COMPLAINTS
All complaints or allegations shall be thoroughly documented on forms and in a manner designated by the Chief of Police. The outcome of all reports shall be:
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- Approved by the Chief of Police, City Manager, or the Director of Human Resources, if more appropriate.
- Maintained for the period established in the department’s records retention schedule.

316.8 TRAINING
All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that he/she has been advised of this policy, is aware of and understands its contents and agrees to abide by its provisions during his/her term of employment.

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents and agree that they will continue to abide by its provisions.

316.8.1 QUESTIONS OR CLARIFICATION
Members with questions regarding what constitutes discrimination, sexual harassment or retaliation are encouraged to contact a Sergeant, the Captain or the Chief of Police, Director of Human Resources or the City Manager for further information, direction, or clarification.
Child Abuse

317.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Washougal Police Department members are required to notify the Department of Children, Youth, and Families, Child Protective Services (CPS) of suspected child abuse.

317.1.1 DEFINITIONS
Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child’s care or any other act that would mandate notification to a social service agency.

317.2 POLICY
The Washougal Police Department will investigate all reported incidents of alleged criminal child abuse and ensure CPS is notified as required by law.

317.3 MANDATORY NOTIFICATION
Members of the Washougal Police Department shall notify CPS when a report of abuse or neglect of a child is received or when there is reasonable cause to believe that a child has suffered abuse or neglect (RCW 26.44.030).

For purposes of notification, abuse or neglect of a child includes sexual abuse, sexual exploitation, or injury inflicted by any person under circumstances that cause harm to the child's health, welfare or safety, excluding lawful discipline, or the negligent treatment or maltreatment by a person who is responsible for, or providing care to, a child (RCW 26.44.020).

Officers shall promptly notify CPS whenever a child under 16 years of age is in a vehicle being driven by the child’s parent, guardian, legal custodian, sibling or half-sibling and that person is being arrested for a drug or alcohol-related driving offense (RCW 46.61.507).

If, during an investigation of drug manufacturing, an officer discovers that a child is present at the investigation site, the officer shall notify CPS immediately (RCW 26.44.200).

317.3.1 NOTIFICATION PROCEDURE
Notification should occur as follows (RCW 26.44.030(5)):

(a) In emergency cases, notification to CPS should be made immediately when the child's welfare is endangered but in all such cases within 24 hours.
(b) In non-emergency cases, notification to CPS shall be made within 72 hours after a report is received.

(c) Notification, when possible, should include (RCW 26.44.040):

1. The name, address and age of the child.
2. The name and address of the child’s parents, stepparents, guardians or other persons having custody of the child.
3. The nature and extent of the alleged injury or injuries.
4. The nature and extent of the alleged neglect.
5. The nature and extent of the alleged sexual abuse.
6. Any evidence of previous injuries, including the nature and extent of the injury.
7. Any other information that may be helpful in establishing the cause of the child’s death, injury or injuries, and the identity of the alleged perpetrator or perpetrators.

(d) The Department shall forward all case dispositions to CPS.

317.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations. These investigators should:

(a) Conduct interviews in child appropriate interview facilities.
(b) Be familiar with forensic interview techniques specific to child abuse investigations.
(c) Present all cases of alleged child abuse to the prosecutor for review.
(d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.
(e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.
(f) Participate in or coordinate with multidisciplinary investigative teams as applicable (RCW 26.44.180 et seq.).

317.5 INVESTIGATIONS AND REPORTING

In all reported or suspected cases of child abuse, a report will be written. Officers shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

(a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.
(b) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.

(c) Any relevant statements the child may have made and to whom he/she made the statements.

(d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.

(e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.

(f) Whether the child victim was transported for medical treatment or a medical examination.

(g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.

(h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.

(i) Previous addresses of the victim and suspect.

(j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim’s environment.

(k) Applicable local protocol regarding child abuse investigations (RCW 26.44.180 et seq.).

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

317.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact CPS. Generally, removal of a child from his/her family, guardian or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to CPS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.
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Children may only be removed from a parent or guardian in the following situations (RCW 26.44.050):

(a) A court order has been issued authorizing the removal of the child.
(b) There is probable cause to believe that the child is abused or neglected and that the child would be injured or could not be taken into custody if it were necessary to first obtain a court order (e.g., the child could be taken and concealed).

317.6.1 SAFE HAVEN LAW
A parent is not guilty of abandonment when leaving a newborn 72 hours old or younger with a qualified person at the emergency department of a licensed hospital or a fire station while personnel are present (RCW 13.34.360). The qualified person shall notify CPS. CPS shall assume custody of the newborn.

317.7 INTERVIEWS

317.7.1 PRELIMINARY INTERVIEWS
Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

317.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW
An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

(a) Exigent circumstances exist, such as:
   1. A reasonable belief that medical issues of the child need to be addressed immediately.
   2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
   3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.

(b) A court order or warrant has been issued.

317.7.3 TRAINING REQUIREMENT
Only those members who have successfully completed Washington State Criminal Justice Training Commission (WSCJTC) sponsored training on interviewing child victims of sexual abuse shall participate in or conduct such interviews. Interviews of children who are suspected victims
of sexual abuse will be conducted in compliance with the training standards set forth in RCW 43.101.224.

317.8 MEDICAL EXAMINATIONS
If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child’s transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

317.9 DRUG-ENDANGERED CHILDREN
A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

317.9.1 SUPERVISOR RESPONSIBILITIES
The Detective Section Supervisor should:

(a) Work with professionals from the appropriate agencies, including CPS, other law enforcement agencies, medical service providers and local prosecutors to develop community specific procedures for responding to situations where there are children endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.

(b) Activate any available interagency response when an officer notifies the Detective Section Supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.

(c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the child.

317.9.2 OFFICER RESPONSIBILITIES
Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

(a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.

(b) Notify the Detective Section Supervisor so an interagency response can begin.

317.10 STATE MANDATES AND OTHER RELEVANT LAWS
Washington requires or permits the following:
317.10.1 RELEASE OF REPORTS
Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (RCW 42.56.240).

Records and information may be made available to multidisciplinary investigative team members as necessary for the performance of the member’s duties as a member of the team. Records and information are subject to the same privacy and confidentiality restrictions as the person providing the information or records (Chapter 82 § 3, 2019 Laws).

317.10.2 ARREST WITHOUT WARRANT
When an officer responds to a call alleging that a child has been subjected to sexual or physical abuse or criminal mistreatment and has probable cause that a crime has been committed, or the officer responds to a call alleging that a temporary restraining order or preliminary injunction has been violated, he/she has the authority to arrest the person without a warrant (RCW 10.31.100; RCW 26.44.130).

317.10.3 CASE SUBMISSION TO PROSECUTOR
The Washougal Police Department shall forward all cases of child abuse to the appropriate prosecutor when a crime may have been committed and (RCW 26.44.030):

(a) A child has died or has had a physical injury.
(b) Injuries were inflicted upon a child other than by accidental means.
(c) A child has been subjected to alleged sexual abuse.

317.10.4 AGENCY COORDINATION
If this department responds to a complaint of alleged child abuse and discovers that another agency has also responded to the complaint, this department shall notify the other agency of its presence. The agencies shall coordinate the investigation and keep each other apprised of progress (RCW 26.44.035).

317.10.5 LOCAL CHILD ABUSE PROTOCOLS
The Detective Section Supervisor should ensure that local child abuse protocols for the investigation of child abuse are available to those department members who have a role in child abuse investigations (RCW 26.44.180 et seq.).

317.10.6 CONFLICT OF INTEREST IN INVESTIGATIONS
An officer shall not participate as an investigator in a child abuse case concerning a child for whom he/she is, or has been, a parent, guardian or foster parent (RCW 26.44.190).

317.11 TRAINING
The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

(a) Participating in multidisciplinary investigations, as appropriate.
(b) Conducting forensic interviews.
(c) Availability of therapy services for children and families.
(d) Availability of specialized forensic medical exams.
(e) Cultural competence (including interpretive services) related to child abuse investigations.
(f) Availability of victim advocate or guardian ad litem support.
Missing Persons

318.1 PURPOSE AND SCOPE
This policy provides guidance for handling missing person investigations.

318.1.1 DEFINITIONS
Definitions related to this policy include:

At risk - This includes persons who:

(a) Are 13 years of age or younger.
(b) Regardless of age, are believed or determined to be experiencing one or more of the following circumstances:
   1. Missing under unexplained, involuntary or suspicious circumstances and is believed to be in danger because of age, health, mental or physical disability, in combination with environmental or weather conditions, or it is believed that the person is unable to return to safety without assistance.
   2. Out of the zone of safety for his/her chronological age and developmental stage.
   3. Mentally or behaviorally disabled.
   4. Drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
   5. Absent from home for more than 24 hours before being reported to law enforcement as missing.
   6. In a life-threatening situation.
   7. In the company of others who could endanger his/her welfare.
   8. Absent in a way that is inconsistent with established patterns of behavior and cannot be readily explained. Most children have an established and reasonably predictable routine.
   9. Involved in a situation that would cause a reasonable person to conclude the person should be considered at risk.

Missing person - Any person who is reported missing to law enforcement when that person's location is unknown.

Missing person networks - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC) and the Washington Crime Information Center (WACIC).

318.2 POLICY
The Washougal Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The Washougal Police Department gives missing person cases priority over
property-related cases and does not require a specific amount of time to have passed before
beginning a missing person investigation.

318.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS
The Detective Section supervisor shall ensure the following forms and kits are developed and
available:

- Missing person report form
- Missing person investigation checklist that provides investigation guidelines and
  resources that could be helpful in the early hours of a missing person investigation
  (RCW 43.43.876)
- Missing person school notification form
- Medical records release form
- Biological sample collection kits

318.4 ACCEPTANCE OF REPORTS
Any member encountering a person who wishes to report a missing person or runaway shall
render assistance without delay. This can be accomplished by accepting the report via telephone
or in-person and initiating the investigation. Those members who do not take such reports or who
are unable to give immediate assistance shall promptly dispatch or alert a member who can take
the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where
the person resides or any question of jurisdiction.

318.5 INITIAL INVESTIGATION
Officers or other members conducting the initial investigation of a missing person should take the
following investigative actions, as applicable:

(a) Respond to a dispatched call as soon as practicable.
(b) Interview the reporting party and any witnesses to determine whether the person
    qualifies as a missing person and, if so, whether the person may be at risk.
(c) Notify a supervisor immediately if there is evidence that a missing person is either at
    risk or may qualify for a public alert, or both (see the Public Alerts Policy).
(d) Broadcast a “Be on the Look-Out” (BOLO) bulletin if the person is under 16 years
    of age or there is evidence that the missing person is at risk. The BOLO should be
    broadcast as soon as practicable but in no event more than one hour after determining
    the missing person is under 16 years of age or may be at risk.
(e) Ensure that entries are made into the appropriate missing person networks, as follows:
    1. Immediately, when the missing person is at risk.
2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.

(f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.

(g) Collect and/or review:
   1. A photograph and fingerprint card of the missing person, if available.
   2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
   3. Any documents that may assist in the investigation, such as court orders regarding custody.
   4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).

(h) When circumstances permit and if appropriate, attempt to determine the missing person’s location through his/her telecommunications carrier (RCW 80.36.570).
   1. Information may only be sought from a carrier in an emergency situation that involves the risk of death or serious physical harm.
   2. Members shall check NCIC and other available databases for a history of domestic violence or court order restricting contact and verify through the Washington State Patrol (WSP) that the missing person is not participating in the address confidentiality program under RCW 40.24.030 et seq. Information obtained from NCIC, other databases, or WSP shall not be released except by court order.
   3. Information received from a carrier is restricted and should only be released to first responders responding to the emergency situation.

(i) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.

(j) Consider contacting the WSP Missing and Exploited Children’s Task Force (MECTF) if additional resources are needed (RCW 13.60.110).

318.6 REPORT PROCEDURES AND ROUTING
Members should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

318.6.1 SUPERVISOR RESPONSIBILITIES
The responsibilities of the supervisor shall include, but are not be limited to:

   (a) Reviewing and approving missing person reports upon receipt.
1. The reports should be promptly sent to the Records Section.

(b) Ensuring resources are deployed as appropriate.

(c) Initiating a command post as needed.

(d) Ensuring applicable notifications and public alerts are made and documented.

(e) Ensuring that records have been entered into the appropriate missing persons networks.

(f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.

1. If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

318.6.2 RECORDS SECTION RESPONSIBILITIES

The responsibilities of the Records Section receiving member shall include but are not limited to:

(a) As soon as reasonable under the circumstances, notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person’s residence in cases where the missing person is a resident of another jurisdiction.

(b) Notifying and forwarding a copy of the report to the agency of jurisdiction where the missing person was last seen.

(c) Notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person’s intended or possible destination, if known.

(d) Forwarding a copy of the report to the Detective Section.

(e) Coordinating with the NCIC Terminal Contractor for Washington to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

318.7 DETECTIVE SECTION FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

(a) Should ensure that the missing person’s school is notified within 10 days if the missing person is a juvenile.

1. The notice shall be in writing and should also include a photograph.

2. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the child’s student file, along with the investigator’s contact information, if the school receives a call requesting the transfer of the missing child’s files to another school.

(b) Should recontact the reporting person and/or other witnesses within 30 days of the initial report and within 30 days thereafter to keep them informed, as appropriate, and to determine if any additional information has become available.
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(c) Should consider contacting other agencies involved in the case to determine if any additional information is available.

(d) Shall verify and update WACIC, NCIC, and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).

(e) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.

(f) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).

(g) Should make appropriate inquiry with the Medical Examiner.

(h) Should obtain and forward medical and dental records, photos, X-rays, and biological samples, as applicable.

(i) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously and forward the photograph to the WSP Missing and Unidentified Persons Unit (MUPU) and enter the photograph into applicable missing person networks (34 USC § 41308).

(j) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).

(k) In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

318.7.1 MISSING OVER 30 DAYS OR WHEN CRIMINAL ACTIVITY SUSPECTED

When a person reported missing has not been found within 30 days of the report or at any time when criminal activity is suspected, the handling detective shall contact the county coroner or medical examiner to determine if that office has any information concerning the missing person. If, after conferring with the coroner or medical examiner, the person is still determined to be missing, the handling officers shall:

(a) File a missing person's report with MUPU.

(b) Initiate the collection of biological samples from the known missing person and his/her family members for nuclear and mitochondrial DNA testing along with the necessary consent forms, if not previously obtained during the investigation.

(c) Ask the missing person's family or next of kin to give written consent to request the person's dental records.
   1. Whenever possible, obtain diagnostic quality copies or original records of the missing person's dental records. As soon as possible, biological samples shall be submitted to the appropriate lab; dental records shall be submitted to MUPU (RCW 43.43.751; RCW 68.50.320).
In all missing person cases, the assigned detective should attempt contact with the reporting party no less than every 30 days in order to verify the status of the reported missing person. After 12 months, contact with the reporting party should be attempted yearly. All verifications should be reported to WSP via A Central Computerized Enforcement Service System (ACCESS).

### 318.8 WHEN A MISSING PERSON IS FOUND

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the relatives and/or reporting party, as appropriate, and other involved agencies, and refer the case for additional investigation if warranted.

The Lead Administrative Assistant should ensure that, upon receipt of information that a missing person has been located, the following occurs:

(a) Notification is made to MUPU.

(b) A missing child’s school is notified.

(c) Entries are made in the applicable missing person networks.

(d) When a person is at risk, the fact that the person has been found should be reported within 24 hours to MUPU.

(e) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

### 318.8.1 UNIDENTIFIED PERSONS

Department members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

(a) Obtain a complete description of the person.

(b) Enter the unidentified person’s description into the NCIC Unidentified Person File.

(c) Use available resources, such as those related to missing persons, to identify the person.

### 318.9 CASE CLOSURE

The Detective Section Supervisor may authorize the closure of a missing person case after considering the following:

(a) Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.

(b) If the missing person is a resident of Washougal or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.
Missing Persons

(c) If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks, as appropriate.

(d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

318.10 TRAINING
Subject to available resources, the Captain should ensure that members of this department whose duties include missing person investigations and reports receive training that includes:

(a) The initial investigation:
   1. Assessments and interviews
   2. Use of current resources, such as Mobile Audio Video (MAV)
   3. Confirming missing status and custody status of minors
   4. Evaluating the need for a heightened response
   5. Identifying the zone of safety based on chronological age and developmental stage

(b) Briefing of department members at the scene.

(c) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile and catastrophe).

(d) Verifying the accuracy of all descriptive information.

(e) Initiating a neighborhood investigation.

(f) Investigating any relevant recent family dynamics.

(g) Addressing conflicting information.

(h) Key investigative and coordination steps.

(i) Managing a missing person case.

(j) Additional resources and specialized services.

(k) Update procedures for case information and descriptions.

(l) Preserving scenes.

(m) Internet and technology issues (e.g., Internet use, cell phone use).

(n) Media relations.
Public Alerts

319.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

319.2 POLICY
Public alerts may be employed using the Emergency Alert System (EAS), local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system’s individual criteria.

319.3 RESPONSIBILITIES

319.3.1 MEMBER RESPONSIBILITIES
Members of the Washougal Police Department should notify a supervisor, as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person or gathering information.

319.3.2 SUPERVISOR RESPONSIBILITIES
A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the Captain or Chief of Police when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

(a) Updating alerts
(b) Canceling alerts
(c) Ensuring all appropriate reports are completed
(d) Preparing an after-action evaluation of the investigation to be forwarded to the Captain

319.3.3 PUBLIC ALERT REPORTING OFFICER RESPONSIBILITIES
The Chief of Police should designate a public alert reporting officer, who is responsible for:

(a) Remaining familiar with the protocols for activating, maintaining and cancelling all applicable public alerts.
(b) Being the point of contact with the Washington AMBER Alert Advisory Committee.
(c) Ensuring the Department has members who have completed the appropriate training.
319.4 WASHINGTON STATEWIDE AMBER ALERT™ PLAN
The AMBER Alert™ Plan is a voluntary partnership between law enforcement, state government agencies, broadcasters and other participants to rapidly disseminate information to enhance the public’s ability to assist in recovering abducted children (RCW 13.60.010).

The Washougal Police Department participates in this partnership and may initiate an AMBER Alert to disseminate information to the public when the criteria for an AMBER Alert are met.

319.4.1 ALERT CRITERIA
The following criteria must exist prior to requesting an AMBER Alert:

(a) The child is under 18 years of age and is known to have been abducted. The child is not a runaway or a throw-away child.

(b) The abducted child is believed to be in danger of death or serious bodily injury.

(c) The AMBER Alert activation should occur within four hours of the qualifying event unless circumstances or the timeliness of the information warrant otherwise.

(d) There must be enough descriptive information to believe that an AMBER Alert activation will assist in the recovery of the child, including:

1. Where the abduction took place.
2. A physical description of the child: height, weight, age, hair color and length, eye color, clothing worn when the child was last seen, and any distinguishing physical characteristics.
3. A physical description of the abductor: height, weight, age, hair color and length, eye color, clothing worn when the suspect last seen, and any distinguishing physical characteristics.
4. Place last seen.
5. Description of the vehicle: color, make, model, license number, approximate year.

(e) The incident must be reported to and investigated by a law enforcement agency.

319.4.2 PROCEDURE
Should the supervisor determine that the incident meets the criteria of the Washington Statewide AMBER Alert Plan, the supervisor should:

(a) Ensure that department protocol is followed regarding approval of the alert.

(b) Ensure all appropriate documentation is completed.

(c) Contact the Washington State Patrol (WSP) Communication Center for entry into the Law Enforcement Alerting Portal (LEAP).
319.4.3 INITIAL NOTIFICATIONS
Upon initiation of an AMBER Alert, the supervisor shall:

(a) Ensure prompt entry of information into the Washington Crime Information Center (WACIC) and National Crime Information Center (NCIC) databases.

(b) Promptly notify the Chief of Police and the Captain of any AMBER Alert activation.

(c) Ensure the preparation of an initial press release that includes all the information required by the Washington Statewide AMBER Alert Plan, and any other available information that might aid in locating the child, such as:

1. A photograph.
2. Detail regarding location of incident, direction of travel, potential destinations, etc., if known.
3. Name and telephone number of the Public Information Officer or other authorized point of contact to handle media and law enforcement liaison.
4. A telephone number and point of contact for the public to call with leads or information.

319.4.4 POST-INCIIDENT REPORTING
The Chief of Police shall be responsible for submitting the AMBER Alert Report to the Washington State Police Chiefs (WASPC) in a timely fashion. The Chief of Police or the authorized designee shall be responsible for representing the Department during the AMBER Alert Review Committee's after-action review of the alert.

319.5 ENDANGERED MISSING PERSON ADVISORY
The Endangered Missing Person Advisory is a voluntary partnership between law enforcement, other government agencies and local broadcasters to rapidly disseminate information to law enforcement agencies, the media and the public about a missing and endangered person in circumstances that do not qualify for an AMBER Alert (RCW 13.60.050).

The Washougal Police Department participates in this partnership and may initiate the required notifications whenever a person is reported missing from this jurisdiction and meets the criteria of an Endangered Missing Person. An endangered missing person advisory may be termed a "silver alert" when initiated to assist in the recovery of a missing endangered person age 60 or older.

319.5.1 ADVISORY CRITERIA
All of the following criteria must exist prior to initiating an Endangered Missing Person Advisory:

(a) The person is missing under unexplained, involuntary or suspicious circumstances.

(b) The person has a developmental disability, is a vulnerable adult or is believed to be in danger because of age, health, mental or physical disability, in combination with environmental or weather conditions, or is believed to be unable to return to safety
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without assistance. This also includes a person diagnosed as having Alzheimer's disease or other age-related dementia (RCW 13.60.010).

(c) There is enough information that could assist the public in the safe recovery of the missing person (e.g., photo or description, clothing worn when last seen, vehicle, location last seen).

(d) The incident has been reported to and investigated by a law enforcement agency.

319.5.2 PROCEDURE
Should the supervisor determine that the incident meets the criteria of an Endangered Missing Person Advisory, the supervisor should:

(a) Ensure that department protocol is followed regarding approval of the alert.

(b) Ensure all appropriate documentation is completed.

(c) Contact the WSP Communication Center for entry into LEAP.

(d) Direct Records Section personnel to enter the information into the WACIC and NCIC databases using the proper message key: Missing (MNP), Endangered (EME), or Involuntary (EMI).

(e) Notify CRESA of the advisory and ensure that it is prepared to handle a high volume of telephone calls.

(f) Ensure that the handling officer attempts to obtain a photograph of the missing person and/or suspect as soon as possible.

(g) Direct the Records Section to enter the photograph into WACIC and NCIC, then send an email to the WSP Missing Persons Unit (MPU).

(h) Appoint a Public Information Officer to handle the media.

1. The Public Information Officer should notify the media through appropriate channels regarding the Endangered Person Advisory. Upon request, the WSP MPU can provide electronic posters with details of the missing person.

2. If the Endangered Missing Person is 21 years of age or younger, NCMEC should be notified as soon as practicable.

(i) The Records Section personnel should promptly cancel the advisory after an Endangered Missing Person is located by sending an administrative message through A Central Computerized Enforcement Service System (ACCESS), noting that the person has been found.

319.6 BLUE ALERTS
The Blue Alert system is a voluntary cooperation between law enforcement, state government agencies and local broadcasters to enhance the public’s ability to assist in locating and apprehending persons suspected of killing or seriously injuring a law enforcement officer (RCW 10.108.030).
The Washougal Police Department participates in this partnership and may initiate a Blue Alert to disseminate information to the public when the criteria for a Blue Alert are met.

319.6.1 CRITERIA
All of the following criteria are required to exist prior to initiating a Blue Alert (RCW 10.108.030):

(a) The suspect has not been apprehended.
(b) The suspect poses a serious threat to the public.
(c) Sufficient information is available to disseminate to the public to assist in locating and apprehending the suspect.
(d) The release of the information will not compromise the investigation.
(e) The release of the information will not improperly notify an officer’s next of kin.

319.6.2 PROCEDURE
Should the supervisor determine that the incident meets the criteria of a Blue Alert, the supervisor should:

(a) Direct Records Section personnel to prepare a Blue Alert administrative message through ACCESS. The words, “Blue Alert Advisory” should be included in the title of the message.
(b) Contact WSP Communications to verify that the advisory was received and, if available, provide the suspect’s vehicle information and request the Washington Department of Transportation (WSDOT) to activate variable message signs.
(c) Ensure that descriptive information about the suspect, the suspect’s whereabouts and the suspect’s method of escape is disseminated.
(d) Appoint a Public Information Officer to issue press releases and handle media inquiries.
   1. The Public Information Officer should be updated continually and be in constant contact with all media outlets to obtain maximum media exposure, provide updates and cancel the Blue Alert when appropriate.
(e) Advise CRESA of the Blue Alert and ensure that it is prepared to handle a high volume of telephone calls.
(f) Ensure that a press release is issued cancelling the Blue Alert.

319.7 OTHER RESOURCE CONSIDERATIONS
The supervisor should consider the following resources, as appropriate:

(a) Local allied law enforcement agency resources
(b) FBI local office
(c) The National Center for Missing and Exploited Children (NCMEC)
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1. Monitor the Cyber Tipline® link and post missing children alerts

(d) The National Oceanic Atmospheric Administration (NOAA)

1. Will relay AMBER Alerts over Weather Radio
Victim Witness Assistance

320.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

320.2 POLICY
The Washougal Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The employees of the Washougal Police Department will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

320.3 CRIME VICTIMS
Officers should provide all victims with the applicable victim information handouts.

Officers should never guarantee a victim’s safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Officers should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written department material or available victim resources.

320.3.1 RIGHT OF IMMEDIATE MEDICAL ASSISTANCE
Victims have the right to immediate medical assistance and should not be detained for an unreasonable length of time before having such assistance administered. The officer may accompany the victim to a medical facility to question the victim about the criminal incident if the questioning does not hinder the administration of medical assistance (RCW 7.69.030).

320.4 VICTIM INFORMATION
The Administrative Captain shall ensure that victim information handouts are available and current. These should include as appropriate:

(a) Shelters and other community resources for victims including domestic violence and sexual assault victims.

(b) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage, and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109; RCW 70.125.110).

(c) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.

(d) A clear explanation of relevant court orders and how they can be obtained.

(e) Information regarding available compensation for qualifying victims of crime.
(f) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender’s custody status and to register for automatic notification when a person is released from jail.

(g) Notice regarding U-Visa and T-Visa application processes.

(h) Resources available for victims of identity theft.

(i) A place for the officer’s name, badge number, and any applicable case or incident number.

(j) A written statement enumerating the rights of victims (RCW 7.69.030; RCW 7.69A.030; RCW 7.69B.020).

(k) The name, address, and telephone number of the local victim/witness program, or contact information for the Washington Coalition of Crime Victim Advocates.

(l) An advisement notifying victims of domestic violence of their right to personally initiate a criminal proceeding when an officer does not exercise arrest powers or initiate criminal proceedings by citation (RCW 10.99.030).

(m) Information about the address confidentiality program (RCW 40.24.030).

320.5 WITNESSES
Officers should never guarantee a witness’ safety from future harm or that his/her identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

320.6 WITNESS INFORMATION
Any person who has been or expects to be summoned to testify for the prosecution in a criminal action, or who is subject to call or is likely to be called as a witness, has rights to specific information about the case (RCW 7.69.030).

The Lead Administrative Assistant shall ensure that witness information handouts are available and current. These should include information regarding witness rights (RCW 7.69.030).
Hate Crimes

321.1 PURPOSE AND SCOPE
This department recognizes and places a high priority on the rights of all individuals guaranteed under the Constitution and the laws of this state. When such rights are infringed upon by violence, threats or other harassment, this department will utilize all available resources to see that justice is served under the law. This policy has been developed to provide members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

321.2 DEFINITIONS
Except where otherwise noted, the following definitions are provided per RCW 9A.04.110:

**Bodily injury, physical injury, or bodily harm** - Physical pain or injury, illness, or an impairment of physical condition.

**Gender expression or identity** - Having, or being perceived as having, a gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to that person at birth (RCW 9A.36.080).

**Malice and maliciously** - To import an evil intent, wish, or design to vex, annoy, or injure another person. Malice may be inferred from an act done in wilful disregard of the rights of another, or an act wrongfully done without just cause or excuse, or an act or omission of duty betraying a wilful disregard of social duty.

**Reasonable person** - A reasonable person who is a member of the victim's race, color, religion, ancestry, national origin, gender, or sexual orientation, or who has the same gender expression or identity, or the same mental, physical, or sensory handicap as the victim (RCW 9A.36.080).

**Sexual orientation** - Heterosexuality, homosexuality, or bisexuality (RCW 9A.36.080).

**Threat** - To communicate, directly or indirectly, the intent to cause bodily injury immediately or in the future to any other person or to cause physical damage immediately or in the future to the property of another person.

321.3 CRIMINAL STATUTES

321.3.1 HATE CRIME OFFENSES
A person is guilty of a hate crime offense if he/she maliciously and intentionally commits one of the following acts because of his/her perception of the victim's race, color, religion, ancestry, national origin, gender, sexual orientation, gender expression or identity, or mental, physical, or sensory disability (RCW 9A.36.080):

(a) Causes physical injury to the victim or another person.
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(b) Causes physical damage to or destruction of the property of the victim or another person.

(c) Threatens a specific person or group of persons and places that person, or members of the specific group of persons, in reasonable fear of harm to person or property. The fear must be a fear that a reasonable person would have under the circumstances.

Prima facie acts of hate are described in RCW 9A.36.080(2).

321.3.2 THREATS TO BOMB OR INJURE PROPERTY
It is unlawful for any person to threaten to bomb or otherwise injure any public or private school building, any place of worship or public assembly, any governmental property, or any other building, common carrier, or structure, or any place used for human occupancy; or to communicate or repeat any information concerning such a threatened bombing or injury, knowing such information to be false and with intent to alarm the person or persons to whom the information is communicated or repeated (RCW 9.61.160).

321.3.3 FEDERAL JURISDICTION
The federal government has the power to investigate and prosecute bias-motivated violence by giving the U.S. Department of Justice jurisdiction over crimes of violence where the perpetrator has selected the victim because of the person's actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity or disability (18 USC § 245).

321.4 CIVIL STATUTES
In addition to the criminal penalty provided in RCW 9A.36.080 for committing a hate crime offense, the victim may bring a civil cause of action for the hate crime offense against the person who committed the offense. A person may be liable to the victim of the hate crime offense for actual damages, punitive damages of up to one hundred thousand dollars, and reasonable attorneys' fees and costs incurred in bringing the action (RCW 9A.36.083).

321.5 PREVENTING AND PREPARING FOR LIKELY HATE CRIMES
While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely hate crimes by:

(a) Making an affirmative effort to establish contact with persons and groups within the community who are likely targets of hate crimes to form and cooperate with prevention and response networks.

(b) Providing victim assistance and follow-up as outlined below, including community follow-up.

(c) Educating community and civic groups about hate crime laws.

321.6 PROCEDURE FOR INVESTIGATING HATE CRIMES
Whenever any member of this department receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, the following should occur:
Hate Crimes

(a) Officer(s) will be promptly assigned to contact the victim, witness, or reporting party to investigate the matter further as circumstances may dictate.

(b) A supervisor should be notified of the circumstances as soon as practical.

(c) Once “in progress” aspects of any such situation have been stabilized (e.g., treatment of victims, apprehension of present suspects, etc.), the assigned officer(s) will take all reasonable steps to preserve available evidence that may tend to establish that a hate crime was involved.

(d) The assigned officer(s) will interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.

(e) Depending on the situation, the assigned officer(s) or supervisor may request additional assistance from detectives or other resources to further the investigation.

(f) The assigned officer(s) will include all available evidence indicating the likelihood of a hate crime in the relevant report(s). All related reports will be clearly marked as “Hate Crimes” and, absent prior approval of a supervisor, will be completed and submitted by the assigned officer(s) before the end of the shift.

(g) The assigned officer(s) will provide the victim(s) of any suspected hate crime with a brochure on hate crimes. Such brochures will also be available to members of the general public upon request. The assigned officer(s) should also make reasonable efforts to assist the victim(s) by providing available information on local assistance programs and organizations.

(h) The assigned officer(s) and supervisor should take reasonable steps to ensure that any such situation does not escalate further.

321.6.1 DETECTIVE SECTION RESPONSIBILITY
If a case is assigned to the Detective Section, the assigned detective will be responsible for following up on the reported hate crime as follows:

(a) Coordinate further investigation with the County Prosecutor and other appropriate law enforcement agencies, as appropriate.

(b) Maintain contact with the victim(s) and other involved individuals as needed.

321.7 TRAINING
All members of this department will receive CJTC approved training on hate crime recognition and investigation (RCW 43.101.290).

321.8 STATISTICAL DATA AND TRACKING
The department shall maintain statistical data on suspected hate crimes and tracking as indicated and report such data to the Washington Association of Sheriff's and Police Chiefs (WASPC) (RCW 36.28A.030).
Hate Crimes
Standards of Conduct

322.1 PURPOSE AND SCOPE
This policy establishes standards of conduct that are consistent with the values and mission of the Washougal Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member’s supervisors.

322.2 POLICY
The continued employment or appointment of every member of the Washougal Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

322.3 DIRECTIVES AND ORDERS
Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

322.3.1 UNLAWFUL OR CONFLICTING ORDERS
Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.
The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

322.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors are required to follow all policies and procedures and may be subject to discipline for:

(a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.

(b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.

(c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.

(d) The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

322.4 GENERAL STANDARDS

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Washington Constitutions and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

322.5 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service.

322.5.1 LAWS, RULES AND ORDERS

(a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or City manuals.

(b) Disobedience of any legal directive or order issued by any department member of a higher rank.

(c) Violation of federal, state, local or administrative laws, rules or regulations.
Standards of Conduct

322.5.2 ETHICS

(a) Using or disclosing one’s status as a member of the Washougal Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.

(b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.

(c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member’s duties (lawful subpoena fees and authorized work permits excepted).

(d) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.

(e) Offer or acceptance of a bribe or gratuity.

(f) Misappropriation or misuse of public funds, property, personnel or services.

(g) Any other failure to abide by the standards of ethical conduct.

322.5.3 DISCRIMINATION, OPPRESSION OR FAVORITISM

Discriminating against, oppressing or providing favoritism to any person because of age, race, color, creed, religion, sex, sexual orientation, gender identity or expression, national origin, ancestry, marital status, physical or mental disability, medical condition or other classification protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power or immunity, knowing the conduct is unlawful.

322.5.4 RELATIONSHIPS

(a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one’s official capacity.

(b) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.

(c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.

(d) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.

(e) Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.
322.5.5 ATTENDANCE
(a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.
(b) Unexcused or unauthorized absence or tardiness.
(c) Excessive absenteeism or abuse of leave privileges.
(d) Failure to report to work or to place of assignment at time specified and fully prepared to perform duties without reasonable excuse.

322.5.6 UNAUTHORIZED ACCESS, DISCLOSURE OR USE
(a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms or reports obtained as a result of the member’s position with this department.
(b) Disclosing to any unauthorized person any active investigation information.
(c) The use of any information, photograph, video or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.
(d) Loaning, selling, allowing unauthorized use, giving away or appropriating any Washougal Police Department badge, uniform, identification card or department property for personal use, personal gain or any other improper or unauthorized use or purpose.
(e) Using department resources in association with any portion of an independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non-subpoenaed records.

322.5.7 EFFICIENCY
(a) Neglect of duty.
(b) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or the instructions of supervisors without a reasonable and bona fide excuse.
(c) Concealing, attempting to conceal, removing or destroying defective or incompetent work.
(d) Unauthorized sleeping during on-duty time or assignments.
(e) Failure to notify the Department within 24 hours of any change in residence address, contact telephone numbers or marital status.

322.5.8 PERFORMANCE
(a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.
Standards of Conduct

(b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.

(c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.

(d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.

(e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.

(f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:

1. While on department premises.
2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
3. Gambling activity undertaken as part of an officer’s official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.

(g) Improper political activity including:

1. Unauthorized attendance while on-duty at official legislative or political sessions.
2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or on department property except as expressly authorized by City policy, the collective bargaining agreement, or the Chief of Police.

(h) Engaging in political activities during assigned working hours except as expressly authorized by City policy, the collective bargaining agreement, or the Chief of Police.

(i) Any act on- or off-duty that brings discredit to this department.

322.5.9 CONDUCT

(a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.

(b) Unreasonable and unwarranted force to a person encountered or a person under arrest.
Standards of Conduct

(c) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.
(d) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.
(e) Engaging in horseplay that reasonably could result in injury or property damage.
(f) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the City.
(g) Use of obscene, indecent, profane or derogatory language while on--duty or in uniform.
(h) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member’s relationship with this department.
(i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.
(j) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.
(k) Activity that is incompatible with a member’s conditions of employment or appointment as established by law or that violates a provision of any collective bargaining agreement to include fraud in securing the appointment or hire.
(l) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief of Police of such action.
(m) Any other on-- or off--duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.

322.5.10 SAFETY

(a) Failure to observe or violating department safety standards or safe working practices.
(b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver license, first aid).
(c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.
(d) Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on- or off-duty.
(e) Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not authorized by the member’s appointing authority.
(f) Unsafe or improper driving habits or actions in the course of employment or appointment.
(g) Any personal action contributing to a preventable traffic collision.
Standards of Conduct

(h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

322.5.11 INTOXICANTS

(a) Reporting for work or being at work while intoxicated or when the member’s ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.

(b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.

(c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.
Information Technology Use

323.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

323.2 PRIVACY EXPECTATION
Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any department computer system.

The Department reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network and/or any information placed into storage on any department system or device. This includes records of all keystrokes or Web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices or networks.

Employees may not be asked or required to disclose logon information for their personal social networking accounts or to provide access to their personal social networking accounts unless otherwise allowed under RCW 49.44.200 (RCW 49.44.200).

323.3 RESTRICTED USE
Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors or Patrol Sergeants.

Members shall not use another person’s access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor.

323.3.1 SOFTWARE
Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes in accordance with the software company’s copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software onto any department computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Chief of Police or the authorized designee.
No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer systems or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as part of the automated maintenance or update process of department- or City-approved or installed programs by the original manufacturer, producer or developer of the software.

Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

323.3.2 HARDWARE
Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation or who otherwise have a legitimate law enforcement or department-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

323.3.3 INTERNET USE
Internet access provided by or through the Department shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed include, but are not limited to, adult forums, pornography, gambling, chat rooms and similar or related Internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member’s assignment.

Downloaded information shall be limited to messages, mail and data files.

323.3.4 OFF-DUTY USE
Members shall only use technology resources provided by the Department while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email or any other "off the clock" work-related activities. This also applies to personally owned devices that are used to access department resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

323.4 PROTECTION OF AGENCY SYSTEMS AND FILES
All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care and maintenance of the computer system.
Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information and other individual security data, protocols and procedures are confidential information and are not to be shared. Password length, format, structure and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the Internet) to a supervisor.

323.5 INSPECTION OR REVIEW
A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.

323.6 MONITORING AND EMPLOYEE PRIVACY
The City owns all data stored on its network and systems (including e-mail, voicemail and Internet usage logs) and reserves the right to inspect and monitor any and all such communications at any time. The City may conduct audits of employee accounts in order to ensure compliance with policies and requirements, to investigate suspicious activities that could be harmful to the organization, to assist departments in evaluating performance issues and concerns, and to identify productivity or related issues that need additional educational focus within the city. Internet and email communications may be subject to public disclosure and the rules of discovery in the event of a lawsuit. The city's Internet connection and usage by individuals is monitored. There is no right to privacy in an employee's use of city technology resources.

323.7 ADMINISTRATION, REPORTING, AND VIOLATIONS:
The Chief of Police or designee share responsibility for monitoring appropriate implementation of these policies and requirements. The Chief of Police is responsible for determining any and all disciplinary actions that may stem from violations of these policies and requirements.
**Information Technology Use**

A virus checker will be running on computers that are connected to the Internet, to check downloaded files, e-mail, and attachments. Files brought in from outside sources will be checked for viruses before installation on any city-owned hardware. If you receive a pop-up screen indicating the presence of a virus, immediately report the message to the city's IT department and inform a supervisor. Do not continue to download any attachments that the system indicates contains a virus.

Any employee who observes or suspects a violation of these policies and requirements, particularly those that relate to security of the city’s network, systems, and data, should immediately report these concerns to the Finance Director or his designee.

Violations of this policy are subject to disciplinary action up to and including termination.
Report Preparation

324.1 PURPOSE AND SCOPE
Report preparation is a major part of each officer's job. The purpose of reports is to document sufficient information to refresh the officer’s memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formalized training and on-the-job training.

324.1.1 REPORT PREPARATION
Employees should ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads, or arrest reports where the suspect remains in custody should not be held.

Handwritten reports must be prepared legibly. If the report is not legible, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who dictate reports shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee’s opinions should not be included in reports unless specifically identified as such.

324.2 REQUIRED REPORTING
Written reports are required in all of the following situations on the appropriate department approved form unless otherwise approved by a supervisor.

324.2.1 CRIMINAL ACTIVITY
When a member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution.

Activity to be documented in a written report includes:

(a) All arrests

(b) All felony crimes

(c) Non-felony incidents involving threats or stalking behavior

(d) Situations covered by separate policy. These include:
   1. Use of Force Policy
2. Domestic Violence Policy
3. Child Abuse Policy
4. Adult Abuse Policy
5. Hate Crimes Policy
6. Suspicious Activity Reports Policy
(e) All misdemeanor crimes where the victim desires a report

324.2.2 NON-CRIMINAL ACTIVITY
Incidents that require documentation on the appropriate approved report include:
(a) Any time an officer points a firearm at any person.
(b) Any use of force against any person by a member of this department (see the Use of Force Policy).
(c) Any firearm discharge (see the Firearms Policy).
(d) Any time a person is reported missing, regardless of jurisdiction (see the Missing Persons Reporting Policy).
(e) Any found property or found evidence.
(f) Any traffic collisions above the minimum reporting level (see Traffic Collision Reporting Policy).
(g) Suspicious incidents that may indicate a potential for crimes against children or that a child’s safety is in jeopardy.
(h) All protective custody detentions.
(i) Suspicious incidents that may place the public or others at risk.
(j) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor.

324.2.3 DEATH CASES
Death investigations require specific investigation methods depending on circumstances and should be handled in accordance with the Death Investigation Policy. An officer handling a death investigation should notify and apprise a supervisor of the circumstances surrounding the incident and a determination will be made on how to proceed. All death cases shall be appropriately investigated and documented with an incident report.

324.2.4 INJURY OR DAMAGE BY CITY PERSONNEL
Reports shall be taken if an injury occurs that is a result of an act of a City employee. Additionally, reports shall be taken involving damage to City property or City equipment.
324.2.5 MISCELLANEOUS INJURIES
Any injury that is reported to this department shall require a report when:

(a) The injury is a result of drug overdose.

(b) Attempted suicide.

(c) The injury is major/serious, whereas death could result.

(d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event.

The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident he/she deems necessary.

324.3 GENERAL POLICY OF EXPEDITIOUS REPORTING
In general, all officers and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

324.3.1 GENERAL POLICY OF HANDWRITTEN REPORTS
Some incidents and report forms lend themselves to block print rather than typing. In general, the narrative portion of those reports where an arrest is made or when there is a long narrative should be typed or dictated.

Supervisors may require, with the foregoing general policy in mind, block printing or typing of reports of any nature for departmental consistency.

324.3.2 GENERAL USE OF OTHER HANDWRITTEN FORMS
County, state and federal agency forms may be block printed as appropriate. In general, the form itself may make the requirement for typing apparent.

324.4 REPORT CORRECTIONS
Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should complete the Report Correction form stating the reasons for rejection. The original report and the correction form should be returned to the reporting employee for correction as soon as practical. It shall be the responsibility of the originating officer to ensure that any report returned for correction is processed in a timely manner.

324.5 REPORT CHANGES OR ALTERATIONS
Reports that have been approved by a supervisor and submitted to the Records Section for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to the Records Section may be corrected or modified by the authoring officer only with the knowledge and authorization of the reviewing supervisor.
News Media Relations

325.1 PURPOSE AND SCOPE
This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

325.2 RESPONSIBILITIES
The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police, however, in situations not warranting immediate notice to the Chief of Police. Supervisors and designated Public Information Officers (PIO) may prepare and release information to the media in accordance with this policy and the applicable law.

325.2.1 MEDIA REQUEST
Any media request for information or access to a law enforcement situation shall be referred to the PIO or Captain or to the first available supervisor. Prior to releasing any information to the media, employees shall consider the following:

(a) At no time shall any employee of this department make any comment or release any official information to the media without prior approval from a supervisor or the department PIO.

(b) In situations involving multiple law enforcement agencies, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.

(c) Under no circumstance should any member of this department make any comment(s) to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police.

325.3 MEDIA ACCESS
Authorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions:

(a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.

(b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.

1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the department Public Information Officer or other designated spokesperson.
(c) No member of this Department who is under investigation shall be subjected to media visits or interviews without the consent of the involved employee.

(d) Media interviews with individuals who are in custody shall not be permitted without the approval of the Chief of Police and the express consent of the person in custody.

A tactical operation should be handled in the same manner as a crime scene, except the news media should be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a tactical operation in order to accommodate the news media. All comments to the media shall be coordinated through a supervisor or the Public Information Officer.

325.3.1 PROVIDING ADVANCE INFORMATION
To protect the safety and rights of officers and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the news media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception the Chief of Police will consider, at minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person or is otherwise prohibited by law.

325.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or otherwise cleared through the Medical Examiners' Office.

Any requests for copies of related reports or additional information shall be referred to the department PIO, the Public Records Officer, or if unavailable, to the Captain. Such requests will be processed in accordance with the provisions of the Public Records Act (RCW Chapter 42.56.001 et seq.).

325.4.1 RESTRICTED INFORMATION
It shall be the responsibility of the authorized employee dealing with media requests to ensure that restricted information is not inappropriately released to the media by this department (see the Records Maintenance and Release and Personnel Files policies). When in doubt, authorized and available legal counsel should be obtained.
Subpoenas and Court Appearances

326.1 PURPOSE AND SCOPE
This policy establishes the guidelines for department members who must appear in court. It will allow the Washougal Police Department to cover any related work absences and keep the Department informed about relevant legal matters.

326.2 POLICY
Washougal Police Department members will respond appropriately to all subpoenas and any other court-ordered appearances.

326.3 SUBPOENAS

A subpoena may be served upon a member by personal service, via the Department, or by leaving such copy at the place of his/her residence (Civil Rules, CR 45; Civil Rules, CRLJ 45; Criminal Rules, CrRLJ 4.8; Criminal Rules, CrR 4.8).

Criminal subpoenas may also be served upon a member in a limited criminal matter. A criminal subpoena in Superior Court may be served together with a waiver of personal service and instructions for returning such waiver to complete service (Criminal Rules, CrRLJ 4.8; Criminal Rules, CrR 4.8).

326.3.1 SPECIAL NOTIFICATION REQUIREMENTS
Any member who is subpoenaed to testify, agrees to testify or provides information on behalf of or at the request of any party other than the City Attorney or the prosecutor shall notify his/her immediate supervisor without delay regarding:

(a) Any civil case where the City or one of its members, as a result of his/her official capacity, is a party.

(b) Any civil case where any other city, county, state or federal unit of government or a member of any such unit of government, as a result of his/her official capacity, is a party.

(c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.

(d) Any civil action stemming from the member’s on-duty activity or because of his/her association with the Washougal Police Department.

(e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Washougal Police Department.

The supervisor will then notify the Chief of Police and the appropriate prosecuting attorney as may be indicated by the case. The Chief of Police should determine if additional legal support is necessary.
Subpoenas and Court Appearances

No member shall be retaliated against for testifying in any matter.

326.3.2 CIVIL SUBPOENA
The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties, as directed by the current memorandum of understanding or collective bargaining agreement.

The Department should seek reimbursement for the member’s compensation through the civil attorney of record who subpoenaed the member.

326.3.3 OFF-DUTY RELATED SUBPOENAS
Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

326.4 FAILURE TO APPEAR
Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

326.5 STANDBY
To facilitate standby agreements, members are required to provide and maintain current information on their addresses and contact telephone numbers with the Department.

If a member on standby changes his/her location during the day, the member shall notify the designated department member of how he/she can be reached. Members are required to remain on standby until released by the court or the party that issued the subpoena.

326.6 COURTROOM PROTOCOL
When appearing in court, members shall:

(a) Be punctual when appearing in court and prepared to proceed immediately with the case for which they are scheduled to appear.

(b) Dress in the department Class A uniform or Class C (patrol uniform) if on duty in a patrol capacity or business attire.

(c) Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.

326.6.1 TESTIMONY
Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court.

326.7 OVERTIME APPEARANCES
When a member appears in court on his/her off-duty time, he/she will be compensated in accordance with the current memorandum of understanding or collective bargaining agreement.
Reserve Officers

327.1 PURPOSE AND SCOPE
The Washougal Police Department Reserve Unit was established to supplement and assist regular sworn police officers in their duties. This unit provides professional, sworn volunteer reserve officers who can augment regular staffing levels.

327.2 SELECTION AND APPOINTMENT OF POLICE RESERVE OFFICERS
The Washougal Police Department shall endeavor to recruit and appoint to the Reserve Unit only those applicants who meet the high ethical, moral and professional standards set forth by this department.

327.2.1 PROCEDURE
All applicants shall be required to meet and pass the same pre-employment procedures as regular police officers before appointment (RCW 43.101.095).

Before appointment to the Police Reserve Unit, an applicant must have completed, or be in the process of completing, a CJTC approved basic academy or reserve academy (WAC 139-05-810).

327.2.2 APPOINTMENT
Applicants who are selected for appointment to the Police Reserve Unit shall, on the recommendation of the Chief of Police, be sworn in by the Chief of Police and take a loyalty oath to observe and obey all of the laws of the land and to carry out their duties to the best of their ability.

The Washougal Police Department shall immediately notify the CJTC of appointments on a CJTC personnel action report form (WAC 139-05-810).

327.2.3 COMPENSATION FOR POLICE RESERVE OFFICERS
Compensation for reserve officers is provided as follows:
All reserve officer appointees are issued two sets of uniforms and all designated attire and safety equipment. All property issued to the reserve officer shall be returned to the Department upon termination or resignation.

327.3 DUTIES OF RESERVE OFFICERS
Reserve officers assist regular officers in the enforcement of laws and in maintaining peace and order within the community. Assignments of reserve officers will usually be to augment the Patrol Section. Reserve officers may be assigned to other areas within the Department as needed.
Reserve officers are required to work a minimum of 16 hours per month.

327.3.1 POLICY COMPLIANCE
Police reserve officers shall be required to adhere to all departmental policies and procedures. A copy of the policies and procedures will be made available to each reserve officer upon appointment and he/she shall become thoroughly familiar with these policies.
Reserve Officers

Whenever a rule, regulation, or guideline in this manual refers to a sworn regular full-time officer, it shall also apply to a sworn reserve officer unless by its nature it is inapplicable.

327.3.2 RESERVE OFFICERS ASSIGNMENTS
All reserve officers will be assigned to duties by the Reserve Coordinator or his/her designee.

327.3.3 RESERVE COORDINATOR
The Chief of Police shall delegate the responsibility for administering the Reserve Officer Program to a Reserve Coordinator.

The Reserve Coordinator shall have the responsibility of, but not be limited to:

(a) Assignment of reserve personnel.
(b) Conducting reserve meetings.
(c) Establishing and maintaining a reserve call-out roster.
(d) Maintaining and ensuring performance evaluations are completed.
(e) Monitoring individual reserve officer performance.
(f) Monitoring the overall Reserve Program.
(g) Maintaining liaison with other agency Reserve Coordinators.

327.4 FIELD TRAINING

327.4.1 PRIMARY TRAINING OFFICER
Upon completion of the Academy, reserve officers will be assigned to a primary field training officer (FTO) selected by the FTO sergeant. The reserve officer will be assigned to work with his/her primary training officer during the first 160 hours of training. This time shall be known as the Primary Training Phase.

327.4.2 FIELD TRAINING MANUAL
Each new reserve officer will be issued a Field Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and/or skills necessary to properly function as an officer with the Washougal Police Department. The reserve officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

327.4.3 COMPLETION OF THE PRIMARY TRAINING PHASE
At the completion of the Primary Training Phase, (Phase I) the primary FTO will meet with the reserve coordinator and FTO sergeant. The purpose of this meeting is to discuss the progress of the reserve officer in training.

If the reserve officer has progressed satisfactorily, he/she will then proceed to Phase II of the training. If he/she has not progressed satisfactorily, the reserve coordinator will determine the appropriate action to be taken.
Reserve Officers

327.4.4 SECONDARY TRAINING PHASE
The Secondary Training Phase (Phase II) shall consist of 100 hours of additional on-duty training. The reserve officer will no longer be required to ride with his/her primary training officer. The reserve officer may now ride with any officer that has an FTO certification.

During Phase II of training, as with Phase I, the reserve officer's performance will be closely monitored. In addition, rapid progress should continue towards the completion of the Officer's Field Training Manual. At the completion of Phase II of training, the reserve officer will return to his/her primary training officer for Phase III of the training.

327.4.5 THIRD TRAINING PHASE
Phase III of training shall consist of 24 hours of additional on-duty training. For this training phase, the reserve officer will return to his/her original primary training officer. During this phase, the training officer will evaluate the reserve officer for suitability to graduate from the formal training program.

At the completion of Phase III training, the primary training officer will meet with the reserve coordinator and FTO sergeant. Based upon the reserve officer’s evaluations, plus input from the primary training officer, the reserve coordinator shall decide if the reserve officer has satisfactorily completed his/her formal training. If the reserve officer has progressed satisfactorily, he/she will then graduate from the formal training process. If his/her progress is not satisfactory, the reserve coordinator will decide upon the appropriate action to be taken.

327.4.6 COMPLETION OF THE FORMAL TRAINING PROCESS
When a reserve officer has satisfactorily completed all three phases of formal training, he/she will have had a minimum of 284 hours of on-duty training. He/she will no longer be required to ride with a field training officer. The reserve officer may now be assigned to ride with any officer for the remaining 200-hour requirement for a total of 484 hours before being considered for relief of immediate supervision.

327.4.7 IN-SERVICE TRAINING
All reserve officers will successfully complete an annual in-service training program of no less than 24 hours, which shall begin on Jan. 1 of the calendar year following appointment (WAC 139-05-300).

327.5 SUPERVISION OF RESERVE OFFICERS
Reserve officers shall work under the immediate supervision of a regular sworn officer.

327.5.1 SPECIAL AUTHORIZATION REQUIREMENTS
Reserve officers may, with prior authorization of a supervisor, be relieved of the immediate supervision requirement in order to assign a certified reserve officer to function without immediate supervision for specific purposes and duration.
Reserve Officers

327.5.2 RESERVE OFFICER MEETINGS
All reserve officer meetings will be scheduled and conducted by the Reserve Coordinator. All reserve officers are required to attend scheduled meetings. Any absences must be satisfactorily explained to the Reserve Coordinator.

327.5.3 IDENTIFICATION OF RESERVE OFFICERS
All reserve officers will be issued a uniform badge and a department identification card. The uniform badge shall be the same as that worn by a regular full-time officer. The identification card will be the standard identification card with the exception that "Reserve" will be indicated on the card.

327.5.4 UNIFORM
Reserve officers shall conform to all uniform regulation and appearance standards of this department.

327.5.5 INVESTIGATIONS AND COMPLAINTS
If a reserve officer has a complaint made against him/her or becomes involved in an internal investigation, that complaint or internal investigation may be investigated by the reserve coordinator at the discretion of the commander.

Reserve officers are considered at-will employees with the exception that the right to hearing is limited to the opportunity to clear their name.

Any disciplinary action that may have to be administered to a reserve officer shall be accomplished by the Chief of Police as outlined in the Policy Manual.

327.5.6 RESERVE OFFICER EVALUATIONS
While in training reserves will be continuously evaluated using standardized daily and weekly observation reports. The reserve will be considered a trainee until all of the training phases have been completed. Reserves having completed their field training will be evaluated annually.

327.6 FIREARMS REQUIREMENTS

327.6.1 CARRYING WEAPON ON DUTY
It is the policy of this department to allow reserves to carry firearms only while on duty or to and from duty.

327.6.2 CONCEALED PISTOL RULES
No reserve officer will be permitted to carry a concealed pistol while in an off-duty capacity, other than to and from work, except those reserve officers who possess a valid Concealed Pistol License. An instance may arise where a reserve officer is assigned to a plainclothes detail for his/her assigned tour of duty. Under these circumstances, the reserve officer may be permitted to carry a pistol more suited to the assignment with the knowledge and approval of the supervisor in charge of the detail.
Any reserve officer who is permitted to carry a firearm other than the assigned duty weapon may do so only after verifying that the weapon conforms to departmental standards. The weapon must be registered by the reserve officer and be inspected and certified as fit for service by a departmental armorer.

Before being allowed to carry any optional firearm during an assigned tour of duty, the reserve officer shall have demonstrated his/her proficiency with said weapon.

When a reserve officer has satisfactorily completed all three phases of training (as outlined in FIELD TRAINING), he/she may be issued a permit to carry a concealed weapon. The decision to issue a concealed weapon permit will be made by the Chief of Police with input from the Reserve Program Coordinator and administrative staff. In issuing a concealed weapon permit a reserve officer's qualification will be individually judged. A reserve officer's dedication to the program and demonstrated maturity, among other factors, will be considered before a concealed weapon permit will be issued. Once issued, the concealed weapon permit will be valid only for as long as the reserve officer remains in good standing with the Washougal Police Department Reserve Officer Program.

327.6.3 RESERVE OFFICER FIREARM TRAINING
All reserve officers are required to maintain proficiency with firearms used in the course of their assignments. Reserve officers shall comply with all areas of the firearms training section of the Policy Manual, with the following exceptions:

(a) All reserve officers are required to attend scheduled firearm training and must qualify as scheduled during the year.

(b) Reserve officers may fire at the department approved range at least once each month with the approval of the Reserve Coordinator.

(c) Should a reserve officer fail to qualify, that reserve officer will not be allowed to carry a firearm until he/she has reestablished his/her proficiency.

327.7 EMERGENCY CALL-OUT FOR RESERVE PERSONNEL
The Reserve Coordinator shall develop a plan outlining an emergency call-out procedure for reserve personnel.

327.8 TERMINATION OF RESERVE OFFICER
If a reserve officer is terminated for any reason, including resignation, the Washougal Police Department shall notify the CJTC on a CJTC personnel action form within 15 days of the termination (WAC 139-05-810).
Outside Agency Assistance

328.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

328.2 POLICY
It is the policy of the Washougal Police Department to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this department.

328.3 ASSISTING OUTSIDE AGENCIES
Generally, requests for any type of assistance from another agency should be routed to a supervisor for approval. In some instances, a mutual aid agreement or other established protocol may exist that eliminates the need for approval of individual requests.

When another law enforcement agency requests assistance from this department, a supervisor may authorize, if available, an appropriate number of personnel to assist. Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this department.

Officers may respond to a request for emergency assistance, however, they shall notify a supervisor of their activity as soon as practicable.

Arrestees may be temporarily detained by this department until arrangements for transportation are made by the outside agency. Probation violators who are temporarily detained by this department will not ordinarily be booked at this department. Only in exceptional circumstances, and subject to supervisor approval, will this department provide transportation of arrestees to other facilities on behalf of another agency.

When transportation assistance is rendered, a report shall be prepared and submitted by the handling member unless otherwise directed by a supervisor.

328.3.1 INITIATED ACTIVITY
Any on-duty officer who engages in law enforcement activities of any type that are not part of a mutual aid request and take place outside the jurisdiction of the Washougal Police Department shall notify his/her supervisor or the on-duty supervisor as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

328.4 REQUESTING OUTSIDE ASSISTANCE
If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.
Outside Agency Assistance

The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

328.5 REPORTING REQUIREMENTS
Incidents of outside assistance or law enforcement activities that are not documented in a crime report shall be documented in a informational report or as directed by the on-duty supervisor.

328.6 MANDATORY SHARING
Equipment and supplies purchased with federal funds or grants that require such equipment and supplies be shared with other agencies should be documented and updated as necessary by the Administrative Captain or the authorized designee.

The documentation should include:

(a) The conditions relative to sharing.
(b) The training requirements for:
   1. The use of the supplies and equipment.
   2. The members trained in the use of the supplies and equipment.
(c) Any other requirements for use of the equipment and supplies.

The Captain should maintain documentation that the appropriate members have received the required training.
Registered Offender Information

329.1 PURPOSE AND SCOPE
This policy establishes guidelines by which the Washougal Police Department will address issues associated with certain offenders who are residing in the jurisdiction and how the Department will disseminate information and respond to public inquiries for information about registered offenders.

329.2 POLICY
It is the policy of the Washougal Police Department to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

329.3 REGISTRATION
In the State of Washington the respective county sheriff is the agency responsible for sex offender and kidnap offender registration. All offenders residing in Clark County, regardless of the geographic location in which they reside must report to the sheriff's office for registration. The designated authority is the Clark County Sheriff's Office Sex Offender Monitoring Unit.

Upon conclusion of the registration process, the Clark County Sheriff's Office shall ensure that the registration information is provided to the Washington State Patrol (WSP) within five working days as outlined in RCW 43.43.540. The Washington Association of Sheriffs and Police Chiefs (WASPC) shall be provided any requested information for the administration of the Sex Offender Information website as outlined in RCW 4.24.550.

A criminal investigation for failure to register will be initiated if the registrant refuses to provide any of the required information or complete the process. The agency of jurisdiction will conduct the investigation.

329.3.1 CONTENTS OF REGISTRATION FOR SEX OR KIDNAPPING OFFENDERS
Sex or kidnapping offenders who are required to register must appear in person and provide the following (RCW 9A.44.130):

- Name
- Complete residential address or where he/she plans to stay
- Date and place of birth
- Place of employment
- Crime for which the person has been convicted
Registered Offender Information

- Date and place of conviction
- Aliases
- Social Security number
- Biological sample if one has not already been submitted to the WSP (see the Biological Samples Policy for collection protocol) (RCW 43.43.754)

Offenders lacking a fixed residence must keep an accurate accounting of where he/she stays during the week and provide it to the county sheriff upon request.

The registering member shall take photographs and fingerprints, which may include palmprints, of all sex/kidnapping offenders.

329.4 MONITORING OF REGISTERED OFFENDERS

The Clark County Sheriff's Office has established a system to periodically, and at least once annually, verify that a registrant remains in compliance with his/her registration requirements after the initial registration. This verification should include, as applicable:

(a) Efforts to confirm residence using an unobtrusive method, such as an Internet search, drive-by of the declared residence or address verification under RCW 9A.44.135.

(b) When notice is received that a sex offender is moving outside the jurisdiction of the Washougal Police Department, the supervisor in charge of the detective's section is responsible for address verification until the registrant completes registration with a new residential address (RCW 9A.44.130(5)).

(c) Review of information on the WASPC Sex Offender Information website.

(d) Contact with a registrant’s community correction officer.

(e) Review any available Washington State database of felony firearm offenders.

Any discrepancies with sex/kidnapping offenders should be reported to ACCESS (A Central Computerized Enforcement Service System), which is administered by WSP, and, in the case of sex offenders only, to WASPC.

The Clark County Sheriff's Office has established a procedure to routinely disseminate information regarding registered offenders to Washougal Police Department personnel, including timely updates regarding new or relocated registrants.

The Washougal Police Department shall be responsible for verifying the registration of sex/kidnapping offenders within their jurisdiction.

329.4.1 OFFENDERS TRAVELING OUT OF THE COUNTRY

When written notice is received from a registrant who intends to travel outside of the United States, the Clark County Sheriff's Office shall notify the United States Marshals Service as soon as practicable after receipt of notification and also of any further notice of changes or cancellation of travel plans (RCW 9A.44.130(3)).
329.5 DISSEMINATION OF PUBLIC INFORMATION
Washougal Police members will not unilaterally make a public notification advising the community of a particular sex/kidnapping registrant’s presence in the community. Members who identify a significant risk or other public safety issue associated with a sex/kidnapping registrant should promptly advise their supervisor. The supervisor should evaluate the request and forward the information to the Chief of Police if warranted. A determination will be made by the Chief of Police, with the assistance of legal counsel as necessary, whether such a public alert should be made.

Members of the public requesting information on sex/kidnapping registrants should be provided the WASPC Sex Offender Information website or the Washougal Police Department's website.

The records supervisor shall release local sex/kidnapping registered offender information to residents in accordance with RCW 4.24.550 and in compliance with a request under the Public Records Act (RCW 42.56.001 et seq.).

Information pertaining to felony firearm offenders should not be disseminated to the public. All inquiries should be referred to WSP.

329.5.1 RELEASE NOTIFICATIONS FOR SEX OR KIDNAPPING OFFENDERS
The Clark County Sheriff's Office is responsible for making release notifications and may ask for Department input (e.g., recommendations regarding the radius size of the notifications from the offender’s address).

Registrant information that is released should include notification that:

(a) The offender registry includes only those persons who have been required by law to register and who are in compliance with the offender registration laws.

(b) The information is provided as a public service and may not be current or accurate.

(c) Persons should not rely solely on the offender registry as a safeguard against offenses in their communities.

(d) The crime for which a person is convicted may not accurately reflect the level of risk.

(e) Anyone who uses information contained in the registry to harass registrants or commit any crime may be subject to criminal prosecution.

(f) The Washougal Police Department has no authority to direct where an offender may live.

329.5.2 MANDATORY NOTIFICATION
The Clark County Sheriff's Office shall ensure that:

(a) A public notification is made for sex offenders who are classified as Risk Level III and who register in the County. The notice shall conform to the guidelines established in RCW 4.24.5501.
Registered Offender Information

(b) All information on sex/kidnapping offenders registered in the County is regularly updated and posted on the WASPC Sex Offender Information website (RCW 4.24.550(5)).

(c) The Washougal Police Department is not responsible for public notifications under this subsection.

329.5.3 DISCRETIONARY DISSEMINATION FOR SEX OFFENDERS

Dissemination should be predicated upon the levels detailed below (RCW 4.24.550(3)):

(a) Offenders classified as Risk Level I: The Clark County Sheriff's Office may disclose, upon request, relevant, necessary and accurate information to any victim or witness to the offense and to any individual community member who lives near the residence where the sex offender resides, expects to reside or is regularly found, and to any individual who requests information regarding a specific offender.

(b) Offenders classified as Risk Level II: In addition to the dissemination for Level I, the Clark County Sheriff's Office may also disclose relevant, necessary and accurate information to public and private schools, child day care centers, family day care providers, public libraries, businesses and organizations that serve primarily children, women or vulnerable adults, and neighbors and community groups near the residence where the sex offender resides, expects to reside or is regularly found.

(c) Offenders classified as Risk Level III: In addition to the dissemination of Level I and Level II, the Clark County Sheriff's Office may also disclose relevant, necessary and accurate information to the public at large.

(d) Homeless and transient sex offenders may present unique risks to the community due to the impracticality of localized notification. The Clark County Sheriff's Office may also disclose relevant, necessary and accurate information to the public at large for sex offenders registered as homeless or transient.

The Washougal Police Department may, at its discretion, inform members of the community of the status of the registered offender when it is necessary to verify the reported address of an offender or in the course of an investigation for failure to register as a sex/kidnapping offender. Such notifications may be made with consideration of the above detailed risk levels.

329.5.4 SCHOOL NOTIFICATIONS

The Clark County Sheriff's Office has the responsibility of notifying the applicable school's principal or public safety department of any sex/kidnapping offender who attends or is employed at the school and for providing the following information about the offender (RCW 9A.44.138):

- Name
- Complete residential address
- Date and place of birth
- Place of employment
- Crime for which the person have been convicted
Registered Offender Information

- Date and place of conviction
- Aliases
- Social Security number
- Photograph
- Risk level classification

The Washougal Police Department shall notify the Clark County Sheriff's Office when it obtains information that a registered sex/kidnapping offender has begun employment with a school.

**329.6 SEX OFFENDER RISK ASSESSMENT**

The Clark County Sheriff's Office has established a procedure to review and assign an initial risk level classification of sex offenders who have moved or are released into this jurisdiction and the risk assessment level has not already been assigned by the Washington Department of Corrections. The Washougal Police Department shall participate in the Clark County Sheriff's Office sex/kidnapping offender risk assessment committee. That procedure shall address (RCW 4.24.550(6)):

- The circumstances under which the Clark County Sheriff's Office is authorized to assign its own risk level.
- Risk level classification criteria.
- What risk assessment tools may be used and how such tools are scored.
- Assessment of known aggravating or mitigating factors related to the risk posed by the offender to the community.
- Notification process following a change in the risk level classification.
- The process for an offender to petition for review of the risk level classification.
Major Incident Notification

330.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance to members of this department in determining when, how and to whom notification of major incidents should be made.

330.2 POLICY
The Washougal Police Department recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

330.3 MINIMUM CRITERIA FOR NOTIFICATION
Most situations where the media show a strong interest are also of interest to the Chief of Police and the Captain. The following list of incident types is provided as a guide for notification and is not intended to be all-inclusive:

- Homicides.
- Traffic accidents with fatalities.
- Officer-involved shooting on- or off-duty (See the Officer-Involved Shootings and Deaths Policy for special notifications).
- Significant injury or death to employee on- or off-duty.
- Death of a prominent Washougal official.
- Arrest of Department employee or prominent Washougal official.
- Aircraft crash with major damage and/or injury or death.
- In-custody deaths.

330.4 SUPERVISOR RESPONSIBILITY
The supervisor is responsible for making the appropriate notifications. The supervisor shall make reasonable attempts to obtain as much information on the incident as possible before notification. The supervisor shall attempt to make the notifications as soon as practical.

330.4.1 STAFF NOTIFICATION
In the event an incident occurs described in MINIMUM CRITERIA FOR NOTIFICATION, the Chief of Police shall be notified along with the affected Captain and the Detective Sergeant if that section is affected.
Death Investigation

331.1 PURPOSE AND SCOPE
The investigations of cases involving death include those ranging from natural cause to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appeared to be initially. The thoroughness of death investigations cannot be emphasized enough.

331.2 INVESTIGATION CONSIDERATIONS
Death investigation cases require certain actions be taken. Paramedics shall be called in all suspected death cases unless the death is obvious (decapitated, decomposed, etc.). Officers are not authorized to pronounce death. A supervisor shall be notified in all death investigations.

331.2.1 MEDICAL EXAMINER OFFICE JURISDICTION OVER REMAINS
The Medical Examiner's Office (ME) has jurisdiction of bodies of all deceased persons who come to their death suddenly in any of the following cases (RCW 68.50.010):

(a) When in apparent good health without medical attendance within the thirty-six hours preceding death.
(b) Where the circumstances of death indicate death was caused by unnatural or unlawful means.
(c) Where death occurs under suspicious circumstances.
(d) Where a medical examiner's autopsy or post mortem or medical examiner's inquest is to be held.
(e) Where death results from unknown or obscure causes.
(f) Where death occurs within one year following an accident.
(g) Where the death is caused by any violence whatsoever.
(h) Where death results from a known or suspected abortion; whether self-induced or otherwise.
(i) Where death apparently results from drowning, hanging, burns, electrocution, gunshot wounds, stabs or cuts, lightning, starvation, radiation, exposure, alcoholism, narcotics or other addictions, tetanus, strangulations, suffocation or smothering.
(j) Where death is due to premature birth or still birth.
(k) Where death is due to a violent contagious disease or suspected contagious disease which may be a public health hazard.
(l) Where death results from alleged rape, carnal knowledge or sodomy.
(m) Where death occurs in a jail or prison.
(n) Where a body is found dead or is not claimed by relatives or friends.
Death Investigation

The body or human remains shall not be disturbed or moved from the position or place of death without permission of the medical examiner (RCW 68.50.050).

331.2.2 DEATH NOTIFICATION
When practical, and if not handled by the Medical Examiner's Office, notification to the next-of-kin of the deceased person shall be made, in person, by the officer assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification. If the relatives live outside this county, the medical examiner may be requested to make the notification. The medical examiner needs to know if notification has been made. Assigned detectives may need to talk to the next-of-kin.

331.2.3 UNIDENTIFIED DEAD BODIES
If the identity of a dead body cannot be established after the medical examiner arrives, the Medical Examiner's Office will issue a “John Doe” or "Jane Doe" number for the report.

331.2.4 DEATH INVESTIGATION REPORTING
All incidents involving a death shall be documented on the appropriate form.

331.2.5 SUSPECTED HOMICIDE
If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the officer shall notify a supervisor and detectives if directed to do so by the supervisor.
Identity Theft

332.1 PURPOSE AND SCOPE
Identity theft is a growing trend that frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for the reporting and investigation of such crimes.

332.2 REPORTING
This department will initiate an incident report whenever a person reasonably suspects that his/her financial information or means of identification has been unlawfully obtained, used, or transferred to another person or entity in all cases where the victim resides or works within this jurisdiction, or where any part of the crime occurred within this jurisdiction. The employee receiving the report will ensure that the complainant receives a copy of the incident report (RCW 9.35.050).

In cases where the reporting party does not reside or work within this jurisdiction and there is no known or suspected criminal activity occurring within this jurisdiction the reporting party may be referred to the appropriate law enforcement agency having jurisdiction. If it is not reasonably practical for the reporting party to file a timely report with his/her home jurisdiction the receiving employee should take a courtesy incident report to be forwarded to the agency having jurisdiction.

Reports should include all known incidents of fraudulent activity (e.g., credit card number applied for in victim's name when the victim has never made such an application).

The employee preparing the report should also cross-reference all other known reports made by the victim (e.g., US Secret Service, credit reporting bureaus, US Postal Service and DOL) with all known report numbers.

Following supervisory review and departmental processing, the initial report may be returned to the officer for follow up investigation or if warranted, forwarded to detective's for follow up investigation, coordination with other agencies and prosecution as circumstances dictate.
Limited English Proficiency Services

333.0 FOUR-FACTOR ANALYSIS
Since there are many different languages that members could encounter, the Department will utilize the four-factor analysis outlined in the U.S. Department of Justice (DOJ) Guidance to Federal Financial Assistance Recipients, available at the DOJ website, to determine which measures will provide meaningful access to its services and programs. It is recognized that law enforcement contacts and circumstances will vary considerably. This analysis, therefore, must remain flexible and will require an ongoing balance of four factors, which are:

(a) The number or proportion of LEP individuals eligible to be served or likely to be encountered by department members, or who may benefit from programs or services within the jurisdiction of the Department or a particular geographic area.

(b) The frequency with which LEP individuals are likely to come in contact with department members, programs or services.

(c) The nature and importance of the contact, program, information or service provided.

(d) The cost of providing LEP assistance and the resources available.

333.1
This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

333.1.1 DEFINITIONS
Definitions related to this policy include:

Authorized interpreter - A person who has been screened and authorized by the Department to act as an interpreter and/or translator for others.

Interpret or interpretation - The act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.

Limited English proficient (LEP) - Any individual whose primary language is not English and who has a limited ability to read, write, speak or understand English. These individuals may be competent in certain types of communication (e.g., speaking or understanding) but still be LEP for other purposes (e.g., reading or writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting but these skills may be insufficient in other situations.

Qualified bilingual member - A member of the Washougal Police Department, designated by the Department, who has the ability to communicate fluently, directly and accurately in both English and another language. Bilingual members may be fluent enough to communicate in a non-English language but may not be sufficiently fluent to interpret or translate from one language into another.
Limited English Proficiency Services

Translate or translation - The replacement of written text from one language (source language) into an equivalent written text (target language).

333.1 POLICY
It is the policy of the Washougal Police Department to reasonably ensure that LEP individuals have meaningful access to law enforcement services, programs and activities, while not imposing undue burdens on its members.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon national origin or any other protected interest or right.

333.1 TYPES OF LEP ASSISTANCE AVAILABLE
Washougal Police Department members should never refuse service to an LEP individual who is requesting assistance, nor should they require an LEP individual to furnish an interpreter as a condition for receiving assistance. The Department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services.

The Department will utilize all reasonably available tools, such as language identification cards, when attempting to determine an LEP individual's primary language.

LEP individuals may choose to accept department-provided LEP services at no cost or they may choose to provide their own.

Department-provided LEP services may include, but are not limited to, the assistance methods described in this policy.

333.2 WRITTEN FORMS AND GUIDELINES
Vital documents or those that are frequently used should be translated into languages most likely to be encountered. The LEP Coordinator will arrange to make these translated documents available to members and other appropriate individuals, as necessary.

333.2 AUDIO RECORDINGS
The Department may develop audio recordings of important or frequently requested information in a language most likely to be understood by those LEP individuals who are representative of the community being served.

333.3 QUALIFIED BILINGUAL MEMBERS
Bilingual members may be qualified to provide LEP services when they have demonstrated through established department procedures a sufficient level of skill and competence to fluently communicate in both English and a non-English language. Members utilized for LEP services must demonstrate knowledge of the functions of an interpreter/translator and the ethical issues involved when acting as a language conduit. Additionally, bilingual members must be able to communicate technical and law enforcement terminology, and be sufficiently proficient in the
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non-English language to perform complicated tasks, such as conducting interrogations, taking statements, collecting evidence or conveying rights or responsibilities.

When a qualified bilingual member from this department is not available, personnel from other City departments, who have been identified by the Department as having the requisite skills and competence, may be requested.

333.4 AUTHORIZED INTERPRETERS
Any person designated by the Department to act as an authorized interpreter and/or translator must have demonstrated competence in both English and the involved non-English language, must have an understanding of the functions of an interpreter that allows for correct and effective translation, and should not be a person with an interest in the department case or investigation involving the LEP individual. A person providing interpretation or translation services may be required to establish the accuracy and trustworthiness of the interpretation or translation in a court proceeding.

Authorized interpreters must pass a screening process established by the LEP Coordinator which demonstrates that their skills and abilities include:

(a) The competence and ability to communicate information accurately in both English and in the target language.

(b) Knowledge, in both languages, of any specialized terms or concepts peculiar to this department and of any particularized vocabulary or phraseology used by the LEP individual.

(c) The ability to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

(d) Knowledge of the ethical issues involved when acting as a language conduit.

333.4.1 SOURCES OF AUTHORIZED INTERPRETERS
The Department may contract with authorized interpreters who are available over the telephone. Members may use these services with the approval of a supervisor and in compliance with established procedures.

Other sources may include:

- Qualified bilingual members of this department or personnel from other City departments.

- Individuals employed exclusively to perform interpretation services.

- Contracted in-person interpreters, such as state or federal court interpreters, among others.
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- Interpreters from other agencies who have been qualified as interpreters by this department, and with whom the Department has a resource-sharing or other arrangement that they will interpret according to department guidelines.

333.4.2 COMMUNITY VOLUNTEERS AND OTHER SOURCES OF LANGUAGE ASSISTANCE

Language assistance may be available from community volunteers who have demonstrated competence in either monolingual (direct) communication and/or in interpretation or translation (as noted in above), and have been approved by the Department to communicate with LEP individuals.

Where qualified bilingual members or other authorized interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the LEP individual and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

While family or friends of an LEP individual may offer to assist with communication or interpretation, members should carefully consider the circumstances before relying on such individuals. For example, children should not be relied upon except in exigent or very informal and non-confrontational situations.

333.5 CONTACT AND REPORTING

While all law enforcement contacts, services and individual rights are important, this department will utilize the four-factor analysis to prioritize service to LEP individuals so that such services may be targeted where they are most needed, according to the nature and importance of the particular law enforcement activity involved.

Whenever any member of this department is required to complete a report or other documentation and interpretation services are provided to any involved LEP individual, such services should be noted in the related report. Members should document the type of interpretation services utilized and whether the individual elected to use services provided by the Department or some other identified source.

333.6 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE

The Washougal Police Department will take reasonable steps and will work with the Human Resources to develop in-house language capacity by hiring or appointing qualified members proficient in languages representative of the community being served.

333.6.1 EMERGENCY CALLS TO 9-1-1

Department members will make every reasonable effort to promptly accommodate LEP individuals utilizing 9-1-1 lines. When a 9-1-1 call-taker receives a call and determines that the caller is an LEP individual, the call-taker shall quickly determine whether sufficient information can be obtained to initiate an appropriate emergency response. If language assistance is still needed, the language
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is known and a qualified bilingual member is available in CRESA, the call shall immediately be handled by the qualified bilingual member.

If a qualified bilingual member is not available or the call-taker is unable to identify the caller's language, the call-taker will contact the contracted telephone interpretation service and establish a three-way call between the call-taker, the LEP individual and the interpreter.

Dispatchers will make every reasonable effort to dispatch a qualified bilingual member to the assignment, if available and appropriate.

While 9-1-1 calls shall receive top priority, reasonable efforts should also be made to accommodate LEP individuals seeking routine access to services and information by utilizing the resources listed in this policy.

333.7 FIELD ENFORCEMENT
Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve LEP individuals. The scope and nature of these activities and contacts will inevitably vary. Members and/or supervisors must assess each situation to determine the need and availability of language assistance to all involved LEP individuals and utilize the methods outlined in this policy to provide such assistance.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to request consent to search if the officer is unable to effectively communicate with an LEP individual.

If available, officers should obtain the assistance of a qualified bilingual member or an authorized interpreter before placing an LEP individual under arrest.

333.8 INVESTIGATIVE FIELD INTERVIEWS
In any situation where an interview may reveal information that could be used as the basis for arrest or prosecution of an LEP individual and a qualified bilingual member is unavailable or lacks the skills to directly communicate with the LEP individual, an authorized interpreter should be used. This includes interviews conducted during an investigation with victims, witnesses and suspects. In such situations, audio recordings of the interviews should be made when reasonably possible. Identification and contact information for the interpreter (e.g., name, address) should be documented so that the person can be subpoenaed for trial if necessary.

If an authorized interpreter is needed, officers should consider calling for an authorized interpreter in the following order:

- An authorized department member or allied agency interpreter
- An authorized telephone interpreter
- Any other authorized interpreter
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Any *Miranda* warnings shall be provided to suspects in their primary language by an authorized interpreter or, if the suspect is literate, by providing a translated *Miranda* warning card.

The use of an LEP individual’s bilingual friends, family members, children, neighbors or bystanders may be used only when a qualified bilingual member or authorized interpreter is unavailable and there is an immediate need to interview an LEP individual.

333.9  CUSTODIAL INTERROGATIONS

Miscommunication during custodial interrogations may have a substantial impact on the evidence presented in a criminal prosecution. Only qualified bilingual members or, if none is available or appropriate, authorized interpreters shall be used during custodial interrogations. *Miranda* warnings shall be provided to suspects in their primary language by the qualified bilingual member or an authorized interpreter.

In order to ensure that translations during custodial interrogations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

333.10  BOOKINGS

When gathering information during the booking process, members should remain alert to the impediments that language barriers can create. In the interest of the arrestee's health and welfare, the safety and security of the facility, and to protect individual rights, it is important that accurate medical screening and booking information be obtained. Members should seek the assistance of a qualified bilingual member whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by an LEP individual.

333.11  COMPLAINTS

The Department shall ensure that LEP individuals who wish to file a complaint regarding members of this department are able to do so. The Department may provide an authorized interpreter or translated forms, as appropriate. Complaints will be referred to the LEP Coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Authorized interpreters used for any interview with an LEP individual during an investigation should not be members of this department.

Any notice required to be sent to an LEP individual as a complaining party pursuant to the Personnel Complaints Policy should be translated or otherwise communicated in a language-accessible manner.

333.12  COMMUNITY OUTREACH

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.
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333.13 TRAINING
To ensure that all members who may have contact with LEP individuals are properly trained, the Department will provide periodic training on this policy and related procedures, including how to access department-authorized telephonic and in-person interpreters and other available resources.

The Captain shall be responsible for ensuring new members receive LEP training. Those who may have contact with LEP individuals should receive refresher training at least once every two years thereafter. The Captain shall maintain records of all LEP training provided, and will retain a copy in each member's training file in accordance with established records retention schedules.

333.13.1 TRAINING FOR AUTHORIZED INTERPRETERS
All members on the authorized interpreter list must successfully complete prescribed interpreter training. To complete interpreter training successfully, an interpreter must demonstrate proficiency in and ability to communicate information accurately in both English and in the target language, demonstrate knowledge in both languages of any specialized terms or phraseology, and understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

Members on the authorized interpreter list must receive refresher training annually or they will be removed from the authorized interpreter list. This annual training should include language skills competency (including specialized terminology) and ethical considerations.

The Captain shall be responsible for coordinating the annual refresher training and will maintain a record of all training the interpreters have received.
Communications with Persons with Disabilities

334.1 PURPOSE AND SCOPE
This policy provides guidance to members when communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind.

334.1.1 DEFINITIONS
Definitions related to this policy include:

**Auxiliary aids** - Tools used to communicate with people who have a disability or impairment. They include but are not limited to, the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; qualified readers; or a qualified interpreter.

**Disability or impairment** - A physical or mental impairment that substantially limits a major life activity, including hearing or seeing, regardless of whether the disabled person uses assistive or adaptive devices or auxiliary aids. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102).

**Qualified interpreter** - A person who is able to interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, transliterators, sign language interpreters and intermediary interpreters. Qualified interpreters should be certified pursuant to RCW 2.42.110.

334.2 POLICY
It is the policy of the Washougal Police Department to reasonably ensure that people with disabilities, including victims, witnesses, suspects and arrestees have equal access to law enforcement services, programs and activities. Members must make efforts to communicate effectively with individuals with disabilities.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon disabilities.

334.3 FACTORS TO CONSIDER
Because the nature of any law enforcement contact may vary substantially from one situation to the next, members of this department should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully balance all known factors in an effort to reasonably ensure people who are disabled have equal access to services, programs and activities. These factors may include, but are not limited to:

(a) Members should not always assume that effective communication is being achieved. The fact that an individual appears to be nodding in agreement does not always mean he/she completely understands the message. When there is any doubt, members
should ask the individual to communicate back or otherwise demonstrate their understanding.

(b) The nature of the disability (e.g., deafness or blindness vs. hard of hearing or low vision).

(c) The nature of the law enforcement contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact).

(d) The availability of auxiliary aids. The fact that a particular aid is not available does not eliminate the obligation to reasonably ensure access. However, in an emergency, availability may factor into the type of aid used.

334.4 INITIAL AND IMMEDIATE CONSIDERATIONS
Recognizing that various law enforcement encounters may be potentially volatile and/or emotionally charged, members should remain alert to the possibility of communication problems.

Members should exercise special care in the use of all gestures, and verbal and written communication to minimize initial confusion and misunderstanding when dealing with any individual with known or suspected disabilities.

In a non-emergency situation, when a member knows or suspects an individual requires assistance to effectively communicate, the member shall identify the individual’s choice of auxiliary aid or service.

The individual’s preferred communication method must be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

(a) The methods of communication usually used by the individual.

(b) The nature, length and complexity of the communication involved.

(c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever auxiliary aids and services that reasonably appear effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate auxiliary aid or service. Once the emergency has ended, the continued method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

If an individual who is deaf, hard of hearing or has impaired speech must be handcuffed while in the custody of the Washougal Police Department, consideration should be given, safety permitting, to placing the handcuffs in the front of the body to facilitate communication using sign language or writing.
334.5 TYPES OF ASSISTANCE AVAILABLE
Washougal Police Department members shall never refuse to assist an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall they require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make every reasonable effort to provide equal access and timely assistance to individuals who are disabled through a variety of services.

A person who is disabled may choose to accept department-provided auxiliary aids or services or they may choose to provide their own.

Department-provided auxiliary aids or services may include, but are not limited to, the assistance methods described in this policy.

334.6 AUDIO RECORDINGS AND ENLARGED PRINT
The Department may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, members may read aloud from the appropriate form, for example a personnel complaint form, or provide forms with enlarged print.

334.7 QUALIFIED INTERPRETERS
A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect or arrestee), if the individual to be interviewed normally relies on sign language or speechreading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the case or the investigation. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a court proceeding.

Qualified interpreters should be:

(a) Available within a reasonable amount of time but in no event longer than one hour if requested.
(b) Experienced in providing interpretation services related to law enforcement matters.
(c) Familiar with the use of VRS and/or video remote interpreting services.
(d) Certified in either American Sign Language (ASL) or Signed English (SE).
(e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
(f) Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. No individual who is disabled shall be required to provide his/her own interpreter (28 CFR 35.160).
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334.8 TTY AND RELAY SERVICES
In situations where an individual without a disability would have access to a telephone (e.g., booking or attorney contacts), members must also provide those who are deaf, hard of hearing or have impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.

The Department will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

334.9 COMMUNITY VOLUNTEERS
Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the Department to provide interpreter services.

Where qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the individual with the disability and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

334.10 FAMILY AND FRIENDS
While family or friends may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the contact and relationship between the individual with the disability and the person offering services must be carefully considered (e.g., victim/suspect).

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

(a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.

(b) The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

334.11 REPORTING
Whenever any member of this department is required to complete a report or other documentation, and communication assistance has been provided, such services should be noted in the related
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report. Members should document the type of communication services utilized and whether the individual elected to use services provided by the Department or some other identified source. If the individual’s express preference is not honored, the member must document why another method of communication was used.

All written communications exchanged in a criminal case shall be attached to the report or placed into evidence.

334.12 FIELD ENFORCEMENT

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary.

The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every member of this department. Members and/or supervisors must assess each situation and consider the length, complexity and importance of the communication, as well as the individual’s preferred method of communication, when determining the type of resources to use and whether a qualified interpreter is needed.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the officer is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

If available, officers should obtain the assistance of a qualified interpreter before placing an individual with a disability under arrest. Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

334.12.1 FIELD RESOURCES

Examples of methods that may be sufficient for transactions, such as checking a license or giving directions to a location or for urgent situations such as responding to a violent crime in progress, may, depending on the circumstances, include such simple things as:

(a) Hand gestures or visual aids with an individual who is deaf, hard of hearing or has impaired speech.

(b) Exchange of written notes or communications.

(c) Verbal communication with an individual who can speechread by facing the individual and speaking slowly and clearly.

(d) Use of computer, word processing, personal communication device or similar device to exchange texts or notes.
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(e) Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

Members should be aware that these techniques may not provide effective communication as required by law and this policy depending on the circumstances.

334.13 CUSTODIAL INTERROGATIONS
In an effort to ensure that the rights of individuals who are deaf, hard of hearing or have speech impairment are protected during a custodial interrogation, this department will provide interpreter services before beginning an interrogation, unless exigent circumstances exist. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. Miranda warnings shall be provided to suspects who are deaf or hard of hearing by a qualified interpreter.

In order to ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

334.14 ARRESTS AND BOOKINGS
If an individual with speech or hearing disabilities is arrested, the arresting officer shall use department-approved procedures to provide a qualified interpreter at the place of arrest or booking as soon as reasonably practicable, unless the individual indicates that he/she prefers a different auxiliary aid or service or the officer reasonably determines another effective method of communication exists under the circumstances.

When gathering information during the booking process, members should remain alert to the impediments that often exist when communicating with those who are deaf, hard of hearing, who have impaired speech or vision, are blind, or have other disabilities. In the interest of the arrestee’s health and welfare, the safety and security of the facility and to protect individual rights, it is important that accurate medical screening and booking information be obtained. If necessary, members should seek the assistance of a qualified interpreter whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by the individual.

Individuals who require and possess personally owned communication aids (e.g., hearing aids, cochlear processors) should be permitted to retain them while in custody.

334.15 COMPLAINTS
The Department shall ensure that individuals with disabilities who wish to file a complaint regarding members of this department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate. Complaints will be referred to the Captain or Chief of Police.
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Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Qualified interpreters used during the investigation of a complaint should not be members of this Department.

334.16 COMMUNITY OUTREACH
Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

334.17 TRAINING
To ensure that all members who may have contact with individuals who are disabled are properly trained, the Department will provide periodic training that should include:

(a) Awareness and understanding of this policy and related procedures, related forms and available resources.

(b) Procedures for accessing qualified interpreters and other available resources.

(c) Working with in-person and telephone interpreters and related equipment.

The Captain shall be responsible for ensuring new members receive training related to interacting with individuals who have disabilities, including individuals who are deaf, hard of hearing, who have impaired speech or vision, or are blind. Those who may have contact with such individuals should receive refresher training at least once every two years thereafter. The Captain shall maintain records of all training provided, and will retain a copy in each member’s training file in accordance with established records retention schedules.
Child and Dependent Adult Safety

335.1 PURPOSE AND SCOPE
This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department.

This policy does not address the actions to be taken during the course of a child abuse or dependent adult investigation. These are covered in the Child Abuse and Adult Abuse policies.

335.2 POLICY
It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when their parent or caregiver is arrested. The Washougal Police Department will endeavor to create a strong cooperative relationship with local, state and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected, including call-out availability and follow-up responsibilities.

335.3 PROCEDURES DURING AN ARREST
When encountering an arrest or prolonged detention situation, officers should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases this may be obvious, such as when children or dependent adults are present. However, officers should inquire if the arrestee has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken:

(a) Inquire about and confirm the location of any children or dependent adults.

(b) Look for evidence of children and dependent adults. Officers should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.

(c) Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

Whenever reasonably possible, officers should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of his/her child or dependent adult. Removing children or dependent adults from the scene in advance of the arrest will generally ensure the best outcome for the individual.

Whenever it is safe to do so, officers should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be non-productive, the officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that he/she will receive appropriate care.
335.3.1 AFTER AN ARREST
Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee’s disclosed or discovered, children or dependent adults.

Officers should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases the following guidelines should be followed:

(a) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.

(b) Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver’s judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts because familiarity with surroundings and consideration for comfort, emotional state and safety are important.

1. Except when a court order exists limiting contact, the officer should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.

(c) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.

(d) Notify the Department of Social and Health Services, if appropriate.

(e) Notify a supervisor of the disposition of children and dependent adults.

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver’s arrest and of the arrangements being made for the care of the arrestee’s dependent. The result of such actions should be documented in the associated report.

Officers shall promptly notify Child Protective Services (CPS) whenever a child under 13 years of age is present in a vehicle and his/her parent, guardian or legal custodian is arrested for a drug or alcohol driving offense in accordance with the department Child Abuse Policy (RCW 26.44.250).

335.3.2 DURING THE BOOKING PROCESS
During the booking process, the arrestee shall be allowed to make additional telephone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the care of any child or dependent adult. These telephone calls should be given as soon as practicable and are in addition to any other telephone calls allowed by law.
If an arrestee is unable to resolve the care of any child or dependent adult through this process, a supervisor should be contacted to determine the appropriate steps to arrange for care. These steps may include additional telephone calls or contacting a local, county or state services agency.

335.3.3 REPORTING

(a) For all arrests where children are present or living in the household, the reporting member will document the following information:

1. Name
2. Sex
3. Age
4. Special needs (e.g., medical, mental health)
5. How, where and with whom or which agency the child was placed
6. Identities and contact information for other potential caregivers
7. Notifications made to other adults (e.g., schools, relatives)

(b) For all arrests where dependent adults are present or living in the household, the reporting member will document the following information:

1. Name
2. Sex
3. Age
4. Whether he/she reasonably appears able to care for him/herself
5. Disposition or placement information if he/she is unable to care for him/herself

335.3.4 SUPPORT AND COUNSELING REFERRAL
If, in the judgment of the handling officers, the child or dependent adult would benefit from additional assistance, such as counseling services, contact with a victim advocate or a crisis telephone number, the appropriate referral information may be provided.

335.4 DEPENDENT WELFARE SERVICES
Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling officer should contact the appropriate welfare service or other department-approved social service to determine whether protective custody is appropriate.

Only when other reasonable options are exhausted should a child or dependent adult be transported to the police facility, transported in a marked law enforcement vehicle or taken into formal protective custody.
Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

**335.5 TRAINING**

The Captain is responsible to ensure that all members of this department who may be involved in arrests affecting children or dependent adults receive approved training on effective safety measures when a parent, guardian or caregiver is arrested.
Service Animals

336.1 PURPOSE AND SCOPE
Service animals play an important role in helping to overcome the limitations often faced by people with disabilities. The Washougal Police Department recognizes this need and is committed to making reasonable modifications to its policies, practices, and procedures in accordance with Title II of the Americans with Disabilities Act of 1990 (ADA) to permit the use of service animals that are individually trained to assist a person with a disability.

336.2 SERVICE ANIMALS
The ADA defines a service animal as any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the owner's disability (28 CFR 35.104).

336.2.1 USE OF SERVICE ANIMALS
Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar. Service animals are not pets and may be trained by an individual or organization to assist people with disabilities.

Examples of how service animals may be used to provide assistance include:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors, or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities, or psychiatric disabilities, such as reminding a person with depression to take medication.
- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

336.3 EMPLOYEE RESPONSIBILITIES
Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the Washougal Police Department affords to all members of the public.
Service Animals

If an animal exhibits vicious behavior, poses a direct threat to the health of others or unreasonably disrupts or interferes with normal business operations, an officer may direct the owner to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the animal. Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services as are reasonably available to an individual with a disability.

If it is apparent or if the officer is aware the animal is a service animal, the owner should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the officer should ask the individual only the following questions:

- Is the animal required because of a disability?
- What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. The person should not be questioned about his/her disabilities nor should the person be asked to provide any license, certification or identification card for the service animal.

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their owner into all areas that other customers or members of the public are allowed.

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice.
Volunteer Program

337.1 PURPOSE AND SCOPE
It is the policy of this department to use qualified volunteers for specified tasks and duties in order to create efficiencies for the Department and improve services to the community. Volunteers are intended to supplement and support, rather than supplant, sworn officers and civilian personnel. Volunteers can be an important part of any organization and have proven to be a valuable asset to law enforcement agencies. Volunteers help to increase departmental responsiveness, delivery of services and information input, and provide new program opportunities. In addition, volunteers bring new skills and expertise to the Department and prompt new enthusiasm.

337.1.1 DEFINITION OF VOLUNTEER
An individual who performs a service for the Department without promise, expectation or receipt of compensation for services rendered. This may include unpaid chaplains, unpaid reserve officers, interns, persons providing administrative support and youth involved in a law enforcement Explorer Post, among others.

337.2 VOLUNTEER MANAGEMENT

337.2.1 VOLUNTEER COORDINATOR
The Volunteer Coordinator shall be appointed by the Administrative Captain. The function of the Volunteer Coordinator is to provide a central coordinating point for effective volunteer management within the Department, and to direct and assist staff and volunteer efforts to jointly provide more productive services. The Volunteer Coordinator should work with other Department staff on an ongoing basis to assist in the development and implementation of volunteer-staffed positions.

The Volunteer Coordinator, or his/her designee, shall be responsible for the following:

(a) Recruiting, selecting and training qualified volunteers for various positions.
(b) Facilitating the implementation of new volunteer activities and assignments.
(c) Maintaining records for each volunteer.
(d) Tracking and evaluating the contribution of volunteers.
(e) Maintaining the volunteer handbook and outlining expectations, policies and responsibilities for all volunteers.
(f) Maintaining a record of volunteer schedules and work hours.
(g) Completion and dissemination as appropriate of all necessary paperwork and information.
(h) Planning periodic recognition events.
(i) Administering discipline when warranted.
(j) Maintaining liaison with other volunteer-utilizing programs in the community and assisting in community-wide efforts to recognize and promote volunteering.

337.2.2 RECRUITMENT
Volunteers should be recruited on a continuous and ongoing basis consistent with department policy on equal opportunity nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in, and an ability to assist the Department in serving the public.

Requests for volunteers should be submitted in writing by interested staff to the Volunteer Coordinator through the requester’s immediate supervisor. A complete position description and a requested time frame should be included in the request. All parties should understand that the recruitment of volunteers is enhanced by creative and interesting assignments. The Volunteer Coordinator may withhold assignment of any volunteer until such time as the requesting unit is prepared to make effective use of volunteer resources.

337.2.3 SCREENING
All prospective volunteers should complete the volunteer application form. The Volunteer Coordinator or designee should conduct a face-to-face interview with an applicant under consideration.

A documented background investigation shall be completed on each volunteer applicant and shall include, but not necessarily be limited to, the following:

(a) Traffic and criminal background check. Fingerprint shall be obtained from all applicants and applicants shall be processed for criminal history.

(b) Employment.

(c) References.

(d) Credit check.

A polygraph exam may be required of each applicant depending on the type of assignment.

337.2.4 SELECTION AND PLACEMENT
Service as a volunteer with the Department shall begin with an official notice of acceptance or appointment to a volunteer position. Notice may only be given by an authorized representative of the Department, who will normally be the Volunteer Coordinator. No volunteer should begin any assignment until they have been officially accepted for that position and completed all required screening and paperwork. At the time of final acceptance, each volunteer should complete all required enrollment paperwork and will receive a copy of their position description and agreement of service with the Department. All volunteers shall receive a copy of the volunteer handbook and shall be required to sign a volunteer agreement.

Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the Department.
Volunteer Program

337.2.5 TRAINING
Volunteers will be provided with an orientation program to acquaint them with the Department, personnel, policies and procedures that have a direct impact on their work assignment.

Volunteers should receive position-specific training to ensure they have adequate knowledge and skills to complete tasks required by the position and should receive periodic ongoing training as deemed appropriate by their supervisor or the Volunteer Coordinator.

Training should reinforce to volunteers that they may not intentionally represent themselves as, or by omission infer that they are sworn officers or other full-time members of the Department. They shall always represent themselves as volunteers.

All volunteers shall comply with the rules of conduct and with all orders and directives, either oral or written, issued by the Department.

337.2.6 FITNESS FOR DUTY
No volunteer shall report to work or be on-duty when his/her judgment or physical condition has been impaired by alcohol, medication, other substances, illness or injury.

Volunteers shall report to their supervisor any changes in status that may affect their ability to fulfill their duties. This includes, but is not limited to, the following:
   (a) Driver's license
   (b) Medical condition
   (c) Arrests
   (d) Criminal investigations

All volunteers shall adhere to the guidelines set forth by this department regarding drug and alcohol use.

337.2.7 DRESS CODE
As representatives of the Department, volunteers are responsible for presenting a professional image to the community. Volunteers shall dress appropriately for the conditions and performance of their duties.

Volunteers shall conform to department-approved dress consistent with their duty assignment. Uniforms authorized for volunteers should be readily distinguishable from those worn by sworn officers. The uniform or identifiable parts of the uniform shall not be worn while off-duty except volunteers may choose to wear the uniform while in transit to or from official department assignments or functions provided an outer garment is worn over the uniform shirt so as not to bring attention to the volunteer while he/she is off duty.

Volunteers shall be required to return any issued uniform or department property at the termination of service.
337.3 SUPERVISION OF VOLUNTEERS
Each volunteer who is accepted to a position with the Department must have a clearly identified supervisor who is responsible for direct management of that volunteer. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer and should be available to the volunteer for consultation and assistance.

A volunteer may be assigned as and act as a supervisor of other volunteers provided that the supervising volunteer is under the direct supervision of a paid staff member.

Functional supervision of volunteers is the responsibility of the supervisor in charge of the unit where the volunteer is assigned. Following are some considerations to keep in mind while supervising volunteers:

(a) Take the time to introduce volunteers to employees on all levels.
(b) Ensure volunteers have work space and necessary office supplies.
(c) Make sure the work is challenging. Do not hesitate to give them an assignment or task that will tap these valuable resources.

337.4 CONFIDENTIALITY
With appropriate security clearance, volunteers may have access to confidential information such as criminal histories or investigative files. Unless otherwise directed by a supervisor or departmental policy, all information shall be considered confidential. Only that information specifically identified and approved by authorized personnel shall be released. Confidential information shall be given only to persons who have a need and a right to know as determined by departmental policy and supervisory personnel.

Each volunteer will be required to sign a nondisclosure agreement before being given an assignment with the Department. Subsequent unauthorized disclosure of any confidential information, verbally, in writing or by any other means, by the volunteer is grounds for immediate dismissal and possible criminal prosecution.

Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to a newspaper or other periodical, release or divulge any information concerning the activities of the Department, or maintain that they represent the Department in such matters without permission from the proper department personnel.

337.5 PROPERTY AND EQUIPMENT
Volunteers will be issued an identification card that must be worn at all times while on-duty.

Any fixed and portable equipment issued by the Department shall be for official and authorized use only. Any property or equipment issued to a volunteer shall remain the property of the Department and shall be returned at the termination of service.
337.5.1 VEHICLE USE
Volunteers assigned to duties such as vacation house checks or other assignments that require the use of a vehicle must first complete the following:

(a) A driving safety briefing and department approved driver safety course.
(b) Verification that the volunteer possesses a valid Washington Driver’s License.
(c) Verification that the volunteer carries current vehicle insurance.

The Volunteer Coordinator should insure that all volunteers receive safety briefing updates and license and insurance verification at least once a year.

When operating a Department vehicle, volunteers shall obey all rules of the road, including seat belt requirements. Smoking is prohibited in all Department vehicles.

Volunteers should not operate a marked patrol car unless there is a prominently placed sign indicating that it is out of service and volunteers are not authorized to operate a Department vehicle Code-3.

337.5.2 RADIO AND MDC USAGE
Volunteers shall successfully complete Central Computerized Enforcement Service System (ACCESS) and radio procedures training prior to using the police radio or MDC and comply with all related provisions. The Volunteer Coordinator should ensure that radio and ACCESS training is provided for volunteers whenever necessary.

337.6 DISCIPLINARY PROCEDURES/TERMINATION
A volunteer may be removed from the volunteer program at the discretion of the Chief of Police or the Volunteer Coordinator. Volunteers shall have no property interests in their continued appointment. However, if a volunteer is removed for alleged misconduct, the volunteer will be afforded an opportunity solely to clear his/her name through a liberty interest hearing which shall be limited to a single appearance before the Chief of Police or authorized designee.

Volunteers may resign from volunteer service with the Department at any time. It is requested that volunteers who intend to resign provide advance notice of their departure and a reason for their decision.

337.6.1 EXIT INTERVIEWS
Exit interviews, where possible, should be conducted with volunteers who are leaving their positions. The interview should ascertain why the volunteer is leaving the position and solicit the volunteer’s suggestions on improving the position. When appropriate, the interview should also include a discussion on the possibility of involvement in some other capacity with the Department.

337.7 EVALUATION
An evaluation of the overall volunteer program will be conducted on an annual basis by the Volunteer Coordinator. Regular evaluations should be conducted with volunteers to ensure the
Volunteer Program

best use of human resources available, to ensure personnel problems can be identified and dealt with promptly and fairly, and to ensure optimum satisfaction on the part of volunteers.
Off-Duty Law Enforcement Actions

338.1 PURPOSE AND SCOPE
The decision to become involved in a law enforcement action when off-duty can place an officer as well as others at great risk and must be done with careful consideration. This policy is intended to provide guidelines for officers of the Washougal Police Department with respect to taking law enforcement action while off-duty.

338.2 POLICY
Initiating law enforcement action while off-duty is generally discouraged. Officers should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers, reckless driving or minor property crimes. Such incidents should be promptly reported to the appropriate law enforcement agency.

Officers are not expected to place themselves in unreasonable peril. However, any sworn member of this department who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage may take reasonable action to minimize the threat.

When public safety or the prevention of major property damage requires immediate action, officers should first consider reporting and monitoring the activity and only take direct action as a last resort.

338.3 FIREARMS
Officers of this department may carry firearms while off-duty in accordance with federal regulations and department policy. All firearms and ammunition must meet guidelines as described in the department Firearms Policy. When carrying firearms while off-duty officers shall also carry their department-issued badge and identification.

Officers should refrain from carrying firearms when the consumption of alcohol is likely or when the need to carry a firearm is outweighed by safety considerations. Firearms shall not be carried by any member, either on- or off-duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication or any combination thereof that would tend to adversely affect the officer’s senses or judgment.

338.4 DECISION TO INTERVENE
There is no legal requirement for off-duty officers to take law enforcement action. However, should officers decide to intervene, they must evaluate whether the action is necessary or desirable, and should take into consideration the following:

(a) The tactical disadvantage of being alone and the fact there may be multiple or hidden suspects.

(b) The inability to communicate with responding units.
Off-Duty Law Enforcement Actions

(c) The lack of equipment, such as handcuffs, OC or baton.
(d) The lack of cover.
(e) The potential for increased risk to bystanders if the off-duty officer were to intervene.
(f) Unfamiliarity with the surroundings.
(g) The potential for the off-duty officer to be misidentified by other peace officers or members of the public.

Officers should consider waiting for on-duty uniformed officers to arrive, and gather as much accurate intelligence as possible instead of immediately intervening.

338.4.1 INTERVENTION PROCEDURE
If involvement is reasonably necessary, the officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. The operator should be informed that an off-duty officer is on-scene and should be provided a description of the officer if possible.

Whenever practicable, the officer should loudly and repeatedly identify him/herself as an Washougal Police Department officer until acknowledged. Official identification should also be displayed.

338.4.2 INCIDENTS OF PERSONAL INTEREST
Officers should refrain from handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances officers should call the responsible agency to handle the matter.

338.4.3 CIVILIAN NON-SWORN RESPONSIBILITIES
Non-sworn personnel should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

338.4.4 OTHER CONSIDERATIONS
When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she needs to maintain an undercover capability.

338.5 REPORTING
Any off-duty officer who engages in any law enforcement activity, regardless of jurisdiction, shall notify a supervisor as soon as practicable. The supervisor shall determine whether a report should be filed by the employee.

Officers should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.
Department Use of Social Media

339.1 PURPOSE AND SCOPE
This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the Employee Speech, Expression and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this department (see the Investigation and Prosecution Policy).

339.1.1 DEFINITIONS
Definitions related to this policy include:

Social media - Any of a wide array of Internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services.

339.2 POLICY
The Washougal Police Department may use social media as a method of effectively informing the public about department services, issues, investigations and other relevant events.

Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all.

339.3 AUTHORIZED USERS
Only members authorized by the Chief of Police or the authorized designee may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The Chief of Police may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over department social media by members who are not authorized to post should be made through the member’s chain of command.

339.4 AUTHORIZED CONTENT
Only content that is appropriate for public release, that supports the department mission and conforms to all department policies regarding the release of information may be posted.
Examples of appropriate content include:

(a) Announcements.
(b) Tips and information related to crime prevention.
(c) Investigative requests for information.
(d) Requests that ask the community to engage in projects that are relevant to the department mission.
(e) Real-time safety information that is related to in-progress crimes, geographical warnings or disaster information.
(f) Traffic information.
(g) Press releases.
(h) Recruitment of personnel.

339.4.1 INCIDENT-SPECIFIC USE
In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the Public Information Officer or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Incident Captain.

339.5 PROHIBITED CONTENT
Content that is prohibited from posting includes, but is not limited to:

(a) Content that is abusive, discriminatory, inflammatory or sexually explicit.
(b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal or local laws.
(c) Any information that could compromise an ongoing investigation.
(d) Any information that could tend to compromise or damage the mission, function, reputation or professionalism of the Washougal Police Department or its members.
(e) Any information that could compromise the safety and security of department operations, members of the Department, victims, suspects or the public.
(f) Any content posted for personal use.
(g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of content on this department’s social media site that he/she believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

339.5.1 PUBLIC POSTING PROHIBITED
Department social media sites shall be designed and maintained to prevent posting of content by the public.
The Department may provide a method for members of the public to contact department members directly.

339.6 MONITORING CONTENT
The Chief of Police will appoint a supervisor to review, at least annually, the use of department social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content and the resolution of any issues.

339.7 RETENTION OF RECORDS
The Administrative Captain should work with the Custodian of Records to establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

339.8 TRAINING
Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination and retention of information posted on department sites.
Native American Graves Protection and Repatriation

340.1 PURPOSE AND SCOPE
This policy is intended ensure the protection and security of ancient or historic grave sites, including notification of personnel responsible for cultural items, in compliance with the Native American Graves Protection and Repatriation Act (NAGPRA) (25 USC § 3001 et seq.).

340.1.1 DEFINITIONS
Definitions related to this policy include (43 CFR 10.2):

Funerary objects and associated funerary objects - Objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed intentionally at the time of death or later with or near individual human remains, or that were made exclusively for burial purposes or to contain human remains.

Native American human remains - The physical remains of the body of a person of Native American ancestry.

Objects of cultural patrimony - Objects having ongoing historical, traditional or cultural importance that is central to the Native American group or culture itself and therefore cannot be appropriated or conveyed by any individual, including members of the Native American group or Native Hawaiian organization. Such objects must have been considered inalienable by the Native American group at the time the object was separated from the group.

Sacred objects - Specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions.

340.2 POLICY
It is the policy of the Washougal Police Department that the protection of Native American human remains, funerary objects, associated funerary objects, sacred objects or objects of cultural patrimony is the responsibility of all members. Such protection includes minimizing destruction, contamination, inadvertent disruption or complicated custody transfer processes.

340.3 COMPLIANCE WITH THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT
Upon discovery or arrival upon a scene where it reasonably appears that a Native American grave, human remains, funerary objects, associated funerary objects, sacred objects or objects of cultural patrimony are exposed or otherwise unsecured, members shall secure the site in the same manner as a crime scene. All activity at the scene other than scene preservation activity must cease (43 CFR 10.4).

No photography or video recording may be permitted by the media or any group or individual who may wish to exhibit the remains.
Without delay, the appropriate agency or group shall be notified to respond and take control of the scene. These include the following (43 CFR 10.4):

- Federal land - Appropriate agency at the U.S. Department of the Interior or U.S. Department of Agriculture
- State land - Medical Examiner (RCW 68.50.645)
- Tribal land - Responsible Indian tribal official

340.4 EVIDENCE AND PROPERTY
If the location has been investigated as a possible homicide scene prior to identification as a NAGPRA site, investigators shall work with other appropriate agencies and individuals to ensure the proper transfer and repatriation of any material collected. Members shall ensure that any remains or artifacts located at the site are expediently processed (43 CFR 10.6).
Extreme Risk Protection Orders

341.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for petitioning and serving extreme risk protection orders and accounting for the firearms obtained pursuant to those orders (RCW 7.94.010 et seq.).

341.1.1 DEFINITIONS
Definitions related to this policy include:

Extreme risk protection order – An order prohibiting a named person from controlling, owning, purchasing, possessing, receiving or otherwise having custody of any firearms.

Ex parte extreme risk protection order – An extreme risk protection order that has been issued in the absence of or without notification to the named person.

341.2 POLICY
It is the policy of the Washougal Police Department to petition for and serve extreme risk protection orders in compliance with state law and to properly account for firearms obtained by the Department pursuant to such orders.

341.3 EXTREME RISK PROTECTION ORDERS
An officer who reasonably believes a person is a present danger to him/herself or another person by controlling, owning, purchasing, possessing, receiving or otherwise having custody of a firearm may request permission from his/her supervisor to petition the court for an extreme risk protection order (RCW 7.94.030).

Officers petitioning the court shall use any standard petition and order forms created by the administrative office of the court (RCW 7.94.030; RCW 7.94.150).

The petition shall (RCW 7.94.030):

(a) Allege that the person poses a significant danger of causing personal injury to him/herself or others by controlling, owning, purchasing, possessing, receiving or otherwise having custody of a firearm and be accompanied by an affidavit, made under oath, that provides the specific statements, actions or facts that give rise to a reasonable fear of future dangerous acts by the person.

(b) Identify the number, types and locations of any firearms that the officer believes to be owned, possessed, controlled or in the custody of the person.

(c) Identify any other known existing protection orders governing the person.

(d) Identify, if reasonably identifiable, any pending lawsuits, complaints, petitions or other action between the person and the Washougal Police Department.

(e) Include an attestation that the officer provided notice of the intent to seek the order to a family or household member of the person and to any third party who the officer
Extreme Risk Protection Orders

reasonably believes may be at risk of violence, or an attestation to the steps that will be taken to provide this notice.

An officer may also seek an ex parte extreme risk protection order, without notice to the person, by including in the petition detailed allegations based on personal knowledge that the person poses a significant danger of causing personal injury to him/herself or others in the near future by having in his/her custody or control, purchasing, possessing or receiving a firearm (RCW 7.94.050).

341.3.1 NOTICE OF PETITION
When a member of the Washougal Police Department petitions for an extreme risk protection order, he/she shall make a good faith effort to provide notice to a family or household member of the person and to any third party who the member reasonably believes may be at risk of violence. The notice shall state the intention to seek an extreme risk protection order or that the order has already been sought and include referrals to appropriate resources, including mental health, domestic violence and counseling (RCW 7.94.030).

341.4 SERVICE
Service of notice of hearing and petitions, ex parte extreme risk protection orders and extreme risk protection orders should take precedence over the service of other documents, unless the other documents are of a similar emergency nature (RCW 7.94.040; RCW 7.94.060).

Officers serving a notice of hearing and petition for an extreme risk protection order should make reasonable efforts to personally serve the person no less than five court days prior to the hearing. If an ex parte extreme risk protection order was issued, then the order, notice of hearing and the petition are served together (RCW 7.94.040; RCW 7.94.050).

Officers assigned to serve an extreme risk protection order should make reasonable efforts to personally serve the order not more than 10 days after the Washougal Police Department received the order (RCW 7.94.060).

When timely personal service is not completed, the officer should notify the court and take reasonable steps to notify the petitioner (RCW 7.94.040; RCW 7.94.060).

The officer serving any extreme risk protection order, including an ex parte order, shall (RCW 7.94.090):

(a) Request that any firearms and any concealed pistol license be immediately surrendered and issue a receipt for the surrendered items.

1. The officer should ensure the original receipt is forwarded to the Lead Administrative Assistant.

(b) Take into custody any firearms discovered in plain view or pursuant to consent or other lawful search.

(c) As soon as practicable, but by the end of his/her shift, submit the proof of service to the Lead Administrative Assistant.
Extreme Risk Protection Orders

All firearms collected shall be handled and booked in accordance with the Property and Evidence Policy.

341.5 SEARCH WARRANTS
If a person who has been served with an extreme risk protection order refuses to surrender any firearm, the officer should consider whether to seek a search warrant. If a search warrant is to be obtained, the preparation and service of the search warrant shall be done in accordance with the Warrant Service Policy.

341.6 LEAD ADMINISTRATIVE ASSISTANT RESPONSIBILITIES
The Lead Administrative Assistant is responsible for ensuring that:

(a) Orders received by the court are entered into the national instant criminal background check system or any other federal or state computer-based system used by the Department that identifies prohibited purchasers of firearms, and into any other computer-based criminal intelligence information systems used by the Department that lists outstanding warrants (RCW 7.94.110).

(b) The original receipt of surrendered firearms is filed with the court within 72 hours of service of an extreme risk protection order. A copy of the receipt shall also be properly maintained by the Department (RCW 7.94.090).

(c) Any proofs of service for notices or orders are filed with the court.

(d) Expired or terminated orders entered into computer based-systems by the Department are removed (RCW 7.94.110).

341.7 COURT-ORDERED FIREARMS SURRENDERS
Authorized members should accept firearms and a concealed pistol license from any person who is the subject of an extreme risk protection order. The member receiving any firearm shall:

(a) Record the person’s name, address and telephone number.

(b) Record the serial number of the firearm.

(c) Prepare an incident report and property report.

(d) Provide a property receipt to the person who surrendered the firearms (RCW 7.94.90).

1. The original receipt is to be forward to the Lead Administrative Assistant.

(e) Package and submit the firearms in accordance with the Property and Evidence Policy.

341.8 RELEASE OF FIREARMS
Firearms that were taken into custody or surrendered pursuant to an extreme risk protection order should be returned to the restrained person upon the expiration of the order, in accordance with the Property and Evidence Policy (RCW 7.94.100).
341.9 RENEWAL OF EXTREME RISK PROTECTION ORDER
The Detective Section supervisor is responsible for review of an extreme risk protection order obtained by the Department, to determine if renewal should be requested within the time prescribed by law (RCW 7.94.080).
Online Reporting

342.1 PURPOSE AND SCOPE
It is the policy of the Washougal Police Department to provide Online Reporting Services to the community under the following criteria. Nothing in this policy requires or mandates a Washougal citizen to take advantage of the Online Reporting System and is provided as a convenience to the community. This section establishes guidelines and procedures to determine when the Online Reporting System will be used.

342.2 ONLINE REPORTING CRITERIA
The following criteria must be met before a citizen may consider using the Online Reporting System:

(a) The suspect(s) is no longer at the scene and is not identified.
(b) No obvious evidence exists to readily identify the suspect(s).
(c) No obvious investigative leads exist.

342.3 GENERAL GUIDELINES
The following crimes and reports may be referred to the Online Reporting System:

(a) All types of thefts without suspect information when the property value is under five thousand dollars ($5,000) and the stolen item is not a vehicle, firearm or material threatening to public safety such as an explosive or highly toxic substance.
(b) Vehicle prowl’s without suspect information.
(c) Vehicle prowl’s of motor homes without suspect information.
(d) Burglaries of attached open garages without forced entry or suspect information.
(e) Burglaries of unattached garages or sheds without suspect information.
(f) Malicious Mischief without suspect information and which is not a hate crime.
(g) Vandalism / Graffiti / Tagging without suspect information.
(h) Harassing phone calls without suspect information.
(i) Lost property reports, where the lost item is not a firearm or material threatening to public safety.
(j) Hit and run crashes involving damage to stationary objects (fences, trees, signs, unoccupied parked cars) without a valid suspect license plate or current location of suspect vehicle.
(k) Identity Theft without a suspect.

Cases involving serialized property where the serial number is known may be referred or accepted as an Online Report. For the purposes of this policy, credit cards and miscellaneous identification (medical records, driver’s license, etc.) will not be considered “serialized property.”
342.4 OFFICER RESPONSIBILITIES
It is the intent of this section to educate the community in the availability of the Online Reporting System. If an Officer has responded to a call qualifying as an online report, the Officer may contact the reporting party and refer the citizen to the Online Reporting System. If the citizen refuses or expresses confusion, the Officer shall complete the report. The Officer may advise the citizen of the online reporting system for future incidents.

342.5 CRESA PERSONNEL RESPONSIBILITIES
When CRESA personnel receive a call from a citizen wishing to report an incident, the Dispatcher will determine if the call falls within the scope of a WPD Online Report. A call qualifies for an online report under the following circumstances:

(a) The call is not an emergency.

(b) The incident occurred within the incorporated areas of the City of Washougal.

(c) The report must be for a theft under $5,000.00, vehicle prowl (including a motor home), identity theft or fraud, or malicious mischief including graffiti / tagging, Burglary of an attached open garage or an unattached garage or shed, hit and run of unattended property, telephone harassment or lost property; and

   (a) There is no known suspects.

   (b) The incident did not occur on a State freeway, highway or route.

   (c) The incident did not involve a firearm, either used by a suspect or taken in a theft.

   (d) The incident does not involve the theft of a motor vehicle to include licensed trailer.

   (e) The incident does not include the theft of material threatening to public safety such as an explosive or highly toxic substance.

If the call falls within the scope of an online report, CRESA personnel will:

(a) Determine if the citizen has access to the internet.

(b) Inform the caller they may file an online report, which allows them to file the report immediately, as well as print a copy of the report for free. The caller shall be offered a choice to file an online report or wait for an Officer to respond on a priority 5 basis.

(c) If the caller wants to file an online report, advise the caller of the City of Washougal website address: www.cityofwashougal.us/police

If the dispatcher determines the report is not suitable for online reporting based on the listed criteria, they will prioritize the call and send an Officer to take a report. The dispatcher will make a notation in the CAD details such as “no internet access”, “loss is hazardous material”, etc.

342.6 CASE MANAGEMENT RESPONSIBILITIES

(a) The On-Duty Sergeant will review the reports and import approved reports in the Online Management System queue in a timely manner. Procedures for reviewing reports will be maintained by each On-Duty Sergeant. If the citizen report is
misclassified, such as a malicious mischief instead of an auto prowl, the On-Duty Sergeant will classify the report according to the elements of the offense described by the citizen author.

(b) The On-Duty Sergeant will refrain from making grammatical corrections to citizens' reports, unless they are minor in nature, such as, “California” spelled as “Calefournia,” etc.

(c) If there is a question as to the report's content the reviewer should attempt to contact the reporting citizen by telephone prior to rejecting the report and make the correction to the Online Report.

(d) If the citizen is reporting an incident that is minor in nature and occurred in another jurisdiction and the citizen is a resident of the county the report may be re-classified as an outside assist or courtesy report and approve.

(e) If the On-Duty Sergeant rejects a report, the reason for rejection will be appropriately and professionally noted in the rejection box, which is sent automatically via e-mail to the citizen and a duplicate to a department storage mailbox.

(f) The On-Duty Sergeant shall request a patrol response when, in the reasonable judgment of the sergeant, circumstances indicate an investigation is warranted. In this circumstance, a rejection should be sent to the citizen and the On-Duty Sergeant will state in the rejection box that a patrol officer will respond.
Chapter 4 - Patrol Operations
Patrol Function

400.1 PURPOSE AND SCOPE
The purpose of this policy is to define the functions of the patrol unit of the Department to ensure intra-department cooperation and information sharing.

400.1.1 FUNCTION
Officers will generally patrol in clearly marked vehicles, patrol assigned jurisdictional areas of Washougal, respond to calls for assistance, act as a deterrent to crime, enforce state and local laws and respond to emergencies 24 hours per day seven days per week.

Patrol will generally provide the following services within the limits of available resources:

(a) Patrol that is directed at the prevention of criminal acts, traffic violations and collisions, the maintenance of public order, and the discovery of hazardous situations or conditions.

(b) Crime prevention activities such as residential inspections, business inspections, community presentations, etc.

(c) Calls for service, both routine and emergency in nature.

(d) Investigation of both criminal and non-criminal acts.

(e) The apprehension of criminal offenders.

(f) Community Oriented Policing and Problem Solving activities such as citizen assists and individual citizen contacts of a positive nature.

(g) The sharing of information between the Patrol and other section within the Department, as well as other outside governmental agencies.

(h) The application of resources to specific problems or situations within the community, which may be improved or resolved by Community Oriented Policing and problem solving strategies.

(i) Traffic direction and control.

400.1.2 TERRORISM
It is the goal of the Washougal Police Department to make every reasonable effort to accurately and appropriately gather and report any information that may relate to either foreign or domestic terrorism. Officers should advise a supervisor as soon as practicable of any activity believed to be terrorism related and should document such incidents with a written report or Field Interview (FI). The supervisor should ensure that all terrorism related reports and FIs are forwarded to the Detective Section Supervisor in a timely fashion.
400.1.3 CIVIL STANDBY REQUESTS
Civil standby will have the common meaning of a request for a Police Officer to "stand by, for the purpose of keeping the peace, at a scheduled meeting of two or more parties who are in a dispute, to manage a civil exchange.

Civil standby's are usually requested for child custody exchanges, property pickup or exchange or other related civil problems. Civil standby service will be provided at the discretion of the on-duty supervisor or senior officer and should not last longer than 15 to 20 minutes unless the requester receives prior approval from the supervisor or senior officer.

Officer's response to civil standby requests:

(a) If an officer receives a request for a civil standby that can not be honored, the officer will contact the requesting party and explain the circumstances. The officer will then attempt to find another date and or time that will be mutually acceptable.

(b) Any citizen requesting a civil standby should be instructed that priority will go to calls for service and that the officer may need to leave the civil standby in the event of such a call. They should also be advised that officers are there only to keep the peace and will not be involved in disputes or mediation.

(c) The officer reserves the right to end the civil standby if one or more parties become overly agitated, he/she feels that an assault or property damage is imminent, or other circumstances in the opinion of the officer make the civil standby unsafe.

400.2 PATROL INFORMATION SHARING PROCEDURES
The following guidelines are intended to develop and maintain intra-department cooperation and information flow between the various sections of the Washougal Police Department.

400.2.1 CRIME REPORTS
A crime report may be completed by any employee who receives criminal information. The report will be processed and placed in the review box. Reports will be reviewed by a supervisor who will approve or reject the report. Follow-up investigation will be assigned by the reviewing supervisor.

400.2.2 PATROL BRIEFING
Patrol supervisors and officers are encouraged to share information as much as possible. The shift officer(s) coming off shift should pass on any and all information and details that the officer(s) encountered while on their shift to the on coming officer(s).

400.2.3 INFORMATION CLIPBOARDS
Information clipboards will be maintained in the Patrol Room and will be available for review by officers from all sections within the department. These will include, but not be limited to, the patrol check clipboard and the wanted persons clipboard.
400.3 CROWDS, EVENTS AND GATHERINGS
Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action. Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Officers should consider enforcement of applicable state and local laws, when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.
Bias-Based Policing

401.1 PURPOSE AND SCOPE
This policy provides guidance to department members that affirms the Washougal Police Department’s commitment to policing that is fair and objective. Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department’s relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships) (RCW 43.101.410).

401.1.1 DEFINITIONS
Definitions related to this policy include:

Bias-based policing - An inappropriate reliance on characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement.

401.2 POLICY
The Washougal Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

401.3 BIAS-BASED POLICING PROHIBITED
Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

401.3.1 OTHER PROHIBITIONS
The Washougal Police Department also condemns the illegal use of an individual or group’s attire, appearance, or mode of transportation, including the fact that an individual rides a motorcycle or wears motorcycle-related paraphernalia, as a factor in deciding to stop and question, take enforcement action, arrest, or search a person or vehicle with or without a legal basis under the United States Constitution or Washington State Constitution (RCW 43.101.419).

Additionally, members shall not collect information from a person based on religious belief, practice, or affiliation unless permitted under state law. Members shall not (RCW 42.60.020; RCW 42.60.030):

(a) Provide or disclose to federal government authorities personally identifiable information about a person’s religious belief, practice, or affiliation unless the member is being questioned as a witness to a crime.
Bias-Based Policing

(b) Assist federal government authorities in compiling personal information about a person’s religious belief, practice, or affiliation.

(c) Investigate or enforce any requirement that a person register with the federal government or a federal agency based on religion.

401.4 MEMBER RESPONSIBILITIES
Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

401.4.1 REASON FOR CONTACT
Officers contacting a person shall be prepared to articulate sufficient reason for the contact independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, field interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

401.4.2 REPORTING TRAFFIC STOPS
Each time an officer makes a traffic stop, the officer shall report any demographic information required by the Department (RCW 43.101.410).

401.5 SUPERVISOR RESPONSIBILITIES
Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

(a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
   1. Supervisors should document these discussions, in the prescribed manner.

(b) Supervisors should periodically review MAV recordings, portable audio/video recordings, Mobile Digital Computer (MDC) data and any other available resource used to document contact between officers and the public to ensure compliance with this policy.
   1. Supervisors should document these periodic reviews.
   2. Recordings that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.

(c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
(d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

401.6 STATE REPORTING
Subject to any fiscal constraints, the Captain should review available data related to traffic stops, including demographic data, existing procedures, practices and training, as well as complaints. The data should be analyzed for any patterns or other possible indicators of racial- or bias-based profiling and included in an annual report for the Washington Association of Sheriffs and Police Chiefs (RCW 43.101.410(3)).

401.7 ADMINISTRATION
The Captain should review the efforts of the department to provide fair and objective policing and submit an annual report, including public concerns and complaints, to the Chief of Police. The annual report should not contain any identifying information about any specific complaint, citizen or officers. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service.

Supervisors should review the annual report submitted to the Washington Association of Chiefs of Police and discuss the results with those they are assigned to supervise.

401.8 TRAINING
Training on fair and objective policing and review of this policy should be conducted as directed by the Captain (RCW 43.101.410).
Crime and Disaster Scene Integrity

402.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance in handling a major crime or disaster.

402.2 POLICY
It is the policy of the Washougal Police Department to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

402.3 SCENE RESPONSIBILITY
The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the officer shall maintain the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

402.4 FIRST RESPONDER CONSIDERATIONS
The following list generally describes the first responder’s function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

(a) Broadcast emergency information, including requests for additional assistance and resources.
(b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
(c) Locate or identify suspects and determine whether dangerous suspects are still within the area.
(d) Provide first aid to injured parties if it can be done safely.
(e) Evacuate the location safely as required or appropriate.
(f) Secure the inner perimeter.
(g) Protect items of apparent evidentiary value.
(h) Secure an outer perimeter.
(i) Identify potential witnesses.
(j) Start a chronological log noting critical times and personnel allowed access.
402.5 SEARCHES
Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

402.5.1 CONSENT
When possible, officers should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

402.6 EXECUTION OF HEALTH ORDERS
Sworn members of this department shall enforce all lawful orders of the local health officer, issued for the purpose of preventing the spread of any contagious, infectious or communicable disease (RCW 70.05.070; WAC 246-100-040(2)).

402.7 DETECTIVE CAPTAIN RESPONSIBILITIES
The Detective Captain is responsible for ensuring procedures are established that are consistent with the Washington State Patrol Crime Laboratory Division Crime Scene Procedures Manual, including, but not limited to:

(a) Ensuring reasonable access to qualified personnel, equipment and supplies for processing crime scenes.
(b) Establishing procedures for collecting, processing and preserving physical evidence in the field.
(c) Establishing procedures for photographing, video-recording and other imaging used to collect and preserve evidence.
(d) Establishing procedures for processing, developing, lifting and labeling fingerprints.
(e) Establishing procedures for the safe collection, storage, transportation and submission of biological and other evidence for DNA testing and evaluation.
Ride-Along Policy

403.1 PURPOSE AND SCOPE
The Ride-Along Program provides an opportunity for citizens to experience the law enforcement function first hand. This policy provides the requirements, approval process, and hours of operation for the Ride-Along Program.

403.1.1 ELIGIBILITY
The Washougal Police Department Ride-Along Program is offered to residents, students and those employed within the city. Every attempt will be made to accommodate interested persons however any applicant may be disqualified without cause.

The following factors may be considered in disqualifying an applicant and are not limited to:

- Being under 18 years of age.
- Prior criminal history.
- Pending criminal action.
- Pending lawsuit against the Department.
- Denial by any supervisor.

403.1.2 AVAILABILITY
The Ride-Along Program is available on most days of the week, with certain exceptions. The ride-along times are from 10:00 a.m. to 11:00 p.m. Exceptions to this schedule may be made as approved by a supervisor.

403.2 PROCEDURE TO REQUEST A RIDE-ALONG
Generally, ride-along requests will be scheduled by a sergeant. The participant will complete a ride-along waiver form. Information requested will include a valid state issued ID or driver's license, address, and telephone number.

Individuals under 18 years of age are generally not allowed to do ride-along's. Exceptions may be made for special circumstances and with prior approval from the Chief of Police or Captain. A parent/guardian must be present to complete and sign the Ride-Along Form.

A sergeant will schedule a date, based on availability, at least one week after the date of application. If approved, a copy will be forwarded to the respective squad sergeant as soon as possible for his/her scheduling considerations.

If the ride-along is denied after the request has been made, a representative of the department will contact the applicant and advise him/her of the denial.

Officers may request to have civilian riders (friend, spouse or family member) once the officer has completed their probationary employment period. Requests are made through the officer's
supervisor who may approve or deny for any reason. If approved, the officer is must have the
civilian rider complete a Citizen Ride-Along Form. The Citizen Ride-Along Form must be submitted
and signed off by the officer's supervisor prior to the ride-along.

403.2.1 PROGRAM REQUIREMENTS
Once approved, civilian ride-alongs will be allowed to ride no more than once every six months. An
exception would apply to the following: Reserves, police applicants, and all others with approval
from a supervisor.

An effort will be made to ensure that no more than one citizen will participate in a ride-along during
any given time period. Normally, no more than one ride-along will be allowed in the officer's vehicle
at a given time.

403.2.2 SUITABLE ATTIRE
Any person approved to ride along is required to be suitably dressed in collared shirt, blouse or
jacket, slacks and shoes. Sandals, T-shirts, tank tops, shorts and ripped or torn blue jeans are not
permitted. Hats and ball caps will not be worn in the police vehicle. The supervisor may refuse
a ride along to anyone not properly dressed.

403.2.3 PEACE OFFICER RIDE-ALONGS
Off-duty members of this department or any other law enforcement agency will not be permitted
to ride-along with on-duty officers without the expressed consent of a supervisor. In the event that
such a ride-along is permitted, the off-duty employee shall not be considered on-duty and shall
not represent themselves as a peace officer or participate in any law enforcement activity except
as emergency circumstances may require.

403.3 OFFICER’S RESPONSIBILITY
The officer shall advise the dispatcher that a ride-along is present in the vehicle before going into
service. Officers shall consider the safety of the ride-along at all times. Officers should use sound
discretion when encountering a potentially dangerous situation, and if feasible, let the participant
out of the vehicle in a well-lighted place of safety. The dispatcher will be advised of the situation
and as soon as practical have another police unit respond to pick up the participant at that location.
The ride-along may be continued or terminated at this time.

Sergeants are responsible for maintaining and scheduling ride-along's. Upon completion of the
ride-along, the form shall be returned to the sergeant's in-box with any comments which may be
offered by the officer.

403.4 CONTROL OF RIDE-ALONG
The assigned officer shall maintain control over the ride-along at all times and instruct him/her in
the conditions that necessarily limit their participation. These instructions should include:

(a) The ride-along will follow the directions of the officer.
Ride-Along Policy

(b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects, or handling any police equipment.

(c) The ride-along may terminate the ride-along at any time and the officer may return the observer to their home or to the station if the ride-along interferes with the performance of the officer’s duties.

(d) Ride-alongs may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety.

(e) Officers will not allow any ride-alongs to be present in any residences or situations that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other citizen.

(f) Under no circumstance shall a civilian ride along be permitted to enter a private residence with an officer without the expressed consent of the resident or other authorized person.
Hazardous Material Response

404.1 PURPOSE AND SCOPE
Exposure to hazardous materials present potential harm to department members and the public. This policy outlines the responsibilities of members who respond to these events and the factors that should be considered while on-scene, including the reporting of exposures and supervisor responsibilities.

404.1.1 DEFINITIONS
Definitions related to this policy include:

Hazardous material - A substance which, by its nature, containment and reactivity, has the capability of inflicting harm during exposure; characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizer and thereby posing a threat to health when improperly managed.

404.2 HAZARDOUS MATERIAL RESPONSE
Members may encounter situations involving suspected hazardous materials, such as at the scene of a traffic collision, chemical spill, or fire. When members come into contact with a suspected hazardous material, certain steps should be taken to protect themselves and other persons.

The fire department is the agency trained and equipped to properly respond to and mitigate most incidents involving hazardous materials and biohazards.

Responders should not perform tasks or use equipment without proper training. A responder entering the area may require decontamination before he/she is allowed to leave the scene, and should be evaluated by appropriate technicians and emergency medical services personnel for signs of exposure.

404.3 REPORTING EXPOSURE
Department members who believe that they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the member in an incident report that shall be forwarded to the Captain as soon as practicable.

Should the affected member be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the report.

Injury or illness caused or believed to be caused from exposure to hazardous materials shall be reported the same as any other on-duty injury or illness in addition to a crime report or incident report as applicable.

404.3.1 SUPERVISOR RESPONSIBILITIES
When a supervisor has been informed that a member has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to mitigate the exposure or continued exposure.
Hazardous Material Response

To ensure the safety of members, PPE is available from supervisors. PPE items not maintained by this department may be available through the appropriate fire department or emergency response team.

404.4 POLICY
It is the policy of the Washougal Police Department to respond to hazardous material emergencies with due regard for the safety of the public and those members responding to such incidents.

404.5 CONSIDERATIONS
The following steps should be considered at any scene involving suspected hazardous materials:

(a) Make the initial assessment of a potentially hazardous material from a safe distance.
(b) Notify CRESA, appropriate supervisors, the appropriate fire department and hazardous response units.
   1. Provide weather conditions, wind direction, a suggested safe approach route and any other information pertinent to responder safety.
(c) Wear personal protective equipment (PPE), being cognizant that some hazardous material can be inhaled.
(d) Remain upwind, uphill and at a safe distance, maintaining awareness of weather and environmental conditions, until the material is identified and a process for handling has been determined.
(e) Attempt to identify the type of hazardous material from a safe distance using optical aids (binoculars or spotting scopes) if they are available. Identification can be determined by:
   1. Placards or use of an emergency response guidebook.
   2. Driver’s manifest or statements or shipping documents from the person transporting the material.
   3. Information obtained from any involved person with knowledge regarding the hazardous material. Information should include:
      (a) The type of material.
      (b) How to secure and contain the material.
      (c) Any other information to protect the safety of those present, the community and the environment.
(f) Provide first-aid to injured parties if it can be done safely and without contamination.
(g) Make reasonable efforts to secure the scene and prevent access from unauthorized individuals and to protect and identify any evidence.
(h) Begin evacuation of the immediate and surrounding areas, dependent on the material. Voluntary evacuation should be considered; mandatory evacuation may be necessary and will depend on the type of material.
(i) Establish a decontamination area when needed.
Hazardous Material Response

(j) Activate automated community notification systems, if applicable.

(k) Dependent upon the substance and other specific conditions, consider initiating an emergency public notification or evacuation. The decision to initiate public notifications and/or evacuations shall be in accordance with the Washougal Local Emergency Planning Committee (LEPC) procedures.
Hazard Communication Program

405.1 POLICY
The Washougal Police Department is committed to the prevention of exposures that result in injury and/or illness; and to comply with all applicable state health and safety rules. To make sure that all affected employees know about information concerning the dangers of all hazardous chemicals used by the Washougal Police Department the following hazard communication program has been established. This written program will be available in the “Processing” Hallway for review by any interested employee.

All employees of the Washougal Police Department will participate in the hazard communication program.

405.2 CONTAINER LABELING
The administrative sergeant is responsible for container labeling procedures, reviewing, and updating. The labeling system used at the Washougal Police Department is as follows:

- All labeling of secondary containers will include Name and telephone number of the chemical manufacturer. The product identifier (chemical name), and Signal Word indicating the relative level of severity of the hazard. The two authorized Signal Words are “Danger” and “Warning”. The labeling is to also include Key Hazard information (e.g. inhalation hazard, ingestion hazard, skin absorption hazard, skin irritant, eye corrosion hazard, etc).

- The administrative sergeant will inspect all secondary containers annually and will be responsible for reviewing and updating the labeling on them.

- The administrative sergeant will properly dispose of all chemicals that are outdated or no longer needed.

It is the policy of the Washougal Police Department that no container will be released for use until the above procedures are followed.

405.3 SAFETY DATA SHEETS (SDS)
The administrative sergeant is responsible for establishing and monitoring the department’s SDS program. This person will make sure procedures are developed to obtain the necessary SDSs and will review incoming SDSs for new or significant health and safety information. This person will make certain that any new information is passed on to affected employees.

The procedures to obtain SDSs and review incoming SDSs for new or significant health and safety information are as follows:

- Department members are required to notify the administrative sergeant anytime they bring in, or are aware of, a new chemical that was brought into the workplace for usage.

- The administrative sergeant will make periodic checks throughout the building for new chemicals introduced and the continued use of existing chemicals.
Hazard Communication Program

- Anytime there is a new chemical, the administrative sergeant will be responsible for updating the SDSs in the Exposure Control Plan book that is located in the “Processing” hallway.
- All new SDSs will be acquired from the website of the manufacturer of the chemical by accessing and downloading the specific SDS on the manufacturer’s website.
- Chemicals in which SDS are not available will not be utilized by the Washougal Police Department.

Copies of SDSs for all hazardous chemicals in use will be kept in the “Processing” Hallway. SDSs will be available to all employees. Contact the administrative sergeant immediately if an SDS is not available or a new chemical in use does not have an SDS in the Accident Prevention Program binder.

405.4 PROCESS FOR REMOVING OUTDATED SAFETY DATA SHEETS (SDS)
WPD is required to keep records of all previously used chemicals in the workplace. The purpose for retaining records is in case of future medical (exposure) claims that might be related to a chemical.

The administrative sergeant is responsible to ensure the following:
- Chemicals are to be removed from the workplace once no longer needed
- The SDS sheet is removed from the Accident Prevention Program binder
- The date of removal is written on the SDS sheet
- The SDS sheet is filed in the department medical drawer

405.5 EMPLOYEE INFORMATION AND TRAINING
The administrative sergeant is responsible for the employee training program.

The procedures for how employees will be informed and trained are as follows:
- All new employees will receive new hire Accident Prevention Program (APP) training
- All relevant employees will receive training on the proper use and handling of chemicals prior to introducing the chemical to the workplace

The administrative sergeant will make sure that before starting work, each new employee of the Washougal Police Department will attend a health and safety orientation that includes information and training on the following:
- An overview of the requirements contained in the Hazard Communication Standard.
- Hazardous chemicals present at his or her work places.
- Physical and health risks of the hazardous chemical.
- The symptoms of overexposure.
- How to determine the presence or release of hazardous chemicals in his or her workplaces.
Hazard Communication Program

- How to reduce or prevent exposure to hazardous chemicals through use of control procedures, work practices, and personal protective equipment.
- Steps the Washougal Police Department has taken to reduce or prevent exposure to hazardous chemicals.
- Procedures to follow if employees are overexposed to hazardous chemicals.
- How to read labels and review SDS's to obtain hazard information.
- Location of the SDS file and written hazard communication program.
- An overview of the requirements contained in the Hazard Communication Standard.

Before introducing a new chemical hazard into any section of this employer, each employee in that section will be given information and training as outlined above for the new chemical.

405.6 HAZARDOUS NON-ROUTINE TASKS
Periodically, employees are required to perform hazardous non-routine tasks. (Some examples of non-routine tasks are biohazards, and cleaning chemicals.) Non-routine tasks that are performed at the Washougal Police Department include:

1. Bio-Hazard (body fluids)
2. Firearms cleaning (solvents)

Prior to starting work on such projects, each affected employee will be given information by The administrative sergeant about the hazardous chemicals he or she may encounter during these activities:

- List the specific chemical hazards;
- Protective and safety measures the employee can use; and the
- Steps the employer has taken to reduce the hazards, including ventilation, respirators, the presence of another employee, and emergency procedures.

405.7 MULTI-EMPLOYER WORKPLACES
It is the responsibility of The administrative sergeant to provide employers of any other employees at the work site with the following information:

- Copies of SDSs (or make them available at a central location) for any hazardous chemicals that the other employer(s)’ employee may be exposed to while working.
- Inform other employers of any precautionary measures that need to be taken to protect employees during normal operating conditions or in foreseeable emergencies.
- Provide other employers with an explanation of the labeling system that is used at the work site.
Hazard Communication Program

It is also the responsibility of the administrative sergeant to identify and obtain SDSs for the chemicals the contractor is bringing into the workplace.

405.8 LEAD HAZARDS
While lead exposure to the employees of the WPD is limited and infrequent, the department acknowledges that lead exposures is possible due to the nature of firearms use. The WPD has identified and integrated steps to mitigate lead exposure into policy and practice.

Refer to Department Accident Prevention Plan Chapter 1031.5 – Lead Exposure

In accordance with (WAC 296-901-140) the department ensures that all new hire employees receive training on the risks of lead exposure:

1 Reproductive/developmental toxicity
2 Central nervous system effects
3 Kidney effects
4 Blood effects; and
5 Acute toxicity effects

In addition, employees routinely get refresher lead training before participation of firearms training. Training includes:

- General lead dangers, ways it can enter the body
- The possibility of lead contamination on clothing and shoes transferring to vehicles and other locations such as the employees home
- Side effects of lead poisoning
- Employees are directed to (WAC 296-62-07519) Appendix A and B, for more information, which is made available to all employees at the firing range

Information about lead and current training materials are also readily available at the department with request.

405.9 LIST OF HAZARDOUS CHEMICALS
The following table lists all known hazardous chemicals used by our employees. Further information on each chemical may be obtained by reviewing SDSs located in the Accident Prevention Program (APP) binder located in the “Processing” Hallway.

The criteria (e.g., label warnings, SDS information, etc.) used to evaluate the chemicals are:

The below list of chemicals are currently used at WPD, the list will be reviewed and updated periodically by the administrative sergeant. Please notify the administrative sergeant immediately if you locate a chemical that is no longer in use, or a chemical that is not listed below.

List of Chemicals / SDS identity:
### Hazard Communication Program

<table>
<thead>
<tr>
<th>Chemical Name</th>
<th>Manufacturer</th>
<th>Location Used</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clorox Regular Bleach</td>
<td>Clorox</td>
<td>Evidence Processing Room, Bio-hazard (Body fluids) decontamination</td>
</tr>
<tr>
<td>Power Solvent No. 9</td>
<td>Hoppe's</td>
<td>Armory</td>
</tr>
<tr>
<td>Break Free CLP</td>
<td>Safariland</td>
<td>Armory</td>
</tr>
<tr>
<td>Stride Citrus Neutral Cleaner</td>
<td>Johnson Diversey</td>
<td>Used throughout WPD</td>
</tr>
<tr>
<td>Pepper Spray</td>
<td>Sabre</td>
<td>In the course of duty.</td>
</tr>
<tr>
<td>Fantastik Heavy Duty All Purpose Cleaner</td>
<td>Johnson &amp; Son Inc</td>
<td>Break Room</td>
</tr>
<tr>
<td>Road Flares</td>
<td>Orion</td>
<td>In the field.</td>
</tr>
<tr>
<td>Propane</td>
<td>Coleman</td>
<td>BBQ</td>
</tr>
<tr>
<td>Lead</td>
<td>N/A</td>
<td>Firing Range</td>
</tr>
</tbody>
</table>
Hostage and Barricade Incidents

406.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for situations where officers have legal cause to contact, detain or arrest a person, and the person refuses to submit to the lawful requests of the officers by remaining in a structure or vehicle and/or by taking a hostage.

The scope of this policy is not intended to address all variables that officers encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or purport to recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

406.1.1 DEFINITIONS
Definitions related to this policy include:

**Barricade situation** - An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

**Hostage situation** - An incident where it is reasonable to believe a person is unlawfully held by a hostage-taker as security so that specified terms or conditions will be met.

406.2 POLICY
It is the policy of the Washougal Police Department to address hostage and barricade situations with due regard for the preservation of life and balancing the risk of injury, while obtaining the safe release of hostages, apprehending offenders and securing available evidence.

406.3 COMMUNICATION
When circumstances permit, initial responding officers should try to establish and maintain lines of communication with a barricaded person or hostage-taker. Officers should attempt to identify any additional subjects, inquire about victims and injuries, seek the release of hostages, gather intelligence information, identify time-sensitive demands or conditions and obtain the suspect's surrender.

When available, department-authorized negotiators should respond to the scene as soon as practicable and assume communication responsibilities. Negotiators are permitted to exercise flexibility in each situation based upon their training, the circumstances presented, suspect actions or demands and the available resources.

406.3.1 EMERGENCY COMMUNICATIONS
A supervisor may order the telephone company to cut, reroute or divert telephone lines in order to prevent a suspect from communicating with anyone other than designated personnel in a barricade or hostage situation (RCW 70.85.100).
**406.4 FIRST RESPONDER CONSIDERATIONS**

First responding officers should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

The first responding officer should immediately request a supervisor’s response as soon as it is determined that a hostage or barricade situation exists. The first responding officer shall assume the duties of the supervisor until relieved by a supervisor or a more qualified responder. The officer shall continually evaluate the situation, including the level of risk to officers, to the persons involved and to bystanders, and the resources currently available.

The handling officer should brief the arriving supervisor of the incident, including information about suspects and victims, the extent of any injuries, additional resources or equipment that may be needed, and current perimeters and evacuation areas.

**406.4.1 BARRICADE SITUATION**

Unless circumstances require otherwise, officers handling a barricade situation should attempt to avoid a forceful confrontation in favor of stabilizing the incident by establishing and maintaining lines of communication while awaiting the arrival of specialized personnel and trained negotiators. During the interim the following options, while not all-inclusive or in any particular order, should be considered:

(a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.

(b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.

(c) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).

(d) Provide responding emergency personnel with a safe arrival route to the location.

(e) Evacuate non-injured persons in the immediate threat area if it is reasonably safe to do so.

(f) Attempt or obtain a line of communication and gather as much information on the subject as possible, including weapons, other involved parties, additional hazards or injuries.

(g) Establish an inner and outer perimeter as circumstances require and resources permit to prevent unauthorized access.

(h) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.

(i) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Public Information Officer.

(j) If necessary and available, establish a tactical or exclusive radio frequency for the incident.
(k) Establish a command post.

406.4.2 HOSTAGE SITUATION

Officers presented with a hostage situation should attempt to avoid a forceful confrontation in favor of controlling the incident in anticipation of the arrival of specialized personnel and trained hostage negotiators. However, it is understood that hostage situations are dynamic and can require that officers react quickly to developing or changing threats. The following options while not all-inclusive or in any particular order, should be considered:

(a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.

(b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.

(c) Establish a rapid response team in the event it becomes necessary to rapidly enter a building, structure or vehicle, such as when the suspect is using deadly force against any hostages (see the Rapid Response and Deployment Policy).

(d) Assist hostages or potential hostages to escape if it is reasonably safe to do so. Hostages should be kept separated if practicable pending further interview.

(e) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).

(f) Provide responding emergency personnel with a safe arrival route to the location.

(g) Evacuate non-injured persons in the immediate threat area if it is reasonably safe to do so.

(h) Coordinate pursuit or surveillance vehicles and control of travel routes.

(i) Attempt or obtain a line of communication and gather as much information about the suspect as possible, including any weapons, victims and their injuries, additional hazards, other involved parties and any other relevant intelligence information.

(j) Establish an inner and outer perimeter as resources and circumstances permit to prevent unauthorized access.

(k) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.

(l) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the PIO.

(m) If necessary and available, establish a tactical or exclusive radio frequency for the incident.
406.5 SUPERVISOR RESPONSIBILITIES
Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, assess the risk level of the situation, establish a proper chain of command and assume the role of Incident Commander until properly relieved. In addition, the following options, listed here in no particular order, should be considered:

(a) Ensure injured persons are evacuated and treated by medical personnel.
(b) Ensure the completion of necessary first responder responsibilities or assignments.
(c) Request crisis negotiators, specialized units, additional personnel, resources or equipment as appropriate.
(d) Establish a command post location as resources and circumstances permit.
(e) Designate assistants who can help with intelligence information and documentation of the incident.
(f) If it is practicable to do so, arrange for video documentation of the operation.
(g) Consider contacting utility and communication providers when restricting such services (e.g., restricting electric power, gas, telephone service).
(h) Ensure adequate law enforcement coverage for the remainder of the City during the incident. The supervisor should direct non-essential personnel away from the scene unless they have been summoned by the supervisor or CRESA.
(i) Identify a media staging area outside the outer perimeter and have the department Public Information Officer or a designated temporary media representative provide media access in accordance with the Media Relations Policy.
(j) Identify the need for mutual aid and the transition or relief of personnel for incidents of extended duration.
(k) Debrief personnel and review documentation as appropriate.

406.6 REPORTING
Unless otherwise relieved by a supervisor or Incident Commander, the handling officer at the scene is responsible for completion and/or coordination of incident reports.
Response to Bomb Calls

407.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines to assist members of the Washougal Police Department in their initial response to incidents involving explosives, explosive devices, explosion/bombing incidents or threats of such incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety should always be the primary consideration.

407.2 POLICY
It is the policy of the Washougal Police Department to place a higher priority on the safety of persons and the public over damage or destruction to public or private property.

407.3 RECEIPT OF BOMB THREAT
Department members receiving a bomb threat should obtain as much information from the individual as reasonably possible, including the type, placement, and alleged detonation time of the device.

If the bomb threat is received on a recorded line, reasonable steps should be taken to ensure that the recording is preserved in accordance with established department evidence procedures.

The member receiving the bomb threat should advise a supervisor as soon as practical and inform him/her of the details. This will enable the supervisor to ensure that the appropriate personnel are dispatched and, as appropriate, the threatened location is given an advance warning.

407.4 GOVERNMENT FACILITY OR PROPERTY
A bomb threat targeting a government facility may require a different response based on the government agency.

407.4.1 WASHOUGAL POLICE DEPARTMENT FACILITY
If the bomb threat is against the Washougal Police Department facility, a supervisor or senior officer will direct and assign officers as required for coordinating a general building search or evacuation of the police department, as he/she deems appropriate.

407.4.2 OTHER COUNTY OR MUNICIPAL FACILITY OR PROPERTY
If the bomb threat is against a county or municipal facility within the jurisdiction of the Washougal Police Department that is not the property of this department, the appropriate agency will be promptly informed of the threat. Assistance to the other entity may be provided as the supervisor deems appropriate.

407.5 OTHER SUSPICIOUS LETTERS, PACKAGES OR BOXES

(a) When contacted by a citizen regarding a suspicious package ask the following questions:
Response to Bomb Calls

1. Is the package or letter accompanied by written or verbal information that would indicate a legitimate threat (e.g. "this is anthrax, or "I want to see you suffer", etc)?

2. Is the citizen a potential target of a threat (e.g., works for a large corporation, law enforcement, military, federal agency, etc)?

3. Has the citizen received threats in the past?

4. Are there restrictive markings such as ("personal", Private", "To be opened only by.")?

5. Is the package or letter mailed from a foreign country, or does it have excessive postage.

6. Are there protruding wires?

7. Are there oily stains on the envelope or package cover, discoloration or crystallization?

8. Are there any distinct odors or fumes?

(b) If the citizen indicates that one or more of the above conditions apply response by police and/or fire personnel is required. This in no way precludes an officer from responding if he/she feels it is warranted and none of these items apply. This list is only a guide and is not meant to be all-inclusive.

(c) Advise the citizen not to shake or empty the contents of any suspicious envelope or package.

(d) Advise the citizen to place the envelope or package in a plastic bag or some other type of container to prevent leakage of contents.

(e) If no container is available have the citizen cover the envelope or package with anything (e.g., clothing, paper, trash can, etc.) and do not remove this cover.

(f) Then have the citizen leave the room and close the door or section off the area to prevent others from entering.

(g) Have the citizen wash their hands with soap and water to prevent spreading any possible contaminates

(h) Have the citizen list all of the people who were in the room or area when this suspicious letter or package was recognized.

407.5.1 OFFICER'S RESPONSE

(a) Upon responding determine where the item is located (section or room of the house, area or car.
Response to Bomb Calls

(b) Limit access to the area.
(c) Don gloves and mask before contacting the item.
(d) Exam the item only as much as necessary to determine if there is a threat or concern that may require additional resources (i.e. FBI, CDC etc).
(e) If you feel there is a need for additional resources contact the a supervisor and advise him/her of the situation.
(f) The supervisor will then make a determination what resource will be requested via dispatch.
(g) If the officer feels that there is no immediate threat, and the citizen is still concerned about the material, advise the citizen to carefully dispose of the material. This should include:
   1. Minimizing contact with the item (such as rubber gloves, tongs, sponges)
   2. Putting the materials in a sealed container and then put that in another sealed container (i.e. double bag the material). The citizen has the option of either disposing of the double-bagged material or storing it in a safe place, in case the citizen develops symptoms in the future. If necessary, the item can be stored at the Washougal Police Department in the evidence room, but only after it has been double bagged.
   3. Carefully wash hands and wash clothing that may have come in contact with the material.
   4. They may be referred to the Southwest Washington Health District during business hours at 397-8215
   5. Health information is also available from the websites for the:
      (a) Washington State Health Department:
      (b) Centers for Disease Control:

NOTE: No item will be sent for testing unless directed by the FBI. Any item sent will be triple bagged. EACH bag will have a biohazard sticker on it. The triple bagged item will then be sealed in a leak proof container such as a paint can. No specimen can be sent to the lab without contacting the local health department AND the Public Health Laboratory by calling 1-877-539-4344. In most cases Local Law Enforcement, HAZMAT, WSP or an FBI representative will transport the specimen directly to the Public Health Laboratory.

407.5.2 OFFICE STAFF

(a) Office staff should monitor all incoming mail carefully for the following:
   1. Excessive postage
   2. Handwritten or poorly typed addresses
Response to Bomb Calls

3. Incorrect titles
4. Title, but no name (i.e. Chief)
5. Misspellings of common words
6. Oily stains, discolorations or odor
7. No return address
8. Excessive weight
9. Lopsided or uneven envelope
10. Protruding wires or aluminum foil
11. Excessive security material such as masking tape, string, etc.
12. Visual distractions
13. Ticking sound
14. Marked with restrictive endorsements, such as "personal" or "Confidential"
15. Shows a city or state in the postmark that does not match the return address.

(b) Gloves should be worn when opening mail
(c) Anything suspicious will be brought to the immediate attention of the on-duty officer
(d) Steps (b) - (h) in section 416.5 of this policy should then be followed
(e) Office and other administrative staff may request to be fitted for a NIOSH N95 particulate mask.
(f) Any concerns or questions will be brought to the immediate attention of a supervisor.

407.6 PRIVATE FACILITY OR PROPERTY
When a member of this department receives notification of a bomb threat at a location in the City of Washougal, the member receiving the notification should obtain as much information as reasonably possible from the notifying individual, including:

(a) The location of the facility.
(b) The nature of the threat.
(c) Whether the type and detonation time of the device is known.
(d) Whether the facility is occupied and, if so, the number of occupants currently on-scene.
(e) Whether the individual is requesting police assistance at the facility.
(f) Whether there are any internal facility procedures regarding bomb threats in place, such as:
   1. No evacuation of personnel and no search for a device.
   2. Search for a device without evacuation of personnel.
Response to Bomb Calls

3. Evacuation of personnel without a search for a device.
4. Evacuation of personnel and a search for a device.

The member receiving the bomb threat information should ensure that a supervisor is immediately notified so that he/she can communicate with the person in charge of the threatened facility.

407.6.1 ASSISTANCE
A supervisor should be notified when police assistance is requested. The supervisor will make the decision whether the Department will render assistance and at what level. Information and circumstances that indicate a reasonably apparent, imminent threat to the safety of either the facility or the public may require a more active approach, including police control over the facility.

Should the supervisor determine that the Department will assist or control such an incident, he/she will determine:

(a) The appropriate level of assistance.
(b) The plan for assistance.
(c) Whether to evacuate and/or search the facility.
(d) Whether to involve facility staff in the search or evacuation of the building.
   1. The person in charge of the facility should be made aware of the possibility of damage to the facility as a result of a search.
   2. The safety of all participants is the paramount concern.
(e) The need for additional resources, including:
   1. Notification and response, or standby notice, for fire and emergency medical services.

Even though a facility does not request police assistance to clear the interior of a building, based upon the circumstances and known threat, officers may be sent to the scene to evacuate other areas that could be affected by the type of threat, or for traffic and pedestrian control.

407.7 FOUND DEVICE
When handling an incident involving a suspected explosive device, the following guidelines, while not all inclusive, should be followed:

(a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.
(b) The device should not be touched or moved except by the bomb squad or military explosive ordnance disposal team.
(c) Personnel should not transmit on any equipment that is capable of producing radio frequency energy within the evacuation area around the suspected device. This includes the following:
   1. Two-way radios
Response to Bomb Calls

2. Cell phones
3. Other personal communication devices
   (d) The appropriate bomb squad or military explosive ordnance disposal team should be summoned for assistance.
   (e) The largest perimeter reasonably possible should initially be established around the device based upon available personnel and the anticipated danger zone.
   (f) A safe access route should be provided for support personnel and equipment.
   (g) Search the area for secondary devices as appropriate and based upon available resources.
   (h) Consider evacuation of buildings and personnel near the device or inside the danger zone and the safest exit route.
   (i) Promptly relay available information to a supervisor including:
       1. The time of discovery.
       2. The exact location of the device.
       3. A full description of the device (e.g., size, shape, markings, construction).
       4. The anticipated danger zone and perimeter.
       5. The areas to be evacuated or cleared.

407.8 EXPLOSION/BOMBING INCIDENTS
When an explosion has occurred, there are multitudes of considerations which may confront the responding officers. As in other catastrophic events, a rapid response may help to minimize injury to victims, minimize contamination of the scene by gathering crowds, or minimize any additional damage from fires or unstable structures.

407.8.1 CONSIDERATIONS
Officers responding to explosions, whether accidental or a criminal act, should consider the following actions:
   (a) Assess the scope of the incident, including the number of victims and extent of injuries.
   (b) Request additional personnel and resources, as appropriate.
   (c) Assist with first aid.
   (d) Identify and take appropriate precautions to mitigate scene hazards, such as collapsed structures, bloodborne pathogens and hazardous materials.
   (e) Assist with the safe evacuation of victims, if possible.
   (f) Establish an inner perimeter to include entry points and evacuation routes. Search for additional or secondary devices.
   (g) Preserve evidence.
   (h) Establish an outer perimeter and evacuate if necessary.
Response to Bomb Calls

(i) Identify witnesses.
The Mentally Ill Person

408.1 GUIDELINES FOR RECOGNIZING A MENTALLY ILL PERSON

Dealing with people who are known or suspected to be mentally ill carries the potential for violence. Officers should exercise special skills and abilities to effectively deal with the person. Officers are not expected to make a judgment of the mental or emotional disturbance but rather recognize behavior that is potentially destructive and/or dangerous to self or others. There are many behaviors associated with people suffering from mental illness. In RCW 71.05.020 a mental disorder is described as: “Any organic, mental, or emotional impairment which has substantial adverse effects on an individual's cognitive or volitional functions.” Behavior of a mentally ill person may include one or more of the following:

- Incoherent or disorganized speech
- Delusions or false beliefs
- Talking or laughing to one's self
- Rapid, uninterruptible speech
- Jumping from topic to topic when talking
- Staring blankly or not moving for long periods of time
- Unreasonable fears
- Loss of memory or confusion
- Rapid mood swings
- Feeling watched or followed
- Hearing commands from the television or radio
- Hearing, smelling, or seeing things that are not there
- These behaviors may be changed or intensified by the use of alcohol, illicit drugs or the failure to take prescribed medications.

Not all mentally ill persons are dangerous while some may represent danger only under certain circumstances or conditions. Officers may use several indicators to determine whether an apparently mentally ill person represents an immediate or potential danger to himself or others. These include the following:

- Availability of weapons
- Threatening statements by the person
- Past history of violence
- The amount of control the person exhibits over their emotions
408.2 OFFICER CONSIDERATIONS AND RESPONSIBILITIES
Any officer responding to or handling a call involving a suspected or actual mentally disabled individual or commitment should carefully consider the following (RCW 71.05.010)

(a) To prevent inappropriate, indefinite commitment of mentally disordered persons and to eliminate legal disabilities that arise from such commitment;

(b) To provide prompt evaluation and timely and appropriate treatment of persons with serious mental disorders;

(c) To safeguard individual rights;

(d) To provide continuity of care for persons with serious mental disorders;

(e) To encourage the full use of all existing agencies, professional personnel, and public funds to prevent duplication of services and unnecessary expenditures;

(f) To encourage, whenever appropriate, that services be provided within the community.

(g) To protect the public safety.

408.3 GUIDELINES FOR EXCITED DELIRIUM
Learn to Recognize the Condition- Perhaps one of the more difficult things to learn is recognition of Excited Delirium. While the subject's behavior may be of law enforcement concern and the person must be controlled for the safety of themselves and those around them (a primary law enforcement duty), he/she must also be evaluated by medical professionals sooner rather than later. The only way that this will happen is for you to recognize Excited Delirium. This is much different than the often slowed, dulled, and inappropriate behavior of simple alcohol intoxication.

Excited Delirium Syndrome Indicators- Subjects can demonstrate some or all of the indicators below in law enforcement settings:

• Extremely aggressive or violent behavior
• Constant or near constant physical activity
• Does not respond to police presence
• Attracted to/destructive of glass/reflective
• Attracted to bright lights/loud sounds
• Naked/inadequately clothed
• Attempted "self-cooling" or hot to touch
• Rapid breathing
• Profuse sweating
• Keening (unintelligible animal-like noises)
• Insensitive to/extremely tolerant of pain
The Mentally Ill Person

- Excessive strength (out of proportion)
- Does not tire despite heavy exertion

Call for Help- One of the first things you should do upon recognizing and Excited Delirium case is to call for backup. These subjects are difficult to control and can demonstrate paranoia, inappropriate violence, and feats of great strength.

Next, call for an EMS response- Remember that Excited Delirium subjects are at high risk for sudden death. If the subject goes on to have a problem, it is much better to have him/her on the back of an ambulance with EMS personnel in attendance. Your goal should be to have EMS stage away from the scene but arrive as soon as you have the subject controlled so he/she can be evaluated. These subjects will likely need rapid and aggressive medical sedation and evaluation at a hospital.

408.4 GUIDELINES FOR DEALING WITH THE MENTALLY ILL
If during a street contact, interview, or arrest, an officer determines a person may be mentally ill and a potential threat to himself and/or others, or may otherwise require law enforcement intervention, the following responses are recommended:

- Request for back-up
- Take steps to calm the situation. Where possible, eliminate the emergency lights and sirens, disperse crowds, assume a quiet non-threatening manner when approaching or conversing with the individual. Where violence or destructive act have not occurred, avoid physical contact, and take time to assess the situation.
- Move slowly so as not to excite the person. Provide reassurances that you are there to help and that s/he will be provided with the appropriate care.
- Ask the person what is bothering them. Relate your concern for him/her, allow them to vent their feelings.
- Don't threaten the person with arrest. This will only create more stress and potential aggression.
- Avoid topics that may agitate the person and guide the conversation toward subjects that help bring the individual back to reality.
- Always attempt to be truthful with a mentally ill person. If the person becomes aware of a deception, s/he may withdraw from the contact, may become hypersensitive or retaliate in anger.
- If a mentally ill person starts to become combative, remove any dangerous weapons from the immediate area and restrain the individual if necessary. Using restraints on mentally ill persons can aggravate their aggression. Officers should be aware of this fact, but should take those measures necessary to protect their safety.
All commissioned officers and professional staff who may come in contact with the public receive initial training on dealing with the mentally ill during their basic law enforcement academy or initial employee training and additionally at least every three years. Lateral officers will receive initial in-service training prior to their release from FTO. All training is documented in the employee's training file located in the Training Unit.

408.5  TYPES OF CONTACT
Non-criminal: generally three types of dispositions result from non-criminal contact; 1) detention for involuntary treatment 2) referral for contact by mental health professions, or 3) no action (because none is necessary).

1) Involuntary treatment- Per RCW 71.05 the following grounds are necessary for an officer to take a person into custody and through the mental health professionals (DMHP) order a 72-hour hold and fill out paperwork to request an involuntary detention:

   (a) Danger to others: Threats or attempts to harm another person or behavior that places a person in fear of sustaining harm such as making serious threats to kill others or engaging in behavior that places others at risk of serious bodily injury.

   (b) Danger to self: Threats or attempts to commit suicide or harm one's self. All suicide attempts and/or threats shall be taken seriously. Officers will request medical aid as soon as possible.

   (c) Danger to property: Substantial loss or damage to property of others.

   (d) Grave disability: Behavior which results in the person in danger of physical harm because s/he is unable to provide for his/her basic needs of health and safety. Some examples would be: suffering from extreme dehydration or malnutrition, unable to care for basic health needs, wandering in traffic.

   (e) Officers may take persons into custody if the incident requires immediate action. Otherwise, officers should call for an evaluation in the field by the on-duty DMHP. This can be done through the Crisis Clinic at (360) 696-9560; (800) 626-8137; for law enforcement only the backline number is (360) 397-8198. TTY/TDD for the deaf at (206) 461-3219. Transportation to a hospital should be arranged by ambulance. Officers will complete a case report documenting the incident and the reasonable belief the person met the criteria for involuntary commitment. The officer may be requested to testify at a detention hearing within three working days of the incident if the individual refuses to remain in treatment voluntarily.
The Mentally Ill Person

requested to testify at a detention hearing within three working days of the incident if the individual refuses to remain in treatment voluntarily. An officer may also be requested to assist a DMHP in the field by taking a person into custody for evaluation and treatment based on a written order made by the DMHP. (Mental Health Pick Up Order) An officer may also be requested to take a person into custody through a written notice signed by a DMHP and a magistrate authorizing the officer to take a person into custody.

2) Referral for treatment

For the person who does not exhibit behavior that meets commitment criteria and is willing to enter voluntary treatment, the officer can make a phone referral and/or arrange for a crisis outreach. The officer should place a call to the Crisis Clinic at (360) 696-9560 and have the supervisor call the appropriate on-call agency. The officer will document this type of contact through a case report.

3) Treatment Refused/no action

If an officer contacts a person s/he believes to be mentally ill but the person refuses aid, the Crisis Clinic is available to review the facts of the situation. The Crisis Clinic may have some resource suggestions to assist the person. The officer will document this type of contact through (at a minimum) a FIR.

408.6 CRIMINAL CONTACT

Officers contacting mentally ill persons who have committed a crime generally have two possible dispositions: 1) arrest and booking 2) arrest and release. Alternatives to arrest should be considered to ensure the best treatment options are used and to keep those with mental illness out of incarceration if feasible. This is for misdemeanor suspects only.

Felony suspects generally should be booked.

408.7 MEDICAL INQUIRY AND RESPONSE FOR PRISONERS

During booking, each prisoner will be observed closely for apparent medical problems or injuries, and questioned concerning current illness, injury, medication and treatment. The prisoner’s responses, or lack thereof, and the booking officer’s observations will be recorded in the arrest report.

During booking, each prisoner will be observed and any visible body deformities, trauma markings, bruises, lesions, jaundice, or obvious physical limitations will be documented in the case report.

If a prisoner appears mentally ill and either incapacitated or a danger to self or others, a Mental Health Professional will be consulted to determine if the prisoner should be transferred to an approved hospital or if s/he can be detained in the Clark County Jail. Any prisoner appearing to be under the influence of drugs shall be questioned as to what type of drug they have ingested and their condition shall be monitored closely. If necessary, the prisoner shall be transported to an approved hospital or Medical Center for examination by a qualified medical professional prior to being booked and placed in detention.
The Mentally Ill Person

If the suspect is refused by Clark County Jail due to their mental illness related behavior, the suspect should be taken to the approved hospital.

If a prisoner is taken to hospital for any reason, the officer should fill out a pre-book and notify the next shift supervisor of the suspect's location and need of transport to jail when released. Officers should indicate that charges will be pressed when stabilized and who to call for transport to jail for booking.

408.8 REGIONAL GUIDELINES FOR SUICIDAL CALL RESPONSE

408.8.1 OBJECTIVES

(a) To make public and officer safety the first priority when managing the threat of a suicidal person.

(b) To provide guidelines to patrol sergeants and officers in their response to the suicidal person.

When dealing with the suicidal call, the concept of Priority of Life Model is helpful to guide patrol officers and sergeants to their response. The protection of life is placed in a hierarchy that puts victims and innocents first, and the suicidal person last.

408.8.2 DEFINITIONS

"Suicidal person" means a person who is threatening by words or actions to terminate his/her own life as reported to law enforcement or observed by a law enforcement officer. In this Guide, the term "subject" is intended to mean the suicidal person.

"Engage" or "engagement" means to make communications contact with the suicidal person.

"Disengage" or "disengagement" means to terminate communications and retreat to a reasonably safe location while remaining aware of the developing situation.

408.8.3 PRIORITY OF LIFE MODEL

1. Hostages/Victims

2. Innocent/by-standers

3. Police/First Responders

4. The suicidal person

408.8.4 GUIDELINES

It is not possible to write guidance for every variation of suicidal call. Each call is different and all facts available to officers and sergeants should be taken into account when addressing the situation. The totality of the circumstances should be considered and decisions based upon what is known. The following factors should be considered:

1. Has a crime been committed? What is the crime?
2. Is the subject home alone or are others in the house?

3. Is the subject at home or another location? What is the subject's relationship to that other location? (Any outdoor or other public location where a gun is involved should be a setting where the police don't allow the subject to leave).

4. Have suicidal threats been made? Have threats to harm others been made? To whom? Does the subject have the means to carry out the threats?

5. Has a phrase similar to, "if the police come out here I will kill them and myself" been made?

6. Are weapons involved? What type(s) of weapons?

7. Residence history?

8. Subject history €" any previous suicidal threat calls, history of violence, military / LE training?

9. Are there other extenuating/aggravating circumstances, e.g., was the subject recently fired from a job, did they recently have a relationship end, etc.?

10. Is the subject intoxicated?

A decision to engage, limit the response, or disengage should be based on whether a known danger exists to others if the suicidal person is allowed to remain at large. Officers should also consider whether or not the subject is attempting to force a confrontation with police. Decisions about actions to take should be made with the Priority of Life Model stated above in mind. The following are actions that may be considered:

- If there is anyone with the subject who may be or become a hostage or victim, law enforcement should attempt to separate the innocents from the subject. If they are unwilling to separate, or the subject is alone, consider disengagement.

- Attempt to determine if the subject is armed in a public place and a risk to innocent by-standers. If the subject is in a public place and is a risk to others, attempt to limit the subject's movements and consider use of a less-than-lethal option. If the subject does not appear to be a risk to others, attempt to contain the subject and negotiate to try to learn his/her willingness to receive help. If the subject is unwilling to receive help, consider disengagement.

- Attempt to determine if the suicidal person is a threat to officers or first responders. Be aware of "suicide by cop." Many times, the mere presence of law enforcement escalates the situation to a use of force scenario. Avoid approaching the suicidal person unnecessarily.

- If the subject is alone and does not appear to be a threat to others, disengagement may be considered as an option. Attempts may be made by a CIT officer or crisis worker to contact the subject by phone to offer them services. If the subject does not answer, expresses no interest, or clearly tells you, by word or action not to bother him/her, do not force a confrontation.
The Mentally Ill Person

408.8.5 RESPONSE OPTIONS
Based on the factors and guidelines above, continue to evaluate the need for engagement or disengagement at all option levels:

- Option 1: Engage verbally. If possible, safely make contact by phone or other means and talk with the subject, offering crisis resources to assist him/her.
- Option 2: Provide surveillance and loose containment of the area to keep innocents safe.
- Option 3: Contain the area and consult SWAT and/or HNT. Consider evacuation of others near the scene.

This is not an exhaustive list of possible response options. All decisions should be made with the Priority of Life Model stated above in mind.

408.8.6 TIME
Remember, with the suicidal call, time is usually on your side. Avoid rushing things unless there are exigent circumstances. Communicate to supervisors what is occurring, attempt to contain the situation; and use available cover / concealment and tools appropriately.

Do not tell the suicidal person or family members that certain actions will be taken or outcomes obtained. In particular, do not say that other persons will do particular things when you do not control those other persons.

408.9 FLOWCHART FOR REGIONAL GUIDELINES FOR SUICIDE CALLS RESPONSE

408.9.1 NOTIFICATION
Notification of suicidal person and/or threats may occur in several different ways. The suicidal subject could call in themselves, a third party (family/friend/citizen) could call in, or Law Enforcement/EMS could discover the suicidal threat while making contact with the person for other reasons.

408.9.2 THREAT ASSESSMENT
Whether the call comes in to CRESA or the Crisis Line, an assessment is made to determine routing of the call. If it is a suicide in progress or a suicide just occurred, the call is routed to law enforcement through 911. If the call is a suicidal threats or suicidal referral, the call is routed to or stays with the Crisis Line. For the latter, Crisis Line staff members are trained and have the resources to evaluate the subject over the phone and can either resolve the crisis or let law enforcement know if the threat is imminent.

For example:

1. A call comes in to dispatch from the subject, family member, friend or concerned citizen. The call involves suicidal threats where no criminal activity has occurred, the scene is stable, and the subject does not have a gun or weapon in hand that would cause immediate death or serious
The Mentally Ill Person

injury. The call is transferred to the Crisis Line. The Crisis Line staff will evaluate for an imminent threat or work to resolve the crisis.

2. A suicidal call comes in to the Crisis Line from the subject, family member, friend or concerned citizen. Crisis Line staff will evaluate to determine if the threat is imminent. If the threat is imminent, Crisis Line staff will facilitate contact with dispatch.

3. Law Enforcement contacts a suicidal subject in the field while on other business. The officer will attempt to facilitate contact with the Crisis Line for evaluation. The Crisis Line staff can resolve most situations without the need for a transport.

408.9.3 CRISIS RESOLVED
For the 911 call referred to the Crisis Line or for the call coming directly into the Crisis Line, many times Crisis Line staff will be able to resolve the situation over the phone. They will talk the person through the crisis and schedule follow-up care with the subject, putting a plan in place.

408.9.4 CRISIS NOT RESOLVED
For the imminent threat coming in to 911, Law Enforcement will be dispatched or if the call transferred to Crisis is not resolved and threat is imminent, Crisis Line staff will contact CRESA for a Law Enforcement response.

1. The dispatched Law Enforcement Officer, will establish contact with the Crisis Line worker to get information on the subject in crisis while in route. Current laws allow the giving of patient information to law enforcement in crisis situations.

2. EMS should not be dispatched at this point until requested by Law Enforcement. If for some reason they are, they should be directed to a staging area until requested by Law Enforcement to come in to the scene. (This is done so that if Law Enforcement makes a decision to disengage, Fire/EMS personnel will not be faced with the decision to abandon their patient at the direction of Law Enforcement.)

3. Law Enforcement will use the Regional Guidelines approved by the LEC for determining whether to engage or not.

408.9.5 ENGAGE
Using the guidelines approved by the LEC, the Law Enforcement officer determines to engage. Such determination may be because there are hostages or innocents in the house or area who need to be protected. It may be because contact with the suicidal subject was established and they want help getting through the crisis. It may be because the suicidal subject is unconscious.

The decision to engage may be transitioned to disengagement if needed. For example, if at first there are innocents in the house and they are removed, and the subject is uncooperative, Law Enforcement may decide to disengage.

When appropriate, the suicidal subject will be taken into custody and transported to the hospital for continued mental evaluation and treatment by medical and mental health personnel.
The Mentally Ill Person

408.9.6  DISENGAGE
Using the guidelines approved by the LEC, Law Enforcement determines to disengage. Such disengagement could include removing all units from the scene.

Each call is different and all facts available to officers and sergeants should be taken into account when addressing the situation. The totality of the circumstances should be considered and decisions based upon what is known. Clear and articulable reasons should be present, acted on and recorded.

In all cases of disengagement, Law Enforcement should attempt to provide the suicidal subject with resources they can call for help (Crisis Line).

408.10  MENTAL HEALTH DETENTIONS
In all circumstances where a person is taken into custody on involuntary detention or hold, the officer shall document the incident in a police report.

408.11  TRANSPORTATION
When transporting any individual for a commitment, the handling officer should have Dispatch Center notify the receiving facility of the estimated time of arrival, the level of cooperation of the patient and whether or not any special medical care is needed.

Officers may transport patients in the patrol unit and shall secure them in accordance with the handcuffing policy. Violent patients or those that are medically unstable may be restrained and transported by ambulance and ambulance personnel. The officer will escort violent patients into the facility and place that person in a designated treatment room as directed by a staff member. The officer should physically remain in the treatment room with the patient until relieved by security or other facility personnel.

408.12  RESTRAINTS
If the patient is violent or potentially violent, the officer will notify the staff of his/her concern upon arrival to the facility. The staff member will have discretion as to whether soft-restraints will be used. If these restraints are desired, the officer will wait while they are being applied to help provide physical control of the patient, if needed.

408.13  CONFISCATION OF FIREARMS AND OTHER WEAPONS
Whenever a person has been detained or apprehended for examination and is found to have in his/her possession or under his/her immediate control, any firearm whatsoever or any other dangerous weapon, and the handling officer reasonably believes the weapon represents a danger to the person or others if the person is released, the firearm or other dangerous weapon should be taken into temporary custody for safekeeping. Any weapon seized shall be booked into property pending its release.
The Mentally Ill Person

If the detained subject is prohibited from possessing or carrying a firearm pursuant to RCW 9.41.040, the firearm should be seized as evidence. Officers shall document the violation in a crime report.

This policy does not provide an officer with the authority or permission to conduct a search for weapons beyond that allowed under the law. Officers are cautioned that a search warrant may be needed before entering a residence to search unless lawful, warrantless entry has already been made (e.g., exigent circumstances, valid consent).

The handling officer shall further advise the person of the below described procedure for the return of any firearm or other dangerous weapon which has been confiscated.

408.14 RETURN OF CONFISCATED FIREARMS AND WEAPONS
The seized weapon shall be eligible for release to the lawful owner or other authorized individual unless such weapon(s) represent evidence in a criminal matter.

Prior to releasing any weapon, Evidence Room personnel shall be required to ensure the person is legally eligible to possess the weapon.

408.15 TRAINING
The Washougal Police Department will follow the Crisis Intervention Team Model established by Memphis PD. To become certified, an officer must complete a 40-hour training course. Ongoing training of two hours per year is required to maintain certification. Areas that may be covered in training are causes of mental health, symptoms and treatments for persons in a mental health crisis; communication and de-escalation techniques for dealing with these situations, and the available resources and civil processes for persons with mental illness.
Citation Releases

409.1 PURPOSE AND SCOPE
The purpose of this policy is to provide members of the Washougal Police Department with guidance on when to release adults who are suspected offenders on a citation and notice to appear in court for a criminal offense, rather than having the person held in custody for a court appearance or released on bail.

409.2 POLICY
The Washougal Police Department will consider its resources and its mission of protecting the community when exercising any discretion to release suspected offenders on a citation and notice to appear in court, when authorized to do so.

409.3 RELEASE
A suspected offender may be released on issuance of a citation and notice to appear in court by an officer whenever a person is arrested or could have been arrested pursuant to statute for a violation of law which is punishable as a misdemeanor or gross misdemeanor (Criminal Rules, CrRLJ 2.1(b)(1)).

409.4 PROHIBITIONS
The release of a suspected offender on a citation and notice to appear is not permitted when:

(a) A person has been arrested pursuant to RCW 10.31.100(2) (restraining orders).

(b) An officer has probable cause to believe that the person arrested has violated RCW 46.61.502 (DUI) or RCW 46.61.504 (physical control of a vehicle while DUI) or equivalent local ordinance and the officer has knowledge that the person has a prior offense as defined in RCW 46.61.5055 (alcohol and drug violators) within the last 10 years, or that the person is charged with or is awaiting arraignment for an offense that would quality as a prior offense under RCW 46.61.5055 if it were a conviction (RCW 10.31.100; Criminal Rules, CrRLJ 3.2(o)(3)).

See the Domestic Violence Policy for release restrictions related to those investigations.

409.5 CONSIDERATIONS
In determining whether to cite and release a person, officers shall consider whether (Criminal Rules, CrRLJ 2.1(b)(2)):

(a) The suspected offender has identified him/herself satisfactorily.

(b) Detention appears reasonably necessary to prevent imminent bodily harm to the suspected offender or another, property damage or breach of the peace.

(c) The suspected offender has ties to the community reasonably sufficient to assure his/her appearance or whether there is substantial likelihood that he/she will refuse to respond to the citation and notice.
(d) The suspected offender previously has failed to appear in response to a citation and notice issued pursuant to the court rule or to other lawful process.
Arrest or Detention of Foreign Nationals

410.1 PURPOSE AND SCOPE
This policy provides guidelines to ensure that members of the Washougal Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

410.2 POLICY
The Washougal Police Department respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

410.3 CLAIMS OF IMMUNITY
If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

(a) Notify a supervisor.

(b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person’s status.

(c) Request the person’s identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.

(d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089, or at another current telephone number and inform the center of the circumstances.

(e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETTS), designating “US” as the state.

410.4 ENFORCEMENT ACTION
If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:
Arrest or Detention of Foreign Nationals

(a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear.

(b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.

(c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.
   1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving may proceed but they shall not be compelled.

(d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:
   1. Diplomatic-level staff of missions to international organizations and recognized family members
   2. Diplomatic agents and recognized family members
   3. Members of administrative and technical staff of a diplomatic mission and recognized family members
   4. Career consular officers, unless the person is the subject of a felony warrant

(e) The following persons may generally be detained and arrested:
   1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
   2. Support staff of missions to international organizations
   3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
   4. Honorary consular officers

410.5 DOCUMENTATION
All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

410.6 DIPLOMATIC IMMUNITY TABLE
Reference table on diplomatic immunity:

<table>
<thead>
<tr>
<th>Category</th>
<th>Arrested or Detained</th>
<th>Enter Residence Subject to Ordinary Procedures</th>
<th>Issued Traffic Citation</th>
<th>Subpoenaed as Witness</th>
<th>Prosecuted</th>
<th>Recognized Family Members</th>
</tr>
</thead>
</table>
## Arrest or Detention of Foreign Nationals

<table>
<thead>
<tr>
<th>Category</th>
<th>Yes (note a)</th>
<th>Yes (note c)</th>
<th>Yes (note d)</th>
<th>No (note b)</th>
<th>No</th>
<th>Yes</th>
<th>No</th>
<th>Same as sponsor (full immunity &amp; inviolability)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Diplomatic Agent</strong></td>
<td>No (note b)</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Same as sponsor (full immunity &amp; inviolability)</td>
</tr>
<tr>
<td><strong>Member of Admin and Tech Staff</strong></td>
<td>No (note b)</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Same as sponsor (full immunity &amp; inviolability)</td>
</tr>
<tr>
<td><strong>Service Staff</strong></td>
<td>Yes (note a)</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes (note a)</td>
<td></td>
</tr>
<tr>
<td><strong>Career Consul Officer</strong></td>
<td>Yes if for a felony and pursuant to a warrant (note a)</td>
<td>Yes (note d)</td>
<td>Yes</td>
<td>No for official acts. Testimony may not be compelled in any case.</td>
<td>No</td>
<td>No</td>
<td>No for official acts. Yes otherwise (note a).</td>
<td></td>
</tr>
<tr>
<td><strong>Honorable Consul Officer</strong></td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No for official acts. Yes otherwise.</td>
<td>No</td>
<td>No</td>
<td>No for official acts. Yes otherwise.</td>
<td></td>
</tr>
<tr>
<td><strong>Consulate Employees</strong></td>
<td>Yes (note a)</td>
<td>Yes</td>
<td>Yes</td>
<td>No for official acts. Yes otherwise.</td>
<td>No</td>
<td>No</td>
<td>No for official acts. Yes otherwise (note a).</td>
<td></td>
</tr>
<tr>
<td><strong>Int'l Org Staff (note b)</strong></td>
<td>Yes (note c)</td>
<td>Yes (note c)</td>
<td>Yes</td>
<td>Yes (note c)</td>
<td>No</td>
<td>No</td>
<td>No for official acts. Yes otherwise (note c).</td>
<td></td>
</tr>
<tr>
<td><strong>Diplomatic-Level Staff of Missions to Int'l Org</strong></td>
<td>No (note b)</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Same as sponsor (full immunity &amp; inviolability)</td>
<td></td>
</tr>
<tr>
<td><strong>Support Staff of Missions to Int'l Orgs</strong></td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No immunity or inviolability</td>
<td></td>
</tr>
</tbody>
</table>

Notes for diplomatic immunity table:

(a) This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.
Arrest or Detention of Foreign Nationals

(b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or in the prevention of serious criminal acts.

(c) A small number of senior officers are entitled to be treated identically to diplomatic agents.

(d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.
Rapid Response and Deployment

411.1 PURPOSE AND SCOPE
Violence that is committed in schools, workplaces and other locations by individuals or a group of individuals who are determined to target and kill persons and to create mass casualties presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist responding officers in situations that call for rapid response and deployment.

411.2 POLICY
The Washougal Police Department will endeavor to plan for rapid response to crisis situations, and to coordinate response planning with other emergency services as well as with those that are responsible for operating sites that may be the target of a critical incident.

Nothing in this policy shall preclude the use of reasonable force, deadly or otherwise, by members of the Department in protecting themselves or others from death or serious injury.

411.3 FIRST RESPONSE
If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding officers should consider reasonable options to reduce, prevent or eliminate the threat. Officers must decide, often under a multitude of difficult and rapidly evolving circumstances, whether to advance on the suspect, take other actions to deal with the threat or wait for additional resources.

If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity toward others, officers should take immediate action, if reasonably practicable, while requesting additional assistance.

Officers should remain aware of the possibility that an incident may be part of a coordinated multi-location attack that may require some capacity to respond to other incidents at other locations.

When deciding on a course of action officers should consider:

(a) Whether to advance on or engage a suspect who is still a possible or perceived threat to others. Any advance or engagement should be made based on information known or received at the time.

(b) Whether to wait for additional resources or personnel. This does not preclude an individual officer from taking immediate action.

(c) Whether individuals who are under imminent threat can be moved or evacuated with reasonable safety.

(d) Whether the suspect can be contained or denied access to victims.

(e) Whether the officers have the ability to effectively communicate with other personnel or resources.

(f) Whether planned tactics can be effectively deployed.
(g) The availability of rifles, shotguns, shields, breaching tools, control devices and any other appropriate tools, and whether the deployment of these tools will provide a tactical advantage.

In a case of a barricaded suspect with no hostages and no immediate threat to others, officers should consider summoning and waiting for additional assistance (special tactics and/or hostage negotiation team response).

411.4 CONSIDERATIONS
When dealing with a crisis situation members should:

(a) Assess the immediate situation and take reasonable steps to maintain operative control of the incident.

(b) Obtain, explore and analyze sources of intelligence and known information regarding the circumstances, location and suspect involved in the incident.

(c) Attempt to attain a tactical advantage over the suspect by reducing, preventing or eliminating any known or perceived threat.

(d) Attempt, if feasible and based upon the suspect’s actions and danger to others, a negotiated surrender of the suspect and release of the hostages.

411.5 PLANNING
The Captain should coordinate critical incident planning. Planning efforts should consider:

(a) Identification of likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.

(b) Availability of building plans and venue schematics of likely critical incident target sites.

(c) Communications interoperability with other law enforcement and emergency service agencies.

(d) Training opportunities in critical incident target sites, including joint training with site occupants.

(e) Evacuation routes in critical incident target sites.

(f) Patrol first-response training.

(g) Response coordination and resources of emergency medical and fire services.

(h) Equipment needs.

(i) Mutual aid agreements with other agencies.

(j) Coordination with private security providers in critical incident target sites.

411.6 TRAINING
The Captain should include rapid response to critical incidents in the training plan. This training should address:
Rapid Response and Deployment

(a) Orientation to likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.

(b) Communications interoperability with other law enforcement and emergency service agencies.

(c) Patrol first-response training, including patrol rifle, breaching tool, and control device training.

(d) First aid, including gunshot trauma.

(e) Reality-based scenario training (e.g., active shooter, disgruntled violent worker).

411.7 SCHOOL NOTIFICATION
The Patrol Captain should establish protocols for public and private school notification in the event an incident reasonably appears to require a lockdown or evacuation. Protocols should include notification to all known schools in the vicinity of the incident that may be similarly threatened (RCW 28A.320.125).
Immigration Violations

412.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines to members of the Washougal Police Department relating to immigration laws and interacting with federal immigration officials (RCW 43.10.315).

412.2 POLICY
It is the policy of the Washougal Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

412.3 VICTIMS AND WITNESSES
To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and without regard to race, ethnicity, or national origin in any way that would violate the United States or Washington constitutions.

412.4 INFORMATION SHARING
No member of this department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373):

(a) Sending information to, or requesting or receiving such information from federal immigration officials

(b) Maintaining such information in department records

(c) Exchanging such information with any other federal, state, or local government entity

412.5 FEDERAL REQUESTS FOR ASSISTANCE
Requests by federal immigration officials for assistance from this department should be directed to a supervisor. The Department may provide available support services, such as traffic control or peacekeeping efforts.

412.6 TRAINING
The Captain should ensure that officers receive immigration training on this policy.

Training should include:
Immigration Violations

(a) Identifying civil versus criminal immigration violations.

(b) Factors that may be considered in determining whether a criminal immigration offense has been committed.

(c) Statutory limitations on immigration enforcement.

412.7 U VISA AND T VISA NONIMMIGRANT STATUS

Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)).

Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)).

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Detective Section supervisor assigned to oversee the handling of any related case. The Detective Section supervisor should:

(a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.

(b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.

(c) Address the request and complete the certification or declaration, if appropriate, in a timely manner (RCW 7.98.020).

1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.

(d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.

412.7.1 TIME FRAME FOR COMPLETION

The Detective Section supervisor should ensure that the certification for the U visa or T visa is processed within 90 days of the request, unless the victim is in federal immigration removal proceedings, in which case the certification shall be executed within 14 days after the request is received. The certification may be withdrawn only if the victim unreasonably refuses to provide information and assistance related to the investigation or prosecution of the associated criminal activity when reasonably requested by the Department (RCW 7.98.020).

412.7.2 U VISA AND T VISA DOCUMENTATION AND REPORTING

The Detective Section supervisor shall keep written documentation regarding the number of certification forms that are (RCW 7.98.020):

(a) Requested by a victim.

(b) Signed.

(c) Denied.
Immigration Violations

(d) Withdrawn.

The Detective Section supervisor or the authorized designee should ensure that the information collected regarding certification forms is reported annually to the Office of Crime Victims Advocacy (RCW 7.98.020).

412.8 WASHINGTON STATE IMMIGRATION RESTRICTIONS

Members shall not (RCW 10.93.160):

(a) Inquire into or collect information about an individual’s immigration or citizenship status, or place of birth unless there is a connection between such information and an investigation into a violation of state or local criminal law.

(b) Provide information pursuant to notification requests from federal immigration authorities for the purposes of civil immigration enforcement, except as required by law.

(c) Provide nonpublicly available personal information about an individual to federal immigration authorities in a noncriminal matter, except as required by state or federal law.

(d) Give federal immigration authorities access to interview individuals about a noncriminal matter while they are in custody, except as required by state or federal law, a court order, or written consent of the individual.

(e) Allow a federal immigration authority to conduct an interview regarding federal immigration violations with a person who is in custody if the person has not consented in writing to be interviewed. In order to obtain consent, the person shall be provided with an oral explanation and a written consent form that explains the purpose of the interview, that the interview is voluntary, and that the person may decline to be interviewed or may choose to be interviewed only with the person’s attorney present.

(f) Detain individuals solely for the purpose of determining their immigration status.

(g) Take a person into custody or hold a person in custody:
   1. Solely for the purposes of determining immigration status
   2. Based solely on a civil immigration warrant issued by a federal immigration authority
   3. On an immigration hold request

412.8.1 SCHOOL RESOURCE OFFICERS

Members who are school resource officers shall not (RCW 10.93.160):

(a) Inquire or collect information about an individual’s immigration or citizenship status, or place of birth.

(b) Provide information pursuant to notification requests from federal immigration officials for the purposes of civil immigration enforcement, except as required by law.
Emergency Utility Service

413.1 PURPOSE AND SCOPE
The City Public Works Department has personnel available to handle emergency calls 24 hours per day. Calls for service during non-business hours are frequently directed to the Police Department. Requests for such service received by this department should be handled in the following manner.

413.1.1 BROKEN WATER LINES
The City’s responsibility ends at the water meter; any break or malfunction in the water system from the water meter to the citizen's residence or business is the customer's responsibility. Public Works can only turn off the valve at the meter. The citizen can normally accomplish this.

If a break occurs on the City side of the meter, emergency personnel should be called as soon as practical by the Dispatch Center.

413.1.2 ELECTRICAL LINES
City Public Works does not maintain electrical lines to street light poles. When a power line poses a hazard, an officer should be dispatched to protect against personal injury or property damage that might be caused by power lines. The Electric Company or Public Works should be promptly notified, as appropriate.

413.1.3 RESERVOIRS, PUMPS, WELLS, ETC.
Public Works maintains the reservoirs and public water equipment, as well as several underpass and other street drainage pumps. In the event of flooding or equipment malfunctions, emergency personnel should be contacted as soon as possible.

413.1.4 EMERGENCY NUMBERS
A current list of emergency personnel who are to be called for municipal utility emergencies is maintained by the Dispatch Center.

413.2 TRAFFIC SIGNAL MAINTENANCE
The City of Washougal contracts with a private maintenance company to furnish maintenance for all traffic signals within the City, other than those maintained by the State of Washington.

413.2.1 OFFICER’S RESPONSIBILITY
Upon observing a damaged or malfunctioning signal, the officer will advise the Dispatch Center of the location and problem with the signal. The dispatcher should make the necessary notification to the proper maintenance agency.
Aircraft Accidents

414.1 PURPOSE AND SCOPE
The purpose of this policy is to provide department members with guidelines for handling aircraft accidents.

This policy does not supersede, and is supplementary to, applicable portions of the Crime and Disaster Scene Integrity, Emergency Management Plan and Hazardous Material Response policies.

414.1.1 DEFINITIONS
Definitions related to this policy include:

Aircraft - Any fixed wing aircraft, rotorcraft, balloon, blimp/ dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle other than those intended for non-commercial recreational use.

414.2 POLICY
It is the policy of the Washougal Police Department to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

414.3 ARRIVAL AT SCENE
Officers or other authorized members tasked with initial scene management should establish an inner and outer perimeter to:

(a) Protect persons and property.
(b) Prevent any disturbance or further damage to the wreckage or debris, except to preserve life or rescue the injured.
(c) Preserve ground scars and marks made by the aircraft.
(d) Manage the admission and access of public safety and medical personnel to the extent necessary to preserve life or to stabilize hazardous materials.
(e) Maintain a record of persons who enter the accident site.
(f) Consider implementation of an Incident Command System (ICS).

414.4 INJURIES AND CASUALTIES
Members should address emergency medical issues and provide care as a first priority.

Those tasked with the supervision of the scene should coordinate with the National Transportation Safety Board (NTSB) before the removal of bodies. If that is not possible, the scene supervisor should ensure documentation of what was disturbed, including switch/control positions and instrument/gauge readings.
414.5 NOTIFICATIONS
When an aircraft accident is reported to this department, the responding supervisor shall ensure notification is or has been made to NTSB, the Federal Aviation Administration (FAA), and when applicable, the appropriate branch of the military.

Supervisors shall ensure other notifications are made once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and the type of aircraft involved. When an aircraft accident has occurred, it is generally necessary to notify the following:

(a) Fire department
(b) Appropriate airport tower
(c) Emergency medical services (EMS)

414.6 CONTROLLING ACCESS AND SCENE AUTHORITY
Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

(a) FAA.
(b) Fire department, EMS or other assisting law enforcement agencies.
(c) Medical Examiner.
(d) Air Carrier/Operators investigative teams with NTSB approval.
(e) Appropriate branch of the military, when applicable.
(f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.

After the NTSB or military representative arrives on-scene, the efforts of this department will shift to a support role for those agencies.

If NTSB or a military representative determines that an aircraft or accident does not qualify under its jurisdiction, the on-scene department supervisor should ensure the accident is still appropriately investigated and documented.

414.7 DANGEROUS MATERIALS
Members should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

(a) Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordnance.
(b) Pressure vessels, compressed gas bottles, accumulators and tires.
Aircraft Accidents

(c) Fluids, batteries, flares and igniters.
(d) Evacuation chutes, ballistic parachute systems and composite materials.

414.8 DOCUMENTATION
All aircraft accidents occurring within the City of Washougal shall be documented. At a minimum the documentation should include the date, time and location of the incident; any witness statements, if taken; the names of WPD members deployed to assist; other City resources that were utilized; and cross reference information to other investigating agencies. Suspected criminal activity should be documented on the appropriate crime report.

414.8.1 WRECKAGE
When reasonably safe, members should:
(a) Obtain the aircraft registration number (N number) and note the type of aircraft.
(b) Attempt to ascertain the number of casualties.
(c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.
   1. Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).
(d) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged or cell phones or other recording devices that are part of the wreckage.
(e) Acquire copies of any recordings from security cameras that may have captured the incident.

414.8.2 WITNESSES
Members tasked with contacting witnesses should obtain:
(a) The location of the witness at the time of his/her observation relative to the accident site.
(b) A detailed description of what was observed or heard.
(c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.
(d) The names of all persons reporting the accident, even if not yet interviewed.
(e) Any audio recordings of reports to 9-1-1 regarding the accident and dispatch records.

414.9 MEDIA RELATIONS
The Public Information Officer (PIO) should coordinate a response to the media, including access issues, road closures, detours and any safety information that is pertinent to the surrounding community. Any release of information regarding details of the accident itself should
Aircraft Accidents

be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims’ names. The PIO should coordinate with other involved entities before the release of information.
Field Training Officer Program

415.1 PURPOSE AND SCOPE
The Field Training Officer Program is intended to provide a standardized program to facilitate the officer's transition from the academic setting to the actual performance of general law enforcement duties of the Washougal Police Department.

It is the policy of this department to assign all new police officers to a structured Field Training Officer Program that is designed to prepare the new officer to perform in a patrol assignment possessing all skills needed to operate in a safe, productive and professional manner.

415.2 FIELD TRAINING OFFICER SELECTION AND TRAINING
The Field Training Officer (FTO) is an experienced officer trained in the art of supervising, training and evaluating entry level and lateral police officers in the application of their previously acquired knowledge and skills.

415.2.1 SELECTION PROCESS
FTOs will be selected based on the following requirements:

(a) Desire to be an FTO.
(b) Minimum of four years of patrol experience, two of which shall be with this department.
(c) Demonstrated ability as a positive role model.
(d) Participate and pass an internal oral interview selection process.
(e) Evaluation by supervisors and current FTOs.
(f) Holds a valid Peace Officer Certificate with CJTC.

415.2.2 TRAINING
An officer selected as a Field Training Officer shall successfully complete a CJTC Certified (40-hour) Field Training Officer's Course prior to being assigned as an FTO.

415.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR
The Field Training Officer Program supervisor will be selected from the rank of sergeant or above by the Patrol Captain or his/her designee and shall possess a CJTC Supervisory Certificate.

The responsibilities of the FTO Program Supervisor include the following:

(a) Assignment of trainees to FTOs.
(b) Conduct FTO meetings.
(c) Maintain and ensure FTO/Trainee performance evaluations are completed.
(d) Maintain, update and issue the Field Training Manual to each trainee.
(e) Monitor individual FTO performance.
(f) Monitor overall FTO Program.

(g) Maintain liaison with FTO Coordinators of other agencies.

(h) Maintain liaison with academy staff on recruit performance during the academy.

(i) Develop ongoing training for FTOs.

415.4 TRAINEE DEFINED

Any entry level or lateral police officer newly appointed to the Washougal Police Department who has successfully completed a CJTC approved Basic Academy.

415.5 REQUIRED TRAINING

Entry level officers shall be required to successfully complete the Field Training Program, consisting of a minimum of 10 weeks.

The training period for lateral officers may be modified depending on the trainee's demonstrated performance and level of experience, but shall consist of a minimum of eight weeks.

To the extent practicable, entry level and lateral officers should be assigned to a variety of Field Training Officers, shifts and geographical areas during their Field Training Program.

415.5.1 FIELD TRAINING MANUAL

Each new officer will be issued a Field Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and/or skills necessary to properly function as an officer with the Washougal Police Department. The officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

The Field Training Manual will specifically cover those policies, procedures, rules and regulations enacted by the Washougal Police Department.

415.6 EVALUATIONS

Evaluations are an important component of the training process and shall be completed as outlined below.

415.6.1 FIELD TRAINING OFFICER

The FTO will be responsible for the following:

(a) Complete and submit a written evaluation on the performance of his/her assigned trainee to the FTO program supervisor on a daily basis.

(b) Review the Daily Trainee Performance Evaluations with the trainee each day.

(c) Complete a detailed end-of-phase performance evaluation on his/her assigned trainee at the end of each phase of training.
(d) Sign off all completed topics contained in the Field Training Manual, noting the method(s) of learning and evaluating the performance of his/her assigned trainee.

415.6.2 IMMEDIATE SUPERVISOR
The immediate supervisor shall review and approve the Daily Trainee Performance Evaluations and forward them to the Field Training Administrator.

415.6.3 FIELD TRAINING ADMINISTRATOR
The Field Training Administrator will review and approve the Daily Trainee Performance Evaluations submitted by the FTO through his/her immediate supervisor.

415.6.4 TRAINEE
At the completion of the Field Training Program, the trainee shall submit a confidential performance evaluation on each of their FTO's and on the Field Training Program.

415.7 DOCUMENTATION
All documentation of the Field Training Program will be retained in the officer's training files and will consist of the following:

(a) Daily Trainee Performance Evaluations.

(b) End of phase evaluations.

(c) A Certificate of Completion certifying that the trainee has successfully completed the required number of hours of field training.
Obtaining Air Support

416.1 PURPOSE AND SCOPE
The use of a police air support can be invaluable in certain situations. This policy specifies potential situations where the use of air support may be requested and the responsibilities for making a request.

416.2 REQUEST FOR AIR SUPPORT ASSISTANCE
If a supervisor or officer in charge of an incident determines that the use of air support would be beneficial he or she should contact CRESA to determine if one is available. Some agencies in the Portland/Vancouver metro area have part time fixed wing air assets, WSP also has fixed wing air attets based in the Olympia area and may also be available depending on the incident.

416.2.1 REQUEST FOR AIR SUPPORT ASSISTANCE FROM ANOTHER AGENCY
If air support is available, and the agency having the air support asset agrees to assist, the supervisor or officer in charge of the incident should contact the aircrew to apprise them of the specific details of the incident and maintain communications with the aircrew.

416.2.2 CIRCUMSTANCES UNDER WHICH AID MAY BE REQUESTED
Air support may be requested under any of the following conditions:

   (a) When air support is activated under existing mutual aid agreements.
   (b) Whenever the safety of law enforcement personnel is in jeopardy and the presence of air support may reduce such hazard.
   (c) When the use of air support will aid in the capture of a suspected fleeing felon whose continued freedom represents an ongoing threat to the community.
   (d) When air support is needed to locate a person who has strayed or is lost and whose continued absence constitutes a serious health or safety hazard.
   (e) Vehicle pursuits.

While it is recognized that the availability of air support will generally provide valuable assistance to ground personnel, the presence of air support will rarely replace the need for officers on the ground.
Contacts and Temporary Detentions

417.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews (FI) and pat-down searches, and the taking and disposition of photographs.

417.1.1 DEFINITIONS
Consensual encounter - When an officer contacts an individual but does not create a detention through words, actions, or other means. In other words, a reasonable individual would believe that his/her contact with the officer is voluntary.

Field interview (FI) - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purposes of determining the individual's identity and resolving the officer's suspicions.

Field photographs - Posed photographs taken of a person during a contact, detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio Video (MAV) system, body-worn camera, or public safety camera when persons are not posed for the purpose of photographing are not considered field photographs.

Pat-down search - A type of search used by officers in the field to check an individual for dangerous weapons. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee, or others.

Reasonable suspicion - When, under the totality of the circumstances, an officer has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

Temporary detention - When an officer intentionally, through words, actions or physical force, causes an individual to reasonably believe he/she is required to restrict his/her movement without an actual arrest. Temporary detentions also occur when an officer actually restrains a person’s freedom of movement.

417.2 FIELD INTERVIEWS
Based on observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a person, and conduct an FI, when there is articulable, reasonable suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the officer’s suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the Washougal Police Department to strengthen community involvement, community awareness, and problem identification.
Contacts and Temporary Detentions

417.2.1 INITIATING A FIELD INTERVIEW
When initiating the stop, the officer should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the stop. Such facts include but are not limited to an individual's:

(a) Appearance or demeanor suggesting that he/she is part of a criminal enterprise or is engaged in a criminal act.
(b) Actions suggesting that he/she is engaged in a criminal activity.
(c) Presence in an area at an inappropriate hour of the day or night.
(d) Presence in a particular area is suspicious.
(e) Carrying of suspicious objects or items.
(f) Excessive clothes for the climate or clothes bulging in a manner that suggests he/she is carrying a dangerous weapon.
(g) Location in proximate time and place to an alleged crime.
(h) Physical description or clothing worn that matches a suspect in a recent crime.
(i) Prior criminal record or involvement in criminal activity as known by the officer.

417.3 PAT-DOWN SEARCHES
Once a valid stop has been made, and consistent with the officer’s training and experience, an officer may pat a suspect’s outer clothing for weapons if the officer has a reasonable, articulable suspicion the suspect may pose a safety risk. The purpose of this limited search is not to discover evidence of a crime, but to allow the officer to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include but are not limited to the following:

(a) The type of crime suspected, particularly in crimes of violence where the use or threat of deadly weapons is involved.
(b) Where more than one suspect must be handled by a single officer.
(c) The hour of the day and the location or neighborhood where the stop takes place.
(d) Prior knowledge of the suspect's use of force and/or propensity to carry weapons.
(e) The actions and demeanor of the suspect.
(f) Visual indications which suggest that the suspect is carrying a firearm or other dangerous weapon.

Whenever practicable, pat-down searches should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.

417.4 FIELD PHOTOGRAPHS
All available databases should be searched before photographing any field detainee. If a photograph is not located, or if an existing photograph no longer resembles the detainee, the officer shall carefully consider, among other things, the factors listed below.
Contacts and Temporary Detentions

417.4.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT
Field photographs may be taken when the subject of the photograph knowingly and voluntarily gives consent. When taking a consensual photograph, the officer should have the individual read and sign the appropriate form accompanying the photograph.

417.4.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT
Field photographs may be taken without consent only if they are taken during a detention that is based on reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. The officer must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct. The subject should not be ordered to remove or lift any clothing for the purpose of taking a photograph.

If, prior to taking a photograph, the officer’s reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs shall be uploaded to Quetel and retained in compliance with this policy.

417.4.3 SUPERVISOR RESPONSIBILITIES
While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph is taken.

Access to, and use of, field photographs shall be strictly limited to law enforcement purposes.

417.4.4 DISPOSITION OF PHOTOGRAPHS
All detainee photographs must be adequately labeled and submitted to Quetel and an FI or police report will be completed explaining the nature of the contact. If an individual is photographed as a suspect in a particular crime, the photograph should be submitted as an evidence item in the related case, following standard evidence procedures.

If a photograph is not associated with an investigation and a case number was not pulled then an FI must be completed.

When a photograph is taken in association with a particular case, the investigator may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs shall be retained in accordance with the established records retention schedule.

417.5 WITNESS IDENTIFICATION AND INTERVIEWS
Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, officers should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with a supervisor and/or detective to utilize available members for the following:

(a) Identifying all persons present at the scene and in the immediate area.
Contacts and Temporary Detentions

1. When feasible, a recorded statement should be obtained from those who claim not to have witnessed the incident but who were present at the time it occurred.

2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.

(b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by department members.

1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transport.

417.6 POLICY
The Washougal Police Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the officer, the decision to temporarily detain a person and complete an FI, pat-down search, or field photograph shall be left to the officer based on the totality of the circumstances, officer safety considerations, and constitutional safeguards.
Shift Supervisors

418.1 PURPOSE AND SCOPE
Each patrol shift is directed by supervisors who are capable of making decisions and communicating in a manner consistent with departmental policies, procedures, practices, functions and objectives.

418.2 DESIGNATION AS ACTING SHIFT SUPERVISOR
When a sergeant is unavailable for duty as shift supervisor, an officer shall be designated as the acting shift supervisor. The sergeant is responsible for designating an officer as the acting shift supervisor if the sergeant's absence is scheduled in advance.
Mobile Digital Computer Use

419.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Digital Computer (MDC) system in order to ensure appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between department members and CRESA.

419.2 POLICY
Washougal Police Department members using the MDC shall comply with all appropriate federal and state rules and regulations and shall use the MDC in a professional manner, in accordance with this policy.

419.3 PRIVACY EXPECTATION
Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

419.4 RESTRICTED ACCESS AND USE
MDC use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDC system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDC by another member to a supervisor.

Use of the MDC system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the MDC system is prohibited and may result in discipline.

It is a violation of this policy to transmit a message or access a law enforcement database under another member’s name or to use the password of another member to log in to the MDC system unless directed to do so by a supervisor. Members are required to log off the MDC or secure the MDC when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

419.4.1 USE WHILE DRIVING
Use of the MDC by the vehicle operator should be limited to times when the vehicle is stopped. Information that is required for immediate enforcement, investigative, tactical or safety needs should be transmitted over the radio.
**Mobile Digital Computer Use**

In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

**419.5 DOCUMENTATION OF ACTIVITY**

Except as otherwise directed by a supervisor or other department-established protocol, all calls for service assigned by dispatch should be communicated by voice over the police radio and electronically via the MDC unless security or confidentiality prevents such broadcasting.

MDC and voice transmissions are used to document the member’s daily activity. To ensure accuracy:

(a) All contacts or activity shall be documented at the time of the contact.

(b) All voice activity on control channels are recorded.

(c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDC.

**419.5.1 STATUS CHANGES**

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted over the police radio or through the MDC system.

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDC when the vehicle is not in motion.

**419.5.2 EMERGENCY ACTIVATION**

If there is an emergency activation and the member does not respond to a request for confirmation of the need for emergency assistance or confirms the need, available resources will be sent to assist in locating the member. If the location is known, the nearest available officer should respond in accordance with the Officer Response to Calls Policy.

Members should ensure a supervisor is notified of the incident without delay.

Officers not responding to the emergency shall refrain from transmitting on the police radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

**419.6 EQUIPMENT CONSIDERATIONS**

**419.6.1 MALFUNCTIONING MDC**

Whenever possible, members will not use vehicles with malfunctioning MDCs. Whenever members must drive a vehicle in which the MDC is not working, they shall notify CRESA.

**419.6.2 BOMB CALLS**

When investigating reports of possible bombs, members should not communicate on their MDCs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDC could cause some devices to detonate.
Bicycle Patrol

420.1 PURPOSE AND SCOPE
The Washougal Police Department has bicycles for the purpose of enhancing patrol efforts in the community. Bicycle patrol has been shown to be an effective way to increase officer visibility in congested areas and their quiet operation can provide a tactical approach to crimes in progress. The purpose of this policy is to provide guidelines for the safe and effective operation of the patrol bicycle.

420.2 POLICY
Patrol bicycles may be used for regular patrol duty, traffic enforcement, parking control, or special events. The use of the patrol bicycle will emphasize their mobility and visibility to the community.

Bicycles may be deployed to any area at all hours of the day or night, according to department needs and as staffing levels allow.

Requests for specific deployment of bicycle patrol officers shall be coordinated through the Bicycle Patrol Unit supervisor or the Patrol Sergeant.

420.3 TRAINING
Participants in the program must complete an initial department-approved bicycle-training course after acceptance into the program. Thereafter bicycle patrol officers should receive twice yearly in-service training to improve skills and refresh safety, health and operational procedures. The initial training shall minimally include the following:

- Bicycle patrol strategies.
- Bicycle safety and accident prevention.
- Operational tactics using bicycles.

Bicycle patrol officers will be required to qualify with their duty firearm while wearing bicycle safety equipment including the helmet and riding gloves.

420.4 UNIFORMS AND EQUIPMENT
Officers shall wear the department-approved uniform and safety equipment while operating the department bicycle. Safety equipment includes department-approved helmet, riding gloves, protective eyewear and approved footwear.

The bicycle patrol unit uniform consists of the standard short-sleeve uniform shirt or other department-approved shirt with department badge and patches and department-approved bicycle patrol pants or shorts.

Optional equipment includes jacket in colder weather, turtleneck shirts or sweaters when worn under the uniform shirt, and a radio head set and microphone.
Bicycle patrol officers shall carry the same equipment on the bicycle patrol duty belt as they would on a regular patrol assignment.

Officers will be responsible for obtaining the necessary forms, citation books and other department equipment needed while on bicycle patrol.

420.5 CARE AND USE OF PATROL BICYCLES

Officers will be assigned a specially marked and equipped patrol bicycle, attached gear bag, two batteries, and a charger.

Bicycles are considered vehicles and are subject to laws, regulations, and privileges applicable to the operation of vehicles upon the highway (RCW 46.04.670).

Bicycles utilized for uniformed bicycle patrol shall be primarily black or white with a police decal affixed to each side of the crossbar or the bike’s saddlebag. Every such bicycle shall be equipped with front lights and rear reflectors or lights, and brakes satisfying the requirements of RCW 46.61.780.

Bicycles utilized for uniformed bicycle patrol shall be equipped with a rear rack and/or saddle bags sufficient to carry all necessary equipment to handle routine patrol calls including report writing, vehicle storage, and citations.

Each bicycle gear bag shall include a first aid kit, tire pump, repair tool, tire tube, security lock, equipment information, and use manuals. These items are to remain with/on the bicycle at all times.

Each bicycle shall be equipped with at least one blue lamp and a siren capable of giving an audible signal (RCW 46.37.190; WAC 204-21-130).

Bicycle officers shall conduct an inspection of the bicycle and equipment prior to use to insure proper working order of the equipment. Officers are responsible for the routine care and maintenance of their assigned equipment (e.g., tire pressure, chain lubrication, overall cleaning).

If a needed repair is beyond the ability of the bicycle officer, a repair work order will be completed and forwarded to the program supervisor for repair by an approved technician.

Each bicycle will have scheduled maintenance twice yearly to be performed by a department-approved repair shop/technician.

At the end of a bicycle assignment, the bicycle shall be returned clean and ready for the next tour of duty.

Electric patrol bicycle batteries shall be rotated on the assigned charger at the end of each tour of duty. During prolonged periods of non-use, each officer assigned an electric bicycle shall periodically rotate the batteries on the respective charges to increase battery life.

Officers shall not modify the patrol bicycle, remove, modify, or add components except with the expressed approval of the bicycle supervisor, or in the event of an emergency.
Vehicle bicycle racks are available should the officer need to transport the patrol bicycle. Due to possible component damage, transportation of the patrol bicycle in a trunk or on a patrol car push-bumper is discouraged.

Bicycles shall be properly secured when not in the officer’s immediate presence.

**420.6 OFFICER RESPONSIBILITY**

Officers must operate the bicycle in compliance with applicable codes under normal operation. Officers may operate the bicycle without lighting equipment during hours of darkness when such operation reasonably appears necessary for officer safety and/or tactical considerations. Officers must use caution and care when operating the bicycle without lighting equipment.

It shall be the policy of this department that all other bicycle operation shall be in compliance with the rules of the road except when responding to an emergency call or when in the pursuit of an actual or suspected violator. An emergency response or pursuit shall be conducted only with emergency lights and siren and under the conditions required by RCW 46.61.035 and with due regard and caution for the safety of all persons using the highway as required by RCW 46.61.035(4).
School Resource Officer (SRO)

421.1 PURPOSE
The purpose of this policy is to establish the Washougal Police School Resource Officer (SRO) program. The school resource officer program is a partnership between Washougal School District and the police department to provide a safe, drug-free and violence-free learning environment in the schools with an emphasis in the high school.

421.2 GENERAL RESPONSIBILITIES
To facilitate this purpose, the school resource officer will be responsible for taking reports, making arrests and working with school district personnel. In addition the school resource officer will:

(a) Establish and maintain a positive working relationships between the school administrators, faculty, staff, school security, and the police department.

(b) Establish and maintain positive working relationships with students, which may involve some counseling or mentoring.

(c) Act as a resource for students, faculty, school administrators, and the school district on delinquency prevention. Provide guidance on ethical issues in classroom settings; and to explain the law enforcement role in society.

(d) Identify and solve problems and mitigate potential problems.

(e) Work with and make referrals to the school at-risk advocate.

(f) Establish and maintain a positive working relationship with school staff members. Attending school staff meetings and selected after school functions are a critical component of the role.

(g) Coordinate with other district SRO’s and attend district SRO monthly meetings.

(h) Liaison with the Gang Task Force.

(i) Liaison with patrol to help solve problems which may have occurred away from school, but one or more of the parties involved are at the school.

(j) Work traffic on the roadways immediately adjacent to the school before, after, and during school when time allows.

School resource officers will transport to Juvenile Detention Hall only when absolutely necessary. Custodial decisions should be made collaboratively between the responsible school administrator and the SRO. Where no agreement can be reached, the SRO shall defer the decision to his/her sergeant or captain and the School District Superintendent. Custodial decisions should be based on the nature of the situation, including, but not limited to the following factors: The seriousness of the crime alleged, the age of the offender, whether the student is a habitual offender, or a violation of a ‘no-tolerance’ policy of the school district.
421.3 EXPECTATIONS
The SRO is the official representative of the police chief at the school. They shall wear the police department’s standard patrol uniform. Because of the uniqueness of this position it is imperative that officers assigned as school resource officers will:

(a) Report to the high school on time each day unless otherwise prearranged.
(b) Check their staff mailbox daily.
(c) Check their voice mail and e-mail daily on a regular basis.
(d) Be visible and available at the high school, including selected after school activities as requested by the school administration or as circumstances require.
(e) Have an excellent work attendance record.
(f) Log out with dispatch when handling a situation, and clear with dispatch when finished with the situation (for tracking purposes).
(g) Perform all the duties outlined above.

With the exception of Cape Horn-Skye School the school resource officer will respond to the other schools within the school district for emergencies and if case load allows. With a sergeant or captain’s approval the school resource officer may respond to Cape Horn-Skye School if the circumstance warrants.

The school resource officer, although primarily assigned to the high school, is still an officer of the Washougal Police Department. As such, they will be required to fulfill the normal obligations of an officer, i.e. general law enforcement, traffic enforcement, training, emergency call outs, and other assignments as deemed necessary by the police department.

421.4 TYPES OF CALLS HANDLED
School resource officers will be responsible for investigating the following types of incidents within the schools. The school resource officer may also investigate situations outside of those listed below in lieu of calling for a patrol officer.

(a) Crimes against school personnel or premises.
(b) Drug cases/charges.
(c) Weapons cases.
(d) Assaults with injuries.
(e) Thefts occurring on school premises.
(f) If warranted take initial report of crimes reported by students or faculty members at school but having occurred off school property.
(g) Any other situation which is in the best interest of the school, the district administration and the police department for the SRO to be involved as determined by the school, the district administration, the SRO, and the police department.
421.5 PROCEDURES

General

(a) This policy pertains to dealings with juveniles on school property during school hours or during school-sanctioned events. It does not pertain to juveniles using school facilities legally after school hours or juveniles trespassing or committing offenses on school property after school hours.

(b) Officers serving in security and related capacities for schools while in extra-duty assignments are subject to these policies and procedures.

Interviewing/Interrogating Students

(a) Except in exigent circumstances or in arrest situations as outlined in this policy, officers who wish to detain or question youths on school property shall first contact the school principal or his/her designate. To the degree possible, officers shall explain the nature of their business and the need to meet with the youth(s) in question.

(b) Generally, students should not be publicly contacted by officers in the school setting for purposes of questioning unless an arrest is anticipated or reasonably possible. Youths should be summoned by school officials to a private interview room or other appropriate area for purposes of questioning.

(c) School officials may be present as observers during interviews or questioning of students if they request.

(d) Officers shall not enlist school officials or employees to conduct interviews, inquiries, or similar fact-finding activities regarding students as part of an investigation.
   1. School officials who act at the direction of or on behalf of the interests of the police constructively become police officers, and, in so doing, must abide by the legal provisions pertaining to a police officer.
   2. Police officers are not precluded from questioning school officials with regard to their knowledge of youths in their charge, their activities, and similar matters.

Arrest/Removal of Students

(a) Students shall not be removed from school property without notifying the school principal or his/her designate. Officers are responsible for ensuring that the youth’s parent(s), guardian(s), or a responsible adult is notified of the youth’s removal irrespective of the responsibility of school officials to make such notification.

(b) Officers should notify the principal or his/her designate before making an arrest of a student during class hours on school property unless exigent circumstances exist or such notification would potentially jeopardize the ability of officers to safely and effectively make the arrest.

(c) Officers should avoid making arrests on school grounds when they may be made effectively elsewhere.

(d) Where possible, officers should not arrest juveniles on school grounds if the use of force is a reasonable possibility.
School Resource Officer (SRO)

(e) Officers should use handcuffs or other restraining devices when making arrests in schools whenever deemed necessary to ensure the security of juvenile arrestees and the safety of the officers and others.

(f) Arrest of students on school property should, to the degree possible, be conducted so as to minimize embarrassment to the student and disruption of school activities and functions.

Searching Students and Property

(a) Police searches of students and their property on school premises are generally subject to the same legal requirements for a search warrant and probable cause as other searches.

(b) Exceptions to the search warrant requirement (e.g., consent to search, emergency situations) that apply to non-school searches also apply to school searches.

(c) School officials may conduct searches of students and their property without a warrant but with reasonable suspicion.

1. Searches conducted by school officials upon the request of, or with the active participation of the police, require a search warrant.

2. Officers may only accompany school officials who are conducting a search without a search warrant, but may not participate with school officials in the search either directly or indirectly.

421.6 NOTIFICATION OF SCHOOL OFFICIALS

In any incident in which a threat has been made or alleged towards any school official, school property, or student, the on-duty supervisor shall notify the principal of the affected school. If the affected school is serviced by a school resource officer, the on-duty supervisor shall notify the school resource officer who shall then notify the affected school principal. During non-school hours, such as evenings and week-ends, the notification shall not be delayed until the next school day. The home phone numbers for school officials may be obtained through dispatch or the school resource officer. It is the intent of this policy that the principal be notified regardless of the time of day or the day of the week so that they may have the opportunity to address safety concerns in a timely fashion.
Foot Pursuits

422.1 PURPOSE AND SCOPE
This policy provides guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot.

422.2 POLICY
It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances.

422.3 DECISION TO PURSUE
The safety of department members and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and department members.

Officers may be justified in initiating a foot pursuit of any individual that the officer reasonably believes is about to engage in, is engaging in or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances presented at the time.

Mere flight by a person who is not suspected of criminal activity alone shall not serve as justification for engaging in an extended foot pursuit without the development of reasonable suspicion regarding the individual’s involvement in criminal activity or being wanted by law enforcement.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place department members and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:

(a) Containment of the area.
(b) Saturation of the area with law enforcement personnel, including assistance from other agencies.
(c) A canine search.
(d) Thermal imaging or other sensing technology.
Foot Pursuits

(e) Air support.

(f) Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

422.4 GENERAL GUIDELINES
When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when:

(a) Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory.

(b) The officer is acting alone.

(c) Two or more officers become separated, lose visual contact with one another or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.

(d) The officer is unsure of his/her location and direction of travel.

(e) The officer is pursuing multiple suspects and it is not reasonable to believe that the officer would be able to control the suspect should a confrontation occur.

(f) The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.

(g) The officer loses radio contact with the dispatcher or with assisting or backup officers.

(h) The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.

(i) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.

(j) The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.

(k) The officer loses possession of his/her firearm or other essential equipment.

(l) The officer or a third party is injured during the foot pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.

(m) The suspect’s location is no longer known.

(n) The identity of the suspect is established or other information exists that will allow for the suspect’s apprehension at a later time, and it reasonably appears that there is no immediate threat to department members or the public if the suspect is not immediately apprehended.
Foot Pursuits

(o) The officer’s ability to safely continue the foot pursuit is impaired by inclement weather, darkness or other environmental conditions.

422.5 RESPONSIBILITIES IN FOOT PURSUITS

422.5.1 INITIATING OFFICER RESPONSIBILITIES
Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit and containment. When acting alone and when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available:

(a) Location and direction of travel
(b) Call sign identifier
(c) Reason for the foot pursuit, such as the crime classification
(d) Number of suspects and description, to include name if known
(e) Whether the suspect is known or believed to be armed with a dangerous weapon

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the foot pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the officer will notify the dispatcher of his/her location and the status of the foot pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects or members of the public.

422.5.2 ASSISTING OFFICER RESPONSIBILITIES
Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize non-essential radio traffic to permit the involved officers maximum access to the radio frequency.

422.5.3 SUPERVISOR RESPONSIBILITIES
Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever possible;
Foot Pursuits

the supervisor does not, however, need to be physically present to exercise control over the foot pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

422.6 REPORTING REQUIREMENTS

The initiating officer shall complete appropriate crime/arrest reports documenting, at a minimum:

(a) Date and time of the foot pursuit.
(b) Initial reason and circumstances surrounding the foot pursuit.
(c) Course and approximate distance of the foot pursuit.
(d) Alleged offenses.
(e) Involved vehicles and officers.
(f) Whether a suspect was apprehended as well as the means and methods used.
   1. Any use of force shall be reported and documented in compliance with the Use of Force Policy.
(g) Arrestee information, if applicable.
(h) Any injuries and/or medical treatment.
(i) Any property or equipment damage.
(j) Name of the supervisor at the scene or who handled the incident.
(k) A preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.

Assisting officers taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.

In any case in which a suspect is not apprehended and there is insufficient information to support further investigation, a supervisor may authorize that the initiating officer need not complete a formal report.
Homeless Persons

423.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure that personnel understand the needs and rights of the homeless and to establish procedures to guide officers during all contacts with the homeless, whether consensual or for enforcement purposes. The Washougal Police Department recognizes that members of the homeless community are often in need of special protection and services. The Washougal Police Department will address these needs in balance with the overall missions of this department. Therefore, officers will consider the following policy sections when serving the homeless community (see the Mentally Ill Person Policy).

423.1.1 POLICY
It is the policy of the Washougal Police Department to provide law enforcement services to all members of the community while protecting the rights, dignity and private property of the homeless. Homelessness is not a crime and members of this department will not use homelessness solely as a basis for detention or law enforcement action.

423.2 FIELD CONTACTS
Officers are encouraged to contact the homeless for purposes of rendering aid, support and for community-oriented policing purposes. Nothing in this policy is meant to dissuade an officer from taking reasonable enforcement action when facts support a reasonable suspicion of criminal activity. However, when encountering a homeless person who has committed a non-violent misdemeanor and continued freedom is not likely to result in a continuation of the offense or a breach of the peace, officers are encouraged to consider long-term solutions to problems that may relate to the homeless, such as shelter referrals and counseling in lieu of physical arrest.

Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent such services may be appropriate.

423.2.1 INVESTIGATIVE CONSIDERATIONS
Homeless members of the community will receive the same level and quality of service provided to other members of the community. The fact that a victim or witness is homeless can, however, require special considerations for a successful investigation and prosecution. Officers should consider the following when handling investigations involving homeless victims, witnesses or suspects:

(a) Document alternate contact information. This may include obtaining addresses and phone numbers of relatives and friends.

(b) Document places the homeless person may frequent.

(c) Provide homeless victims with victim/witness resources when appropriate.

(d) Obtain statements from all available witnesses in the event a homeless victim is unavailable for a court appearance.
Homeless Persons

(e) Consider whether the person may be a vulnerable adult and if so, proceed in accordance with the Adult Abuse Policy.

(f) Arrange for transportation for investigation-related matters, such as medical exams and court appearances.

(g) Consider whether a crime should be reported and submitted for prosecution even when a homeless victim indicates he/she does not desire prosecution.

(h) Document any facts indicating that the offense was intentionally committed because the victim was homeless or perceived to be homeless (RCW 9.94A.535).

423.2.2 UNLAWFUL CAMPING
The removal of abandoned transient camps or forced removal of occupied transient camps on public property is likely to occur from time to time.

Initial Response(s)
If dispatched to an illegal camp site located on public property officers should contact the illegal camper(s) and explain to them that they are in violation of the municipal camping ordinance. Officers should also explain that they are subject to a criminal citation and also a 72 hour notice to vacate if they should fail to comply. A 24 hour notice to vacate may be issued if emergent circumstances warrants, examples of emergent circumstances could be extreme garbage or hazmat issues.

Dependent on the situation the officer may choose to issue the illegal camper(s) a criminal citation for violation of the camping ordinance.

Regardless if the camper(s) are cited or not it is preferred that police officers are able to get the illegal campers to comply with the camping ordinance. If they refuse to comply or if the camp appears vacant then an FI is to be completed to document its location.

The FI should include information such as how long the camp has been there, size of the camp, number of people living at the camp, their names (if possible), and the reason for the contact (citizen complaint, on view, etc).

The FI will be used for notifying code compliance of illegal camp sites that are vacant or camps in which the person refuses to break down the camp.

The supervisor who reviews the FI should notify code compliance of the FI so that code compliance can follow up on the camp at a later date and time.

Code compliance is responsible for initiating and authorizing the removal of transient camps located on public property and they will coordinate with public works for the actual removal of the property.

The physical removal of transient camps is not a law enforcement function however for safety reasons law enforcement should be present when camps are disassembled and removed by public works employees.
Camp Removals

The removal of illegal camp sites require a coordinated response from law enforcement, code compliance, and public works, the following is an outline of responsibilities for each department:

**Law Enforcement Responsibilities**
Help ensure all city personnel and citizens are kept safe
Check subjects for wants/warrants if applicable
Provide resource information to homeless persons if applicable

**Code Compliance Responsibilities**
If it is determined that the illegal camp will be acted upon, the code compliance officer (CCO) will issue or post in a visible location a Notice to Vacate within 72 Hours or if necessary, a Notice to Vacate within 24 Hours.
After 24 or 72 hours has passed, and if the camp is still at the location, the CCO will arrange for camp removal.

**Public Works Responsibilities**
City of Washougal Public Works (COWPW) is responsible for the dismantling, storage, and disposal or releasing of property taken from illegal camp sites.

**Procedures for the Removal of Illegal Camp Sites**
If it is deemed that an illegal camp site will need to be removed by the City of Washougal the CCO will issue or post either a 72 hour or 24 hour notice to vacate. Photos should be taken of the posted notice to vacate and also of all plain view areas of the camp site. (Expectation of privacy).
If the camp is located in a park then photos should also be taken of applicable park signs listing the park rules.

After a minimum of 72 or 24 hours have passed, and if the camp(s) have not been removed, code enforcement will coordinate a date and time for COWPW and WPD and the CCO to return to the camp to remove it from public property. The CCO should photograph the camp a second time for documentation purposes.

When camps are removed the CCO will give the owner of the property a **Notice of Disposal of Personal Property**, or if nobody is present, will post it in a visible location. The Notice of Disposal provides instructions on how to retrieve the personal property being held by the city and that the property will be disposed of after 60 days if not claimed.

COWPW will collect and dispose of items they deem to be garbage. COWPW will collect property they deem not to be garbage and hold the property in storage for 60 days. Once 60 days have passed COWPW will dispose of the property per their policy and procedures.

**Scenario #1 Camp is still there but nobody around.**
CCO will take photographs of the camp.
CCO will post 60 Day Notice of Disposal of Personal Property (if applicable). CCO will take photos of the posted notice.
COWPW will collect all garbage and property for disposal or storage.
COWPW will store personal property for 60 days and then dispose the property if not claimed after 60 days.

**Scenario #2 Camp is still there and campers are present**

LEO’s will check for wants/warrants (if ID is known) and keep the peace.

The goal will be for CCO and/or law enforcement to get the campers to comply and pack up their camp site.

**If camp is packed up** -

If the camp is packed up then they are no longer in violation of the camping ordinance. If the camp is packed up there is no legal authority to make them leave the area unless they are in a restricted area such as a fenced off area containing government owned water wells. In short if the campers pack up their belongings they are no longer in violation of the camping ordinance.

**If camp is not packed up** -

If the camper(s) do not pack up the campsite, and the camper(s) are not inside the tent, tarp, or lean-to:

CCO will take photographs of the camp before and after clean up.

COWPW will collect all garbage and property for disposal and/or storage.

CCO will give the camper the 60 Day Notice of Disposal of Personal Property. If possible a photo should be taken of the filled out 60 day notice.

**How to address occupied camp sites on public property and who are non-compliant:**

Absent clear exigent circumstances law enforcement officers are required to obtain a search warrant to look inside or enter a tent, tarp, lean-to, or any other makeshift dwelling in the State of Washington. It does not matter if the dwelling is located on public property or not *(State v. Pippin – Washington Appeals Court)*

If faced with this situation officers will attempt to mediate with the campers and get them to comply with the camping ordinance. If mediation is not successful the officers and city staff will leave the area and seek guidance from a supervisor. The supervisor will determine if a search warrant should be obtained or not.

Note: The search warrant would merely be for the crime of violation of the camping ordinance. Charges such as Obstruction would not be applicable.

**Claiming property held by the city**

If individual(s) request their property within the 60 day time limit the person is to go to the Washougal Police Department to arrange a date and time to obtain their property from COWPW. An administrative assistant will call COWPW and arrange for the date and time of pick up. COWPW has two business days to release the property once notified. The individual(s) will be directed to the location identified by COWPW for property retrieval.

**Vehicles and the Homeless**
In March 2018 the King County Superior Court ruled that it is a violation of the Washington State Constitution and the Washington State Homestead Act, RCW Ch. 6.13 to tow and impound any vehicle that a person(s) is living in. The Superior Court made it clear that the fees and fines imposed for an impound must not be excessive for an individual experiencing homelessness, and vehicles used as homes may not be subject to forced sale to pay a towing debt. In other words the fines (if any), towing fee, and impound fees must be made reasonable enough for a homeless person to afford, never-the-less the vehicle is not allowed to be sold due to non-payment (which is the law when towing and impound fees are not paid).

On June 19th, 2014 the U.S. 9th Circuit Court of Appeals ruled Los Angeles Municipal Code which prohibits the use of a vehicle “as living quarters either overnight, day by day, or otherwise” as unconstitutional and in violation of the Due Process Clause of the 14th Amendment.

The 9th Circuit has made it clear that it is unconstitutional to tow and/or impound vehicles used as a home regardless if anybody is “home” or not. A reasonable question would be, can the vehicle be towed if the vehicle is otherwise illegally parked?

Although the King County Superior Court ruling does not set a legal precedent in Clark County it is still important that we are aware of the ruling as it will most likely be used as a defense in future cases involving the towing and impounding of vehicles owned by people who are homeless or claiming to be homeless. Based on that I would recommend not towing vehicles that people live in unless circumstances make it necessary to tow. An example for needing to tow could be the vehicle itself is creating a hazardous condition due to its location.

Currently there really are not any RCW’s outlining how to deal with the homeless, transient camps, and “houseless” individuals living in vehicles, our only guidance is case law and DOJ mandates. As you know case law dictates how we must respond and case law can change weekly so please be flexible and patient as we tip toe through these ever changing legal land mines.

**Captain Clark Park & BNSF Properties:**

**Captain Clark Park (aka Cotton Wood Beach)**

If a camp is located within the boundaries of Captain Clark Park, officers are encouraged to contact the campers and attempt to get them to disband the camp. If the campers do not disband, or if nobody was "home", officers should notify COW Code Compliance and provide them with a clear location of the camp within the park and date and time of contact. A code compliance officer will contact Clark County Parks with the information as Clark County Parks is responsible for the removal of illegal camp within Captain Clark Park.

**BNSF Properties:**

BNSF property is not public property. If a camp is located on BNSF property (typically along railroad track right of ways) officers are encouraged to contact the campers and attempt to get them to disband the camp. If the campers do not disband, or if nobody was "home", officers should notify COW Code Compliance of the location. A code compliance officer will contact BNSF...
with the information as BNSF is responsible for the removal of camps on their properties. BNSF will need the precise location of the camp to include nearest street crossing over the tracks and if known, the mile marker of the track

Officer should familiarize themselves with Washougal Municipal Code 9.66 - Camping in Public Places.

423.3 PERSONAL PROPERTY
The personal property of homeless persons must not be treated differently than the property of other members of the public. Officers should use reasonable care when handling, collecting and retaining the personal property of homeless persons and should not destroy or discard the personal property of a homeless person (RCW 63.32.010).

When a homeless person is arrested, or otherwise removed from a public place, officers should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Otherwise, the personal property should be collected for safekeeping. If the arrestee has more personal property than can reasonably be collected and transported by the officer, a supervisor should be consulted. The property should be photographed and measures should be taken to remove or secure the property. It will be the supervisor’s responsibility to coordinate the removal and safekeeping of the property.

If the property posses an environmental hazard, the property should be photographed before being disposed. Photographs and method of disposal shall be documented in a police report.

423.3.1 UNLAWFUL STORAGE OF PERSONAL PROPERTY
Officers who encounter person/s storing personal property, including camp facilities (other than vehicles) and camp paraphernalia in a public place without written permission should follow the enforcement guidelines for unlawful storage of property on public property.

Officers who locate these same items stored on private property should identify and contact the property owner to determine if the camping materials are authorized. If the officer feels the items stored on private property (to include camps) pose a hazardous condition the Officer should report the location and concerns to Code Compliance.

423.4 MENTAL ILLNESSES AND MENTAL IMPAIRMENTS
Some homeless persons may suffer from a mental illness or a mental impairment. Officers shall not detain a homeless person under a mental illness commitment unless facts and circumstances warrant such a detention.

When a mental illness detention is not warranted, the contacting officer should provide the homeless person with contact information for mental health assistance as appropriate. In these circumstances, officers may provide or arrange transportation to a mental health specialist if requested by the person and approved by a supervisor.
423.5 ECOLOGICAL ISSUES
Sometimes homeless encampments can impact the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Officers are encouraged to notify other appropriate agencies or departments when a significant impact to the environment has or is likely to occur. Significant impacts to the environment may warrant a crime report, investigation, supporting photographs and supervisor notification.
Public Recording of Law Enforcement Activity

424.1 PURPOSE AND SCOPE
This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

424.2 POLICY
The Washougal Police Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Officers should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

424.3 RECORDING LAW ENFORCEMENT ACTIVITY
Members of the public who wish to record law enforcement activities are limited only in certain aspects.

   (a) Recordings may be made from any public place or any private property where the individual has the legal right to be present.

   (b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:
      1. Tampering with a witness or suspect.
      2. Inciting others to violate the law.
      3. Being so close to the activity as to present a clear safety hazard to the officers.
      4. Being so close to the activity as to interfere with an officer’s effective communication with a suspect or witness.

   (c) The individual may not present an undue safety risk to the officers, him/herself or others.

424.4 OFFICER/DEPUTY RESPONSE
Officers should promptly request that a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or
Public Recording of Law Enforcement Activity

behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, an officer could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

424.5 SUPERVISOR RESPONSIBILITIES
A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

(a) Request any additional assistance as needed to ensure a safe environment.
(b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.
(c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
(d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.
(e) Explain alternatives for individuals who wish to express concern about the conduct of Department members, such as how and where to file a complaint.

424.6 SEIZING RECORDINGS AS EVIDENCE
Officers should not seize recording devices or media unless (42 USC § 2000aa):

(a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.
   1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.

(b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.

(c) The person consents.
   1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.
   2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible. Another way to obtain the
Public Recording of Law Enforcement Activity

Evidence is to transmit a copy of the recording from a device to a department-owned device.

Recording devices and media that are seized will be submitted within the guidelines of the Property and Evidence Policy.
First Amendment Assemblies

425.1 PURPOSE AND SCOPE
This policy provides guidance for responding to public assemblies or demonstrations.

425.2 POLICY
The Washougal Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

425.3 GENERAL CONSIDERATIONS
Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, and loitering. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:

(a) Engage in assembly or demonstration-related discussion with participants.
(b) Harass, confront or intimidate participants.
(c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members’ interaction with participants and their response to crowd dynamics is appropriate.
First Amendment Assemblies

425.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS
Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

425.4 UNPLANNED EVENTS
When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to CRESA, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

425.5 PLANNED EVENT PREPARATION
For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

425.5.1 INFORMATION GATHERING AND ASSESSMENT
In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.
First Amendment Assemblies

- The potential time, duration, scope and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or the race, ethnicity, national origin or religion of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

425.5.2 OPERATIONAL PLANS
An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide:

(a) Command assignments, chain of command structure, roles and responsibilities.
(b) Staffing and resource allocation.
(c) Management of criminal investigations.
(d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields).
(e) Deployment of specialized resources.
(f) Event communications and interoperability in a multijurisdictional event.
(g) Liaison with demonstration leaders and external agencies.
(h) Liaison with City government and legal staff.
(i) Media relations.
(j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
(k) Traffic management plans.
(l) First aid and emergency medical service provider availability.
(m) Prisoner transport and detention.
(n) Review of policies regarding public assemblies and use of force in crowd control.
(o) Parameters for declaring an unlawful assembly.
(p) Arrest protocol, including management of mass arrests.
(q) Protocol for recording information flow and decisions.
(r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.
(s) Protocol for handling complaints during the event.
(t) Parameters for the use of body-worn cameras and other portable recording devices.
425.5.3 MUTUAL AID AND EXTERNAL RESOURCES
The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Outside Agency Assistance Policy).

425.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS
If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

425.7 USE OF FORCE
Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and TASER® devices should be considered only when the participants’ conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage (see the Control Devices and Techniques and the Conducted Energy Device policies).
First Amendment Assemblies

Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

425.8 ARRESTS
The Washougal Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been, or reasonably appear likely to be, unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

(a) Reasonable measures to address the safety of officers and arrestees.
(b) Dedicated arrest, booking and report writing teams.
(c) Timely access to medical care.
(d) Timely access to legal resources.
(e) Timely processing of arrestees.
(f) Full accountability for arrestees and evidence.
(g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Citation Releases Policy).

425.9 MEDIA RELATIONS
The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the Media Relations Policy).

425.10 DEMOBILIZATION
When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.
425.11 POST EVENT
The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

(a) Operational plan
(b) Any incident logs
(c) Any assignment logs
(d) Vehicle, fuel, equipment and supply records
(e) Incident, arrest, use of force, injury and property damage reports
(f) Photographs, audio/video recordings, CRESA records/tapes
(g) Media accounts (print and broadcast media)

425.11.1 AFTER-ACTION REPORTING
The Incident Commander should work with City legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

(a) Date, time and description of the event
(b) Actions taken and outcomes (e.g., injuries, property damage, arrests)
(c) Problems identified
(d) Significant events
(e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

425.12 TRAINING
Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management. The Department should, when practicable, train with its external and mutual aid partners.
Shift Briefings

426.1 PURPOSE AND SCOPE
Shift briefings should be conducted by the patrol sergeant at the beginning of a patrol shift or at a time during the shift that is more appropriate. A sergeant will generally conduct the briefing however officers may conduct the briefing if requested by a supervisor.

At a minimum briefings should cover the following topics:

(a) Briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles, and major investigations.
(b) Notify officers of changes in schedules and assignments.
(c) Notify officers of new Departmental Directives or changes in Departmental Directives.
(d) Review recent incidents for training purposes.
(e) Provide short trainings on a variety of subjects.

426.2 PREPARATION OF MATERIALS
The supervisor conducting the briefing is responsible for preparation of the materials necessary for a constructive briefing. Supervisors may delegate this responsibility to an officer in his/her absence or for training purposes.

426.3 RETENTION OF SHIFT BRIEFING TRAINING RECORDS
If training occurs the training outline and a class roster shall be forwarded to the admin sergeant for inclusion in training records.
Civil Disputes

427.1 PURPOSE AND SCOPE
This policy provides members of the Washougal Police Department with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (e.g., civil matters), with the goal of minimizing any potential for violence or criminal acts.

The Domestic Violence Policy will address specific legal mandates related to domestic violence court orders. References in this policy to “court orders” apply to any order of a court that does not require arrest or enforcement by the terms of the order or by Washington law.

427.2 POLICY
The Washougal Police Department recognizes that a law enforcement presence at a civil dispute can play an important role in the peace and safety of the community. Subject to available resources, members of this department will assist at the scene of civil disputes with the primary goal of safeguarding persons and property, preventing criminal activity and maintaining the peace. When handling civil disputes, members will remain impartial, maintain a calm presence, give consideration to all sides and refrain from giving legal or inappropriate advice.

427.3 GENERAL CONSIDERATIONS
When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Members must not become personally involved in disputes and shall at all times remain impartial.

While not intended to be an exhaustive list, members should give considerations to the following when handling civil disputes:

(a) Civil disputes tend to be confrontational and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.

(b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.

(c) Members shall not provide legal advice, however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.

(d) Members are reminded that they shall not enter a residence or other non-public location without legal authority.

(e) Members should not take an unreasonable amount of time assisting in these matters and generally should contact a supervisor if it appears that peacekeeping efforts longer than 30 minutes are warranted.
427.4 COURT ORDERS
Disputes involving court orders can be complex. Where no mandate exists for an officer to make an arrest for a violation of a court order, the matter should be addressed by documenting any apparent court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating officer should consult a supervisor prior to making any arrest.

If a person appears to be violating the terms of a court order but is disputing the validity of the order or its applicability, the investigating officer should document the following:

(a) The person’s knowledge of the court order or whether proof of service exists.

(b) Any specific reason or rationale the involved person offers for not complying with the terms of the order.

A copy of the court order should be attached to the report when available. The report should be forwarded to the appropriate prosecutor. The report should also be forwarded to the court issuing the order with a notice that the report was also forwarded to the prosecutor for review.

427.4.1 STANDBY REQUESTS
Officers responding to a call for standby assistance to retrieve property should meet the person requesting assistance at a neutral location to discuss the process. The person should be advised that items that are disputed will not be allowed to be removed. The member may advise the person to seek private legal advice as to the distribution of disputed property.

Members should accompany the person to the location of the property. Members should ask if the other party will allow removal of the property or whether the other party would remove the property.

If the other party is uncooperative, the person requesting standby assistance should be instructed to seek private legal advice and obtain a court order to obtain the items (RCW 26.50.080). Officers should not order the other party to allow entry or the removal of any items. If there is a restraining or similar order against the person requesting standby assistance, that person should be asked to leave the scene or he/she may be subject to arrest for violation of the order.

If the other party is not present at the location, the member will not allow entry into the location or the removal of property from the location.

427.5 VEHICLES AND PERSONAL PROPERTY
Officers may be faced with disputes regarding possession or ownership of vehicles or other personal property. Officers may review documents provided by parties or available databases (e.g., vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Generally, officers should not take any enforcement action unless a crime is apparent. The people and the vehicle or personal property involved should be identified and the incident documented.

427.6 REAL PROPERTY
Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should generally be handled through a person seeking a court order.
Civil Disputes

427.6.1 REQUEST TO REMOVE TRESPASSER DECLARATION

Officers possessing a lawful declaration signed under penalty of perjury and in the form required by law, may take enforcement action to remove a person from a residence when (Chapter 284 § 1, 2017 Washington laws):

- The person has been allowed a reasonable opportunity to secure and present evidence that the person is lawfully on the premises
- The officer reasonably believe he/she has probable cause to believe the person is committing criminal trespass under RCW 9A.52.070

An officer should give the trespasser a reasonable opportunity to vacate the premises before taking enforcement action.
Crisis Intervention Incidents

428.1 PURPOSE AND SCOPE
This policy provides guidelines for interacting with those who may be experiencing a mental health or emotional crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires an officer to make difficult judgments about a person’s mental state and intent in order to effectively and legally interact with the individual.

428.1.1 DEFINITIONS
Definitions related to this policy include:

**Person in crisis** - A person whose level of distress or mental health symptoms have exceeded the person’s internal ability to manage his/her behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; non-compliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive or dangerous behavior that may be accompanied by impaired judgment.

428.2 POLICY
The Washougal Police Department is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Department will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members’ interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.

428.3 SIGNS
Members should be alert to any of the following possible signs of mental health issues or crises:

(a) A known history of mental illness
(b) Threats of or attempted suicide
(c) Loss of memory
(d) Incoherence, disorientation or slow response
(e) Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas
(f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt
(g) Social withdrawal
(h) Manic or impulsive behavior, extreme agitation, lack of control
(i) Lack of fear
(j) Anxiety, aggression, rigidity, inflexibility or paranoia
Crisis Intervention Incidents

Members should be aware that this list is not exhaustive. The presence or absence of any of these should not be treated as proof of the presence or absence of a mental health issue or crisis.

428.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS
The Chief of Police should designate a supervisor to collaborate with mental health professionals to develop an education and response protocol. It should include a list of community resources, to guide department interaction with those who may be suffering from mental illness or who appear to be in a mental health crisis.

428.5 FIRST RESPONDERS
Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer’s authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that mental health issues, mental health crises and unusual behavior alone are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

An officer responding to a call involving a person in crisis should:

(a) Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.

(b) Request available backup officers and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.

(c) If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.

(d) Attempt to determine if weapons are present or available.

(e) Take into account the person’s mental and emotional state and potential inability to understand commands or to appreciate the consequences of his/her action or inaction, as perceived by the officer.

(f) Secure the scene and clear the immediate area as necessary.

(g) Employ tactics to preserve the safety of all participants.

(h) Determine the nature of any crime.

(i) Request a supervisor, as warranted.

(j) Evaluate any available information that might assist in determining cause or motivation for the person’s actions or stated intentions.

(k) If circumstances reasonably permit, consider and employ alternatives to force.
Crisis Intervention Incidents

428.6 DE-ESCALATION
Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

- Evaluate safety conditions.
- Introduce themselves and attempt to obtain the person’s name.
- Be patient, polite, calm, courteous and avoid overreacting.
- Speak and move slowly and in a non-threatening manner.
- Moderate the level of direct eye contact.
- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (e.g., summarize the person’s verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding officers generally should not:

- Use stances or tactics that can be interpreted as aggressive.
- Allow others to interrupt or engage the person.
- Corner a person who is not believed to be armed, violent or suicidal.
- Argue, speak with a raised voice or use threats to obtain compliance.

428.7 INCIDENT ORIENTATION
When responding to an incident that may involve mental illness or a mental health crisis, the officer should request the dispatcher to provide critical information as it becomes available. This includes:

(a) Whether the person relies on drugs or medication, or may have failed to take his/her medication.
(b) Whether there have been prior incidents, suicide threats/attempts, and whether there has been previous police response.
(c) Contact information for a treating physician or mental health professional.

Additional resources and a supervisor should be requested as warranted.

428.8 SUPERVISOR RESPONSIBILITIES
If possible a supervisor should respond to the scene of any interaction with a person in crisis. Responding supervisors should:

(a) Attempt to secure appropriate and sufficient resources.
Crisis Intervention Incidents

(b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care (see the Handcuffing and Restraints Policy).

(c) Consider strategic disengagement. Absent an imminent threat to the public and, as circumstances dictate, this may include removing or reducing law enforcement resources or engaging in passive monitoring.

(d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.

(e) Conduct an after-action tactical and operational debriefing, and prepare an after-action evaluation of the incident to be forwarded to the Captain.

(f) Evaluate whether a critical incident stress management debriefing for involved members is warranted.

428.9 INCIDENT REPORTING
Members engaging in any oral or written communication associated with a mental health crisis should be mindful of the sensitive nature of such communications and should exercise appropriate discretion when referring to or describing persons and circumstances.

Members having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to department reporting procedures or other official mental health or medical proceedings.

428.9.1 DIVERSION
Individuals who are not being arrested should be processed in accordance with the Emergency Detentions Policy.

428.9.2 SUICIDE THREATS OR ATTEMPTS
Officers should consider a referral to mental health services when a person has threatened or attempted suicide and the person does not qualify for emergency detention or voluntarily consent to immediate evaluation at a behavioral health facility (RCW 71.05.457).

(a) Referrals should be made to the person by providing the name and phone number of the behavioral health agency and any available handouts.

(b) The officer may notify the behavioral health agency of the referral by phone or other method, in addition to preparing a written incident report.

Incident reports documenting a referral to a behavioral health agency should be sufficiently detailed regarding the nature of the incident and the person’s behavior, to facilitate the behavioral health agency’s prioritization and nature of their response. The officer should promptly provide a copy of the report to the referred behavioral health agency (RCW 71.05.457).

428.10 NON-SWORN INTERACTION WITH PEOPLE IN CRISIS
Non-sworn members may be required to interact with persons in crisis in an administrative capacity, such as records requests and animal control issues.
Crisis Intervention Incidents

(a) Members should treat all individuals equally and with dignity and respect.

(b) If a member believes that he/she is interacting with a person in crisis, he/she should proceed patiently and in a calm manner.

(c) Members should be aware and understand that the person may make unusual or bizarre claims or requests.

If a person’s behavior makes the member feel unsafe, if the person is or becomes disruptive or violent, or if the person acts in such a manner as to cause the member to believe that the person may be harmful to him/herself or others, an officer should be promptly summoned to provide assistance.

428.11 EVALUATION
The supervisor designated to coordinate the crisis intervention strategy for this department should ensure that a thorough review and analysis of the department response to these incidents is conducted annually. The report will not include identifying information pertaining to any involved individuals, officers or incidents and will be submitted to the Chief of Police through the chain of command.

428.12 TRAINING
In coordination with the mental health community and appropriate stakeholders, the Department will develop and provide comprehensive education and training to all department members to enable them to effectively interact with persons in crisis.

Training shall include mandated training in crisis intervention, certified by the Criminal Justice Training Commission, as required by Washington law (RCW 43.101.427; WAC 139-09-020 et seq.).
Medical Aid and Response

429.1 PURPOSE AND SCOPE
This policy recognizes that members often encounter persons who appear to be in need of medical aid and establishes a law enforcement response to such situations.

429.2 POLICY
It is the policy of the Washougal Police Department that all officers and other designated members be instructed in cardiopulmonary resuscitation (CPR), first aid, and automated external defibrillator (AED) usage by a course approved by the Washington State Department of Health and to facilitate an emergency medical response (RCW 70.54.310, 51.36.030).

429.3 FIRST RESPONDING MEMBER RESPONSIBILITIES
Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR and use of an AED) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should contact dispatch and request response by emergency medical services (EMS) as the member deems appropriate.

When requesting EMS, the member should provide dispatch with patient information (sex, age, # of patients), nature of illness or injury, and safety concerns.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

Members should not direct EMS personnel whether to transport the person for treatment.

429.4 TRANSPORTING ILL AND INJURED PERSONS
Except in extraordinary cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes or when so directed by a supervisor.
Members should not provide emergency escort for medical transport or civilian vehicles.

429.5 PERSONS REFUSING EMS CARE
If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive care or be transported. However, members may assist EMS personnel when EMS personnel determine the person lacks mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the officer should consider proceeding with an emergent detention in accordance with the Emergent Detentions Policy.

If an officer believes that a person who is in custody requires EMS care and the person refuses, he/she should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

429.6 MEDICAL ATTENTION RELATED TO USE OF FORCE
Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies.

429.7 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE
A semi-automatic external defibrillator or AED should only be used by members who have completed a course approved by the Washington State Department of Health (DOH) that includes instruction in CPR and the use of an AED (RCW 70.54.310).

429.7.1 AED USER RESPONSIBILITY
Members who are issued AEDs for use in department vehicles should check the AED at the beginning of the shift to ensure it is properly charged and functioning. Any AED that is not functioning properly will be taken out of service and given to the Captain who is responsible for ensuring appropriate maintenance.

Following use of an AED, the device shall be cleaned and/or decontaminated as required. The electrodes and/or pads will be replaced as recommended by the AED manufacturer.

Any member who uses an AED shall contact CRESA as soon as possible and request response by EMS (RCW 70.54.310).
429.7.2 AED REPORTING
Any member using an AED will complete an incident report detailing its use. Any data from usage shall be made available, upon request, to EMS or other health care providers (RCW 70.54.310).

429.7.3 AED TRAINING AND MAINTENANCE
The Captain or designee should ensure appropriate training is provided to members authorized to use an AED.

The Captain or designee is responsible for ensuring AED devices are appropriately maintained and tested consistent with the manufacturer’s operational guidelines, and will retain records of all maintenance in accordance with the established records retention schedule (RCW 70.54.310).

429.8 OPIOID OVERDOSE (NALOXONE/NARCAN) ADMINISTRATION

In cases involving medical emergencies as a result of a suspected opioid overdose, members who have been properly trained in accordance with RCW 69.41.095 may prescribe, dispense, distribute, and deliver an opioid medication directly to a person at risk of experiencing a suspected opioid-related overdose.

429.8.1 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES
Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Captain.

Any member who administers an opioid overdose medication should contact dispatch as soon as possible and request response by EMS.

Any member who administers an opioid overdose medication are required to document the incident in a police report.

429.9 SICK OR INJURED ARRESTEE
If an arrestee appears ill or injured, or claims illness or injury, he/she should be medically cleared prior to booking. If the officer has reason to believe the arrestee is feigning injury or illness, the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

If the jail or detention facility refuses to accept custody of an arrestee based on medical screening, the officer should note the name of the facility person refusing to accept custody and the reason for refusal, and should notify a supervisor to determine the appropriate action.

Arrestees who appear to have a serious medical issue should be transported by ambulance. Officers shall not transport an arrestee to a hospital without a supervisor’s approval.

Nothing in this section should delay an officer from requesting EMS when an arrestee reasonably appears to be exhibiting symptoms that appear to be life threatening, including breathing problems.
Medical Aid and Response

or an altered level of consciousness, or is claiming an illness or injury that reasonably warrants an EMS response in accordance with the officer’s training.
Chapter 5 - Traffic Operations
Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE
The ultimate goal of traffic law enforcement is to reduce traffic collisions. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on accident data, enforcement activity records, traffic volume, and traffic conditions. This department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in accident situations, but also in terms of traffic-related needs.

500.2 TRAFFIC OFFICER DEPLOYMENT
Several factors are considered in the development of deployment schedules for officers of the Washougal Police Department. Information provided by the Electronic Traffic Information Processing (eTRIP) data retrieval system is a valuable resource for traffic accident occurrences and officer deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

All officers assigned to patrol or traffic enforcement functions will emphasize enforcement of accident causing violations during high accident hours and at locations of occurrence. All officers will take directed enforcement action on request, and random enforcement action when appropriate against violators as a matter of routine. All officers shall maintain high visibility while working general enforcement, especially at high accident locations.

Other factors to be considered for deployment are citizen requests, construction zones or special events.

500.3 ENFORCEMENT
Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas and the number of arrests or citations issued by any officer shall not be used as the sole criterion for evaluating officer overall performance. The visibility and quality of an officer’s work effort will be commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions:
500.3.1 WARNINGS
Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations.

500.3.2 CITATIONS
Citations may be issued when an officer believes it is appropriate. It is essential that officers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Officers should provide the following information at a minimum:

(a) Explanation of the violation or charge.

(b) Court appearance procedure including the optional or mandatory appearance by the motorist.

(c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court.

500.3.3 ARRESTS FOR TRAFFIC OFFENSES
Officers may issue a traffic citation for any criminal traffic offense or infraction when such violations are committed in an officer's presence or as allowed pursuant to RCW 10.31.100. With limited exceptions, the detention in such cases may not be for a period of time longer than is reasonably necessary to issue and serve a citation to the violator.

A traffic-related detention may expand to a physical arrest under the following circumstances:

(a) When the officer has probable cause to believe that a felony has been committed, whether or not it was in the officer's presence

(b) When the offense is one or more of the traffic violations listed in RCW 10.31.100

(c) When a driver has been detained for a traffic offense listed in RCW 46.63.020 and fails to provide adequate identification or when the officer has reasonable grounds to believe that the person to be cited will not respond to a written citation. In such cases, officers should, when practicable, obtain the approval of a supervisor before making an arrest.

500.4 SUSPENDED OR REVOKED DRIVERS LICENSES
If an officer contacts a traffic violator who is also driving on a suspended or revoked license, the officer should issue a traffic citation or make an arrest as appropriate.

500.4.1 SUSPENDED, REVOKED OR CANCELED COMMERCIAL LICENSE PLATES
If an officer contacts a traffic violator who is operating a commercial truck, truck tractor or tractor with registration that a computer check confirms to be revoked, suspended or canceled, the officer shall confiscate the license plates. The Department may either recycle or destroy the plates (RCW 46.32.100).
Traffic Function and Responsibility

500.5 HIGH-VISIBILITY VESTS
The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of department members who may be exposed to hazards presented by passing traffic, maneuvering or operating vehicles, machinery, and equipment (23 CFR 655.601).

Although intended primarily for use while performing traffic related assignments, high-visibility vests shall be worn at any time increased visibility would improve the safety or efficiency of the member.

500.5.1 REQUIRED USE
Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests shall be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment.

Examples of when high-visibility vests shall be worn include traffic control duties, accident investigations, lane closures, and while at disaster scenes, or anytime high visibility is desirable.

When emergency conditions preclude the immediate donning of the vest, officers shall retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the investigation units may be used any time a plainclothes officer might benefit from being readily identified as a member of law enforcement.

500.5.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS
High-visibility vests shall be maintained in the trunk of each patrol and investigation unit, in the side box of each police motorcycle and in the saddlebag or gear bag of each police bicycle. Each vest should be stored inside the resealable plastic bag provided to protect and maintain the vest in a serviceable condition. Before going into service each employee shall ensure a serviceable high-visibility vest is properly stored.

A supply of high-visibility vests will be maintained in the equipment room for replacement of damaged or unserviceable vests. The Captain should be promptly notified whenever the supply of vests in the equipment room needs replenishing.

500.6 HAZARDOUS ROAD CONDITIONS
The Washougal Police Department will make all reasonable efforts to address all reported hazardous road conditions in a timely manner as circumstances and resources permit.

500.7 TRAFFIC COMPLAINTS BY CROSSING GUARDS
Crossing guards have the authority to submit reports to this department for certain violations occurring in and around crosswalks (RCW 46.61.275). Generally these reports may be for offenses involving a driver’s failure to stop at a crosswalk or to exercise due care for pedestrians. Reports must be received no later than 72 hours after the violation occurred.
Traffic Function and Responsibility

This department will give due consideration and will investigate, to a reasonable degree, reports of violations submitted by crossing guards, in an effort to identify the alleged violator. If the driver is identified and there is reasonable cause to believe a violation of RCW 46.61.235(5), RCW 46.61.245(2) or RCW 46.61.261(2) has occurred, a notice of traffic infraction should be issued.

The Patrol Sergeant shall ensure that appropriate forms for reporting violations are available to crossing guards and that a procedure for investigating the reports received by this department is in place.

500.7.1 NOTIFICATION OF INFRACTION
The SRO, or if not available, a patrol officer, shall initiate an investigation of the reported violation after receiving a report from a crossing guard. The officer shall contact the last known owner of the violator vehicle and request the owner to supply information identifying the driver. If the driver is identified and there is reasonable cause to believe that a traffic violation has occurred, a notice of infraction may be served upon the driver of the vehicle (RCW 46.61.275(2)).

500.8 SCHOOL BUS SAFETY CAMERAS
Any school district with buses properly equipped with cameras that capture stop-arm violations may report such violations to the Washougal Police Department whenever they occur within the department’s jurisdiction.

The Patrol Sergeant should establish a report form and procedure for school districts to report school bus stop-arm violations (RCW 46.63.180).

500.8.1 NOTIFICATION OF INFRACTION
The SRO, or if not available, a patrol officer, shall initiate an investigation of the reported violation after receiving a stop-arm violation report from a school district.

Issuance of a citation shall conform to state requirements (RCW 46.63.180). The notice of infraction shall be mailed to the registered owner or renter, if applicable, of the vehicle within 14 days of the violation.
Traffic Collision Reporting

501.1 PURPOSE AND SCOPE
The Washougal Police Department prepares traffic collision reports and as a public service makes traffic collision reports available to the community with some exceptions.

501.2 REPORTING SITUATIONS

501.2.1 TRAFFIC COLLISIONS INVOLVING CITY VEHICLES
Traffic collision investigation reports shall be taken when a City-owned vehicle is involved in a traffic collision upon a roadway or highway wherein any damage or injury results. A general informational report may be taken in lieu of a traffic collision report at the direction of a supervisor when the collision occurs on private property or does not involve another vehicle. Whenever there is damage to a City vehicle, a Vehicle Damage Report shall be completed and forwarded to the captain.
Photographs of the collision scene and vehicle damage shall be taken and submitted with the report.

501.2.2 TRAFFIC COLLISIONS WITH POLICE DEPARTMENT EMPLOYEES
When an employee of this department, either on-duty or off-duty, is involved in a traffic collision within the jurisdiction of the Washougal Police Department resulting in a serious injury or fatality the Captain and/or Chief of Police shall be notified.
The collision shall be investigated by an outside law enforcement agency.

501.2.3 TRAFFIC COLLISIONS WITH OTHER CITY EMPLOYEES OR OFFICIALS
Any supervisor may request assistance from an outside law enforcement agency for the investigation of any traffic collision involving any city official or employee of the City of Washougal where any injury or fatality has occurred.

501.2.4 TRAFFIC COLLISIONS ON PRIVATE PROPERTY
Traffic collision reports shall not be taken for traffic collisions occurring on private property, unless there is a death or injury to any person involved, a hit-and-run violation, or RCW violation. An Incident Report may be taken at the discretion of any supervisor.

501.2.5 TRAFFIC COLLISIONS ON ROADWAYS OR HIGHWAYS
Traffic collision reports shall be taken when they occur on a roadway or highway within the jurisdiction of this department under any of the following circumstances:

(a) When there is a death or injury to any persons involved in the collision.
(b) When there is an identifiable violation of the Revised Code of Washington.
(c) Property damage exceeding the dollar amount currently established by WSP.
(d) When a report is requested by any involved driver.
Traffic Collision Reporting

In all cases where a traffic collision report is required by policy, the current state authorized form will be used to document the collision (RCW 46.52.070).

501.3 SUPERVISOR NOTIFICATION
In the event of a serious injury or death-related traffic collision, the on duty or on call sergeant shall be notified of the circumstances of the traffic collision and seek assistance as needed.

If a sergeant is not reachable the captain or Chief of Police shall be notified. In the event of a serious injury or death-related traffic collision, the Clark County Sheriff's Traffic Unit or Washington State Patrol may be contacted for assistance.
Vehicle Towing and Release

502.1 PURPOSE AND SCOPE
This policy provides the procedures for towing a vehicle by or at the direction of the Washougal Police Department.

502.2 RESPONSIBILITIES
The responsibilities of those employees storing or impounding a vehicle are as follows.

502.2.1 REMOVAL OF VEHICLE DISABLED IN A TRAFFIC COLLISION
When a vehicle has been involved in a traffic collision and must be removed from the scene, the officer shall have the driver select a towing company, if possible, and shall relay the request for the specified towing company to the dispatcher. When there is no preferred company requested, a company will be selected from the rotational list of towing companies in CRESA.

If the owner is incapacitated, or for any reason it is necessary for the Department to assume responsibility for a vehicle involved in a collision, the officer shall request the dispatcher to call the official towing garage for the City of Washougal. The officer will then store the vehicle using the Uniform Washington State Tow/Impound and Inventory Record.

502.2.2 DRIVING A NON-CITY VEHICLE
Vehicles which have been towed by or at the direction of the Department should not be driven by police personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant, or to comply with posted signs.

502.2.3 DISPATCHER'S RESPONSIBILITIES
Upon receiving a request for towing, the dispatcher shall promptly telephone the specified authorized towing service. The officer shall be advised when the request has been made and the towing service has been dispatched.

When there is no preferred company requested, the dispatcher shall call the next firm in rotation from the list of approved towing companies and shall make appropriate entries on that form to ensure the following firm is called on the next request.

502.2.4 RECORDS SECTION RESPONSIBILITIES
Whenever a stolen vehicle is impounded by the Washougal Police Department, Records Section personnel will promptly attempt to notify the legal owner of the recovery (RCW 7.69.030(7)).

502.3 TOWING SERVICES
The City of Washougal periodically selects a firm to act as the official tow service and awards a contract to that firm. This firm will be used in the following situations:

(a) When it is necessary to safeguard a vehicle due to the inability of the owner or operator to take the required action.
Vehicle Towing and Release

- (b) When a vehicle is being held as evidence in connection with an investigation.
- (c) When it is otherwise necessary to store a motor vehicle. This would include situations involving the recovery of stolen or abandoned vehicles, and the removal from the streets of vehicles obstructing traffic in violation of state or local regulations.

Nothing in this policy shall require the Department to tow a vehicle.

502.4 STORAGE AT ARREST SCENES
Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide reasonable safekeeping for the arrestee’s vehicle. The vehicle shall be stored whenever it is mandated by law, needed for the furtherance of an investigation or prosecution of the case, or when the Community Caretaker Doctrine would reasonably suggest it. For example, the vehicle would present a traffic hazard if not removed, or due to a high crime area the vehicle would be in jeopardy of theft or damage if left at the scene.

No impound should occur if other alternatives are available that would ensure the vehicle’s protection. Factors that should be considered by officers in determining whether to impound a vehicle pursuant to this policy include:

- (a) Whether the offense for which the subject was arrested mandates vehicle impound (e.g., commercial sexual abuse of a minor, promoting commercial sexual abuse of a minor, or promoting travel for commercial sexual abuse of a minor (RCW 9A.88.140(2)).
- (b) Whether someone is available at the scene of the arrest to whom the vehicle could be released.
- (c) Whether the vehicle is impeding the flow of traffic or is a danger to public safety.
- (d) Whether the vehicle can be secured.
- (e) Whether the detention of the arrestee will likely be of such duration as to require protection of the vehicle.
- (f) Whether there is some reasonable connection between the crime/arrest and the vehicle, or the vehicle is related to the commission of another crime (i.e., the vehicle itself has evidentiary value).
- (g) Whether the owner/operator requests that the vehicle be stored.
- (h) Whether the vehicle would be in jeopardy of theft or damage if left at the scene in a high-crime area.

In cases where a vehicle is not stored, the handling employee shall note in the report that the owner was informed that the Department will not be responsible for theft or damages to the vehicle.

502.5 VEHICLE INVENTORY
All property in a stored or impounded vehicle shall be inventoried and listed on the vehicle storage form. A locked vehicle trunk shall not be opened, even if it may be opened without a key from an
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accessible area of the passenger compartment. Locked or closed containers located within the passenger compartment should be inventoried as a sealed unit, absent exigent circumstances.

Members conducting inventory searches should be as thorough and accurate as practical in preparing an itemized inventory. These inventory procedures are for the purpose of protecting an owner’s property while in police custody, to provide for the safety of officers, and to protect the Department against fraudulent claims of lost, stolen, or damaged property.

502.6 SECURITY OF VEHICLES AND PROPERTY
Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, officers should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g. cash, jewelry, cell phone, prescriptions) which are not considered evidence or contraband.

If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, search personnel shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property from such hazards.
Vehicle Impound Hearings

503.1 PURPOSE AND SCOPE
This policy establishes a procedure for the requirement to provide vehicle storage or impound validity hearings.

503.2 IMPOUND HEARING
When a vehicle is impounded by any member of the Washougal Police Department, a hearing will be conducted upon the request of the registered or legal owner of the vehicle or their agent (RCW 46.55.240).

503.2.1 HEARING PROCEDURES
When requested, a hearing will be held at the Washougal Police Department within five days of the receipt of the request. The Captain will conduct the hearing and render a judgment. The employee who caused the removal of the vehicle does not need to be present for this hearing.

All requests for a hearing on an impounded vehicle shall be submitted in person, writing, or by telephone within ten days of the date appearing on the notice. The person requesting the hearing may record the hearing at his/her own expense.

The vehicle impound hearing officer shall consider all information provided and determine whether the vehicle was impounded consistent with law and department policy. The Department will have the burden of proving by preponderance of the evidence that the vehicle was impounded lawfully and within policy.

If a decision is made that the vehicle was impounded within the law and department policy, the hearing officer shall advise the inquiring party that they may appeal the decision with the district court for a final judgment (RCW 46.55.240(1)(d)).

A decision that the vehicle was not impounded in a lawful manner or within department policy will require that the vehicle in impound be released immediately. Towing and storage fees will be paid at the Department's expense (RCW 46.55.120(3)(e)).

If a decision is made that the vehicle was not impounded in a lawful manner or within department policy, and the vehicle has been released with fees having been paid, the receipt for such fees will be forwarded with a letter to the Chief of Police. The hearing officer will recommend to the Chief of Police that the fees paid by the registered or legal owner of the vehicle in question or their agent be reimbursed by the Department.
Impaired Driving

504.1 PURPOSE AND SCOPE
This policy provides guidance to those department members who play a role in the detection, investigation, and arrest of persons driving under the influence (DUI) or in actual physical control of a motor vehicle pursuant to RCW 46.61.

504.2 POLICY
The Washougal Police Department is committed to the safety of the roadways by all members of the public and will pursue fair but aggressive enforcement of Washington’s impaired driving laws.

504.3 INVESTIGATIONS
The Washougal Police Department recognizes that driving under the influence is a significant crime and will make enforcement of DUI a priority.

All Washougal Police officers are expected to enforce all DUI laws with due diligence.

All officers and sergeants assigned to patrol must ensure their Blood Alcohol Contact (BAC) breath test card and Standardized Field Sobriety Tests (SFST) training are current.

504.4 FIELD TESTS
The Standardized Field Sobriety Tests (SFST) are approved by the National Highway Traffic Safety Administration (NHTSA). All officers are taught under the NHTSA curriculum and shall use the SFST. They may use other reasonable and approved tools available to them while conducting DUI investigations.

The Department, in coordination with subject matter experts, may approve of other methods or tools used during the detection, investigation or arrest of an impaired driver.

504.5 IMPLIED CONSENT
Implied consent only applies to breath tests in the State of Washington. Implied consent does not apply to blood tests.

Procedures for alcohol related DUI's, BAC tests, and BAC refusal do not change.

If an individual expresses confusion regarding implied consent, re-read the warning to the individual. If the individual still expresses confusion, remind the individual of their option to contact an attorney regarding the warning. If the individual elects not to speak with an attorney, give them an opportunity to review the warning personally, and then ask the individual if they would like to provide a breath sample. If the individual elects not to provide a sample or continues to claim confusion, the officer should consider this as a refusal for failure to cooperate with the process.
504.6   REFUSALS
When an arrestee refuses to provide a breath sample, officers shall:

(a) Advise the arrestee of the requirement to provide a sample.
(b) Audio- and/or video-record the admonishment and the response when it is practicable.
(c) Document the refusal in the appropriate report.

504.6.1   BLOOD SAMPLE WITHOUT CONSENT
A blood sample may be obtained from a person who has been arrested and does not consent to a blood test when any of the following conditions exist (RCW 46.20.308; RCW 46.25.120):

(a) A search warrant has been obtained.
(b) The officer can articulate that exigent circumstances exist.

Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person’s bloodstream. Exigency can be established by the existence of special facts, such as a lengthy time delay in obtaining a blood sample due to an accident investigation or medical treatment of the person.

504.6.2   FORCED BLOOD SAMPLE
If an arrestee indicates by word or action that he/she will physically resist a blood draw, the officer should request a supervisor to respond.

The responding supervisor should:

(a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.
(b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes a blood draw.
(c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another officer) and attempt to persuade the individual to submit to such a sample without physical resistance. This dialogue should be recorded on audio and/or video when practicable.
(d) Ensure that the blood sample is taken in a medically approved manner.
(e) Ensure the forced blood draw is recorded on audio and/or video when practicable.
(f) Supervise any use of force and ensure the forced withdrawal is recorded on audio and/or video when practicable.

1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.
2. In misdemeanor cases, if the arrestee becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.
3. In felony cases, force which reasonably appears necessary to overcome the resistance to the blood being withdrawn may be permitted.
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(g) Ensure the use of force and methods used to accomplish the collection of the blood sample are documented in the related police report and that an RTR is completed in Guardian Tracking.

If a supervisor is unavailable, officers are expected to use sound judgment and perform as a responding supervisor, as set forth above.

504.7 BREATH TESTS AKA CHEMICAL TESTS

A person is deemed to have consented to a breath test under any of the following (RCW 46.20.308):

(a) The arresting officer has reasonable grounds to believe the person was driving or in actual physical control of a motor vehicle while under the influence of intoxicating liquor or drug.

(b) The arresting officer has reasonable grounds to believe a person under the age of 21 was driving or in actual physical control of a motor vehicle while having a blood alcohol concentration of at least 0.02 (RCW 46.61.503).

(c) The officer has stopped a person operating a commercial motor vehicle and has reasonable grounds to believe that the person was driving while having alcohol in the person’s system and/or is under the influence of any drug (RCW 46.25.120).

504.7.1 BREATH TESTS (BAC/PBT)

BAC Machine

WSP is responsible for ensuring that all BAC machines are properly serviced and tested, and that a record of such service and testing is properly maintained. This includes the WPD owned BAC machine located at the Washougal Police Department.

Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to WSP. The officer should also tag the BAC machine as out of service.

An individual’s refusal to provide a breath sample does not prevent an officer from obtaining a blood sample pursuant to a warrant. Officers should still charge the individual with DUI-Refusal.

PBT

All Department Portable Breath Test (PBT) devices are serviced under the State Toxicology WAC guidelines, which is every six months.

An individual’s refusal to provide a breath sample with a PBT is not considered a refusal as far as implied consent is concerned. An individual who refuses a PBT sample should be transported to a BAC and processed as normal or if warranted, by blood sample pursuant to a warrant.

Generally, chemical tests to determine alcohol concentration shall be of the breath only (RCW 46.20.308; RCW 46.25.120).
**Impaired Driving**

504.7.2 BLOOD SAMPLES
A blood sample may be obtained from an individual when an officer has reasonable grounds to believe the individual is driving or in physical control of a vehicle under the influence (or in violation of RCW 46.61.500 - Minor DUI) under any of the following circumstances:

(a) Pursuant to a valid warrant to draw an individual's blood and test for alcohol/drugs

(b) Pursuant to a valid waiver of the warrant requirement (such as informed consent)

(c) Exigent circumstances - must be articulated by the officers, and does not exist solely because of the time period associated with the natural dissipation of alcohol in the person's blood stream

(d) Any other authority under law.

For further assistance with the most current procedures in obtaining a blood search warrant refer to [http://www.wsp.wa.gov/breathtest/dredocs.php](http://www.wsp.wa.gov/breathtest/dredocs.php).

**Obtaining a blood sample:**

Only persons authorized by law to draw blood shall collect blood samples (RCW 46.61.506).

The blood draw should be witnessed by the assigned officer.

Officers should inform an arrestee that if he/she chooses to provide a blood sample, a separate sample can be collected for alternate testing at their own expense. Two samples should be drawn and retained as evidence.

The blood sample shall be packaged, marked, handled, stored and transported as required by Department policy and Washington State Patrol Crime Lab policy.

If an arrestee cannot submit to a blood draw because he/she has a bleeding disorder or has taken medication that inhibits coagulation, he/she shall not be required to take a blood test. Such inability to take a blood test should not be considered a refusal. However, that arrestee may be required to complete another available and viable test.

504.8 ARREST AND INVESTIGATIONS
If an officer encounters a person operating a motor vehicle or in physical control of a motor vehicle and that person is under the influence of alcohol and/or drugs, and there is a probable cause to arrest the person, the officer should arrest the impaired person.

If the person operating the motor vehicle can be arrested for DUI then they should be arrested for DUI and not a lesser crime such as Minor in Possession (MIP), Reckless Driving, or Negligent Driving.

Officers are expected to conduct their own investigation and process their own reports. Only under special circumstances, and with the approval of a supervisor, are officers allowed to have any other WPD officer or outside agency process their DUI arrest and investigation.
Arranging for a ride home in lieu of arresting the person for a DUI or Physical Control of a Motor Vehicle is prohibited.

504.8.1 WARRANTLESS ARREST
An officer having probable cause to believe that a person is DUI may make a warrantless arrest of the person whether or not the officer observed the violation first hand (RCW 10.31.100).

Arrests supported by probable cause for DUI are mandatory if the person has been convicted of DUI in the past 10 years or if the officer has knowledge based on the information available to him/her that the person is charged with, or is waiting arraignment for, an offense that would qualify as a prior offense as defined by RCW 46.61.5055. if it were a conviction.

An officer is not required to keep a person in custody if the person requires immediate medical attention and is admitted to a hospital (RCW 10.31.100 (16)(b)0.

504.8.2 OFFICER RESPONSIBILITIES
If a person refuses to submit to a breath test, or the results from the test render a prohibited alcohol or THC concentration in the person’s breath or blood, the officer shall (RCW 46.20.308(5)):

(a) Serve the notice of intention to suspend, revoke, or deny the person’s license or permit to drive.
(b) Provide the person with a written notice of his/her right to a hearing before the Department of Licensing (DOL).
(c) Advise the person that his/her license or permit is a temporary license.
(d) Submit the WSP DUI report to the Department of Licensing (DOL)within 72 hours. The DUI report states:
   1. The officer had reasonable grounds to believe the person was DUI.
   2. After having received the required statutory warnings, the person either refused to submit to a test of his/her blood or breath or submitted to a test that rendered a prohibited alcohol or THC concentration of the person’s breath or blood.
(e) Submit the WSP DUI report to DOL when the person has a CDL and either refused or had a test administered that disclosed a prohibited amount of alcohol or any amount of THC concentration (RCW 46.25.120(5)).

When a person is arrested for a violation of RCW 46.61.502 (DUI) or RCW 46.61.504 (Physical control of vehicle while DUI), the officer shall make a clear notation on the report if there is a child under the age of 16 present in the vehicle and promptly notify child protective services as required in the Child Abuse Policy (RCW 46.61.507).

504.8.3 ADDITIONAL TESTING
A person submitting to a blood or breath test pursuant to this policy may have a qualified person of his/her own choosing administer one or more tests in addition to any administered at the direction of an officer (RCW 46.20.308(2); RCW 46.61.506). The Department and its officers is not responsible for arranging transporting of the person to, or paying for, additional tests.
Impaired Driving

504.9 RECORDS SECTION RESPONSIBILITIES
The Washougal Police Department Record's Section will ensure that all case related records are transmitted according to current records procedures and as required by the Clark County Prosecuting Attorney’s Office and/or Washougal City Attorney's Office.

504.10 ADMINISTRATIVE HEARINGS
Any officer who receives a notice of required attendance to an administrative license suspension hearing should promptly notify the Washougal City Attorney or if applicable, the Clark County Prosecuting Attorney's Office.

Specific details from the license suspension hearing generally should not be added to the original report or supplemental report unless errors, additional evidence, or witnesses are identified. The Records Section shall forward any additional reports to the appropriate prosecuting office.

504.11 TRAINING
The Department shall ensure that officers have available to them regular DUI training which may include current laws on impaired driving, investigative techniques, rules of evidence, and BAC/SFST certification. The Department should confer with the city attorney’s office and subject matter experts to update training topics as needed.
Traffic Citations

505.1 PURPOSE AND SCOPE
This policy outlines the responsibility for traffic citations, the procedure for dismissal, correction, and voiding of traffic citations.

505.2 RESPONSIBILITIES
The Records Section shall be responsible for the supply and accounting of all traffic citations issued to employees of this department.

505.3 DISMISSAL OF TRAFFIC CITATIONS
Employees of this department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued. Any request from a recipient to dismiss a citation shall be referred to a supervisor. Upon a review of the circumstances involving the issuance of the traffic citation, the supervisor may contact the City Attorney with a recommendation of dismissal for the traffic citation. If approved, the citation will be forwarded to the appropriate court with a request for dismissal. All recipients of traffic citations whose request for the dismissal of a traffic citation has been denied shall be referred to the appropriate court.

Should an officer determine during a court proceeding that a traffic citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate the officer may request the court to dismiss the citation. Upon dismissal of the traffic citation by the court, the officer shall notify his/her immediate supervisor of the circumstances surrounding the dismissal and shall complete any paperwork as directed or required. The citation dismissal shall then be forwarded to the Captain for review.

505.4 VOIDING TRAFFIC CITATIONS
Voiding a traffic citation may occur when a traffic citation has not been completed or where it is completed, but not issued.

Paper citations - write "Void" in large letters across the front of the citation and forward the citation as normal.

SECTOR citations - click the "void" button on the SECTOR screen.

505.5 CORRECTION OF TRAFFIC CITATIONS
When a traffic citation is issued and in need of correction, the officer issuing the citation shall submit the citation and a letter requesting a specific correction to his/her immediate supervisor. The citation and letter shall then be forwarded to the courts.
Traffic Citations

505.6 DISPOSITION OF TRAFFIC CITATIONS

Upon separation from employment with this department, all employees issued traffic citations books shall return any unused citations to the Records Section.

505.7 JUVENILE CITATIONS
Completion of traffic citation forms for juveniles may vary slightly from the procedure for adults. The juvenile's age, place of residency, and the type of offense should be considered before issuing the juvenile a citation.
Disabled Vehicles

506.1 PURPOSE AND SCOPE
This department has adopted the following policy on assisting motorists in disabled vehicles within this jurisdiction.

506.2 POLICY
It is the policy of the Washougal Police Department to assist motorists with disabled vehicles until those vehicles are safely removed from the roadway. Members should take appropriate action to mitigate potential problems when a vehicle constitutes a traffic hazard or the safety of the motorist is a concern.

506.3 OFFICER RESPONSIBILITY
When an on-duty officer observes a disabled vehicle on the roadway, the officer should make a reasonable effort to provide assistance. If that officer is assigned to a call of higher priority, the dispatcher should be advised of the location of the disabled vehicle and the need for assistance. The dispatcher should then assign another available officer to respond for assistance as soon as practical.

506.4 EXTENT OF ASSISTANCE
In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by department personnel will be contingent on the availability of departmental resources, and the vulnerability of the disabled motorist.

506.4.1 MECHANICAL REPAIRS
Department personnel shall not make mechanical repairs to a disabled vehicle. The use of push bumpers to relocate vehicles to a position of safety is not considered a mechanical repair.

506.4.2 RELOCATION OF DISABLED VEHICLES
The relocation of disabled vehicles by members of this department by pushing or pulling a vehicle should only occur when the conditions reasonably indicate that immediate movement is necessary to reduce a hazard presented by the disabled vehicle.

506.4.3 RELOCATION OF MOTORIST
The relocation of a motorist with a disabled vehicle should only occur with the person’s consent and should be suggested when conditions reasonably indicate that immediate movement is necessary to mitigate a potential hazard. The department member may stay with the disabled motorist or transport him/her to a safe area to await pickup.
Unauthorized 24 Hour Vehicle Violations

507.1 PURPOSE AND SCOPE
This policy provides procedures for the marking, recording, and storage of unauthorized vehicles parked in violation of 24 hour time limitations.

507.2 MARKING VEHICLES
Vehicles suspected of being subject to removal from a highways or city roadways after being left unattended for 24 hours shall be marked. A notification sticker shall be applied in a visible location and a visible chalk or paint mark should be placed on the left rear tire tread at the fender level unless missing tires or other vehicle conditions prevent marking. Any deviation in markings shall be noted on the Marked Vehicle Card (RCW 46.55.085(1)). No case number is required at this time (RCW 46.55.010(14)).

After the vehicle has been marked, dispatch will generate a "re-check" call in the CAD system. The call generated should include the vehicle location, license plate of the vehicle and reason for removal. The vehicle will be rechecked by an officer after the 24 hour period.

If a marked vehicle has been moved or the markings have been removed during a 24-hour investigation period, the vehicle shall be re-marked for another 24-hour period and another call for a re-check shall be generated following the criteria above.

507.2.1 MARKED VEHICLE FILE
Officers assigned to the check a vehicle shall be responsible for the follow up investigation of all 24-hour unauthorized vehicle violations noted on the vehicle tag. If a marked vehicle has current Washington registration plates, the Officers shall check the records to learn the identity of the last owner of record. The Officers shall make a reasonable effort to contact the owner by telephone and provide notice that if the vehicle is not removed within twenty-four hours from the time the sticker was attached, the vehicle may be taken into custody and stored at the owner's expense (RCW 46.55.085(2)).

507.2.2 VEHICLE STORAGE
An officer may store any vehicle not removed 24 hours after marking (RCW 46.55.085(3)).

The officer authorizing the storage of the vehicle shall complete a uniform impound authorization and inventory form. The completed form shall be submitted to the Records Section immediately following the storage of the vehicle (RCW 46.55.075(2)).
Chapter 6 - Investigation Operations
Investigation and Prosecution

600.1 PURPOSE AND SCOPE
The purpose of this policy is to set guidelines and requirements pertaining to the handling and disposition of criminal investigations.

600.2 POLICY
It is the policy of the Washougal Police Department to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

600.3 INITIAL INVESTIGATION

600.3.1 OFFICER RESPONSIBILITIES
An officer responsible for an initial investigation shall complete no less than the following:

(a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:
   1. An initial statement from any witnesses or complainants.
   2. A cursory examination for evidence.

(b) If information indicates a crime has occurred, the officer shall:
   (a) Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
   (b) Determine if additional investigative resources (e.g., investigators or scene processing) are necessary and request assistance as required.
   (c) Notify a supervisor if assistance is warranted, or if the incident is not routine.
   (d) Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.
   (e) Collect any evidence.
   (f) Take any appropriate law enforcement action.
   (g) Complete and submit the appropriate reports and documentation.

(c) If the preliminary determination is that no crime occurred, determine what other action may be necessary, what other resources may be available, and advise the informant or complainant of this information.

600.3.2 NON-SWORN MEMBER RESPONSIBILITIES
A non-sworn member assigned to any preliminary investigation is responsible for all investigative steps, except making any attempt to locate, contact or interview a suspect face-to-face or take any enforcement action. Should an initial investigation indicate that those steps are required, the assistance of an officer shall be requested.
Investigation and Prosecution

600.3.3 ARRESTS BY PRIVATE PERSONS

Private persons may make a common law arrest for crimes constituting a breach of the peace or may detain a person under the authority of RCW 9A.16.020 (felonies, retail theft, etc.) Any officer presented with a private person wishing to make an arrest must determine whether there is probable cause to believe that such an arrest would be lawful.

(a) Should any officer determine that there is no probable cause to believe that a private person’s arrest is lawful, the officer should take no action to further detain or restrain the individual beyond that which reasonably appears necessary to investigate the matter, determine the lawfulness of the arrest and protect the public safety.

1. Any officer who determines that a private person’s arrest appears to be unlawful should promptly release the arrested individual. The officer must include the basis of such a determination in a related report.

2. Absent probable cause to support a private person’s arrest or other lawful grounds to support an independent arrest by the officer, the officer should advise the parties that no arrest will be made and that the circumstances will be documented in a related report.

(b) Whenever an officer determines that there is probable cause to believe that a private person’s arrest is lawful, the officer shall take a written statement from the person who has made the arrest. In addition, the officer may exercise one of the following options:

1. Take the individual into physical custody for booking.

2. Release the individual subsequent to the issuance of a citation for the individual to appear in the appropriate court.

600.4 CUSTODIAL INTERROGATION REQUIREMENTS

Suspects who are in custody and subjected to an interrogation shall be given the Miranda warning, unless an exception applies. Interview or interrogation of a juvenile shall be in accordance with the Temporary Custody of Juveniles Policy.

600.4.1 AUDIO/VIDEO RECORDINGS

Any custodial interrogation of an individual who is suspected of having committed any violent felony offense should be recorded (audio or video with audio as available) in its entirety. Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings.

Consideration should also be given to recording a custodial interrogation, or any investigative interview, for any other offense when it is reasonable to believe it would be appropriate and beneficial to the investigation and is otherwise allowed by law.

No recording of a custodial interrogation should be destroyed or altered without written authorization from the prosecuting attorney and the commander. Copies of recorded interrogations or interviews may be made in the same or a different format as the original recording, provided the copies are true, accurate and complete and are made only for authorized and legitimate law enforcement purposes.
Recordings should not take the place of a thorough report and investigative interviews. Written statements from suspects should continue to be obtained when applicable.

**600.5 DISCONTINUATION OF INVESTIGATIONS**

The investigation of a criminal case or efforts to seek prosecution should only be discontinued if one of the following applies:

(a) All reasonable investigative efforts have been exhausted, no reasonable belief that the person who committed the crime can be identified, and the incident has been documented appropriately.

(b) The perpetrator of a misdemeanor has been identified and a warning is the most appropriate disposition.
   1. In these cases, the investigator shall document that the person was warned and why prosecution was not sought.
   2. Warnings shall not be given for felony offenses or other offenses identified in this policy or by law that require an arrest or submission of a case to a prosecutor.

(c) The case has been submitted to the appropriate prosecutor but no charges have been filed. Further investigation is not reasonable nor has the prosecutor requested further investigation.

(d) The case has been submitted to the appropriate prosecutor, charges have been filed, and further investigation is not reasonable, warranted or requested, and there is no need to take the suspect into custody.

(e) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.

(f) Investigation has proven that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).

The Domestic Violence, Child Abuse, Sexual Assault Investigations and Adult Abuse policies may also require an arrest or submittal of a case to a prosecutor.

**600.6 COMPUTERS AND DIGITAL EVIDENCE**

The collection, preservation, transportation and storage of computers, cell phones and other digital devices may require specialized handling to preserve the value of the related evidence. If it is anticipated that computers or similar equipment will be seized, officers should request that computer forensic examiners assist with seizing computers and related evidence. If a forensic examiner is unavailable, officers should take reasonable steps to prepare for such seizure and use the resources that are available.

**600.7 INVESTIGATIVE USE OF SOCIAL MEDIA AND INTERNET SOURCES**

Use of social media and any other Internet source to access information for the purpose of criminal investigation shall comply with applicable laws and policies regarding privacy, civil rights and civil liberties. Information gathered via the Internet should only be accessed by members while
on-duty and for purposes related to the mission of this department. If a member encounters information relevant to a criminal investigation while off-duty or while using his/her own equipment, the member should note the dates, times and locations of the information and report the discovery to his/her supervisor as soon as practicable. The member, or others who have been assigned to do so, should attempt to replicate the finding when on-duty and using department equipment.

Information obtained via the Internet should not be archived or stored in any manner other than department-established record keeping systems (see the Records Maintenance and Release and Criminal Organizations policies).

600.7.1 ACCESS RESTRICTIONS
Information that can be accessed from any department computer, without the need of an account, password, email address, alias or other identifier (unrestricted websites), may be accessed and used for legitimate investigative purposes without supervisory approval.

Accessing information from any Internet source that requires the use or creation of an account, password, email address, alias or other identifier, or the use of nongovernment IP addresses, requires supervisor approval prior to access. The supervisor will review the justification for accessing the information and consult with legal counsel as necessary to identify any policy or legal restrictions. Any such access and the supervisor approval shall be documented in the related investigative report.

Accessing information that requires the use of a third party’s account or online identifier requires supervisor approval and the consent of the third party. The consent must be voluntary and shall be documented in the related investigative report.

Information gathered from any Internet source should be evaluated for its validity, authenticity, accuracy and reliability. Corroborative evidence should be sought and documented in the related investigative report.

Any information collected in furtherance of an investigation through an Internet source should be documented in the related report. Documentation should include the source of information and the dates and times that the information was gathered.

600.7.2 INTERCEPTING ELECTRONIC COMMUNICATION
Intercepting social media communications in real time may be subject to federal and state wiretap laws. Officers should seek legal counsel before any such interception.

600.8 MODIFICATION OF CHARGES FILED
Members are not authorized to recommend to the prosecutor or to any other official of the court that charges on a pending case be amended or dismissed without the authorization of the commander or the Chief of Police. Any authorized request to modify the charges or to recommend dismissal of charges shall be made to the prosecutor.
Informants

601.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the use of informants.

601.1.1 DEFINITIONS
Definitions related to this policy include:

Informant - A person who covertly interacts with other individuals or suspects at the direction of, request of, or by agreement with the Washougal Police Department for law enforcement purposes. This also includes a person agreeing to supply information to the Washougal Police Department for a benefit (e.g., a quid pro quo in the form of a reduced criminal penalty, money).

601.2 POLICY
The Washougal Police Department recognizes the value of informants to law enforcement efforts and will strive to protect the integrity of the informant process. It is the policy of this department that all funds related to informant payments will be routinely audited and that payments to informants will be made according to the criteria outlined in this policy.

601.3 USE OF INFORMANTS

601.3.1 INITIAL APPROVAL
Before using an individual as an informant, an officer must receive approval from his/her supervisor. The officer shall compile sufficient information through a background investigation and experience with the informant in order to determine the suitability of the individual, including age, maturity and risk of physical harm, as well as any indicators of his/her reliability and credibility.

Members of this department should not guarantee absolute safety or confidentiality to an informant.

601.3.2 JUVENILE INFORMANTS
The use of informants under the age of 13 is prohibited.

In all cases, a juvenile 13 years of age or older may only be used as an informant with the written consent of each of the following:

(a) The juvenile’s parents or legal guardians
(b) The juvenile’s attorney, if any
(c) The court in which the juvenile’s case is being handled, if applicable
(d) The Chief of Police or the authorized designee
601.3.3 INFORMANT AGREEMENTS
All informants are required to sign and abide by the provisions of the designated department informant agreement. The officer using the informant shall discuss each of the provisions of the agreement with the informant.

Details of the agreement are to be approved in writing by a supervisor before being finalized with the informant.

601.4 INFORMANT INTEGRITY
To maintain the integrity of the informant process, the following must be adhered to:

(a) The identity of an informant acting in a confidential capacity shall not be withheld from the Chief of Police, Commander, Detective’s Section supervisor or their authorized designees.
   1. Identities of informants acting in a confidential capacity shall otherwise be kept confidential.

(b) Criminal activity by informants shall not be condoned.

(c) Informants shall be told they are not acting as police officers, employees or agents of the Washougal Police Department, and that they shall not represent themselves as such.

(d) The relationship between department members and informants shall always be ethical and professional.
   1. Members shall not become intimately involved with an informant.
   2. Social contact shall be avoided unless it is necessary to conduct an official investigation, and only with prior approval of the Detective’s Section supervisor.
   3. Members shall neither solicit nor accept gratuities or engage in any private business transaction with an informant.

(e) Officers shall not meet with informants in a private place unless accompanied by at least one additional officer or with prior approval of the Detective’s Section supervisor.
   1. Officers may meet informants alone in an occupied public place, such as a restaurant.

(f) When contacting informants for the purpose of making payments, officers shall arrange for the presence of another officer.

(g) In all instances when department funds are paid to informants, a voucher shall be completed in advance, itemizing the expenses.

(h) Since the decision rests with the appropriate prosecutor, officers shall not promise that the informant will receive any form of leniency or immunity from criminal prosecution.

601.4.1 UNSUITABLE INFORMANTS
The suitability of any informant should be considered before engaging him/her in any way in a covert or other investigative process. Members who become aware that an informant may be unsuitable will notify the supervisor, who will initiate a review to determine suitability. Until a
determination has been made by a supervisor, the informant should not be used by any member. The supervisor shall determine whether the informant should be used by the Department and, if so, what conditions will be placed on his/her participation or any information the informant provides. The supervisor shall document the decision and conditions in file notes and mark the file “unsuitable” when appropriate.

Considerations for determining whether an informant is unsuitable include, but are not limited to, the following:

(a) The informant has provided untruthful or unreliable information in the past.
(b) The informant behaves in a way that may endanger the safety of an officer.
(c) The informant reveals to suspects the identity of an officer or the existence of an investigation.
(d) The informant appears to be using his/her affiliation with this department to further criminal objectives.
(e) The informant creates officer-safety issues by providing information to multiple law enforcement agencies simultaneously, without prior notification and approval of each agency.
(f) The informant engages in any other behavior that could jeopardize the safety of officers or the integrity of a criminal investigation.
(g) The informant commits criminal acts subsequent to entering into an informant agreement.

601.5 INFORMANT FILES
Informant files shall be utilized as a source of background information about the informant, to enable review and evaluation of information provided by the informant, and to minimize incidents that could be used to question the integrity of department members or the reliability of the informant.

Informant files shall be maintained in a secure area within the Detective’s Section. The Detective’s Section supervisor shall be responsible for maintaining informant files. Access to the informant files shall be restricted to the Chief of Police, Commander, Detective’s Section supervisor or their authorized designees.

The Detective Captain should arrange for an audit using a representative sample of randomly selected informant files on a periodic basis, but no less than one time per year. If the Detective’s Section supervisor is replaced, the files will be audited before the new supervisor takes over management of the files. The purpose of the audit is to ensure compliance with file content and updating provisions of this policy. The audit should be conducted by a supervisor who does not have normal access to the informant files.
Informants

601.5.1 FILE SYSTEM PROCEDURE
A separate file shall be maintained on each informant and shall be coded with an assigned informant control number. An informant history that includes the following information shall be prepared for each file:

(a) Name and aliases
(b) Date of birth
(c) Physical description: sex, race, height, weight, hair color, eye color, scars, tattoos or other distinguishing features
(d) Photograph
(e) Current home address and telephone numbers
(f) Current employers, positions, addresses and telephone numbers
(g) Vehicles owned and registration information
(h) Places frequented
(i) Briefs of information provided by the informant and his/her subsequent reliability
   1. If an informant is determined to be unsuitable, the informant’s file is to be marked “unsuitable” and notations included detailing the issues that caused this classification.
(j) Name of the officer initiating use of the informant
(k) Signed informant agreement
(l) Update on active or inactive status of informant

601.6 INFORMANT PAYMENTS
No informant will be told in advance or given an exact amount or percentage for his/her service. The amount of funds to be paid to any informant will be evaluated against the following criteria:

- The extent of the informant's personal involvement in the case
- The significance, value or effect on crime
- The value of assets seized
- The quantity of the drugs or other contraband seized
- The informant’s previous criminal activity
- The level of risk taken by the informant

The Detective’s Section supervisor will discuss the above factors with the commander

601.6.1 PAYMENT PROCESS
Approved payments to an informant should be in cash using the following process:

(a) Payments of $500 and under may be paid in cash from a Detective's Section buy/expense fund.
Informants

1. The Detective's Section supervisor shall sign the voucher for cash payouts from the buy/expense fund.

   (b) Payments exceeding $500 shall be made by issuance of a check, payable to the officer who will be delivering the payment.
       
       (a) The check shall list the case numbers related to and supporting the payment.
       
       (b) A written statement of the informant's involvement in the case shall be placed in the informant's file.
       
       (c) The statement shall be signed by the informant verifying the statement as a true summary of his/her actions in the case.
       
       (d) Authorization signatures from the Chief of Police and the City Manager are required for disbursement of the funds.

   (c) To complete the payment process for any amount, the officer delivering the payment shall complete a cash transfer form.

       1. The cash transfer form shall include the following:
          
          (a) Date
          
          (b) Payment amount
          
          (c) Washougal Police Department case number
          
          (d) A statement that the informant is receiving funds in payment for information voluntarily rendered.

       2. The cash transfer form shall be signed by the informant.

       3. The cash transfer form will be kept in the informant's file.

601.6.2 REPORTING OF PAYMENTS
Each informant receiving a cash payment shall be advised of his/her responsibility to report the cash to the Internal Revenue Service (IRS) as income. If funds distributed exceed $600 in any reporting year, the informant should be provided IRS Form 1099 (26 CFR 1.6041-1). If such documentation or reporting may reveal the identity of the informant and by doing so jeopardize any investigation, the safety of officers or the safety of the informant (26 CFR 1.6041-3), then IRS Form 1099 should not be issued.

In such cases, the informant shall be provided a letter identifying the amount he/she must report on a tax return as “other income” and shall be required to provide a signed acknowledgement of receipt of the letter. The completed acknowledgement form and a copy of the letter shall be retained in the informant’s file.

601.6.3 AUDIT OF PAYMENTS
The Detective’s Section supervisor shall be responsible for compliance with any audit requirements associated with grant provisions and applicable state and federal law.
Informants

At least once every six months, the Chief of Police or the authorized designee should conduct an audit of all informant funds for the purpose of accountability and security of the funds. The funds and related documents (e.g., buy/expense fund records, cash transfer forms, invoices, receipts and logs) will assist with the audit process.
Eyewitness Identification

602.1 PURPOSE AND SCOPE
This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques.

602.1.1 DEFINITIONS
Definitions related to the policy include:

**Eyewitness identification process** - Any field identification, live lineup or photographic identification.

**Field identification** - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

**Live lineup** - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

**Photographic lineup** - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

602.2 POLICY
The Washougal Police Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

602.3 INTERPRETIVE SERVICES
Members should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating member should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

602.4 EYEWITNESS IDENTIFICATION PROCESS AND FORM
The supervisor in charge of detectives shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process should include appropriate forms or reports that provide:

(a) The date, time and location of the eyewitness identification procedure.

(b) The name and identifying information of the witness.
Eyewitness Identification

(c) The name of the person administering the identification procedure.

(d) If applicable, the names of all of the individuals present during the identification procedure.

(e) An instruction to the witness that it is as important to exclude innocent persons as it is to identify a perpetrator.

(f) An instruction to the witness that the perpetrator may or may not be among those presented and that the witness is not obligated to make an identification.

(g) If the identification process is a photographic or live lineup, an instruction to the witness that the perpetrator may not appear exactly as he/she did on the date of the incident.

(h) An instruction to the witness that the investigation will continue regardless of whether an identification is made by the witness.

(i) A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.

(j) A statement from the witness in the witness’s own words describing how certain he/she is of the identification or non-identification. This statement should be taken at the time of the identification procedure.

602.5 EYEWITNESS IDENTIFICATION

Members are cautioned not to, in any way influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case. Members should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified or failed to identify the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

Whenever feasible, the eyewitness identification procedure should be audio and/or video recorded and the recording should be retained according to current evidence procedures.

602.6 DOCUMENTATION

A thorough description of the eyewitness process and the results of any eyewitness identification should be documented in the case report.

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report.

602.7 PHOTOGRAPHIC AND LIVE LINEUP CONSIDERATIONS
Individuals in the lineup should reasonably match the description of the perpetrator provided by the witness and should bear similar characteristics to avoid causing any person to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

The member presenting the lineup to a witness should do so sequentially (i.e., show the witness one person at a time) and not simultaneously. The witness should view all persons in the lineup.

A live lineup should only be used before criminal proceedings have been initiated against the suspect. If there is any question as to whether any criminal proceedings have begun, the investigating member should contact the appropriate prosecuting attorney before proceeding.

602.8 FIELD IDENTIFICATION CONSIDERATIONS

Field identifications, also known as field elimination show-ups, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo or live lineup identifications.

When initiating a field identification, the member should observe the following guidelines:

(a) Obtain a complete description of the suspect from the witness.
(b) Assess whether a witness should be included in a field identification process by considering:
   1. The length of time the witness observed the suspect.
   2. The distance between the witness and the suspect.
   3. Whether the witness could view the suspect’s face.
   4. The quality of the lighting when the suspect was observed by the witness.
   5. Whether there were distracting noises or activity during the observation.
   6. Any other circumstances affecting the witness’s opportunity to observe the suspect.
   7. The length of time that has elapsed since the witness observed the suspect.
(c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.
(d) When feasible, members should bring the witness to the location of the subject of the show-up, rather than bring the subject of the show-up to the witness.
(e) The person who is the subject of the show-up should not be shown to the same witness more than once.
(f) In cases involving multiple suspects, witnesses should only be permitted to view the subjects of the show-up one at a time.
(g) The person who is the subject of the show-up should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.
Eyewitness Identification
Brady Evidence - Records and Disclosure

603.1 PURPOSE
This policy addresses “Brady” information that may be in possession of the Washougal Police Department, or, come into the possession of the Washougal Police Department in the future. It describes the duties and procedures regarding disclosure of information about law enforcement employee witnesses pursuant to the Court’s “Brady” ruling. Our compliance with this court rule will meet prosecutorial obligations and preserve the constitutional due process rights of defendants, while permitting efficient and effective law enforcement investigation and prosecution of criminal cases. This policy is compliant with the WASPC model and with the Clark County' Prosecutor’s Office policy on disclosure of defense favorable evidence and impeachment material.

The Clark County' Prosecutor’s office has developed a Disclosure Watch List process that will meet the constitutional obligations to the Court, while maintaining a due process procedure for employees who may be subject to being placed on the list.

603.2 THE BRADY RULE LAW - DEFINITION
Evidence or information favorable to the defendant in a criminal case that is known by the prosecution. Under the United States Supreme Court Case of Brady v. Maryland (1963), the prosecution must disclose such material to the defendant if requested to do so. Under subsequent United States Supreme Court cases, the material must also be disclosed, even if not requested, if it is obviously helpful to the defendant's case. These requirements are collectively known as the Brady rule.

The Washougal Police Department maintains files on internal investigations that may contain potentially exculpatory evidence on law enforcement witnesses. Prosecutors are held to the standard of knowing what information or findings contained in these files. It is essential that this information is communicated to the Prosecutor’s office to ensure the rights of the accused and that cases are not lost due to oversight of procedural court rules. The court will make the decision as to whether or not “Brady” information is relevant or if it will be admitted at trial.

It is the policy of the Washougal Police Department to comply fully with the Court’s mandate as it pertains to the “Brady” rule.

603.3 DEFINITIONS
Exculpatory' Evidence -
Evidence is “exculpatory” if it is favorable to the defense and material to the defendant’s guilt or punishment. Such evidence includes not only exculpatory evidence but also evidence that may impeach the credibility’ of a government witness, whether that witness is a law’ enforcement officer or civilian.

Favorable Evidence -
“Favorable” evidence is that which either helps the defense or hurts the prosecution. Evidence which is harmful to the prosecution must be disclosed.

Materiality* -

Evidence is “material” only if there is a reasonable probability that, had the evidence been disclosed to the defense, the result of the proceeding would have been different. A “reasonable probability” is established when the failure to disclose the evidence could reasonably be taken to put the whole case in such a different light as to undermine confidence in the verdict. Such evidence must have a specific, plausible connection to the case, and must demonstrate more than minor inaccuracies. Evidence is material if it is facially apparent as exculpatory.

Impeachment Evidence -

“Impeachment Evidence” is defined by Evidence Rules 608 and 609. It generally includes any evidence that can be used to impeach the credibility* of a witness. Evidence that might be used to impeach a witness is exculpatory evidence and must be disclosed. Impeachment evidence is that which demonstrates that a witness is biased or prejudiced against a party, has some other motive to fabricate testimony, has a poor reputation for truthfulness or past specific incidents that are probative of the witness’ truthfulness or untruthfulness*. Impeachment evidence that is favorable to the defendant and material to guilt or punishment must be disclosed, unless it is cumulative or impeaches on a collateral issue.

Admissibility of impeachment evidence is determined on a case by case basis by the courts. Therefore, even evidence that is likely to be inadmissible can be considered Brady material, and thus be required to be submitted to the prosecutor.

Recurring Government Witness -

“Recurring government witnesses” are those law* enforcement employees officers and experts who, it is reasonable to believe, will or may be called to testify on a regular basis.

603.4 LAW ENFORCEMENT ANGENCY DUTIES

Sworn Offices of the Washougal Police Department must collect and document exculpatory and impeachment information discovered pursuant to administrative and criminal investigations and provide the same to the prosecution. The Washougal Police Department will provide any information that could impeach any non-law* enforcement witness to the prosecution.

The Washougal Police Department will investigate all complaints regarding their officers and employees in accordance with departmental policies for internal investigations, administrative complaint review* s and inquires. If an agreement, settlement or other understanding is reached between the agency and an employee regarding a complaint, investigation or response, the department will consider the impact on the subject matter of the complaint, investigation or response on the employee’s ability to serve as a witness in any criminal proceeding. The department will not subvert the “Brady” rule through a separation agreement or any other negotiation in any disciplinary process.
603.5 TRAINING
All employees of the Washougal Police Department will be provided training on the “Brady” rule. For the purposes of this policy, employee means anyone employed by this agency who may be called to testify under oath. The training will be documented in the employee’s training file.

603.6 PROCEDURE TO BRADY INFORMATION REQUEST
The Washougal Police Department has conducted a review of its employee personnel files, including internal investigation files and disciplinary records in 2010 to determine if any possible “Brady” information existed on that date. This review was necessary to fully comply with the request made upon us by the Clark County Prosecuting Attorney’s Office. Only those employees who may be called as State’s witnesses on a recurrent basis were subject to the records inspection. Any information that was found to be applicable was disclosed to the prosecutor in January, 2011. The prosecution is under a continuing duty to disclose “Brady” information and therefore it is our obligation to notify the prosecutor any time in the future that we become aware of new “Brady” information. If we receive a request from a prosecutor for possible “Brady” information on an employee/officer we will comply with the request as soon as practicable according to the procedures outlined in this policy.

603.7 EXAMPLES OF BRADY EVIDENCE
Substantiated/Sustained Findings of Misconduct Related to Dishonesty
The Washougal Police Department will disclose to the prosecution as “Brady” material information regarding any final agency determination of by the Chief of Police, or his/her designee, of a substantiated or sustained finding related to an employee’s or officer’s dishonesty or untruthfulness, regardless of whether or not discipline was imposed.

Criminal Convictions
The Washougal Police Department will disclose to the prosecution as “Brady” material information regarding criminal convictions of an employee or officer related to dishonesty or untruthfulness if known. There is no requirement to provide prosecutors with information concerning unsubstantiated findings about an employee. However, when an unsubstantiated findings results from the inability to fully determine a claim of dishonesty or untruthfulness, the Washougal Police Department will consult with the prosecution to determine if “Brady” disclosure needs to be submitted and whether it should be presented to the Court.

In-Lieu-of Actions/Agreements
Actions or agreements such as resignation, demotion, retirement or separation from service of an employee or officer in lieu of disciplinary action may be “Brady” material if relevant to the case at hand. The Washougal Police Department will consult with the appropriate legal counsel in making a determination if information not related to the substantiated findings is potential “Brady” material or in cases where he or she is uncertain regarding what action to take.
Current or Ongoing Investigations

Pending criminal or administrative investigations are considered preliminary in nature, and the prosecution has no obligation to communicate preliminary, challenged or speculative information to the defense counsel. It is the policy of the Washougal Police Department to consult with the City Attorney or Prosecutor in making a determination if information not related to substantiated findings is potential “Brady” material.

Expert Witness

There may be instances where an employee of the Washougal Police Department may be recognized as expert witness in a given field. Any final agency determination of a substantiated or sustained finding related to an expert witness’s unsatisfactory employment performance that compromises the expert’s conclusions or ability to sense as an expert witness, regardless of whether or not discipline was given, must be turned over to the prosecution.

Other

The Washougal Police Department will consult with legal counsel in cases regarding potential disclosure of evidence that may be relevant in a case, such as excessive force findings, findings of bias etc.

Sustained findings of excessive force may be disclosed in cases where use of force or bias is a factor and the defendant is claiming self-defense as a defense to the criminal charge.

603.8 WHAT IS NOT BRADY INFORMATION

Allegations that are not substantiated, are not credible, without merit, false or have been determined to be unfounded are not “Brady” information. There is no requirement that law enforcement provide prosecutors with information concerning unsubstantiated findings about an employee. Where investigations have been competed, and the allegations are not substantiated the will be no disclosure made.

603.9 NOTIFICATION TO EMPLOYEE

If potential “Brady” information is in the possession of the Washougal Police Department, the Chief of Police will notify the employee or officer who is subject of the potential “Brady” information consistent with our policy. The employee or officer will be notified in writing, of the content and need for disclosure, and his/her right to review the information that will be presented to the prosecutor. If the possible “Brady” material identifies any other individual who may have privacy rights to the information, the agency will notify that person, consistent with agency policy of the agency’s intent to provide the information to the prosecutor and/or court.

603.10 RECORD KEEPING

The Chief of Police will maintain a “Brady” file in a secured location solely for the purpose of meeting the agency obligations under this court rule. In cases where a court determines that information must be disclosed, a notation will be made in the “Brady” file and a copy of the court
order will also be maintained. If the court considers a request, but determines that the information should not be disclosed, then that notation will be made and a copy of the court’s order will be maintained.

Records, including disciplinary records, determined to be “Brady” material will be maintained as required by law for use in this narrow purpose. They are necessarily exempt from the destruction schedules maintained by the State of Washington or those found in collective bargaining agreements.
Brady Material Disclosure

604.1 PURPOSE AND SCOPE
This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called “Brady information”) to a prosecuting attorney.

604.1.1 DEFINITIONS
Definitions related to this policy include:

**Brady information** - Information known or possessed by the Washougal Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

604.2 POLICY
The Washougal Police Department will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Washougal Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

604.3 DISCLOSURE OF INVESTIGATIVE INFORMATION
Officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor’s office.

If information is believed to be privileged or confidential (e.g., confidential informant or protected personnel files); the officer should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer is unsure whether evidence or facts are material, the officer should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the Department case file.
Brady Material Disclosure

604.4 DISCLOSURE OF PERSONNEL INFORMATION
If a member of this department is a material witness in a criminal case, a person or persons designated by the Chief of Police shall examine the personnel file and/or internal affairs file of the officer to determine whether they contain Brady information. If Brady information is located, the following procedure shall apply:

(a) In the event that a motion has not already been filed by the criminal defendant or other party, the prosecuting attorney and department member shall be notified of the potential presence of Brady material in the member’s personnel file.

(b) The prosecuting attorney or department counsel should be requested to file a motion in order to initiate an in camera review by the court.

1. If no motion is filed, the supervisor should work with counsel to determine whether the records should be disclosed to the prosecutor.

(c) The Custodian of Records shall accompany all relevant personnel files during any in camera inspection to address any issues or questions raised by the court.

(d) If the court determines that there is relevant Brady material contained in the files, only that material ordered released will be copied and released to the parties filing the motion.

1. Prior to the release of any materials pursuant to this process, the Custodian of Records should request a protective order from the court limiting the use of such materials to the involved case and requiring the return of all copies upon completion of the case.

(e) If a court has determined that relevant Brady information is contained in the member’s file in any case, the prosecutor should be notified of that fact in all future cases involving that member.

The person or persons designated by the Chief of Police should periodically examine the personnel files and/or internal affairs files of all officers who may be material witnesses in criminal cases to determine whether they contain Brady information. The obligation to provide Brady information is ongoing. If any new Brady information is identified, the prosecuting attorney should be notified.

604.5 INVESTIGATING BRADY ISSUES
If the Department receives information from any source that a member may have issues of credibility, dishonesty, or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy (RCW 10.93.150).

604.6 TRAINING
Department personnel should receive periodic training on the requirements of this policy.
Sexual Assault Investigations

605.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims.

Mandatory notifications requirements are addressed in the Child Abuse and Adult Abuse policies.

605.1.1 DEFINITIONS
Definitions related to this policy include:

Sexual assault - Any crime or attempted crime of a sexual nature, to include, but not limited to, offenses defined in RCW 9A.44.010 et seq. and RCW 9A.64.020.

Sexual Assault Response Team (SART) - A multidisciplinary team generally comprised of advocates; law enforcement officers; forensic medical examiners, including sexual assault forensic examiners (SAFEs) or sexual assault nurse examiners (SANEs) if possible; forensic laboratory personnel; and prosecutors. The team is designed to coordinate a broad response to sexual assault victims.

605.2 POLICY
It is the policy of the Washougal Police Department that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

605.3 QUALIFIED INVESTIGATORS
Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

(a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations.

(b) Conduct follow-up interviews and investigation.

(c) Present appropriate cases of alleged sexual assault to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies and medical personnel as needed.

(e) Provide referrals to therapy services, victim advocates and support for the victim.

(f) Participate in or coordinate with the SART or other multidisciplinary investigative teams as applicable.
Sexual Assault Investigations

605.4 VICTIM INTERVIEWS
The primary considerations in sexual assault investigations, which begin with the initial call to CRESA, should be the health and safety of the victim, the preservation of evidence, and preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.

Whenever possible, a member of the SART should be included in the initial victim interviews.

An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practicable, the follow-up interview should be conducted by a qualified investigator.

No opinion of whether the case is unfounded should be included in a report.

Victims should be apprised of applicable victim’s rights provisions, as outlined in the Victim Witness Assistance Policy.

605.4.1 POLYGRAPH EXAMINATION OF VICTIM
Victims of alleged sex offenses shall not be asked or required to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of the offense. The refusal of a victim to submit to a polygraph or other truth telling device shall not by itself prevent the investigation, charging or prosecution of the offense (RCW 10.58.038; 34 USC § 10451).

605.4.2 VICTIM PERSONAL REPRESENTATIVE
A victim may choose a personal representative to accompany him/her to the hospital or other health care facility and to any proceeding concerning the alleged sexual assault, including interviews. A personal representative includes a friend, relative, attorney, employee or volunteer from a community sexual assault program or specialized treatment service provider (RCW 70.125.030; RCW 70.125.060).

605.5 RELEASING INFORMATION TO THE PUBLIC
In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Detective Section supervisor should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes.

605.6 TRAINING
Subject to available resources, periodic training should be provided to:

(a) Members who are first responders. Training should include:
   1. Initial response to sexual assaults.
Sexual Assault Investigations

2. Legal issues.

3. Victim advocacy.

4. Victim’s response to trauma.

(b) Qualified investigators, who should receive advanced training on additional topics. Advanced training should include:

1. Interviewing sexual assault victims.

2. SART.

3. Medical and legal aspects of sexual assault investigations.

4. Serial crimes investigations.

5. Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (ViCAP).

6. Techniques for communicating with victims to minimize trauma.

7. The course provided by the Washington State Criminal Justice Training Commission on investigating and prosecuting sexual assault cases developed pursuant to RCW 43.101.270.

8. Proper protocol for the use of the statewide sexual assault kit tracking system (RCW 35.21.195; RCW 36.28.200).

605.7 REPORTING

In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

605.8 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE

Whenever possible, a SART member should be involved in the collection of forensic evidence from the victim.

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault.

If a drug-facilitated sexual assault is suspected, urine and blood samples should be collected from the victim as soon as practicable.

Subject to requirements set forth in this policy, biological evidence from all sexual assault cases, including cases where the suspect is known by the victim, should be submitted for testing. Victims who choose not to assist with an investigation, do not desire that the matter be investigated or wish to remain anonymous may still consent to the collection of evidence under their control. In these circumstances, the evidence should be collected and stored appropriately.
Sexual Assault Investigations

605.8.1 COLLECTION AND TESTING REQUIREMENTS
Members investigating sexual assaults or handling related evidence are required to do the following:

(a) Sexual assault examination kits shall be submitted to an approved lab within 30 days with a request for testing prioritization when either of the following conditions are met (RCW 70.125.090):
   1. A related report or complaint is received by the Department alleging a sexual assault or other crime has occurred and the victim has consented to the submission.
   2. The victim is an unemancipated person 17 years of age or younger.

(b) Facilitate the collection of an unreported sexual assault kit from a collecting entity when this department has jurisdiction to investigate any related criminal allegations (Chapter 26 § 3, 2020 Laws).

Additional guidance regarding evidence retention and destruction is found in the Property and Evidence Policy.

605.8.2 STATEWIDE SEXUAL ASSAULT KIT TRACKING SYSTEM
Members investigating a sexual assault should ensure that that biological evidence is tracked appropriately in the statewide sexual assault kit tracking system (RCW 35.21.195; RCW 36.28.200).

605.8.3 DNA TEST RESULTS
Members investigating sexual assault cases should notify victims of any DNA test results as soon as reasonably practicable.

A SART member should be consulted regarding the best way to deliver biological testing results to a victim so as to minimize victim trauma, especially in cases where there has been a significant delay in getting biological testing results (e.g., delays in testing the evidence or delayed DNA databank hits). Members should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as provided in the Victim Witness Assistance Policy.

Members investigating sexual assaults cases should ensure that DNA results are entered into databases when appropriate and as soon as practicable.

605.9 DISPOSITION OF CASES
If the assigned investigator has reason to believe the case is without merit, the case may be classified as unfounded only upon review and approval of the Detective Section supervisor.

Classification of a sexual assault case as unfounded requires the Detective Section supervisor to determine that the facts have significant irregularities with reported information and that the incident could not have happened as it was reported. When a victim has recanted his/her original statement, there must be corroborating evidence that the allegations were false or baseless (i.e., no crime occurred) before the case should be determined as unfounded.
605.10 CASE REVIEW
The Detective Section supervisor should ensure cases are reviewed on a periodic basis, at least annually, using an identified group that is independent of the investigation process. The reviews should include an analysis of:

- Case dispositions.
- Decisions to collect biological evidence.
- Submissions of biological evidence for lab testing.

The SART and/or victim advocates should be considered for involvement in this audit. Summary reports on these reviews should be forwarded through the chain of command to the Chief of Police.

605.10.1 RETENTION
The Detective Section supervisor should ensure evidence, investigatory reports, and records related to violent or sex offenses are appropriately marked for retention under RCW 5.70.010.
Operations Planning and Deconfliction

606.1 PURPOSE AND SCOPE
This policy provides guidelines for planning, deconfliction and execution of high-risk operations. Additional guidance on planning and serving high-risk warrants is provided in the Warrant Service Policy.

606.1.1 DEFINITIONS
Definitions related to this policy include:

**High-risk operations** - Operations, including service of search and arrest warrants and sting operations, that are likely to present higher risks than are commonly faced by officers on a daily basis, including suspected fortified locations, reasonable risk of violence or confrontation with multiple persons, or reason to suspect that persons anticipate the operation.

606.2 POLICY
It is the policy of the Washougal Police Department to properly plan and carry out high-risk operations, including participation in a regional deconfliction system, in order to provide coordination, enhance the safety of members and the public, decrease the risk of compromising investigations and prevent duplicating efforts.

606.3 OPERATIONS DIRECTOR
The Chief of Police will designate a member of this department to be the operations director.

The operations director will develop and maintain a risk assessment form to assess, plan and coordinate operations. This form should provide a process to identify high-risk operations.

The operations director will review risk assessment forms with involved supervisors to determine whether a particular incident qualifies as a high-risk operation. The director will also have the responsibility for coordinating operations that are categorized as high risk.

606.4 RISK ASSESSMENT

606.4.1 RISK ASSESSMENT FORM PREPARATION
Officers assigned as operational leads for any operation that may qualify as a high-risk operation shall complete a risk assessment form.

When preparing the form, the officer should query all relevant and reasonably available intelligence resources for information about the subject of investigation, others who may be present and the involved location. These sources may include regional intelligence and criminal justice databases, target deconfliction systems, firearm records, commercial databases and property records. Where appropriate, the officer should also submit information to these resources.

The officer should gather available information that includes, but is not limited to:
(a) Photographs, including aerial photographs, if available, of the involved location, neighboring yards and obstacles.
(b) Maps of the location.
(c) Diagrams of any property and the interior of any buildings that are involved.
(d) Historical information about the subject of investigation (e.g., history of weapon possession or use, known mental illness, known drug use, threats against police, gang affiliation, criminal history).
(e) Historical information about others who may be present at the location (e.g., other criminals, innocent third parties, dependent adults, children, animals).
(f) Obstacles associated with the location (e.g., fortification, booby traps, reinforced doors/windows, surveillance measures, number and type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations).
(g) Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).
(h) Other available options that may minimize the risk to officers and others (e.g., making an off-site arrest or detention of the subject of investigation).

606.4.2 RISK ASSESSMENT REVIEW
Officers will present the risk assessment form and other relevant documents (such as copies of search warrants and affidavits and arrest warrants) to their supervisor and the operations director.

The supervisor and operations director shall confer and determine the level of risk. Supervisors should take reasonable actions if there is a change in circumstances that elevates the risks associated with the operation.

606.4.3 HIGH-RISK OPERATIONS
If the operations director, after consultation with the involved supervisor, determines that the operation is high risk, the operations director should:

(a) Determine what resources will be needed at the location, and contact and/or place on standby any of the following appropriate and available resources:
   1. Special Weapons and Tactics Team (SWAT)
   2. Additional personnel
   3. Outside agency assistance
   4. Special equipment
   5. Medical personnel
   6. Persons trained in negotiation
   7. Additional surveillance
8. Canines
9. Evidence Room or analytical personnel to assist with cataloguing seizures
10. Forensic specialists
11. Specialized mapping for larger or complex locations

(b) Contact the appropriate department members or other agencies as warranted to begin preparation.

(c) Ensure that all legal documents such as search warrants are complete and have any modifications reasonably necessary to support the operation.

(d) Coordinate the actual operation.

606.5 DECONFLICTION
Deconfliction systems are designed to identify persons and locations associated with investigations or law enforcement operations and alert participating agencies when others are planning or conducting operations in close proximity or time or are investigating the same individuals, groups or locations.

The officer who is the operations lead shall ensure the subject of investigation and operations information have been entered in an applicable deconfliction system to determine if there is reported conflicting activity. This should occur as early in the process as practicable, but no later than two hours prior to the commencement of the operation. The officer should also enter relevant updated information when it is received.

If any conflict is discovered, the supervisor will contact the involved jurisdiction and resolve the potential conflict before proceeding.

606.6 OPERATIONS PLAN
The operations director should ensure that a written operations plan is developed for all high-risk operations. Plans should also be considered for other operations that would benefit from having a formal plan.

The plan should address such issues as:

(a) Operation goals, objectives and strategies.

(b) Operation location and people:

1. The subject of investigation (e.g., history of weapon possession/use, known mental illness issues, known drug use, threats against police, gang affiliation, criminal history)

2. The location (e.g., fortification, booby traps, reinforced doors/windows, surveillance cameras and/or lookouts, number/type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces,
availability of keys/door combinations), including aerial photos, if available, and maps of neighboring yards and obstacles, diagrams and other visual aids.

3. Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service)

4. Identification of other people who may be present in or around the operation, such as other criminal suspects, innocent third parties and children

(c) Information from the risk assessment form by attaching a completed copy in the operational plan.

1. The volume or complexity of the information may indicate that the plan includes a synopsis of the information contained on the risk assessment form to ensure clarity and highlighting of critical information.

(d) Participants and their roles.

1. An adequate number of uniformed officers should be included in the operation team to provide reasonable notice of a legitimate law enforcement operation.

2. How all participants will be identified as law enforcement.

(e) Whether deconfliction submissions are current and all involved individuals, groups and locations have been deconflicted to the extent reasonably practicable.

(f) Identification of all communications channels and call-signs.

(g) Use of force issues.

(h) Contingencies for handling medical emergencies (e.g., services available at the location, closest hospital, closest trauma center).

(i) Plans for detaining people who are not under arrest.

(j) Contingencies for handling children, dependent adults, animals and other people who might be at the location in accordance with the Child Abuse, Adult Abuse, Child and Dependent Adult Safety and Animal Control Procedures policies.

(k) Communications plan

(l) Responsibilities for writing, collecting, reviewing and approving reports.

606.6.1 OPERATIONS PLAN RETENTION
Since the operations plan contains intelligence information and descriptions of law enforcement tactics, it shall not be filed with the report. The operations plan shall be stored separately and retained in accordance with the established records retention schedule.

606.7 OPERATIONS BRIEFING
A briefing should be held prior to the commencement of any high-risk operation to allow all participants to understand the operation, see and identify each other, identify roles and responsibilities and ask questions or seek clarification as needed. Anyone who is not present at the briefing should not respond to the operation location without specific supervisory approval.
Operations Planning and Deconfliction

(a) The briefing should include a verbal review of plan elements, using visual aids, to enhance the participants’ understanding of the operations plan.

(b) All participants should be provided a copy of the operations plan and search warrant, if applicable. Participating personnel should be directed to read the search warrant and initial a copy that is retained with the operation plan. Any items to be seized should be identified at the briefing.

(c) The operations director shall ensure that all participants are visually identifiable as law enforcement officers.
   1. Exceptions may be made by the operations director for officers who are conducting surveillance or working under cover. However, those members exempt from visual identification should be able to transition to a visible law enforcement indicator at the time of enforcement actions, such as entries or arrests, if necessary.

(d) The briefing should include details of the communications plan.
   1. It is the responsibility of the operations director to ensure that CRESA is notified of the time and location of the operation, and to provide a copy of the operation plan prior to officers arriving at the location.
   2. If the radio channel needs to be monitored by CRESA, the dispatcher assigned to monitor the operation should attend the briefing, if practicable, but at a minimum should receive a copy of the operation plan.
   3. The briefing should include a communications check to ensure that all participants are able to communicate with the available equipment on the designated radio channel.

606.8 SWAT PARTICIPATION
If the operations director determines that SWAT participation is appropriate, the director and the SWAT supervisor shall work together to develop a written plan. The SWAT supervisor shall assume operational control until all persons at the scene are appropriately detained and it is safe to begin a search. When this occurs, the SWAT supervisor shall transfer control of the scene to the handling supervisor. This transfer should be communicated to the officers present.

606.9 MEDIA ACCESS
No advance information regarding planned operations shall be released without the approval of the commander or Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

606.10 OPERATIONS DEBRIEFING
High-risk operations should be debriefed as soon as reasonably practicable. The debriefing should include as many participants as possible. This debrief may be separate from any SWAT debriefing.
606.11 TRAINING
The administrative sergeant should ensure officers who participate in operations subject to this policy should receive periodic training including, but not limited to, topics such as legal issues, deconfliction practices, operations planning concepts and reporting requirements.
Warrant Service

607.1 PURPOSE AND SCOPE
This policy establishes guidelines for the planning and serving of arrest and search warrants by members of this department. It is understood that this policy cannot address every variable or circumstance that can arise in the service of a search or arrest warrant, as these tasks can involve rapidly evolving and unique circumstances.

This policy is intended to be used in conjunction with the Operations Planning and Deconfliction Policy, which has additional guidance on planning and serving high-risk warrants.

This policy is not intended to address the service of search warrants on locations or property already secured or routine field warrant arrests by patrol officers.

607.2 POLICY
It is the policy of the Washougal Police Department to balance the safety needs of the public, the safety of department members, privacy interests and other relevant factors when making decisions related to the service of search and arrest warrants.

607.3 OPERATIONS DIRECTOR
The operations director (see the Operations Planning and Deconfliction Policy) shall review all risk assessment forms with the involved supervisor to determine the risk level of the warrant service.

The operations director will also have the responsibility to coordinate service of those warrants that are categorized as high risk. Deconfliction, risk assessment, operational planning, briefing and debriefing should follow guidelines in the Operations Planning and Deconfliction Policy.

607.4 SEARCH WARRANTS
Officers should receive authorization from a supervisor before preparing a search warrant application. Once authorization is received, the officer will prepare the affidavit and search warrant, consulting with the applicable prosecuting attorney as needed. He/she will also complete the risk assessment form and submit it, along with the warrant affidavit, to the appropriate supervisor and the operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy).

607.5 ARREST WARRANTS
If an officer reasonably believes that serving an arrest warrant may pose a higher risk than commonly faced on a daily basis, the officer should complete the risk assessment form and submit it to the appropriate supervisor and the operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy).

If the warrant is classified as high risk, service will be coordinated by the operations director. If the warrant is not classified as high risk, the supervisor should weigh the risk of entry into a residence...
to make an arrest against other alternatives, such as arresting the person outside the residence where circumstances may pose a lower risk.

607.6 WARRANT PREPARATION
An officer who prepares a warrant should ensure the documentation in support of the warrant contains as applicable:

(a) Probable cause to support the search or arrest, including relevant dates and times to demonstrate timeliness and facts to support any request for nighttime execution.

(b) A clear explanation of the affiant’s training, experience and relevant education.

(c) Adequately supported opinions, when relevant, that are not left to unsubstantiated conclusions.

(d) A nexus between the place to be searched and the persons or items central to the investigation. The facts supporting this nexus should be clear and current. For example, the affidavit shall explain why there is probable cause to believe that a particular person is currently residing at a particular location or that the items sought are present at a particular location.

(e) Full disclosure of known or suspected residents at the involved location and any indication of separate living spaces at the involved location. For example, it should be disclosed that several people may be renting bedrooms at a single location, even if the exact location of the rooms is not known.

(f) A specific description of the location to be searched, including photographs of the location, if reasonably available.

(g) A sufficient description of the items to be seized.

(h) Full disclosure of any known exculpatory information relevant to the warrant application (refer to the Brady Material Disclosure Policy).

607.7 HIGH-RISK WARRANT SERVICE
The operations director or the authorized designee shall coordinate the service of warrants that are categorized as high risk and shall have sole authority in determining the manner in which the warrant will be served, including the number of officers deployed.

The member responsible for directing the service should ensure the following as applicable:

(a) When practicable and when doing so does not cause unreasonable risk, video or photographic documentation is made of the condition of the location prior to execution of a search warrant. The images should include the surrounding area and persons present.

(b) The warrant service is video-recorded when practicable and reasonable to do so. The warrant service may be audio-recorded when announcing to everyone present that the conversation is going to be recorded and said announcement is recorded except if allowed by the warrant (RCW 9.73.030).
Warrant Service

(c) Evidence is handled and collected only by those members who are designated to do so. All other members involved in the service of the warrant should alert one of the designated members to the presence of potential evidence and not touch or disturb the items.

(d) Reasonable efforts are made during the search to maintain or restore the condition of the location.

(e) Persons who are detained as part of the warrant service are handled appropriately under the circumstances.

(f) Reasonable care provisions are made for children and dependent adults (see the Child and Dependent Adult Safety Policy).

(g) A list is made of all items seized and a copy provided to the person in charge of the premises if present or otherwise left in a conspicuous place.

(h) A copy of the search warrant is left at the location.

(i) The condition of the property is documented with video recording or photographs after the search.

607.8 DETENTIONS DURING WARRANT SERVICE
Officers must be sensitive to the safety risks of all persons involved with the service of a warrant. Depending on circumstances and facts present, it may be appropriate to control movements of any or all persons present at a warrant service, including those who may not be the subject of a warrant or suspected in the case. However, officers must be mindful that only reasonable force may be used and weapons should be displayed no longer than the officer reasonably believes is necessary (see the Use of Force Policy).

As soon as it can be determined that an individual is not subject to the scope of a warrant and that no further reasonable suspicion or safety concerns exist to justify further detention, the person should be promptly released.

Officers should, when and to the extent reasonable, accommodate the privacy and personal needs of people who have been detained.

607.9 ACTIONS AFTER WARRANT SERVICE
The supervisor shall ensure that all affidavits, warrants, receipts and returns, regardless of any associated cases, are filed with the issuing judge or magistrate as soon as reasonably possible, but in any event no later than any date specified on the warrant.

607.10 OUTSIDE AGENCIES AND CROSS-JURISDICTIONAL WARRANTS
The operations director will ensure that cooperative efforts with other agencies in the service of warrants conform to existing mutual aid agreements or other memorandums of understanding and will work cooperatively to mitigate risks including, but not limited to, the following:

- Identity of team members
Warrant Service

- Roles and responsibilities
- Familiarity with equipment
- Rules of engagement
- Asset forfeiture procedures

Any outside agency requesting assistance in the service of a warrant within this jurisdiction should be referred to the operations director. The director should review and confirm the warrant, including the warrant location, and should discuss the service with the appropriate supervisor from the other agency. The director should ensure that members of the Washougal Police Department are utilized appropriately. Any concerns regarding the requested use of Washougal Police Department members should be brought to the attention of the Chief of Police or the authorized designee. The actual service of the warrant will remain the responsibility of the agency requesting assistance.

If the operations director is unavailable, the Patrol Sergeant should assume this role.

If officers intend to serve a warrant outside Washougal Police Department jurisdiction, the operations director should provide reasonable advance notice to the applicable agency, request assistance as needed and work cooperatively on operational planning and the mitigation of risks detailed in this policy.

Officers will remain subject to the policies of the Washougal Police Department when assisting outside agencies or serving a warrant outside Washougal Police Department jurisdiction.

607.11 MEDIA ACCESS

No advance information regarding warrant service operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

607.12 TRAINING

The Captain should ensure officers receive periodic training on this policy and associated topics, such as legal issues, warrant preparation, warrant service and reporting requirements.
Chapter 7 - Equipment
Department Owned and Personal Property

700.1 PURPOSE AND SCOPE
Department employees are expected to properly care for department property assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or department property while performing their assigned duty. Certain procedures are required depending on the loss and ownership of the item.

700.2 CARE OF DEPARTMENTAL PROPERTY
Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of department property assigned or entrusted to them. An employee’s intentional or negligent abuse or misuse of department property may lead to discipline including, but not limited to the cost of repair or replacement.

(a) Employees shall promptly report through their chain of command, any loss, damage to, or unserviceable condition of any department issued property or equipment assigned for their use.

(b) The use of damaged or unserviceable department property should be discontinued as soon as practical and replaced with comparable Department property as soon as available and following notice to a supervisor.

(c) Except when otherwise directed by a supervisor or if required by exigent circumstances, department property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.

(d) Department property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without proper authority.

(e) In the event that any Department property becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.

700.3 FILING CLAIMS FOR PERSONAL PROPERTY
Claims for reimbursement for damage or loss of personal property must be made on the proper form. This form is submitted to the employee's immediate supervisor. The supervisor may require a separate written report of the loss or damage.

The supervisor shall direct a memo to the Chief of Police, which shall include the results of his/her investigation and whether the employee followed proper procedures. The supervisor's report shall address whether reasonable care was taken to prevent the loss or damage.
Upon review by staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Chief of Police who will then forward the claim to the Finance Department.

The Department will not replace or repair luxurious or overly expensive items (jewelry, exotic equipment, etc.) that are not reasonably required as a part of work.

700.3.1 REPORTING REQUIREMENT
A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4 LOSS OR DAMAGE OF PROPERTY OF ANOTHER
Officers and other employees intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any employee who damages or causes to be damaged any real or personal property of another while performing any law enforcement functions, regardless of jurisdiction, shall report it as provided below.

(a) A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

(b) A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4.1 DAMAGE BY PERSON OF ANOTHER AGENCY
If employees of another jurisdiction cause damage to real or personal property belonging to the City, it shall be the responsibility of the employee present or the employee responsible for the property to make a verbal report to his/her immediate supervisor as soon as circumstances permit. The employee shall submit a written report before going off duty or as otherwise directed by the supervisor.

These written reports, accompanied by the supervisor's written report, shall promptly be forwarded to the commander.
Personal Communication Devices

701.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs) wireless capable tablets and similar wireless two-way communications and/or portable internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games and accessing sites or services on the internet.

701.2 POLICY
The Washougal Police Department allows members to utilize department-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on-duty, or used off-duty in any manner reasonably related to the business of the Department, will be subject to monitoring and inspection consistent with the standards set forth in this policy.

The inappropriate use of a PCD while on-duty may impair officer safety. Additionally, members are advised and cautioned that the use of a personally owned PCD either on-duty or after duty hours for business-related purposes may subject the member and the member’s PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

701.3 PRIVACY EXPECTATION
Members forfeit any expectation of privacy with regard to any communication accessed, transmitted, received or reviewed on any PCD issued or funded by the Department and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities (see the Information Technology Use Policy for additional guidance).

701.4 DEPARTMENT-ISSUED PCD
Depending on a member’s assignment and the needs of the position, the Department may, at its discretion, issue or fund a PCD for the member’s use to facilitate on-duty performance. Department-issued or funded PCDs may not be used for personal business either on- or off-duty unless authorized by the Chief of Police or the authorized designee. Such devices and the associated telephone number, if any, shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.
Personal Communication Devices

Unless a member is expressly authorized by the Chief of Police or the authorized designee for off-duty use of the PCD, the PCD will either be secured in the workplace at the completion of the tour of duty or will be turned off when leaving the workplace.

701.5 PERSONALLY OWNED PCD
Members may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

(a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of this policy.

(b) The Department accepts no responsibility for loss of or damage to a personally owned PCD.

(c) The PCD and any associated services shall be purchased, used and maintained solely at the member’s expense.

(d) The device should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of radio communications). Members will have a reduced expectation of privacy when using a personally owned PCD in the workplace and have no expectation of privacy with regard to any department business-related communication.

1. Members may use personally owned PCDs on-duty for routine administrative work as authorized by the Chief of Police.

(e) The device shall not be utilized to record or disclose any business-related information, including photographs, video or the recording or transmittal of any information or material obtained or made accessible as a result of employment with the Department, without the express authorization of the Chief of Police or the authorized designee.

(f) Use of a personally owned PCD while at work or for work-related business constitutes consent for the Department to access the PCD to inspect and copy data to meet the needs of the Department, which may include litigation, public records retention and release obligations and internal investigations. If the PCD is carried on-duty, members will provide the Department with the telephone number of the device.

(g) All work-related documents, emails, photographs, recordings or other public records created or received on a member’s personally owned PCD should be transferred to the Washougal Police Department and deleted from the member’s PCD as soon as reasonably practicable but no later than the end of the member’s shift.

Except with prior express authorization from their supervisors, members are not obligated or required to carry, access, monitor or respond to electronic communications using a personally owned PCD while off-duty. If a member is in an authorized status that allows for appropriate compensation consistent with policy or existing collective bargaining agreements, or if the member has prior express authorization from his/her supervisor, the member may engage in department business-related communications. Should members engage in such approved
Personal Communication Devices

off-duty communications or work, members entitled to compensation shall promptly document the time worked and communicate the information to their supervisors to ensure appropriate compensation. Members who independently document off-duty department-related business activities in any manner shall promptly provide the Department with a copy of such records to ensure accurate record keeping.

701.6 USE OF PCD
The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business:

(a) A PCD shall not be carried in a manner that allows it to be visible while in uniform, unless it is in an approved carrier.

(b) All PCDs in the workplace shall be set to silent or vibrate mode.

(c) A PCD may not be used to conduct personal business while on-duty, except for brief personal communications (e.g., informing family of extended hours). Members shall endeavor to limit their use of PCDs to authorized break times, unless an emergency exists.

(d) Members may use a PCD to communicate with other personnel in situations where the use of the radio is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid or in lieu of regular radio communications.

(e) Members are prohibited from taking pictures, making audio or video recordings or making copies of any such picture or recording media unless it is directly related to official department business. Disclosure of any such information to any third party through any means, without the express authorization of the Chief of Police or the authorized designee, may result in discipline.

(f) Members will not access social networking sites for any purpose that is not official department business.

(g) Using PCDs to harass, threaten, coerce or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

701.7 SUPERVISOR RESPONSIBILITIES
The responsibilities of supervisors include, but are not limited to:

(a) Ensuring that members under their command are provided appropriate training on the use of PCDs consistent with this policy.

(b) Monitoring, to the extent practicable, PCD use in the workplace and take prompt corrective action if a member is observed or reported to be improperly using a PCD.

1. An investigation into improper conduct should be promptly initiated when circumstances warrant.
Personal Communication Devices

2. Before conducting any administrative search of a member’s personally owned device, supervisors should consult with the Chief of Police or the authorized designee.

701.8 USE WHILE DRIVING
The use of a PCD while driving can adversely affect safety, cause unnecessary distractions and present a negative image to the public. Officers operating emergency vehicles should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

Except in an emergency, members who are operating vehicles other than authorized emergency vehicles shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use and the use complies with RCW 46.61.672. Hands-free use should be restricted to business-related calls or calls of an urgent nature.

701.9 OFFICIAL USE
Members are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, members shall conduct sensitive or private communications on a land-based or other department communications network.
Vehicle Maintenance

702.1 PURPOSE AND SCOPE
Employees are responsible for assisting in maintaining Department vehicles so that they are properly equipped, properly maintained, properly refueled and present a clean appearance.

702.2 DEFECTIVE VEHICLES
When a department vehicle or its equipment becomes inoperative or in need of repair, that vehicle shall be removed from service and a Vehicle Repair Slip shall be promptly completed by the employee who first becomes aware of the defective condition. The Vehicle Repair Slip shall be promptly submitted to the "Supervisor Report Box" located in the Officer's Room.

702.2.1 DAMAGE OR POOR PERFORMANCE
Vehicles that may have been damaged or perform poorly shall be removed from service for inspections and repairs as soon as practicable.

702.2.2 SEVERE USE
Vehicles operated under severe-use conditions, which include operations for which the vehicle is not designed or that exceed the manufacturer's parameters, should be removed from service and subjected to a safety inspection as soon as practicable. Such conditions may include rough roadway or off-road driving, hard or extended braking, pursuits or prolonged high-speed operation.

702.2.3 REMOVAL OF WEAPONS
All firearms, weapons and control devices shall be removed from a vehicle and properly secured in the department armory prior to the vehicle being released for maintenance, service or repair.

702.3 VEHICLE EQUIPMENT
Certain items shall be maintained in all department vehicles for emergency purposes and to perform routine duties.

702.3.1 PATROL VEHICLES
Officers shall inspect the patrol vehicle at the beginning of the shift and ensure that the following equipment, at a minimum, is present in the vehicle:

- 20 Emergency road flares
- 1 Roll barricade tape
- 1 First aid kit
- Personal Protective Equipment per § 1016 and § 1024
- AED
- Traffic Cones
- Traffic Vests
Vehicle Maintenance

• Life Jacket
• Throw Rope
• Stop Sticks *(If vehicle equipped)*
• Hand Cleaner
• Sharps Container

The Washougal Police Department Marked Vehicle and Equipment Check List is a living document and may require more items depending on vehicle assignment. *(See individual check list for vehicle assigned)*

702.3.2 UNMARKED VEHICLES
An employee driving unmarked department vehicles shall ensure that the minimum following equipment is present in the vehicle:

• 10 Emergency road flares
• 1 Roll barricade tape
• 1 First aid kit
• Personal Protective Equipment per § 1016 and § 1024

The Washougal Police Department Unmarked Vehicle and Equipment Check List is a living document and may require more items depending on vehicle assignment. *(See individual check list for vehicle assigned)*

702.4 VEHICLE REFUELING
Absent emergency conditions or supervisor approval, officers driving patrol vehicles shall not place a vehicle in service that has less than one-quarter tank of fuel. Whenever practicable, vehicles should be fully fueled when placed into service and refueled before the level falls below one-quarter tank.

Vehicles shall only be refueled at an authorized location.

702.5 WASHING OF VEHICLES
All units shall be kept clean at all times and weather conditions permitting, shall be washed as necessary to enhance their appearance.

Only one marked unit should be at the car wash at the same time unless otherwise approved by a supervisor.

Employees using a vehicle shall remove any trash or debris at the end of their shift. Confidential material should be placed in a designated receptacle provided for the shredding of this matter.
702.6 NON-SWORN EMPLOYEE USE
Non-sworn employees using marked vehicles shall ensure all weapons are removed from vehicles before driving the vehicle. Non-sworn employees shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.
Cash Handling, Security and Management

703.1 PURPOSE AND SCOPE
This policy provides guidelines to ensure department members handle cash appropriately in the performance of their duties.

This policy does not address cash-handling issues specific to the Property and Evidence and Informants policies.

703.2 POLICY
It is the policy of the Washougal Police Department to properly handle and document cash transactions and to maintain accurate records of cash transactions in order to protect the integrity of department operations and ensure the public trust.

703.3 PETTY CASH FUNDS
The Chief of Police shall designate a person as the fund manager responsible for maintaining and managing the petty cash fund.

Each petty cash fund requires the creation and maintenance of an accurate and current transaction ledger and the filing of invoices, receipts, cash transfer forms and expense reports by the fund manager.

703.4 PETTY CASH TRANSACTIONS
The fund manager shall document all transactions on the ledger and any other appropriate forms. Each person participating in the transaction shall sign or otherwise validate the ledger, attesting to the accuracy of the entry. Transactions should include the filing of an appropriate receipt, invoice or cash transfer form. Transactions that are not documented by a receipt, invoice or cash transfer form require an expense report.

703.5 PETTY CASH AUDITS
The fund manager shall perform an audit no less than once every six months. This audit requires that the fund manager and at least one command staff member, selected by the Chief of Police, review the transaction ledger and verify the accuracy of the accounting. The fund manager and the participating member shall sign or otherwise validate the ledger attesting to the accuracy of all documentation and fund accounting. A discrepancy in the audit requires documentation by those performing the audit and an immediate reporting of the discrepancy to the Chief of Police.

Transference of fund management to another member shall require a separate petty cash audit and involve a command staff member.

A separate audit of each petty cash fund should be completed on a random date, approximately once each year by the Chief of Police or the City.
703.6 ROUTINE CASH HANDLING
Those who handle cash as part of their property/evidence duties or as part of their confidential informant duties shall discharge those duties in accordance with the Property and Evidence and Informants policies.

Members who routinely accept payment for department services shall discharge those duties in accordance with the procedures established for those tasks.

703.7 OTHER CASH HANDLING
Members of the Department who, within the course of their duties, are in possession of cash that is not their property or that is outside their defined cash-handling responsibilities shall, as soon as practicable, verify the amount, summon another member to verify their accounting, and process the cash for safekeeping or as evidence or found property, in accordance with the Property and Evidence Policy.

Cash in excess of $1,000 requires immediate notification of a supervisor, special handling, verification and accounting by the supervisor. Each member involved in this process shall complete an appropriate report or record entry.
Personal Protective Equipment

704.1 PURPOSE AND SCOPE
This policy identifies the different types of personal protective equipment (PPE) provided by the Department as well the requirements and guidelines for the use of PPE.

This policy does not address ballistic vests or protection from communicable disease, as those issues are addressed in the Body Armor and Communicable Diseases policies.

704.1.1 DEFINITIONS
Definitions related to this policy include:

Personal protective equipment (PPE) - Equipment that protects a person from serious workplace injuries or illnesses resulting from contact with chemical, radiological, physical, electrical, mechanical or other workplace hazards.

Respiratory PPE - Any device that is worn by the user to protect from exposure to atmospheres where there is smoke, low levels of oxygen, high levels of carbon monoxide, or the presence of toxic gases or other respiratory hazards. For purposes of this policy, respiratory PPE does not include particulate-filtering masks such as N95 or N100 masks.

704.2 POLICY
The Washougal Police Department endeavors to protect members by supplying certain PPE to members as provided in this policy.

704.3 OFFICER RESPONSIBILITIES
Members are required to use PPE as provided in this policy and pursuant to their training.

Members are responsible for proper maintenance and storage of issued PPE. PPE should be stored in an appropriate location so that it is available when needed.

Any member who identifies hazards in the workplace is encouraged to utilize the procedures in the Accident, Illness and Injury Prevention Policy to recommend new or improved PPE or additional needs for PPE.

704.4 HEARING PROTECTION
Approved hearing protection shall be used by members during firearms training.

Hearing protection shall meet or exceed the requirements provided in WAC 296-817-200.

704.5 EYE PROTECTION
Approved eye protection, including side protection, shall be used by members during firearms training. Eye protection for members who wear prescription lenses shall incorporate the prescription (e.g., eye protection that can be worn over prescription lenses). Members shall ensure their eye protection does not interfere with the fit of their hearing protection.
The Firearms Instructor shall ensure eye protection meets or exceeds the requirements provided in WAC 296-800-16050.

704.6 HEAD AND BODY PROTECTION
Members who make arrests or control crowds should be provided ballistic head protection with an attachable face shield.

Padded body protection consisting of chest, arm, leg and groin protection should be provided as required by any collective bargaining agreement.

704.7 RECORDS
The Captain is responsible for maintaining records of all:

(a) PPE training.
(b) Initial fit testing for respiratory protection equipment.
(c) Annual fit testing.
(d) Respirator medical evaluation questionnaires and any subsequent physical examination results.
(e) These records shall be maintained in a separate confidential medical file.

The records shall be maintained in accordance with the department records retention schedule and WAC 296-842-12010.

704.8 TRAINING
Members should be trained in the respiratory and other hazards to which they may be potentially exposed during routine and emergency situations.

All members shall be trained in the proper use and maintenance of PPE issued to them, including when the use is appropriate; how to put on, remove and adjust PPE; how to care for the PPE; and the limitations (WAC 296-800-16025).

Members issued respiratory PPE shall attend annual training on the proper use of respiratory protection devices (WAC 296-842-16005).
Vehicle Use

705.1 PURPOSE AND SCOPE
The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the City of Washougal to provide assigned take-home vehicles.

705.2 POLICY
The Washougal Police Department provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments and other considerations.

705.3 USE OF VEHICLES
705.3.1 SHIFT ASSIGNED VEHICLES
Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of the shift. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

705.3.2 OTHER USE OF VEHICLES
Members utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., transportation to training, community event) shall first notify a supervisor.

705.3.3 INSPECTIONS
Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department shall be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported.
All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

705.3.4 SECURITY AND UNATTENDED VEHICLES
Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging). Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended.

705.3.5 MOBILE DIGITAL COMPUTER
Members assigned to vehicles equipped with a Mobile Digital Computer (MDC) shall log onto the MDC with the required information when going on-duty. If the vehicle is not equipped with a working MDC, the member shall notify CRESA. Use of the MDC is governed by the Mobile Digital Computer Use Policy.

705.3.6 VEHICLE LOCATION SYSTEM
Patrol and other vehicles, at the discretion of the Chief of Police, may be equipped with a system designed to track the vehicle’s location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the system. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor. If the member finds that the system is not functioning properly at any time during the shift, he/she should exchange the vehicle for one with a working system, if available.

System data may be accessed by supervisors at any time. However, access to historical data by personnel other than supervisors will require Captain approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

705.3.7 KEYS
Members approved to operate marked patrol vehicles should be issued a copy of the key as part of their initial equipment distribution. Members who are assigned a specific vehicle should be issued keys for that vehicle.

Members shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member’s chain of command.
705.3.8 AUTHORIZED PASSENGERS
Members operating department vehicles shall not permit persons other than City personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Along Policy.

705.3.9 ALCOHOL
Members who have consumed alcohol are prohibited from operating any department vehicle unless it is required by the duty assignment (e.g., task force, undercover work). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

705.3.10 PARKING
Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

Department vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls assigned to department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas.

705.3.11 ACCESSORIES AND/OR MODIFICATIONS
There shall be no modifications, additions or removal of any equipment or accessories without permission from the administrative sergeant, commander, or Chief of Police.

705.3.12 NON-SWORN MEMBER USE
Non-sworn members using marked emergency vehicles shall ensure that all weapons have been removed before taking the vehicle. Non-sworn members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

705.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES
Department vehicles may be assigned to individual members at the discretion of the Chief of Police. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the member is unable to perform his/her regular assignment.

705.4.1 ON-DUTY USE
Vehicle assignments shall be based on the nature of the member’s duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Chief of Police or the authorized designee.
Vehicle Use

705.4.2 UNSCHEDULED TAKE-HOME USE
Circumstances may arise where department vehicles must be used by members to commute to and from a work assignment. Members may take home department vehicles only with prior approval of a supervisor and shall meet the following criteria:

(a) The circumstances are unplanned and were created by the needs of the Department.
(b) Other reasonable transportation options are not available.
(c) The member lives within a reasonable distance (generally not to exceed a 60-minute drive time) from the Washougal Police Department.
(d) Off-street parking will be available at the member’s residence.
(e) Vehicles will be locked when not attended.
(f) All firearms, weapons and control devices will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

705.4.3 ASSIGNED VEHICLES
Assignment of take-home vehicles shall be based on the location of the member’s residence; the nature of the member’s duties, job description and essential functions; and the member’s employment or appointment status.

Members are cautioned that under federal and local tax rules, personal use of a City vehicle may create an income tax liability for the member. Questions regarding tax rules should be directed to the member’s tax adviser.

Criteria for use of take-home vehicles include the following:

(a) Vehicles shall only be used for work-related purposes and shall not be used for personal errands or transports, unless special circumstances exist and the Chief of Police or commander gives authorization.
(b) Vehicles may be used to transport the member to and from the member’s residence for work-related purposes.
(c) Vehicles will not be used when off-duty except:
   (a) In circumstances when a member has been placed on call by the Chief of Police or commander and there is a high probability that the member will be called back to duty.
   (b) When the member is performing a work-related function during what normally would be an off-duty period, including vehicle maintenance or traveling to or from a work-related activity or function.
   (c) When the member has received permission from the Chief of Police or commander.
   (d) When the vehicle is being used by the Chief of Police, commander or members who are in on-call administrative positions.
Vehicle Use

(e) When the vehicle is being used by on-call investigators.

(d) While operating the vehicle, authorized members will carry and have accessible their duty firearms and be prepared to perform any function they would be expected to perform while on-duty.

(e) The two-way communications radio, MDC and global positioning satellite device, if equipped, must be on and set to an audible volume when the vehicle is in operation.

(f) Unattended vehicles are to be locked and secured at all times.

1. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging).

2. All weapons shall be secured while the vehicle is unattended.

3. All department identification, portable radios and equipment should be secured.

(g) Vehicles are to be parked off-street at the member’s residence unless prior arrangements have been made with the Chief of Police or the authorized designee. If the vehicle is not secured inside a locked garage, all firearms and kinetic impact weapons shall be removed and properly secured in the residence (see the Firearms Policy regarding safe storage of firearms at home).

(h) Vehicles are to be secured at the member’s residence or the appropriate department facility, at the discretion of the Department when a member will be away (e.g., on vacation) for periods exceeding one week.

1. If the vehicle remains at the residence of the member, the Department shall have access to the vehicle.

2. If the member is unable to provide access to the vehicle, it shall be parked at the Department.

(i) The member is responsible for the care and maintenance of the vehicle.

705.4.4 ENFORCEMENT ACTIONS
When driving a take-home vehicle to and from work outside of the jurisdiction of the Washougal Police Department or while off-duty, an officer shall not initiate enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

Officers may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Officers driving take-home vehicles shall be armed, appropriately attired and carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

705.4.5 MAINTENANCE
Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Department.
Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

(a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.

(b) It is the member’s responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.

(c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the Department.

(d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.

(e) All weapons shall be removed from any vehicle left for maintenance.

(f) Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

705.5 UNMARKED VEHICLES
Unmarked vehicles are assigned to various sections and their use is restricted to the respective section and the assigned member, unless otherwise approved by a supervisor.

705.6 DAMAGE, ABUSE, AND MISUSE
When any department vehicle is involved in a traffic collision or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic collision report shall be filed with the agency having jurisdiction (see the Traffic Collision Reporting Policy).

Damage to any department vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered, documented in memorandum format, and forwarded to the commander. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

705.7 TOLL ROAD USAGE
Authorized on-duty emergency vehicles are exempt from incurring toll road charges. An authorized emergency vehicle is an on-duty vehicle of the Department which is equipped with emergency lights and siren and used to respond to emergency calls (WAC 468-270-030; WAC 468-270-085; WAC 468-270-105).

To avoid unnecessary toll road charges, all members operating department vehicles on a toll road shall adhere to the following:

(a) Members operating department vehicles that are not authorized emergency vehicles shall pay the appropriate toll charge or utilize the appropriate toll way transponder. Members may submit a request for reimbursement from the City for any toll fees incurred in the course of official business.
Vehicle Use

(b) Members in unauthorized vehicles passing through a toll plaza or booth during a response to an emergency shall notify the commander in writing within five working days explaining the circumstances.

705.8 ATTIRE AND APPEARANCE
When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.
Chapter 8 - Support Services
Property and Evidence

800.1 PURPOSE AND SCOPE
This policy provides for the proper collection, storage, and security of evidence and other property. Additionally, this policy provides for the protection of the chain of evidence and those persons authorized to remove and/or destroy property.

800.2 DEFINITIONS
Property - Includes all items of evidence, items taken for safekeeping and found property.
Evidence - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs and latent fingerprints.
Safekeeping - Includes the following types of property:
- Property obtained by the Department for safekeeping, such as a firearm
- Personal property of an arrestee not taken as evidence
- Property taken for safekeeping under authority of a law

Found Property - Includes property found by an employee or citizen and where the owner cannot be readily identified or contacted.

800.3 PROPERTY HANDLING
Any employee who first comes into possession of any property, shall retain such property in his/her possession until it is properly entered into the property module of EIS and placed in the designated property locker or storage room.

800.3.1 PROPERTY BOOKING PROCEDURE
All property must be booked prior to the employee going off-duty unless otherwise approved by a supervisor. Employees booking property shall observe the following guidelines:

(a) Complete the property module of EIS describing each item of property separately, listing all serial numbers, owner’s name, finder’s name, and other identifying information or markings.
(b) Complete an EIS evidence/property label (barcode label) and attach it to each package or envelope in which the property is stored.
(c) Place "Bio-Hazard" and/or "Fentanyl Warning" labels, if needed.
(d) Seal the evidence with evidence tape and initial and date the evidence tape.
(e) When the property is too large to be placed in a temp evidence locker, the item may be retained in the drying room and notification to the evidence technician of its location.
800.3.2 NARCOTICS AND DANGEROUS DRUGS
All narcotics and dangerous drugs shall be packaged separately.

800.3.3 EXPLOSIVES
Officers who encounter a suspected explosive device shall promptly notify a supervisor. The Bomb Squad will be called to handle explosive-related incidents and will be responsible for the handling, storage, sampling, and disposal of all suspected explosives.

Explosives will not be retained in the police facility. Only fireworks that are considered stable and safe and road flares or similar signaling devices may be booked into property. All such items shall be stored in proper containers and in an area designated for the storage of flammable materials. The property and evidence technician is responsible for transporting to the fire department any fireworks or signaling devices that are not retained as evidence.

800.3.4 EXCEPTIONAL HANDLING
Certain property items require a separate process. The following items shall be processed in the described manner:

(a) Bodily fluids such as blood or semen stains shall be air dried in the drying room prior to packaging.
(b) License plates found not to be stolen or connected with a known crime should be released directly to the owner. If the owner is not known or cannot be located the license plates will be entered as found property and tagged for destruction.
(c) All bicycles and bicycle frames taken as found property require a property record. Property tags will be securely attached to each bicycle or bicycle frame and placed in the bicycle storage area. Normally bicycles and bicycle frames under a value of $100.00 will not be taken as found property unless the officer determines otherwise.
(d) All cash shall be counted in the presence of another department member and the evidence envelope initialed and dated by the submitting officer and witness. A supervisor shall be contacted for cash in excess of $1,000.

City property, unless connected to a known criminal case, should be released directly to the appropriate City department. No formal booking is required. In cases where no responsible person can be located, the property should be booked for safekeeping in the normal manner.

800.3.5 PROPERTY SUBJECT TO FORFEITURE
Whenever property seized by the Department is subject to forfeiture, specific notification procedures must be followed. It shall be the responsibility of the assigned officer, detective, or the property and evidence technician to ensure that the following notifications are completed.

The owner of the property will be notified of the seizure and intended forfeiture of the seized property within 15 days following the seizure. Notification includes any person having any known right or legal interest in the seized property, including any community property interest. The notice of the seizure may be made by any method authorized by law (RCW 10.105.010).
The notification will include the legal reason for the seizure and information regarding how to appeal the pending forfeiture.

Notification procedures for property seized under Asset Forfeiture (RCW 69.50.505) are detailed in the Asset Forfeiture Policy.

800.3.6 PRESCRIPTION DRUG PROGRAM
The Washougal Police Department participates in the Prescription Drug Program. This program is designed for citizens to dispose of prescription drugs in an environmentally and safe manner. Employees shall observe the following procedures:

(a) The citizen shall bring prescription drugs to the police department during office hours. Officers will not respond to residences to retrieve prescription drugs.

(b) The citizen will be provided a paper bag for them to place the prescription drugs into.

(c) The employee will monitor what is placed into the paper bag by the citizen to ensure that only allowable items are released into our facility. See "PROHIBITED ITEMS"

(d) The citizen shall staple the paper bag and the employee will observe the citizen place the paper bag into the Prescription Drug Program mailbox.

PROHIBITED ITEMS: Any propellants (such as inhalants), combustible items or plastic pill containers. Any item deemed by a department employee as being too dangerous to be accepted into the police facility.

800.3.7 PRESCRIPTION DRUG PROCEDURE
At the beginning of each calendar year the evidence custodian/officer will pull a master case number. The report will be labeled as an "Informational Report" and will be for the purpose of tracking the amount of prescription drugs brought into the department for that calendar year.

At the first of every other month the evidence custodian/officer and a witness shall empty the mailbox and place the items into a cardboard box or paper evidence bag. A total weight will be taken and written on the outside of the container.

A continuation report will be completed listing the weight of prescription drugs brought into the department for that month. The total weight includes the plastic bags and evidence box/bag.

The box/bag will be sealed and placed in the evidence room to await disposal.

800.3.8 STORAGE OF SURRENDERED FIREARMS
Officers shall accept and store a firearm from any individual who has surrendered firearms under RCW 9.41.800 (Surrender of weapons), the Extreme Risk Protection Order Act, or after being detained under RCW 71.05.150 or RCW 71.05.153. The officer receiving the firearm shall:

(a) Record the individual’s name, address, and telephone number.

(b) Record the firearm’s serial number.

(c) Record the date that the firearm was accepted for storage.
(d) Prepare a property receipt form and provide a copy to the individual who surrendered the firearm.

   1. If the firearm was surrendered pursuant to the Extreme Risk Protection Order Act, the original receipt should be forwarded promptly to the Lead Administrative Assistant for timely filing with the court (RCW 7.94.090).

The property and evidence technician shall store a firearm accepted pursuant to this policy.

800.3.9 FOUND PROPERTY
Found property surrendered to the Department shall be handled as required by RCW 63.21.050.

800.4 PACKAGING OF PROPERTY
Certain items require special consideration and shall be booked separately as follows:

(a) Narcotics and dangerous drugs.
(b) Firearms (ensure they are unloaded and booked separately from ammunition).
(c) Property with more than one known owner.
(d) Fireworks.
(e) Contraband.

800.4.1 PACKAGING CONTAINER
Employees shall package all property, except narcotics and dangerous drugs in a suitable container available for its size. Knife boxes should be used to package knives, and syringe tubes should be used to package syringes and needles.

A barcode label shall be securely attached to the outside of all items or group of items packaged together.

800.4.2 PACKAGING NARCOTICS
The officer seizing narcotics and dangerous drugs shall retain such property in his/her possession until it is properly weighed, packaged, tagged with a barcode label, and placed in a temporary evidence locker. Prior to packaging and if the quantity allows, a presumptive test should be made on all suspected narcotics. If conducted, the results of this test shall be included in the officer's report.

Narcotics and dangerous drugs shall be packaged in an envelope of appropriate size available in the report room. The booking officer shall initial the sealed envelope and the initials covered with cellophane tape. Narcotics and dangerous drugs shall not be packaged with other property.

800.4.3 FENTANYL HANDLING AND PACKAGING
In order to minimize cross contamination evidence that may contain fentanyl should never be placed in a locker with other evidence items.
Only utilize an individual temp locker for the packaged item(s) you suspect may contain fentanyl. Property Technicians will now be using enhanced safety protocols to minimize the cross contamination to other items.

When processing evidence suspected of containing fentanyl, especially powder, pills, or capsules, do not field test using a NIK pouch or similar reagent testing packets.

Do not process the evidence alone, ensure a partner is assisting, and Narcan/Naloxone is immediately available for an accidental exposure. When bagging fentanyl or an unknown powder at the scene, designate a “dirty” handler and a “clean” handler. The dirty handler will be the only one to actually handle the drugs. The clean handler will hold the evidence packaging and seal it once it’s been placed inside. That way you can reduce the chance of contaminating the outside of the evidence packaging.

Universal precautions of dark nitrile gloves, eye protection, and an N95 dust mask will be worn by all handlers.

The crime lab has requested all items suspected of containing fentanyl be submitted in a hard sided container. Because of the requirement all evidence items suspected of containing fentanyl will be submitted in quart size paint cans and can be located in the evidence processing room. Do not put multiple items in a can, only use one can per item. Contact the evidence tech if a larger can is required.

All items are to be double bagged in plastic bags prior to being placed in a can. To prevent making fentanyl particles airborne do not squeeze the bag to deflate after an item is placed in it. It is also best to place items into flattened bags with as little air in the bag as possible.
Seal item in 2 plastic bags

After the item is placed in the can seal the can with its top, making sure it is sealed securely and there is no residue or debris in the grooves.
Double bagged item folded into can

Run evidence tape across top of can. Write initials, PSN and date across tape and overlapping onto can.
A warning sticker shall be affixed to the can along with the evidence tag. These stickers are stored in the evidence room.
Property and Evidence
**Fentanyl hazard sticker affixed to can**

### 800.5 RECORDING OF PROPERTY
The property and evidence technician receiving custody of evidence or property shall record his/her signature, the date and time the property was received and where the property will be stored on the property control card.

A property number shall be obtained for each item or group of items. This number shall be recorded on the property tag and the property control card.

Any changes in the location of property held by the Washougal Police Department shall be noted in the property logbook.

### 800.6 PROPERTY CONTROL
Each time the property and evidence technician receives property or releases property to another person, he/she shall record the transfer of the property in the EIS property module. Officers desiring property for court shall contact the property and evidence technician at least one day prior to the court day.

#### 800.6.1 RESPONSIBILITY OF OTHER PERSONNEL
Every time property is released or received, the chain of control shall be tracked via the EIS property module. No property or evidence is to be released without first receiving authorization.

Request for analysis for items other than narcotics or drugs shall be completed on the appropriate forms and submitted to the property and evidence technician. This request may be filled out any time after booking of the property or evidence.

#### 800.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY
The transporting employee will check the evidence out of property.

The property and evidence technician releasing the evidence must track the chain of control in the EIS property module. The WSP lab forms will be transported with the property to the WSP Crime Lab.

#### 800.6.3 STATUS OF PROPERTY
Each person receiving property will make the appropriate entry to document the chain of evidence. Temporary release of property to officers for investigative purposes, or for court, shall be tracked in the EIS property module.

The property and evidence technician shall track to whom property is released, and the reason for release. Any employee receiving property shall be responsible for such property until it is properly returned to property or properly released to another authorized person or entity.

The return of the property shall be tracked in the EIS property module.
800.6.4 RELEASE OF PROPERTY

The Washougal Police Department shall make every effort to return personal property that is in the possession of this department when such property is not considered evidence of a crime or is no longer needed as evidence. In such cases, the property and evidence technician shall make a reasonable attempt to identify the lawful owner and provide written notice via US Mail within 15 days after the property is authorized to be released.

If the property remains unclaimed beyond sixty days after the initial written notice to the property owner, or, in the case of property held as evidence, sixty days from the date when the case has been finally adjudicated and the property has been released as evidence by order of the court, the Department may (RCW 63.32.010; RCW 63.40.010):

(a) At any time thereafter sell the property at public auction to the highest and best bidder for cash in the manner provided by RCW 63.32 or RCW 63.40. The disposition of all proceeds from such auctions shall be accounted for and recorded according to law. (RCW 63.32.030).

(b) Retain the property for the use of the Department subject to giving notice in the manner prescribed in RCW 63.32.020 (or RCW 63.40.020) and the right of the owner, or the owner's legal representative, to reclaim the property within one year after receipt of notice, without compensation for ordinary wear and tear if, in the opinion of the Chief of Police, the property consists of firearms or other items specifically usable in law enforcement work, provided that at the end of each calendar year during which there has been such a retention, the Department shall provide the City's elected body and retain for public inspection a list of such retained items and an estimation of each item's replacement value. At the end of the one-year period any unclaimed firearm shall be disposed of pursuant to RCW 9.41.098(2).

(c) Destroy an item of personal property at the discretion of the Chief of Police if he/she determines that the following circumstances have occurred:
   1. The property has no substantial commercial value, or the probable cost of sale exceeds the value of the property; and
   2. The item has been unclaimed by any person after notice procedures have been met, as prescribed in this section; and
   3. The Chief of Police has determined that the item is unsafe and unable to be made safe for use by any member of the general public.

If the item is not unsafe or illegal to possess or sell, it may, after satisfying the notice requirements as prescribed in RCW 63.32.020, be offered by the Chief of Police to bona fide dealers, in trade for law enforcement equipment. Such equipment shall be treated as retained property for purpose of annual listing requirements of the RCW. Such items may be destroyed at the discretion of the Chief of Police if he/she believes that it has been, or may be used in a manner that is illegal (RCW 63.32.010).
The property and evidence technician shall release the property upon proper identification being presented by the owner for which an authorized release has been received. A signature of the person receiving the property shall be recorded on the original property form. After release of all property entered on the property control card, the card shall be forwarded to the Records Section for filing with the case. If some items of property have not been released the property card will remain with the Evidence Room. Upon release, the proper entry shall be documented in the Property Log.

800.6.5 DISPUTED CLAIMS TO PROPERTY
Occasionally more than one party may claim an interest in property being held by the Department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or other undisputed right to the involved property.

All parties should be advised that their claims are civil and in extreme situations, legal counsel for the Department may wish to file an interpleader to resolve the disputed claim.

800.6.6 CONTROL OF NARCOTICS AND DANGEROUS DRUGS
The property and evidence technician will be responsible for the proper storage, control, and destruction of all narcotics and dangerous drugs coming into the custody of this department.

800.6.7 PROPERTY DEPICTING A MINOR ENGAGED IN SEXUALLY EXPLICIT CONDUCT
No property or material that depicts a minor engaged in sexually explicit conduct shall be copied, photographed, or duplicated. Such material shall remain under the control of this department or the court and shall be made reasonably available for inspection by the parties to a criminal proceeding involving the material. The defendant may only view these materials while in the presence of his/her attorney or an individual appointed by the court either at this department or a neutral facility as approved by the court (RCW 9.68A.001). Any request for inspecting such material should be brought to the attention of the assigned investigator or an investigation supervisor.

800.7 DISPOSITION OF PROPERTY
All personal property, other than vehicles governed by Chapter 46.52 RCW, not held for evidence in a pending criminal investigation or proceeding, and held for 60 days or longer where the owner has not been located or fails to claim the property, may be disposed of in compliance with existing laws upon receipt of proper authorization for disposal. The property and evidence technician should request a disposition or status on all property which has been held in excess of 60 days, and for which no disposition has been received from a supervisor or detective (RCW 63.32.010; RCW 63.40.010).

800.7.1 BIOLOGICAL EVIDENCE
The property and evidence technician shall ensure that no biological evidence held by the Department is destroyed without adequate notification to the following persons, when applicable:

(a) The defendant
(b) The defendant's attorney
Biological evidence shall be retained for a minimum period established by Washington law (RCW 5.70.010) or the expiration of any sentence imposed related to the evidence, whichever time period is greater. Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice unless a motion seeking an order to retain the sample is filed and served on the Department within 90 days of the date of the notification. A record of all certified mail receipts shall be retained in the appropriate file. Any objection to, or motion regarding, the destruction of the biological evidence should be retained in the appropriate file.

Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Chief of Police and the head of the applicable prosecutor’s office.

Biological evidence from an unsolved crime shall not be disposed of prior to expiration of the statute of limitations (RCW 5.70.010). Even after expiration of the applicable statute of limitations, the Captain should be consulted.

800.7.2 RETURN OF FIREARMS
Prior to the return of a privately owned firearm, the property and evidence technician shall ensure confirmation of the following (RCW 9.41.345):

(a) The individual to whom the firearm is to be returned is the individual from whom the firearm was obtained, an authorized representative of the individual, or other person identified by a court order.

(b) The individual is eligible to possess a firearm pursuant to RCW 9.41.080.

(c) The firearm is not required to be held in custody or prohibited from release.

(d) Twenty-four hours has elapsed from the time the firearm was obtained by law enforcement or five business days if the firearm was seized in connection with a domestic violence call under RCW 10.99.030.

(e) Notification is made to those family or household members, or an intimate partner, who have requested notification pursuant to established department protocol (RCW 9.41.340).

1. Firearms shall be held in custody for 72 hours from the time notification is provided.

If a firearm or dangerous weapon was surrendered or lawfully seized pursuant to a protection order issued under RCW 9.41.800 and is to be returned to a person other than the individual from whom the firearm or dangerous weapon was obtained, the property and evidence technician shall determine that the person is the lawful owner and obtain a written agreement, signed by the lawful owner under the penalty of perjury, that the firearm or dangerous weapon will be stored in
a manner to prevent the individual from whom the firearm or dangerous weapon was obtained, from accessing, controlling, or possessing the firearm or dangerous weapon (RCW 9.41.801).

Upon confirmation that the individual is eligible to possess a firearm and any applicable notifications are complete, the firearm shall be released to the individual or authorized representative upon request without unnecessary delay.

If a firearm cannot be returned because it is required to be held in custody or is otherwise prohibited from release, written notice shall be provided to the individual within five business days of the date the individual requested return of the firearm. The written notice shall include the reason the firearm must remain in custody.

For safety reasons ammunition will not be released at the same time the firearms are released. If ammunition is to be released along with firearms the person receiving the ammunition must schedule another appointment to receive the ammunition, the appointment must be at least 24 hours after the weapons are released.

800.7.3 RELEASE OF FIREARMS IN EXTREME RISK PROTECTION ORDER MATTERS
If an extreme risk protection order is terminated or expires without renewal, a firearm taken or surrendered pursuant to the order shall be returned to the person after (RCW 7.94.100):

(a) Confirming through a background check that the person is currently eligible to possess the firearm under federal and state law.
(b) Confirming with the court that the extreme risk protection order is no longer in effect.
(c) Notice has been provided to a family or household member who requested notification.

If an individual other than the restrained person claims title to any firearms surrendered or taken into custody, and that individual is determined to be the lawful owner and a lawful possessor of the firearm, the firearm shall be returned to that individual provided that he/she agrees to store the firearm in a manner that prevents the restrained person from access (RCW 7.94.090).

800.7.4 SEXUAL ASSAULT KITS
Unreported sexual assault kits shall be stored and preserved for 20 years from the date of collection (Chapter 26 § 3, 2020 Laws).

800.7.5 RELEASE OF FIREARMS AFTER EMERGENCY DETENTION
Firearms surrendered pursuant to RCW 71.05.182 (surrender of firearms after emergency detention) shall be returned in compliance with the provisions of RCW 9.41.345 as long as the six-month suspension period has expired or the person's right to possess firearms has been restored, whichever is sooner (RCW 71.05.182).

800.8 INSPECTIONS OF THE EVIDENCE ROOM
(a) On a monthly basis, the supervisor of the evidence custodian shall make an inspection of the evidence storage facilities and practices to ensure adherence to appropriate policies and procedures.
(b) Unannounced inspections of evidence storage areas shall be conducted annually as directed by the Chief of Police.

(c) An annual audit of evidence held by the department shall be conducted by the Captain (as appointed by the Chief of Police) not routinely or directly connected with evidence control.

(d) Whenever a change is made in personnel who have access to the evidence room, an inventory of all evidence/property shall be made by an individual not associated to the property room or function to ensure that records are correct and all evidence property is accounted for.

800.8.1 EVIDENCE ROOM SECURITY
Access to the Washougal Police Department Evidence Room is restricted to authorized department personnel only. It shall be the responsibility of the property and evidence technician to control all access to the Evidence Room.

The property and evidence technician shall maintain a log of all persons entering the secured area of the Evidence Room. Personnel, other than those assigned to the Evidence Room, who have legitimate business in the secured area will be required to record their name, the date, time, and purpose for entry.
Records

801.1 PURPOSE AND SCOPE
The Lead Administrative Assistant shall maintain the Department Records Section Procedures Manual on a current basis to reflect the procedures being followed within the Records Section. Policies and procedures that apply to all employees of this department are contained in this chapter.

801.1.1 NUMERICAL FILING SYSTEM
Case reports are filed numerically within the Records Section by Records Section personnel. Reports are numbered commencing with the last two digits of the current year followed by a sequential number beginning with 00001 starting at midnight on the first day of January of each year. As an example, case number 09-00001 would be the first new case beginning January 1, 2009.

801.1.2 UNIFORM CRIME REPORTING
The Washougal Police Department participates in the Uniform Crime Reporting Program (UCR) and/or the National Incident Based Reporting System (NIBRS). The Lead Administrative Assistant is responsible for ensuring that UCR/NIBRS reports are provided to the Washington Association of Sheriffs and Police Chiefs (WASPC) on a regular basis.

801.2 FILE ACCESS AND SECURITY
All reports including, but not limited to, initial, supplemental, follow-up, evidence, and all reports critical to a case shall be maintained in a secure area within the Records Section accessible only to authorized Records Section personnel.

Washougal Police Department employees shall not access, view or distribute, or allow anyone else to access, view or distribute any record, file or report, whether hard copy or electronic file format, except in accordance with department policy and with a legitimate law enforcement or business purpose or as otherwise permissible by law.

801.2.1 REQUESTING ORIGINAL REPORTS
Generally, original reports shall not be removed from the Records Section. Should an original report be needed for any reason, the requesting employee shall first obtain authorization from the Lead Administrative Assistant.

801.2.2 RECORDS CONCERNING JUVENILES
The Lead Administrative Assistant shall be responsible for the destruction and sealing of juvenile records in accordance with RCW 13.50.270, including the following circumstances:

- Upon receiving notification from the juvenile court that specific records should be destroyed.
Upon receiving notification from the Office of the Governor that a specific juvenile has received a full and unconditional pardon, the Lead Administrative Assistant shall ensure that all records pertaining to that juvenile are destroyed within 30 days.

801.3 USE OF A CENTRAL COMPUTERIZED ENFORCEMENT SERVICE SYSTEM (ACCESS)
ACCESS is a computer-controlled communications system located at the WSP Information Technology Division. ACCESS provides service to all the state and national information systems. The Chief of the WSP is vested with the authority to administer all operating phases of ACCESS and the Washington Crime Information Center (WACIC). There are specific requirements for agencies accessing the information in the group of computer systems in ACCESS.

801.3.1 ACCESS USE REQUIREMENTS
No member of the Washougal Police Department shall operate any of the ACCESS systems without first complying with the training requirements as listed in the ACCESS manual.

801.3.2 ACCESS REQUIREMENTS
As an authorized ACCESS user, the Washougal Police Department complies with all of the following ACCESS requirements:

- Receiving information from outside agencies
- Recording information
- Verifying information
- Canceling information
- Providing 24-hour access to agency warrants

It is the responsibility of the Lead Administrative Assistant to ensure that all ACCESS computer and network security requirements are in place and operational.

801.4 OFFICER SAFETY ADVISORIES
A Violent Person File (VPF) database is maintained by the National Crime Information Center (NCIC) and is intended to provide protection to police, corrections, or other criminal justice officers. Individuals who represent a potential threat to officers may be entered into the WACIC when they have previously exhibited assaultive or threatening behavior during contacts by law enforcement.

To qualify for entry, one or more of the following conditions must be met (WACIC Manual Chapter 29.01 II, A):

(a) The offender has been convicted for assault or murder/homicide of a law enforcement officer, fleeing, resisting arrest or any such statute that involves violence against law enforcement.

(b) The offender has been convicted of a violent offense against a person to include homicide and attempted homicide.
(c) The offender has been convicted of a violent offense against a person where a firearm or weapon was used.

(d) A law enforcement agency, based on its official investigatory duties, reasonably believes that the individual has seriously expressed his/her intent to commit an act of unlawful violence against a member of the law enforcement or criminal justice community.

Officers who encounter a person who they believe is a threat to officer safety should submit a report detailing the circumstances of the contact and nature of the threat for entry as an Officer Safety Advisory.

All Officer Safety Advisories are subject to approval by the Chief of Police or his/her designee. Once approved, the Records Section is responsible for making the appropriate entry into the WACIC.

Whenever an Officer Safety Advisory is initiated by the Washougal Police Department, it is the responsibility of the Lead Administrative Assistant to ensure that a copy of the supporting documentation and the authorized statement signed by the Chief of Police are maintained in a separate file. Supporting documentation may include the crime report, officer's supplemental report, mental health report or other similar documentation.

### 801.5 ACCESS MISUSE

(a) Use of the ACCESS System
   
   (a) A Central Computerized Enforcement Service System (ACCESS) is a computer controlled communications system operated and maintained for all law enforcement and criminal justice agencies within the state. The Chief of the Washington State Patrol (WSP) administers all operating phases of the ACCESS System.

   (b) The ACCESS System shall only be used for official law enforcement business. The following rules and policies ensure proper and efficient use of the ACCESS system. All terminal operators, including mobile data terminal users, must be certified at their appropriate level every two years. All personnel will conform to these policies and rules. Any questions regarding these policies should be referred to the ACCESS Section.

(b) Terminal Agency Coordinator (TAC)
   
   (a) Responsibility for proper operator performance, strict adherence to regulations and prompt notification of CJIS violations to the ACCESS Section. Refer to the Introduction chapter of the ACCESS Operations Manual for further clarification of TAC responsibilities.

(c) Information from ACCESS and Dissemination
   
   (a) All personnel who use or work on the connection to ACCESS must observe all restrictions placed on the use or dissemination of information received through ACCESS. Policies contained within the ACCESS Operations Manual and other
related manuals must be adhered to. Some records may be public information; however, if the information is obtained through ACCESS it must only be used for criminal justice purposes. Those records that may be considered public would have to be released through a formal public disclosure request.

(b) Queries or messages not pertaining to law enforcement business (e.g., personal inquiries) are prohibited.

(c) Persons shall not use or provide any information obtained through the ACCESS system for private business or personal reasons.

(d) System Misuse

(a) Violations of the rules, regulations, policies, or procedures developed by NCIC and adopted by the WSP or any other misuse or abuse of the ACCESS system may result in agency disciplinary measures and/or criminal prosecution.

(b) All allegations of ACCESS misuse must immediately be reported to the ACCESS Section Manager using the ACCESS Violation Incident Report Form. The violation report can be found on the ACCESS website: http://www.wsp.wa.gov/_secured/access/resources.htm

(c) If the allegations are founded, the investigating agency will choose the level of discipline.

(d) The WSP works in conjunction with the agency to impose additional sanctions, if warranted.

(a) This may include, but is not limited to, additional training, revocation of individual certification, or termination of system access to the department.

801.6 CRIMINAL HISTORY USE AND DISSEMINATION

1. All criminal history logs are maintained in an automated format by the Washington State Patrol (WSP).

2. The criminal history inquiry must contain the following information:

(a) Identify the specific type of request (QH, QWH, QR, QI)

(b) The Attention (ATN) Field must contain the following:

i. Requestor Information - First initial and last name and/or unique identifier of the person requesting the information. A unique identifier of the requestor might be a personnel number that does not change throughout the year. Washougal Police Department personnel normally use PSN numbers as their identifier.

ii. Specific criminal justice reason - Washougal Police Department personnel use the case number as the reason. If there is no case number attached to the inquiry a literal reason can be spelled out. Generic reasons, such as investigation, employment, or ID are considered too generic and can present a compliance issue. Good reasons to use are theft, homicide, drugs.
iii. Examples:
   • ATN / 6473 18-100
   • ATN / 6473 REBACKGROUND
   • ATN / K. CLARK THEFT

(c) Proper purpose codes must be used. If you are unsure about which purpose code to use, you may refer to the ACCESS Operating Manual.
   - C Use this purpose code for official duties in connection with the administration of criminal justice (i.e., crimes, non-applicant riders and contractor or vendors not involved in the administration of criminal justice.
   - J Use this code when back grounding new criminal justice applicants, applicant rider and the 5 year re-background for certified ACCESS users.
   - F Use this purpose code for certain weapons related checks

(d) The subject’s information that you are querying:
   i. Full name and date of birth
   ii. State Identification (SID) number or Federal Bureau of Investigation (FBI) number.

3. The Washougal Police Department does not allow secondary dissemination of criminal history information.

4. The Washougal Police Department will store all Criminal Justice Information (CJI) in a secure case file and/or dispose of all documents via shredding. Washougal Police Department personnel will accompany contracted personnel to the on-site shredding truck and stand by while all sensitive paperwork is destroyed.

5. The Washougal Police Department personnel have all been apprised that criminal history data may only be used in the administration of criminal justice. It is strictly protected by state and federal law. A list of applicable laws may be found in Chapter 1 of the ACCESS Operating Manual.

801.7 MEDIA DISPOSAL

Purpose

The purpose of this policy is to outline the proper disposal of media (physical or electronic) at the Washougal Police Department. These rules are in place to protect sensitive and classified information, employees and the Washougal Police Department. Inappropriate disposal of the Washougal Police Department and FBI Criminal Justice Information (CJI) and media may put employees, the Washougal Police Department and the FBI at risk.

Scope
This policy applies to all Washougal Police Department employees, contractors, temporary staff, and other workers at the Washougal Police Department, with access to FBI CJIS systems and/or data, sensitive and classified data, and media. This policy applies to all equipment that processes, stores, and/or transmits FBI CJI and classified and sensitive data that is owned or leased by the Washougal Police Department.

Policy

When no longer usable, hard drives, diskettes, tape cartridges, CDs, ribbons, hard copies, print-outs, and other similar items used to process, store and/or transmit FBI CJI and classified and sensitive data shall be properly disposed of in accordance with measures established by the Washougal Police Department.

Physical media (print-outs and other physical media) shall be disposed of by one of the following methods:

1) Placed in locked shredding bins for Iron Mountain to come on-site and shred, witnessed by Washougal Police Department personnel throughout the entire process.

   Electronic media (hard-drives, tape cartridge, CDs, printer ribbons, flash drives, printer and copier hard-drives, etc.) shall be disposed of by one of the Washougal Police Departments methods:

   2) Destruction – a method of destroying magnetic media. As the name implies, destruction of magnetic media is to physically dismantle by methods of crushing, disassembling, etc., ensuring that the platters have been physically destroyed so that no data can be pulled.

   IT systems that have been used to process, store, or transmit FBI CJI and/or sensitive and classified information shall not be released from the Washougal Police Department’s control until the equipment has been sanitized and all stored information has been cleared using one of the above methods.

Enforcement

Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination.

All Washougal Police Department personnel have been apprised of this policy.

801.8 PHYSICAL PROTECTION

1. Purpose:
The purpose of this policy is to provide guidance for agency personnel, support personnel, and private contractors/vendors for the physical, logical, and electronic protection of Criminal Justice Information (CJI). All physical, logical, and electronic access must be properly documented, authorized and controlled on devices that store, process, or transmit unencrypted CJI. This Physical Protection Policy focuses on the appropriate access control methods needed to protect the full lifecycle of CJI from insider and outsider threats.

The intended target audience is personnel, support personnel, and private contractor/vendors with access to CJI whether logically or physically.

2. Physically Secure Location:

- A physically secure location is a facility or an area, a room, or a group of rooms within a facility with both the physical and personnel security controls sufficient to protect the CJI and associated information systems. The perimeter of the physically secure location shall be prominently posted and separated from non-secure locations by physical controls. Security perimeters shall be defined, controlled, and secured. Restricted non-public areas in the agency shall be identified with a sign at the entrance.

3. Visitors Access:

- Visitor specifications need to be established per agency purview and approval. A visitor is defined as a person who visits the agency on a temporary basis who is not employed by the Washougal Police Department and has no unescorted access to the physically secure location within the agency where CJI and associated information systems are located.

Visitors must:

(a) Sign into the Washougal Police Department Visitors log. Be accompanied by an agency personnel escort at all times to include delivery or service personnel. An escort is defined as authorized personnel who accompany a visitor at all times while within a physically secure location to ensure the protection and integrity of the physically secure location and any CJI therein. The use of cameras or other electronic means used to monitor a physically secure location does not constitute an escort.

(b) Show a valid form of photo identification

(c) Follow policy for unescorted access

(a) Noncriminal Justice Agency (NCJA) like city or county IT who require frequent unescorted access to restricted area(s) will be required to establish a Management Control Agreement between the Washougal Police Department and NCJA. Each NCJA employee with CJI access will appropriately have state and national fingerprint-based record background check prior to this restricted area access being granted.

(b) Private contractors/vendors who have frequent unescorted access to restricted area(s) will be required to establish a Security Addendum with each private contractor personnel. Each private contractor...
personnel will appropriately have state and national fingerprint-based record background check prior to this restricted area access being granted

(d) Not be allowed to view screen information mitigating shoulder surfing

(e) Be escorted to a public area of the facility when they do not have any legitimate business in a restricted area. Strangers in physically secure areas without an escort should be challenged

(f) Not be allowed to sponsor another visitor

(g) Not enter into a secure area with electronic devices unless approved by the Information Technology point of contact to include cameras and mobile devices. Photographs are not allowed without permission of the Washougal Police Department assigned personnel

(h) Be referred to the proper agency point of contact for scheduling requests for tours. Visitor rules apply for each visitor within the group. The group leader will provide a list of names to front desk personnel for instances of emergency evacuation and accountability of each visitor while on agency premises

4. **Authorized Physical Access:**

   - Only authorized personnel will have access to physically secure non-public locations. The agency will maintain and keep current a list of authorized personnel. All physical access points into the agency’s secure areas will be authorized before granting access. The agency will implement access controls and monitoring of physically secure areas for protecting all transmission and display mediums of CJI. Authorized personnel will take necessary steps to prevent and protect the agency from physical, logical and electronic breaches.

**801.9 COURT ORDERS**

The Lead Administrative Assistant shall see that no-contact orders received from the court are entered into the WACIC or other applicable criminal intelligence information system until the expiration date specified on the order. Upon receipt of notice that an order has been terminated, the Lead Administrative Assistant shall see that the order is removed from the applicable system (RCW 9A.40.102; RCW 9A.40.104; RCW 9A.40.106).
Records Maintenance and Release

802.1 PURPOSE AND SCOPE
This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy.

802.2 POLICY
The Washougal Police Department is committed to providing public access to records in a manner that is consistent with the Washington Public Records Act (RCW 42.56.001 et seq.).

802.3 PUBLIC RECORDS OFFICER
The Chief of Police shall designate a Public Records Officer (RCW 42.56.580). The responsibilities of the Public Records Officer include but are not limited to:

(a) Managing the records management system for the Department, including the retention, archiving, release and destruction of department public records.

(b) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records.
   1. Rules and procedures for public inspection and copying shall be prominently displayed and made available to the public for inspection and copying (RCW 42.56.040).

(c) Maintaining and making available for public inspection and copying an index of documents that provides identifying information of certain documents identified in RCW 42.56.070 that are maintained by the Department.

(d) Maintaining and updating the department records retention schedule including:
   1. Identifying the minimum length of time the Department must keep records.
   2. Identifying the department section responsible for the original record.

(e) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.

(f) Ensuring a current list containing every law that exempts or prohibits disclosure of specific information or records of the Department is available to the public (RCW 42.56.070).

(g) Establishing rules regarding the processing of subpoenas for the production of records.

(h) Ensuring the availability of a current schedule of fees for public records as allowed by law (RCW 42.56.070; RCW 42.56.120; RCW 42.56.130).

(i) Ensuring that the business hours for record inspection or copying are posted on the department's website and made known by other means designed to provide the public with notice (RCW 42.56.090).
(j) Ensuring that the name and contact information of the Public Records Officer is visible to the public, including the department website and appropriate department publications (RCW 42.56.580).

802.4 PROCESSING REQUESTS FOR PUBLIC RECORDS
Any department member who receives a request for any record shall route the request to the Public Records Officer or the authorized designee.

802.4.1 REQUESTS FOR RECORDS
The processing of requests for any record is subject to the following:

(a) The Department is not required to create records that do not exist.

(b) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.

1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio or video, a copy of the redacted audio/video release should be maintained in the department-approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.

(c) Requests to inspect or copy records shall be responded to promptly. Within five business days of receiving the request, one of the following responses shall be made (RCW 42.56.520):

1. Providing the record.

2. Providing the internet address and link of the department website to the specific records requested.

(a) If the requester notifies the Department that access cannot be obtained through the internet, then copies of the record shall be provided or the requester may view the records on the department computer.

3. Acknowledging the receipt of the request and providing a reasonable estimate of time the Department will require to respond to the request. Additional time may be required to respond based upon:

(a) The need to clarify the intent of the request.

(b) The need to locate and assemble the information requested.

(c) Notification to third persons or agencies affected by the request.

(d) Determination whether any of the information requested is exempt.

4. Acknowledging the receipt of the request and asking the requester for clarification if the request is not clear and providing the requester a reasonable estimate of the time that will be needed to respond if the request is not clarified. If the requester does not respond, and the entire request is unclear, the Department need not respond. If only part of the request is
unclear, the Department shall respond to those portions of the request that are clear.

802.4.2 DENIALS

(a) The denial shall be accompanied by a written statement that includes the specific exemption and a brief explanation of how the exemption applies to the withheld record (RCW 42.56.210).

(b) Requests that are denied are subject to judicial review and the burden of proof is on the Department to show that the records requested are exempt or prohibited in whole or part by statute (RCW 42.56.550).

802.5 RELEASE RESTRICTIONS

Examples of release restrictions include:

(a) Personal identifying information, including an individual’s photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any driver license record, motor vehicle record, or any department record, including traffic collision reports, are restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722).

(b) Personnel records that contain personal information to the extent that disclosure would violate privacy rights (RCW 42.56.230; RCW 42.56.250).

(c) Specific intelligence and specific investigative records regarding the discipline of a member of any profession where nondisclosure is essential for effective law enforcement or for the protection of any person’s right to privacy (RCW 42.56.240).

(d) Victim and witness information revealing the identity of persons who file complaints if disclosure would endanger the person’s life, physical safety, or property (RCW 42.56.240).

(e) Child victim and witness identity information including name, address, recordings, and photographs (RCW 7.69A.030; RCW 42.56.240).

(f) Concealed pistol license applications or information on the applications unless release is to law enforcement or corrections agencies under RCW 9.41.070.

(g) Information revealing the specific details of the alleged assault, identity, or contact information of a child victim of sexual assault who is under age 18. Identifying information means the child victim's name, address, location, photograph, and in cases in which the child victim is a relative, stepchild, or stepsibling of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator. Contact information includes phone numbers, email addresses, social media profiles, and usernames and passwords (RCW 10.97.130; RCW 42.56.240).

(h) Personal identifying information collected relating to local security alarm system programs and vacation crime watch programs (RCW 42.56.240).
(i) Certain criminal history record information as restricted by the Criminal Records Privacy Act (RCW 10.97.040 et seq.).

(j) Traffic collision reports except for what is authorized by RCW 46.52.080 and RCW 46.52.083.

(k) Preliminary drafts, notes, recommendations, or intra-agency memorandums in which opinions are expressed, or policies formulated, or recommended (RCW 42.56.280).

(l) Records that are relevant to a controversy (threatened, actual, or completed litigation) to which the Department is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts (RCW 42.56.290).

(m) Security records including but not limited to records relating to preparing and responding to criminal terrorist acts; vulnerability assessments and emergency and escape plans of secured facilities; information regarding infrastructure and security of computer and telecommunications networks; system security and emergency preparedness plans; and as further defined in RCW 42.56.420.

(n) Global positioning system data that indicates the location of a member’s residence or of a public employee or volunteer (RCW 42.56.240; RCW 42.56.250).

(o) Information contained in a local, regional, or statewide gang database (RCW 42.56.240).

(p) Body worn camera recordings that violate a person's right to privacy (RCW 42.56.240).

(q) Personal identifying information, or information regarding citizenship or immigration status, of any victim of criminal activity or trafficking who is requesting certification for a U or T visa, except where allowed by law (RCW 7.98.020).

(r) Personal identifying information about an individual’s religious beliefs, practices, or affiliation (RCW 42.56.235).

(s) Investigative records compiled by the Department regarding possible unfair practices of discrimination under RCW 49.60.010 et seq. or possible violation of other federal, state, or local laws or Washougal Police Department internal policies during an active and ongoing investigation (RCW 42.56.250).

1. Records may be released upon completion of the investigation as allowed under RCW 42.56.250.

(t) Any other information that may be appropriately denied by Washington law.

802.6 SUBPOENAS AND DISCOVERY REQUESTS

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Public Records Officer for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.
Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the Prosecuting Attorney, City Attorney or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

802.7 EXPUNGEMENT
Expungement orders received by the Department shall be reviewed for appropriate action by the Public Records Officer. The Public Records Officer shall expunge such records as ordered by the court. Records may include, but are not limited to, a record of arrest, investigation, detention or conviction. Once a record is expunged, members shall respond to any inquiry as though the record did not exist.

802.8 TRAINING
The Public Records Officer shall complete a training program consistent with the Attorney General’s model rules within 90 days of assuming responsibilities for public records and complete refresher training as required (RCW 42.56.152).

802.9 SECURITY BREACHES
Members who become aware that any Washougal Police Department system containing personal information may have been breached should notify the Public Records Officer as soon as practicable.

The Public Records Officer shall ensure the required notice is given to any resident of this state whose unsecured personal information is reasonably believed to have been acquired by an unauthorized person (RCW 42.56.590).

Notice shall be given as soon as reasonably practicable but may be delayed if notification will impede a criminal investigation.

For the purposes of the notice requirement, personal information includes:

(a) An individual's first name or first initial and last name in combination with any one or more of the following:

1. Social Security number or the last four digits of the Social Security number
2. Driver license number or Washington identification card number
3. Full account number, credit or debit card number, or any required security code, access code, or password that would permit access to an individual’s financial account
4. Any data elements listed in RCW 42.56.590 (e.g., date of birth, health insurance policy number, biometric data, email address, password)
Records Maintenance and Release

(b) Any of the data elements listed above without the individual’s first and last name if the data elements would enable a person to commit identity theft or if encryption, redaction, or other methods have not safeguarded the data element (RCW 42.56.590).

If the breach reasonably appears to have been made to protected information covered in the Protected Information Policy, the Public Records Officer should promptly notify the appropriate member designated to oversee the security of protected information (see the Protected Information Policy).
Protected Information

803.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the Washougal Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

803.1.1 DEFINITIONS
Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of the Washougal Police Department and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

803.2 POLICY
Members of the Washougal Police Department will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

803.3 RESPONSIBILITIES
The Chief of Police shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include, but are not limited to:

(a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Department of Licensing (DOL) records and the Washington Crime Information Center (WACIC).

(b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice’s current Criminal Justice Information Services (CJIS) Security Policy.

(c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.

(d) Developing procedures to ensure training and certification requirements are met.

(e) Resolving specific questions that arise regarding authorized recipients of protected information.
(f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

803.4 ACCESS TO PROTECTED INFORMATION
Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Washougal Police Department policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution.

803.4.1 PENALTIES FOR MISUSE OF RECORDS
It is a misdemeanor to furnish, buy, receive or possess criminal history record information without authorization by Washington law (RCW 10.97.120).

Divulging the content of any criminal record to anyone other than authorized personnel is a violation of the Standards of Conduct Policy.

Employees who obtain, or attempt to obtain, information from the department files other than that to which they are entitled in accordance with their official duties is a violation of the Standards of Conduct Policy.

803.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION
Protected information may be released only to authorized recipients who have both a right to know and a need to know (RCW 10.97.050).

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Lead Administrative Assistant for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Records Section to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone or any other type of wireless transmission to members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of officers, other department members or the public is at risk.
Nothing in this policy is intended to prohibit broadcasting warrant information.

803.5.1 REVIEW OF CRIMINAL OFFENDER RECORD
An individual may review his/her criminal history record information held by this department after complying with established department requirements as authorized by RCW 10.97.080.

803.6 SECURITY OF PROTECTED INFORMATION
The Chief of Police will select a member of the Department to oversee the security of protected information.

The responsibilities of this position include but are not limited to:

(a) Developing and maintaining security practices, procedures, and training.
(b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.
(c) Establishing procedures to provide for the preparation, prevention, detection, analysis, and containment of security incidents, including computer attacks.
(d) Tracking, documenting, and reporting all breach of security incidents to the Chief of Police and appropriate authorities (RCW 19.255.010; RCW 42.56.590).

803.6.1 CJIS SECURITY INCIDENT REPORTING
Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk, in or on an unattended vehicle, in an unlocked desk drawer or file cabinet, on an unattended computer terminal).

803.6.2 REPORTING OF SECURITY EVENTS
Washougal Police Department shall promptly report incident information to the ACCESS Information Security Officer (ISO) by email to ACCESS@wsp.wa.gov using the available on the ACCESS webpage: http://www.wsp.wa.gov/_secured/access/docs/access_cjis_security_incident_report.pdf to any authorities appropriate to the local agency.

Security events, including identified weaknesses associated with the event, shall be communicated in a manner allowing timely corrective action to be taken. Formal event reporting and escalation procedures shall be in place. Wherever feasible, the agency shall employ automated mechanisms to assist in the reporting of security incidents. All employees, contractors and third party users shall be made aware of the procedures for reporting the different types of event and weakness that might have an impact on the security of agency assets and are required to report any security events and weaknesses as quickly as possible to the designated point of contact.
803.7 TRAINING
All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

803.8 RELIGIOUS AFFILIATION DISCLOSURE
Members shall not release personal information from any agency database for the purpose of investigation or enforcement of any government program compiling data on individuals based on religious belief, practice, affiliation, national origin, or ethnicity (RCW 42.60.020).
Animal Control Procedures – Law Enforcement

804.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for police officers and Washougal Police Department personnel in dealing with animal control related calls for service and to set forth procedures regarding animal control services, the handling of injured animals, and the abatement of animal nuisances.

804.2 POLICE OFFICER RESPONSIBILITY
When no Animal Control Officer (ACO) is on-duty, or if they are otherwise unavailable, the following animal related calls for service will be handled by on-duty police officers.

Police officers may be dispatched to animal related calls and should take appropriate actions to control the situation until the arrival of an ACO. Due to the hazards of handling animals without proper equipment, responding officers generally should not attempt to capture or pick up any animal, but should keep the animal under observation until the arrival of the ACO. The following are examples of when an officer may consider acting before the arrival of the ACO:

(a) When there is a threat to the public safety.
(b) When an animal has bitten someone. If possible officers should take measures to confine the animal and prevent further injury.
(c) When an animal is creating a traffic hazard.
(d) When the owner/handler has been arrested and there is no other alternative placement for the animal.
(e) When the animal is gravely injured.

804.3 ANIMAL CRUELTY COMPLAINTS
ACO’s will generally conduct all investigations of animal cruelty. A report will be completed and forwarded to the City Attorney or Prosecuting Attorney if criminal charges are warranted.

Police officers shall conduct a preliminary investigation on all reports of animal cruelty when an ACO is not on duty. The report will be forwarded to an ACO for follow-up. Police officers shall not hesitate to take any immediate actions deemed necessary.

804.4 STRAY DOGS
The owner should be contacted if the dog has a license or can otherwise be identified. If the owner is contacted the dog should be released to the owner and if appropriate, a citation issued. If a dog is taken into custody, it shall be transported to the animal shelter, making sure the animal has food, water, and bedding.

The animal pick-up form must be completely filled out and left attached to the clipboard hanging on the front of the cage at the shelter.
Fees are required to be paid in order for an animal to be released. The City of Washougal Finance Department will collect fees and issue receipts, ACO's may also collect fees and issue receipts if the finance department is closed. Citizens also have the option of paying the fee online by going to the City of Washougal website.

Releases will be handled by an ACO or personnel of the West Columbia Gorge Humane Society.

### 804.5 ANIMAL BITE REPORTS
Officers shall write a police report with as much information as possible and forward the police report to an ACO for any follow-up investigation that may be required. Officers shall instruct the owner of a biting animal, if contacted, to keep the animal confined on the property until contacted by the ACO. If the animal is a stray, then every effort shall be made to capture and impound the animal immediately.

### 804.6 PUBLIC NUISANCE CALLS RELATING TO ANIMALS
Officers shall write a police report containing as much information as possible regarding the nature of the complaint, complaining person, owner information (if possible), location of problem, etc. Officers should also document any actions taken, citation(s) issued, related report numbers, etc. The police report will be forwarded to an ACO for any necessary follow-up investigation.

In the event responding officers cannot fulfill urgent requests for service because the animal is difficult or dangerous to handle, an ACO may be called in off-duty to handle. If a Camas/Washougal ACO is unavailable, the patrol supervisor may request the assistance of an animal control officer from another agency.

All requests to call in an off-duty ACO must be approved by a supervisor.

Patrol officers will not be required to climb onto or under any privately owned structure, tree, or any other object deemed unsafe by the officer for the sole purpose of removing a nuisance animal.

### 804.7 DECEASED ANIMALS
Deceased animals on public property will be removed and properly disposed of by an ACO. If necessary police officers may move deceased animals posing a hazard for later disposal by an ACO, or by Public Works personnel if it is a large animal.

Neither an ACO nor Police officer will not be required to climb onto or under any privately owned structure, trees or any other object deemed unsafe by the ACO or police officer for the sole purpose of removing a deceased animal.

### 804.8 INJURED ANIMALS
When any injured domesticated animal is brought to the attention of a member of this agency, all reasonable attempts shall be made to contact the owner or responsible handler. When the owner or responsible handler cannot be located and the animal is not an immediate danger to the community, it may be taken to a humane society as described below (RCW 16.54.020).
Animal Control Procedures – Law Enforcement

(a) During normal business hours, the animal should be taken to an authorized veterinary care clinic.

(b) If after normal business hours, the animal should be taken to the department authorized veterinary emergency clinic. VCA East Mill Plain BLVD Animal Hospital, 416 NE 112th Ave, Vancouver WA 360-892-0032.

(c) The only exception to the above is when the animal is an immediate danger to the community or the owner of the animal is identified and takes responsibility for the injured animal.

1. When the need to kill “dispatch” a seriously injured or dangerous animal is necessary, the department Firearms Policy shall be followed. Dispatching an animal shall be undertaken with reasonable prudence and, whenever possible, in consultation with a licensed veterinarian and the owner of the animal (RCW 16.52.210). The decision to dispatch a seriously injured animal will rest with the on-duty Supervisor.

(d) Injured wildlife should be referred to the Department of Fish and Wildlife as applicable.

(e) When handling dead or injured domestic animals department employees shall attempt to identify and notify the owner of the final disposition of the animal.

(f) Each incident shall be documented in a police report and include, at minimum, the name of the reporting party and veterinary hospital and/or person to whom the animal is released. The information will be forwarded to an ACO for follow-up.

804.9 RELEASE OF ANIMALS FROM THE SHELTER

Fees are required to be paid in order for an animal to be released. The City of Washougal Finance Department will collect fees and issue receipts, ACO’s may also collect fees and issue receipts if the finance department is closed. Citizens also have the option of paying the fee online by going to the City of Washougal website.

Releases will be handled by an ACO or personnel of the West Columbia Gorge Humane Society.

804.10 CITATIONS

It is at the discretion of the officer or supervisor to issue a citation for violations.

804.11 POST-ARREST PROCEDURES

The arresting officer should make a reasonable effort to ensure that animals or pets under person’s care will be provided with adequate care when that person is arrested. This is only required when there is no person to provide care and the arrestee is expected to be in custody for a time period longer than would reasonably allow him/her to properly care for the animals.

Relatives or neighbors may be requested to care for the animals with the owner’s consent. If no persons can be found or the owner does not consent, the appropriate animal control authority should be notified.
ACO’s may be requested to assist police officers by taking custody of the animals or to facilitate the transfer of the animals to an individual with the owner’s consent.

**804.12 NUISANCE WILDLIFE AND SICK/INJURED ANIMALS**
The Department of Fish and Wildlife have, via letter, requested the Camas/Washougal Animal Control Officer’s to assistance in dealing with nuisance wildlife within our jurisdictions. Police officers are also authorized to deal with wildlife animals if deemed necessary by an officer. Pursuant to RCW 77.15.250 and 77.15.290, the relocation of nuisance wildlife is not allowed due to the potential of relocating diseased animals or transplanting already proven nuisance animals to another location. The WDFW requests that sick, injured, or nuisance wildlife be captured and humanely euthanized and disposed.
Animal Control Officer Procedures

805.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for animal control officers (ACO) and Washougal Police Department personnel in dealing with animal control related calls for service and to set forth procedures regarding animal control services, the handling of injured animals, and the abatement of animal nuisances.

805.2 ANIMAL CONTROL OFFICER RESPONSIBILITY
Animal control officers (ACO) shall be responsible for enforcing local, state and federal laws relating to animals, and for appropriately resolving or referring animal problems as outlined in this policy. Animal control officers will treat all public contract equal and will work in a professional manner.

In the event that two or more calls come in simultaneously, the call will be handled by priority or type.

During hours when an ACO is on duty, all requests for animal control services shall be assigned to the ACO by the dispatch center (CRESA) or a supervisor. Requests for assistance of an ACO shall be acknowledged and responded to promptly by the ACO.

ACO’s will actively patrol within the city limits of Camas and Washougal when not assigned to a call or otherwise engaged.

ACO’s shall be under the operational control of the patrol section. ACO working hours and shift rotation will be scheduled by the Chief of Police or his/her designee.

805.3 BADGE AND IDENTIFICATION CARD
The badge and identification card are the means by which the department ultimately identifies personnel as having official authority. They should be prominently displayed whenever the identity of an employee acting in his/her official capacity is in question. The badge and identification card will be used for its intended purpose only and shall not be abused.

All employees are required to notify the Chief of Police immediately, in writing and through the chain of command if their badge or identification card is lost, stolen, or damaged.

All department owned badges and identification cards will be returned to the department upon request by command or upon termination of employment.

805.4 ANIMAL CRUELTY COMPLAINTS
ACO’s will generally conduct all investigations of animal cruelty. A report will be completed and forwarded to the City Attorney or Prosecuting Attorney if criminal charges are warranted.
Animal Control Officer Procedures

Police officers shall conduct a preliminary investigation on all reports of animal cruelty when an ACO is not on duty. The report will be forwarded to an ACO for follow-up. Police officers shall not hesitate to take any immediate actions deemed necessary.

805.5 STRAY DOGS
The owner should be contacted if the dog has a license or can otherwise be identified. If the owner is contacted the dog should be released to the owner and if appropriate, a citation issued. If a dog is taken into custody, it shall be transported to the animal shelter, making sure the animal has food, water, and bedding.

The animal pick-up form must be completely filled out and left attached to the clipboard hanging on the front of the cage at the shelter.

805.6 ANIMAL BITE REPORTS
The ACO shall fully investigate all reports of animals biting humans and document the investigation in a police report. The ACO will confirm or not if the animal was vaccinated for rabies, and determine if an “Aggressive Level” is to be placed on the animal. The owner or guardian of the animal will be notified of the 10 day quarantine requirement, the ACO will also determine if the animal is to be quarantine in home or at an animal shelter.

In the event the animal is a stray or the owner/guardian cannot be located, every effort shall be made to capture and impound the animal.

805.7 TRAPS
Domestic animals may by trapped by ACO’s if there is no known owners, or the safety of a person or business is involved.

Department owned traps will not be loaned out to members of the public.

As directed by the Washington State Department of Fish & Wildlife wild animals will not be trapped and moved to another location for release.

805.8 DECEASED ANIMALS
Deceased animals on public property will be removed and properly disposed of by an ACO. Public Works personnel may be utilized to dispose of the animal if the animal is too large or heavy for an ACO to move.

Neither an ACO nor Police officer will not be required to climb onto or under any privately owned structure, trees or any other object deemed unsafe by the ACO or police officer for the sole purpose of removing a deceased animal.

805.9 INJURED ANIMALS
When any injured domesticated animal is brought to the attention of a member of this agency, all reasonable attempts shall be made to contact the owner or responsible handler. When the
owner or responsible handler cannot be located and the animal is not an immediate danger to the community, it may be taken to West Columbia Gorge Humane Society (WCGHS) 2695 S. Index St. Washougal, WA if medical attention is required.

(a) During normal business hours, the animal should be taken to WCGHS.

(b) If after normal business hours, the animal should be taken to the department authorized veterinary emergency clinic. The primary emergency veterinary for the Washougal Police Department is Columbia River Veterinary Specialist (CRVS), located at 6607 NE 84th St. Suite 109, Vancouver WA 98665 360-694-3007.

(c) The only exception to the above is when the animal is an immediate danger to the community or the owner of the animal is identified and takes responsibility for the injured animal. Injured wildlife should be referred to the Department of Fish and Wildlife if warranted.

(a) When the need to kill “dispatch” a seriously injured or dangerous animal is necessary, the department Firearms Policy shall be followed and report written detailing the incident. Dispatching an animal shall be undertaken with reasonable prudence and, whenever possible, in consultation with a licensed veterinarian and the owner of the animal (RCW 16.52.210). The decision to dispatch a seriously injured animal will rest with the on-duty Supervisor.

(d) Injured wildlife should be referred to the Department of Fish and Wildlife if warranted.

(e) When handling dead or injured domestic animals department employees shall attempt to identify and notify the owner of the final disposition of the animal.

(f) Each incident shall be documented in a police report and include, at minimum, the name of the reporting party and veterinary hospital and/or person to whom the animal is released. The When a quarantine is placed on an animal, the following information shall be documented on the quarantine form prior to it being issued to the owner or guardian:

- START PERIOD: Date and time of bite or incident
- END PERIOD: 10 days from date of incident
- Name and contact information of owner or guardian

The original will be placed in the case file and a copy given to the owner or guardian and the shelter. Any victim of a dog bite shall be notified immediately if a quarantined animal exhibits signs of being infected or sickly in appearance. A parent or guardian will be notified if the victim is under 18 years old.

All animals quarantined at the West Columbia Gorge Animal Shelter and Vancouver Humane Society will segregated from other animals and humans during the quarantine period.

All animals quarantined at a shelter will be held under the control of that organization, however the animals will remain accessible to the ACO during the quarantine period.

ACO’s may be requested to assist police officers by taking custody of the animals or to facilitate the transfer of the animals to an individual with the owner’s consent.
805.10 QUARANTINED ANIMALS
Animals will be quarantined for a minimum of 10 days and may be extended if the ACO believes additional observational days are required.

Approved Quarantine locations are:

(a) West Columbia Gorge Animal Shelter
(b) Vancouver Humane Society
(c) “In-home” Quarantine – if approved by an ACO.

In-home quarantine will only be allowed if the following conditions are met:

(a) The animal must be kept indoors with no contact with other animals. It may have contact with people who are members of the same household.
(b) The owner must provide proof of rabies vaccination.
(c) The animal is only allowed outside for the sole purpose of going to the bathroom and must be on a leash and under physical control at all times.
(d) Animal control is to be notified immediately if the animal's behavior starts to change.
(e) Animal control is to be provided access as necessary to conduct checks on the animal.
(f) Quarantine does not expire until released by an ACO.

When a quarantine is placed on an animal, the following information shall be documented on the quarantine form prior to it being issued to the owner or guardian:

- START PERIOD: Date and time of bite or incident
- END PERIOD: 10 days from date of incident
- Name and contact information of owner or guardian

The original will be placed in the case file and a copy given to the owner or guardian and the shelter. Any victim of a dog bite shall be notified immediately if a quarantined animal exhibits signs of being infected or sickly in appearance. A parent or guardian will be notified if the victim is under 18 years old.

All animals quarantined at the West Columbia Gorge Animal Shelter and Vancouver Humane Society will be segregated from other animals and humans during the quarantine period.

All animals quarantined at a shelter will be held under the control of that organization, however the animals will remain accessible to the ACO during the quarantine period.

805.11 RELEASE OF ANIMALS FROM THE SHELTER
Fees are required to be paid in order for an animal to be released. The City of Washougal Finance Department will collect fees and issue receipts, ACO’s may also collect fees and issue receipts if the finance department is closed. Citizens also have the option of paying the fee online by going to the City of Washougal website.
Releases will be handled by an ACO or personnel of the West Columbia Gorge Animal Shelter.

805.12 CITATIONS
It is at the discretion of the ACO or police supervisor to issue a citation for violations.

805.13 POST-ARREST PROCEDURES
Police officers shall make a reasonable effort to ensure that animals or pets under a person's care will be provided with adequate care when that person is arrested. This is only required when there is no person to provide care and the arrestee is expected to be in custody for a time period longer than would reasonably allow him/her to properly care for the animals.

Relatives or neighbors may be contacted, with the owner's consent, to care for the animals. If no persons can be found or the owner does not consent, the appropriate animal control authority should be notified.

ACO's may be requested to assist police officers by taking custody of the animals or to facilitate the transfer of the animals to an individual with the owner's consent.

805.14 NUISANCE WILDLIFE AND SICK/INJURED WILDLIFE
The Department of Fish and Wildlife have, via letter, requested the Camas/Washougal Animal Control Officer's assistance in dealing with nuisance wildlife within our jurisdictions. Pursuant to RCW 77.15.250 and 77.15.290, the relocation of nuisance wildlife is not allowed due to the potential of relocating diseased animals or transplanting already proven nuisance animals to another location. The WDFW requests that nuisance wildlife be captured and humanely euthanized and disposed.

805.15 HOLIDAY SCHEDULE - JULY 4TH
As a general rule ACO's are allowed to observe federal holidays. However, the Chief of Police has designated the July 4th holiday as a holiday that needs to be staffed by an ACO during certain hours.

Hours to be staffed by an ACO are 6pm to 11pm. This time can be extended or shortened at the discretion of the on-duty Patrol Sergeant.

This MANDATORY holiday schedule will be rotated between ACO1 and ACO2.

- ACO1 will work the holiday on **odd years**. (Example: 2017, 2019, 2021....)
- ACO2 will work the holiday on **even years**. (Example: 2016, 2018, 2020....)
LInX Northwest Program

806.1 PURPOSE AND SCOPE
This policy clarifies the Law Enforcement Information Exchange (LInX) Northwest system requirements to include but not limited to, physical security of the LInX program, LInX information, and the requirement to use and disseminate the share information.

806.2 POLICY
The LInX system is a law enforcement information sharing partnership involving local, state, and federal law enforcement agencies in the Pacific Northwest. LInX has been developed to improve public safety, solve crimes, and prevent terrorism. LInX is a partnership built on trust and to maintain the trust all rules must be followed and upheld by all LInX agencies.

Violations of this policy may result in sanctions against the individual user and/or the user’s agency.

806.3 DEPARTMENT RESPONSIBILITIES
Each contributing agency shall provide information to LInX Northwest, and agrees to permit access, dissemination, and/or use of such information by every other contributing agency of LInX Northwest.

A WPD LInX Administrator will conduct an annual audit to assure compliance with LInX system requirements.

806.3.1 INFORMATION ACCESSIBILITY AND SECURITY
Information obtained through LInX is considered Criminal Justice Information System (CJIS) information and shall be treated with the same security measures outline in the Protected Information and ACCESS Policies. In addition to those measures, the following measures which are unique to LInX protocol shall be adhered to:

(a) A user may only access LInX when they have a legitimate, official law enforcement purpose after receiving LInX training.

(b) Information in the system shall not be disseminated outside of an accessing party without first obtaining express permission of each party that contributed the information in question. LInX users who wish to use information in LInX for the preparation of judicial process (e.g., affidavits, warrants, subpoenas) agree to not print and use information from LInX, but to contact the originating agency who will provide a copy of the original report to the requestor for court or other official uses.

(c) Printing copies from LInX is highly restricted. Users may only retain printed copies temporarily and shall not place copies in an official file or submit them to a court. Printed copies must be destroyed or shredded. Printed copies may not be made for members of non-participating agencies.

(d) Any requests for reports or data in LInX records from anyone other than an LInX member agency will be directed to the contributing agency. Participating agencies in LInX agree to not disclose another agency’s reports or information to a third party.
LInX Northwest Program

Even when an agency receives an official request for disclosure, LInX agencies agree to refer such requests to the originating agency of the report or information.

(e) Only pertinent information, obtained through LInX, used in the furtherance of an investigation, should be listed in a report. Irrelevant and non-essential information should not be documented or listed in reports.

(f) Each agency retains sole ownership, responsibility, and exclusive control over all content/information that it contributes to LInX, and the agency may at any time update, correct, or delete the information that it contributed to LInX.

806.4 SECURITY MEASURES
The Washougal Police Department has adopted the following security measures to comply with applicable laws and regulations and to prevent unauthorized access to the LInX system and its data.

806.4.1 SYSTEM SECURITY
A contributing agency must have access to LInX via a secure internet connection. It is each agency's responsibility to provide and maintain their own internet connectivity to LInX.

Department personnel can only utilize the LInX system to obtain CJIS information from a secure terminal and secure location. A secure terminal is any Department owned or approved electronic device, mobile Data Computer (MDC), desk top computer, laptop, or wireless device. A secure location is considered to be inside the Washougal Police Department or police vehicle.

Accessing LInX from any other device or location is strictly prohibited.

806.5 TRAINING
Only officers who are ACCESS certified and have received the approved LInX training will be granted authorization to access LInX Northwest. Any updated training will be coordinated through Washougal Police LInX Administrators.
Chapter 9 - Custody
Temporary Custody of Adults

900.1 PURPOSE AND SCOPE
This policy provides guidelines to address the health and safety of adults taken into temporary custody by members of the Washougal Police Department for processing prior to being released or transferred to a housing or other type of facility.

Temporary custody of juveniles is addressed in the Temporary Custody of Juveniles Policy. Juveniles will not be permitted where adults in custody are being held.

Custodial searches are addressed in the Custodial Searches Policy.

900.1.1 DEFINITIONS
Definitions related to this policy include:

**Holding cell/cell** - Any locked enclosure for the custody of an adult or any other enclosure that prevents the occupants from being directly visually monitored at all times by a member of the Department.

**Safety checks** - Direct, visual observation by a member of this department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of adults in temporary custody.

**Temporary custody** - The time period an adult is in custody at the Washougal Police Department prior to being released or transported to a housing or other type of facility.

900.2 POLICY
The Washougal Police Department is committed to releasing adults from temporary custody as soon as reasonably practicable, and to keeping adults safe while in temporary custody at the Department. Adults should be in temporary custody only for as long as reasonably necessary for investigation, processing, transfer or release.

900.3 GENERAL CRITERIA AND SUPERVISION
No adult should be in temporary custody for longer than six hours.

900.3.1 INDIVIDUALS WHO SHOULD NOT BE IN TEMPORARY CUSTODY
Individuals who exhibit certain behaviors or conditions should not be in temporary custody at the Washougal Police Department, but should be transported to a jail facility, a medical facility or other type of facility as appropriate. These include:

(a) Any individual who is unconscious or has been unconscious while being taken into custody or while being transported.

(b) Any individual who has a medical condition, including pregnancy, or who may require medical attention, supervision or medication while in temporary custody.

(c) Any individual who is seriously injured.
Temporary Custody of Adults

(d) Individuals who are a suspected suicide risk (see the Emergent Detentions Policy).
   1. If the officer taking custody of an individual believes that he/she may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release or a transfer to an appropriate facility is completed.

(e) Individuals who are obviously in crisis, as defined in the Crisis Intervention Incidents Policy.

(f) Individuals who are under the influence of alcohol, a controlled substance or any substance to the degree that may require medical attention, or who have ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.

(g) Any individual who has exhibited extremely violent or continuously violent behavior.

(h) Any individual who has claimed, is known to be afflicted with or displays symptoms of any communicable disease that poses an unreasonable exposure risk.

(i) Any individual with a prosthetic or orthopedic device where removal of the device would be injurious to his/her health or safety.

Officers taking custody of a person who exhibits any of the above conditions should notify a supervisor of the situation. These individuals should not be in temporary custody at the Department unless they have been evaluated by a qualified medical or mental health professional, as appropriate for the circumstances.

900.3.2 SUPERVISION OF TEMPORARY CUSTODIES
A Department member shall monitor an individual held in temporary custody at all times either in person or by audio/video. The member responsible for monitoring should not have other duties that could unreasonably conflict with his/her monitoring of the prisoner. Any individual in custody must be able to summon a department member if needed. If the person in custody is deaf or hard of hearing or cannot speak, accommodations shall be made to provide this ability.

If possible, at least one female department member should be present when a female adult is in temporary custody. In the event that none is readily available, the female in custody should be transported to another facility as soon as possible or released pursuant to another lawful process.

Absent exigent circumstances, such as a medical emergency or a violent subject, members should not enter the cell of a person of the opposite sex unless a member of the same sex as the person in custody is present.

No individual in custody shall be permitted to supervise, control or exert any authority over other individuals in custody.

900.3.3 ENTRY RESTRICTIONS
Entry into any location where a person is held in custody should be restricted to:

(a) Sworn personnel.

(b) Emergency medical personnel when necessary.
Temporary Custody of Adults

(c) Any other person authorized by a supervisor.

When practicable, more than one officer should be present when contacting a person who is in custody at the Washougal Police Department.

900.4 INITIATING TEMPORARY CUSTODY

The officer responsible for an individual in temporary custody should evaluate the person for any apparent chronic illness, disability, vermin infestation, possible communicable disease or any other potential risk to the health or safety of the individual or others. The officer should specifically ask if the individual is contemplating suicide and evaluate him/her for obvious signs or indications of suicidal intent.

The receiving officer should ask the arresting officer if there is any statement, indication or evidence surrounding the individual's arrest and transportation that would reasonably indicate the individual is at risk for suicide or critical medical care. If there is any suspicion that the individual may be suicidal, he/she shall be transported to the appropriate jail or the appropriate mental health facility.

The officer should promptly notify the Patrol Sergeant of any conditions that may warrant immediate medical attention or other appropriate action. The Patrol Sergeant shall determine whether the individual will be placed in a cell, immediately released or transported to jail or other facility.

900.4.1 SCREENING AND PLACEMENT

The officer responsible for an individual in custody shall:

(a) Advise the Patrol Sergeant of any significant risks presented by the individual (e.g., suicide risk, health risk, violence).

(b) Evaluate the following issues against the stated risks in (a) to determine the need for placing the individual in a single cell:

1. Consider whether the individual may be at a high risk of being sexually abused based on all available known information (28 CFR 115.141), or whether the person is facing any other identified risk.

2. Provide any individual identified as being at a high risk for sexual or other victimization with heightened protection. This may include (28 CFR 115.113; 28 CFR 115.141):
   
   (a) Continuous, direct sight and sound supervision.
   
   (b) Single-cell placement in a cell that is actively monitored on video by a member who is available to immediately intervene.

3. Ensure individuals are separated according to severity of the crime (e.g., felony or misdemeanor).

4. Ensure males and females are separated by sight and sound when in cells.

5. Ensure restrained individuals are not placed in cells with unrestrained individuals.
Temporary Custody of Adults

(c) Ensure that those confined under civil process or for civil causes are kept separate from those who are in temporary custody pending criminal charges.

(d) Ensure separation, as appropriate, based on other factors, such as age, criminal sophistication, assaultive/non-assaultive behavior, mental state, disabilities and sexual orientation.

900.5 SAFETY, HEALTH AND OTHER PROVISIONS

900.5.1 TEMPORARY CUSTODY LOGS

Any time an individual is in temporary custody at the Washougal Police Department, the custody shall be promptly and properly documented in a custody log, including:

(a) Identifying information about the individual, including his/her name.

(b) Date and time of arrival at the Department.

(c) Any charges for which the individual is in temporary custody and any case number.

(d) Officer's PSN

(e) Cell # the individual was held in

(f) Time of all safety checks.

(g) Date and time of release from the Washougal Police Department.

Squad Sergeants shall check the log daily and also make periodic checks of the log to ensure all log entries and safety/security checks are being made and made on time.

900.5.2 TEMPORARY CUSTODY REQUIREMENTS

Members monitoring or processing anyone in temporary custody shall ensure:

(a) Safety checks and significant incidents/activities are noted on the log.

(b) Individuals in custody are informed that they will be monitored at all times, except when using the toilet.

1. There shall be no viewing devices, such as peep holes or mirrors, of which the individual is not aware.

2. This does not apply to surreptitious and legally obtained recorded interrogations.

(c) There is reasonable access to toilets and wash basins.

(d) There is reasonable access to a drinking fountain or water.

(e) There are reasonable opportunities to stand and stretch, particularly if handcuffed or otherwise restrained.

(f) There is privacy during attorney visits.

(g) Those in temporary custody are generally permitted to remain in their personal clothing unless it is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
Temporary Custody of Adults

(h) Clean blankets are provided as reasonably necessary to ensure the comfort of an individual.
   1. The supervisor should ensure that there is an adequate supply of clean blankets.

(i) Adequate shelter, heat, light and ventilation are provided without compromising security or enabling escape.

(j) Adequate furnishings are available, including suitable chairs or benches.

900.5.3 MEDICAL CARE
First-aid equipment and basic medical supplies should be available to department members. At least one member who has current certification in basic first aid and CPR should be on-duty at all times.

Should a person in custody be injured or become ill, appropriate medical assistance should be sought. A employee should meet with those providing medical aid at the facility to allow access to the person. Members shall comply with the opinion of medical personnel as to whether an individual in temporary custody should be transported to the hospital. If the person is transported while still in custody, he/she will be accompanied by, or followed by, an officer.

Those who require medication while in temporary custody should not be at the Washougal Police Department. They should be released or transferred to another facility as appropriate.

900.5.4 ORTHOPEDIC OR PROSTHETIC APPLIANCE
Subject to safety and security concerns, individuals shall be permitted to retain an orthopedic or prosthetic appliance. However, if the appliance presents a risk of bodily harm to any person or is a risk to the security of the facility, the appliance may be removed from the individual unless its removal would be injurious to his/her health or safety.

Whenever a prosthetic or orthopedic appliance is removed, a supervisor shall be promptly apprised of the reason. It shall be promptly returned when it reasonably appears that any risk no longer exists.

900.5.5 TELEPHONE CALLS
Every individual in temporary custody should be allowed to make a reasonable number of completed telephone calls as soon as possible after arrival.

(a) Telephone calls may be limited to local calls, except that long-distance calls may be made by the individual at his/her own expense.
   1. The Department should pay the cost of any long-distance calls related to arranging for the care of a child or dependent adult (see the Child and Dependent Adult Safety Policy).

(b) The individual should be given sufficient time to contact whomever he/she desires and to make any necessary arrangements, including child or dependent adult care, or transportation upon release.
Temporary Custody of Adults

1. Telephone calls are not intended to be lengthy conversations. The member assigned to monitor or process the individual may use his/her judgment in determining the duration of the calls.

   (c) Calls between an individual in temporary custody and his/her attorney shall be deemed confidential and shall not be monitored, eavesdropped upon or recorded.

900.5.6 RELIGIOUS ACCOMMODATION
Subject to available resources, safety and security, the religious beliefs and needs of all individuals in custody should be reasonably accommodated. Requests for religious accommodation should generally be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. The responsible supervisor should be advised any time a request for religious accommodation is denied.

Those who request to wear headscarves or simple head coverings for religious reasons should generally be accommodated absent unusual circumstances. Head coverings shall be searched before being worn.

Individuals wearing headscarves or other approved coverings shall not be required to remove them while in the presence of or while visible to the opposite sex if they so desire. Religious garments that substantially cover the individual’s head and face may be temporarily removed during the taking of any photographs.

900.5.7 FIREARMS AND OTHER SECURITY MEASURES
Firearms and other weapons and control devices shall not be permitted in secure areas when individuals are in custody or are being processed in the BAC room. They should be properly secured outside of the secure area. An exception may occur only during emergencies, or with approval of a supervisor.

All perimeter doors to secure areas shall be kept locked at all times, except during routine cleaning, when no individuals in custody are present or in the event of an emergency, such as an evacuation.

900.6 USE OF RESTRAINT DEVICES
Individuals in custody may be handcuffed in accordance with the Handcuffing and Restraints Policy. Unless an individual presents a heightened risk, handcuffs should generally be removed when the person is in a cell.

The use of restraints, other than handcuffs or leg irons, generally should not be used for individuals in temporary custody at the Washougal Police Department unless the person presents a heightened risk, and only in compliance with the Handcuffing and Restraints Policy.

Individuals in restraints shall be kept away from other unrestrained individuals in custody and monitored to protect them from abuse.

900.6.1 PREGNANT ADULTS
Women who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.
900.7 PERSONAL PROPERTY
The personal property of an individual in temporary custody should be removed, inventoried and processed as provided in the Custodial Searches Policy, unless the individual requests a different disposition. For example, an individual may request property (e.g., cash, car or house keys, medications) be released to another person. A request for the release of property to another person must be made in writing. Release of the property requires the recipient’s signature on the appropriate form.

Upon release of an individual from temporary custody, his/her items of personal property shall be compared with the inventory, and he/she shall sign a receipt for the property’s return. If the individual is transferred to another facility or court, the member transporting the individual is required to obtain the receiving person’s signature as notice of receipt. The Department shall maintain a copy of the property receipt.

A supervisor shall be notified whenever an individual alleges that there is a shortage or discrepancy regarding his/her property. The supervisor shall attempt to prove or disprove the claim.

900.8 HOLDING CELLS
A thorough inspection of a cell shall be conducted before placing an individual into the cell to ensure there are no weapons or contraband and that the cell is clean and sanitary. An inspection also should be conducted when he/she is released. Any damage noted to the cell should be photographed and documented.

The following requirements shall apply:

(a) The individual shall be searched (see the Custodial Searches Policy), and anything that could create a security or suicide risk, such as contraband, hazardous items, belts, shoes or shoelaces, and jackets, shall be removed.

(b) The individual shall constantly be monitored by an audio/video system during the entire custody.

(c) The individual shall have constant auditory access to department members.

(d) The individual’s initial placement into and removal from a locked enclosure shall be logged.

(e) Safety checks by department members shall occur no less than every 15 minutes.
   1. Safety checks should be at varying times.
   2. All safety checks shall be logged.
   3. The safety check should involve questioning the individual as to his/her well-being.
   4. Individuals who are sleeping or apparently sleeping should be awakened.
   5. Requests or concerns of the individual should be logged.
Temporary Custody of Adults

900.9 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY
The commander will ensure procedures are in place to address any suicide attempt, death or serious injury of any individual in temporary custody at the Washougal Police Department. The procedures should include the following:

(a) Immediately request emergency medical assistance if appropriate.
(b) Immediately notify the Chief of Police through the chain of command.
(c) Notification of the spouse, next of kin or other appropriate person.
(d) Notification of the appropriate prosecutor.
(e) Notification of the City Attorney.
(f) Notification of the Medical Examiner.
(g) Evidence preservation.

900.10 RELEASE AND/OR TRANSFER
When an individual is released or transferred from custody, the member releasing the individual should ensure the following:

(a) All proper reports, forms and logs have been completed prior to release.
(b) A check has been made to ensure that the individual is not reported as missing and does not have outstanding warrants.
(c) It has been confirmed that the correct individual is being released or transported.
(d) All property, except evidence, contraband or dangerous weapons, has been returned to, or sent with, the individual.
(e) All pertinent documentation accompanies the individual being transported to another facility (e.g., copies of booking forms, medical records, an itemized list of his/her property, warrant copies).
(f) The individual is not permitted in any nonpublic areas of the Washougal Police Department unless escorted by a member of the Department.
(g) Any known threat or danger the individual may pose (e.g., escape risk, suicide potential, medical condition) is documented, and the documentation transported with the individual if he/she is being sent to another facility.
   1. The department member transporting the individual shall ensure such risks are communicated to intake personnel at the other facility.
(h) Generally, persons of the opposite sex, or adults and juveniles, should not be transported in the same vehicle unless they are physically separated by a solid barrier. If segregating individuals is not practicable, officers should be alert to inappropriate physical or verbal contact and take appropriate action as necessary.
900.10.1 TRANSFER TO HOSPITAL
When an individual in custody for a violent or sex offense is taken to a hospital, the transporting officer shall remain with, or secure, the individual while the individual is receiving care, unless (RCW 10.110.020; RCW 10.110.030):

(a) The medical care provider determines the individual does not need to be accompanied or secured.

(b) The officer notifies the medical care provider that the officer is leaving after reasonably determining:
   1. The individual does not present an imminent and significant risk of causing physical harm to themselves or another person.
   2. There is no longer sufficient evidentiary basis to maintain the individual in custody.
   3. In the interest of public safety, his/her presence is urgently required at another location and supervisor approval is obtained.

   (a) The officer shall make a reasonable effort to ensure a replacement officer is provided or other means of securing the individual is provided as soon as possible.

900.11 ASSIGNED ADMINISTRATOR
The commander will ensure any reasonably necessary supplemental procedures are in place to address the following issues:

(a) General security
(b) Key control
(c) Sanitation and maintenance
(d) Emergency medical treatment
(e) Escapes
(f) Evacuation plans
(g) Fire and life-safety
(h) Disaster plans
(i) Building and safety code compliance

900.12 TRAINING
Department members should be trained and familiar with this policy and any supplemental procedures.
Temporary Custody of Juveniles

901.1 PURPOSE AND SCOPE
This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Washougal Police Department (34 USC § 11133).

901.1.1 DEFINITIONS
Definitions related to this policy include:

Juvenile non-offender - An abused, neglected, dependent or alien juvenile who may be legally held for his/her own safety or welfare. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for his/her protection, or for purposes of reuniting the juvenile with a parent, guardian, or other responsible person.

Juvenile offender - A juvenile 17 years of age or younger who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense) or a juvenile who has violated RCW 9.41.040(2)(a) by possessing a handgun (28 CFR 31.303).

Non-secure custody - When a juvenile is held in the presence of an officer or other custody employee at all times and is not placed in a locked room, cell or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation.

Secure custody - When a juvenile offender is held in a locked room, a set of rooms, or a cell. Secure custody also includes being physically secured to a stationary object.

Examples of secure custody include:

(a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.
(b) A juvenile handcuffed to a rail.
(c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.
(d) A juvenile being processed in a secure booking area when an unsecure booking area is available.
(e) A juvenile left alone in a secure booking area after being photographed and fingerprinted.
(f) A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.
(g) A juvenile placed in a room that is capable of being locked or contains a fixed object designed for cuffing or restricting movement.
Temporary Custody of Juveniles

Sight and sound separation - Located or arranged to prevent physical, visual, or auditory contact.

Status offender - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession of tobacco, curfew violation, or truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender.

901.2 POLICY
The Washougal Police Department is committed to releasing juveniles from temporary custody as soon as reasonably practicable and keeping juveniles safe while they are in temporary custody at the Washougal Police Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

901.3 JUVENILES WHO SHOULD NOT BE HELD
Juveniles who exhibit any of the following conditions should not be held at the Washougal Police Department:

(a) Unconscious
(b) Seriously injured
(c) A known suicide risk or obviously severely emotionally disturbed
(d) Significantly intoxicated
(e) Extremely violent or continuously violent

Officers taking custody of a juvenile who exhibits any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and notify a supervisor of the situation.

These juveniles should not be held at the Washougal Police Department unless they have been evaluated by a qualified medical and/or mental health professional.

If the officer taking custody of the juvenile believes the juvenile may be a suicide risk, the juvenile shall be under continuous direct supervision until evaluation, release or a transfer is completed.

901.4 CUSTODY OF JUVENILES
Officers should take custody of a juvenile and temporarily hold the juvenile at the Washougal Police Department when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile who is suspected of being a victim.

No juvenile should be held in temporary custody at the Washougal Police Department without authorization of the arresting officer's supervisor or the Patrol Sergeant. Juveniles taken into custody shall be held in non-secure custody unless otherwise authorized by this policy.
Temporary Custody of Juveniles

Any juvenile taken into custody shall be released to the care of the juvenile’s parent, legal guardian, or other responsible adult or transferred to a juvenile custody facility or to other authority as soon as practicable and in no event shall a juvenile be held beyond six hours from the time of his/her entry into the Department (34 USC § 11133; RCW 13.04.116(b)).

901.4.1 CUSTODY OF JUVENILE NON-OFFENDERS
Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Washougal Police Department. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure custody (34 USC § 11133).

901.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS
Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to the station to await a parent). Juvenile status offenders may not be held in secure custody (34 USC § 11133; RCW 43.185C.260).

901.4.3 CUSTODY OF JUVENILE OFFENDERS
Juvenile offenders should be held in non-secure custody while at the Washougal Police Department unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.

Generally, juvenile offenders may be taken into custody under the following circumstances (RCW 13.40.040(1)):

(a) Pursuant to a court order.
(b) Without a court order, by an officer if grounds exist for the arrest of an adult in identical circumstances.
(c) When his/her parole has been suspended.

901.4.4 LIMITATIONS ON RELEASE OF JUVENILE OFFENDERS
Juveniles should be referred to the appropriate juvenile authority and not released to a parent or guardian when there is probable cause to believe the juvenile (RCW 13.40.040(2)):

(a) Will likely fail to appear for further proceedings.
(b) Needs protection from him/herself.
(c) Is a threat to community safety.
(d) Will intimidate witnesses or otherwise unlawfully interfere with the administration of justice.
(e) Has committed a crime while another case was pending.
(f) Is a fugitive from justice.
(g) Has had his/her parole suspended or modified.
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(h) Is a material witness.

901.4.5 VICTIMS OF SEXUAL EXPLOITATION
An officer may take a juvenile into custody to investigate possible sexual exploitation when the
officer reasonably believes the juvenile is attempting to engage in sexual conduct for money or
anything of value (RCW 43.185C.260).

In these cases, the officer should transport the juvenile to an authorized evaluation and treatment
facility in coordination with a community service provider (RCW 43.185C.260) (see the Child
Abuse Policy for any mandatory notification requirements).

901.5 ADVISEMENTS
When a juvenile offender is taken into custody, the officer should, as soon as practicable, notify
the juvenile’s parent, guardian, or a responsible relative that the juvenile is in custody.

Juveniles taken into custody should be advised the reason for the custody (RCW 43.185C.265).

901.6 JUVENILE CUSTODY LOGS
Any time a juvenile is held in custody at the Department, the custody shall be promptly and properly
documented in the juvenile custody log, including:

(a) Identifying information about the juvenile being held.
(b) Date and time of arrival and release from the Washougal Police Department.
(c) Patrol Sergeant notification and approval to temporarily hold the juvenile.
(d) Any charges for which the juvenile is being held and classification of the juvenile as a
juvenile offender, status offender or non-offender.
(e) Any changes in status.
(f) Time of all welfare checks.
(g) Any medical and other screening requested and completed.
(h) Circumstances that justify any secure custody.
(i) Any other information that may be required by other authorities, such as compliance
inspectors or a local juvenile court authority.

Shift Sergeants shall monitor the log daily to ensure all log entries and safety and security checks
are made on time.

901.7 NO-CONTACT REQUIREMENTS
Sight and sound separation shall be maintained between all juveniles and adults while in custody
at the Department (34 USC § 11133). There should also be sight and sound separation between
non-offenders and juvenile and status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile
is being fingerprinted and/or photographed in booking), a member of the Washougal Police
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Department shall maintain a constant, immediate presence with the juvenile or the adult to minimize any contact. If inadvertent or accidental contact does occur, reasonable efforts shall be taken to end the contact.

901.8 TEMPORARY CUSTODY REQUIREMENTS

Members and supervisors assigned to monitor or process any juvenile at the Washougal Police Department shall ensure the following:

(a) The Patrol Sergeant should be notified if it is anticipated that a juvenile may need to remain at the Washougal Police Department more than four hours. This will enable the Patrol Sergeant to ensure no juvenile is held at the Washougal Police Department more than six hours.

(b) Welfare checks and significant incidents/activities are noted on the log.

(c) Juveniles in custody are informed that they will be monitored at all times, except when using the toilet.
   1. There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware.
   2. This does not apply to surreptitious and legally obtained recorded interrogations.

(d) A member of the same sex shall supervise personal hygiene activities and care, such as changing clothing or using the restroom, without direct observation to allow for privacy.

(e) There is reasonable access to toilets and wash basins.

(f) There is reasonable access to a drinking fountain or water.

(g) Food should be provided if a juvenile has not eaten within the past four hours or is otherwise in need of nourishment, including any special diet required for the health of the juvenile.

(h) There are reasonable opportunities to stand and stretch, particularly if handcuffed or restrained in any way.

(i) There is privacy during family, guardian, and/or attorney visits.

(j) Juveniles are generally permitted to remain in their personal clothing unless the clothing is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.

(k) Clean blankets are provided as reasonably necessary to ensure the comfort of an individual.
   1. The supervisor should ensure that there is an adequate supply of clean blankets.

(l) Adequate shelter, heat, light, and ventilation should be provided without compromising security or enabling escape.

(m) Adequate furnishings are available, including suitable chairs or benches.
Temporary Custody of Juveniles

(n) Juveniles shall have the right to the same number of telephone calls as an adult in custody (see the Temporary Custody of Adults Policy).
(o) Discipline is not administered to any juvenile, nor will juveniles be subjected to corporal or unusual punishment, humiliation, or mental abuse.

901.9 USE OF RESTRAINT DEVICES
Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at the Washougal Police Department when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening.

Other restraints shall only be used after less restrictive measures have failed and with the approval of a supervisor. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others.

Juveniles in restraints shall be kept away from other unrestrained juveniles or monitored in such a way as to protect the juvenile from abuse.

901.9.1 PREGNANT JUVENILES
Juveniles who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

901.10 PERSONAL PROPERTY
The personal property of a juvenile shall be processed in the same manner as an adult in temporary custody (see the Temporary Custody of Adults Policy).

901.11 SECURE CUSTODY
Only juvenile offenders 14 years and older may be placed in secure custody at the Washougal Police Department.

Secure custody should only be used for juvenile offenders when there is a reasonable belief that the juvenile is a serious risk of harm to him/herself or others.

Members of this department should not use secure custody for convenience when non-secure custody is, or later becomes, a reasonable option.

When practicable, handcuffing one hand of a juvenile offender to a fixed object while otherwise maintaining the juvenile in non-secure custody should be considered as the method of secure custody, rather than the use of a locked enclosure. An employee must be present at all times to ensure the juvenile’s safety while secured to a stationary object.

Generally, juveniles should not be secured to a stationary object for more than 60 minutes. Supervisor approval is required to secure a juvenile to a stationary object for longer than 60 minutes and every 30 minutes thereafter. Supervisor approval should be documented.
Temporary Custody of Juveniles

901.11.1 LOCKED ENCLOSURES
A thorough inspection of the area shall be conducted before placing a juvenile into the enclosure. A second inspection shall be conducted after removing the juvenile. Any damage noted to the room should be photographed and documented in the crime report.

The following requirements shall apply to a juvenile offender who is held inside a locked enclosure:

(a) The juvenile shall constantly be monitored by an audio/video system during the entire custody.

(b) Juveniles shall have constant auditory access to department members.

(c) Initial placement into and removal from a locked enclosure shall be logged.

(d) Random personal visual checks of the juvenile by a staff member, no less than every 15 minutes, shall occur.
   1. All checks shall be logged.
   2. The check should involve questioning the juvenile as to his/her well-being (sleeping juveniles or apparently sleeping juveniles should be awakened).
   3. Requests or concerns of the juvenile should be logged.

(e) Males and females shall not be placed in the same locked room.

(f) Juvenile offenders should be separated according to severity of the crime (e.g., felony or misdemeanor).

(g) Restrained juveniles shall not be mixed in a cell or room with unrestrained juveniles.

901.12 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY OF A JUVENILE
The Patrol Captain will ensure procedures are in place to address the suicide attempt, death or serious injury of any juvenile held at the Washougal Police Department. The procedures will address:

(a) Immediate request for emergency medical assistance if appropriate.

(b) Immediate notification of the on-duty supervisor, Chief of Police and Detective Section supervisor.

(c) Notification of the parent, guardian or person standing in loco parentis, of the juvenile.

(d) Notification of the appropriate prosecutor.

(e) Notification of the City Attorney.

(f) Notification of the Medical Examiner.

(g) Notification of the juvenile court.

(h) Evidence preservation.

901.13 INTERVIEWING OR INTERROGATING JUVENILE SUSPECTS
No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent to an interview or interrogation.
901.14 RESTRICTION ON FINGERPRINTING AND PHOTOGRAPHING
A juvenile offender may be photographed and fingerprinted as provided by RCW 43.43.735.

901.15 RELEASE OF INFORMATION CONCERNING JUVENILES
Court decisions and legislation have combined to carefully specify situations in which information may be given out or exchanged when a case involves a juvenile. Officers of this department shall not divulge any information regarding juveniles in situations where they are uncertain of the legal authority to do so.

901.15.1 RELEASE OF INFORMATION PURSUANT TO WASHINGTON LAW
Juvenile records are confidential and may be released only as provided in RCW 13.50.010 and RCW 13.50.050:

(a) Information may be released to other participants in the juvenile justice or care system only when an investigation or case involving the juvenile is being pursued by the other participant, or when that other participant is assigned the responsibility for supervising the juvenile.

(b) Information not in the juvenile court file that could not reasonably be expected to identify the juvenile or the juvenile’s family may be released.

(c) Following the decision to arrest, information about an investigation, diversion or prosecution of a juvenile, including an incident report, may be released to the school in which the juvenile is enrolled to assist in protecting other students, staff and school property.

(d) Information about a juvenile offender, the offender’s parent or guardian and the circumstances of the crime may be released to the victim or the victim’s immediate family.

(e) Information identifying child victims of sexual assault committed by juvenile offenders may be released only with the permission of the child victim or legal guardian.

(f) A court may permit certain juvenile records to be released by rule or order.

901.16 RELIGIOUS ACCOMMODATION
Juveniles have the right to the same religious accommodation as adults in temporary custody (see the Temporary Custody of Adults Policy).
Custodial Searches

902.1 PURPOSE AND SCOPE
This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants or weapons into the Washougal Police Department facility. Such items can pose a serious risk to the safety and security of department members, individuals in custody, contractors and the public.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

902.1.1 DEFINITIONS
Definitions related to this policy include:

**Custody search** - An in-custody search of an individual and of his/her property, shoes and clothing, including pockets, cuffs and folds on the clothing, to remove all weapons, dangerous items and contraband.

**Physical body cavity search** - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of an individual, and the vagina of a female person.

**Strip search** - A search that requires an individual to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia. This includes monitoring an individual who is changing clothes, where his/her underclothing, buttocks, genitalia or female breasts are visible.

902.2 POLICY
All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment or retaliation.

902.3 FIELD AND TRANSPORTATION SEARCHES
An officer should conduct a custody search of an individual immediately after his/her arrest and when receiving an individual from the custody of another. An officer shall conduct a custody search of an individual before transporting the person who is in custody in any department vehicle.

Whenever practicable, a custody search should be conducted by an officer of the same sex as the person being searched. If an officer of the same sex is not reasonably available, a witnessing officer should be present during the search.
902.4 SEARCHES AT POLICE FACILITIES
Custody searches shall be conducted on all individuals in custody, upon entry to the Washougal Police Department facilities. Except in exigent circumstances, the search should be conducted by a member of the same sex as the individual being searched. If a member of the same sex is not available, a witnessing member must be present during the search.

Custody searches should also be conducted any time an individual in custody enters or re-enters a secure area, or any time it is reasonably believed that a search is necessary to maintain the safety and security of the facility.

902.4.1 PROPERTY
Members shall take reasonable care in handling the property of an individual in custody to avoid discrepancies or losses. Property retained for safekeeping shall be kept in a secure location until the individual is released or transferred.

Some property may not be accepted by a facility or agency that is taking custody of an individual from this department, such as weapons or large items. These items should be retained for safekeeping in accordance with the Property and Evidence Policy.

All property shall be inventoried by objective description (this does not include an estimated value). The individual from whom it was taken shall be required to sign the completed inventory. If the individual's signature cannot be obtained, the inventory shall be witnessed by another department member. The inventory should include the case number, date, time, member's Washougal Police Department identification number and information regarding how and when the property may be released.

902.4.2 VERIFICATION OF MONEY
All money shall be counted in front of the individual from whom it was received. When possible, the individual shall initial the dollar amount on the inventory. Additionally, all money should be placed in a separate envelope and sealed. Negotiable checks or other instruments and foreign currency should also be sealed in an envelope with the amount indicated but not added to the cash total. All envelopes should clearly indicate the contents on the front. The department member sealing it should place his/her initials across the sealed flap. Should any money be withdrawn or added, the member making such change shall enter the amount below the original entry and initial it. The amount of money in the envelope should always be totaled and written on the outside of the envelope.

902.5 STRIP SEARCHES
No individual in temporary custody at any Washougal Police Department facility shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the individual has a health condition requiring immediate medical attention or is concealing a weapon or contraband that constitutes a threat to the facility. Probable cause is required for a strip search when there is a belief the individual is concealing on his/her body evidence not constituting a threat to the facility (RCW 10.79.130).
Factors to be considered in determining reasonable suspicion or probable cause include, but are not limited to (RCW 10.79.140):

(a) The detection of an object during a custody search that may be a weapon or contraband and cannot be safely retrieved without a strip search.

(b) Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.
   
   1. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.

(c) Custody history (e.g., past possession of contraband while in custody, assaults on department members, escape attempts).

(d) The individual’s actions or demeanor.

(e) Criminal history (i.e., level of experience in a custody setting).

(f) The nature of the offense.

No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual’s genital status. If the individual’s genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

902.5.1 STRIP SEARCH PROCEDURES
Strip searches at Washougal Police Department facilities shall be conducted as follows (28 CFR 115.115):

(a) Written authorization from the Patrol Sergeant shall be obtained prior to the strip search.

(b) All members involved with the strip search shall be of the same sex as the individual being searched, unless the search is conducted by a medical practitioner (RCW 10.79.100).

(c) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that it cannot be observed by those not participating in the search. The search shall not be reproduced through a visual or sound recording.

(d) Whenever possible, a second member of the same sex should also be present during the search, for security and as a witness to the finding of evidence.

(e) Members conducting a strip search shall not touch the breasts, buttocks or genitalia of the individual being searched.

(f) The primary member conducting the search shall prepare a written report to include (RCW 10.79.150):
Custodial Searches

1. The facts that led to the decision to perform a strip search.
2. The reasons less intrusive methods of searching were not used or were insufficient.
3. The written authorization for the search, obtained from the Patrol Sergeant.
4. The name of the individual who was searched.
5. The name, serial number of the officer and sex of the members who conducted the search.
6. The name, sex and role of any person present during the search.
7. The time and date of the search.
8. The place at which the search was conducted.
9. A list of the items, if any, that were recovered.
10. The facts upon which the member based his/her belief that the individual was concealing a weapon or contraband.
11. Any health condition discovered.

(g) No member should view an individual's private underclothing, buttocks, genitalia or female breasts while that individual is showering, performing bodily functions or changing clothes, unless he/she otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the individual's consent and/or otherwise protect his/her privacy and dignity.

(h) Except at the request of the individual, no person, other than those who are participating in the search, shall be present or able to observe the search (RCW 10.79.150).

(i) A copy of the written authorization shall be maintained in the file of the individual who was searched (RCW 10.79.150).

902.5.2 SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES
A strip search may be conducted in the field only with Patrol Sergeant authorization and only in exceptional circumstances, such as when:

(a) There is probable cause to believe that the individual is concealing a weapon or other dangerous item that cannot be recovered by a more limited search.

(b) There is probable cause to believe that the individual is concealing controlled substances or evidence that cannot be recovered by a more limited search, and there
is no reasonable alternative to ensure the individual cannot destroy or ingest the substance during transportation.

These special-circumstance field strip searches shall only be authorized and conducted under the same restrictions as the strip search procedures in this policy, except that the Patrol Sergeant authorization does not need to be in writing.

902.5.3 RESTRICTIONS
Strip searches should be limited to those situations where such searches are necessary. Reasonable efforts to use less intrusive methods, such as pat-downs, electronic metal detector or clothing searches shall be made prior to any strip search (RCW 10.79.060; RCW 10.79.140).

902.6 PHYSICAL BODY CAVITY SEARCH
Physical body cavity searches shall be subject to the following:

(a) No individual shall be subjected to a physical body cavity search without written approval of the Patrol Sergeant and only upon a search warrant. Authorization may be obtained electronically (RCW 10.79.080). A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the individual or authorized representative (except for those portions of the warrant ordered sealed by a court).

(b) Only a qualified physician, registered nurse or physician’s assistant may conduct a physical body cavity search (RCW 10.79.100).

(c) Except for the qualified physician, registered nurse or physician’s assistant conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary department members needed to maintain the safety and security of the medical personnel shall be present.

(d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.

(e) All such searches shall be documented, including (RCW 10.79.080):

1. The facts that led to the decision to perform a physical body cavity search of the individual.
2. The reasons less intrusive methods of searching were not used or were insufficient.
3. The Patrol Sergeant’s approval.
4. A copy of the search warrant.
5. The time, date, location, and description of the search.
6. The medical personnel present.
7. The names, sex, and roles of any department members present.
8. A statement of the results of the search and a list of any contraband or weapons discovered by the search.
(f) A copy of the written authorization shall be retained and made available to the individual who was searched or other authorized representative upon request.

(g) Before any physical body cavity search is authorized or conducted, a thorough pat-down search, a thorough electronic metal-detector search, and a thorough clothing search, as appropriate, must be used. No physical body cavity search shall be authorized or conducted unless these other methods do not satisfy the safety, security, or evidentiary concerns of the Department (RCW 10.79.080).

(h) The Patrol Sergeant may allow the individual to have a readily available witness, of the individual’s choosing, present at the time the search is conducted. The person chosen shall not be currently in custody or present an unreasonable security risk (RCW 10.79.100).

902.7 TRAINING
The Captain shall ensure members have training that includes (28 CFR 115.115):

(a) Conducting searches of cross-gender individuals.

(b) Conducting searches of transgender and intersex individuals.

(c) Conducting searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs. The search must be conducted by a physician, registered nurse, or physician’s assistant.
Prisoner(s)/Custodies in Patrol Vehicles

903.1 PURPOSE AND SCOPE
No prisoner should be left in the back of a police vehicle that is unlocked. Whenever possible, prisoners will not be left unattended while in the back of a locked police vehicle. Officers shall make an effort to post someone in the immediate area of the patrol car to be in visual contact with the custody.
Chapter 10 - Personnel
Recruitment and Selection

1000.1 POLICY
In accordance with applicable federal, state, and local law, the Washougal Police Department provides equal opportunities for applicants and employees, regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, or any other protected class or status. The Department does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The Department will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

1000.2 RECRUITMENT
The Department employs a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy should include:

(a) Identification of racially and culturally diverse target markets.
(b) Use of marketing strategies to target diverse applicant pools.
(c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.
(d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities and the military.
(e) Regional testing companies such as Public Safety Solutions.

The Department shall avoid advertising, recruiting and screening practices that tend to stereotype, focus on homogeneous applicant pools or screen applicants in a discriminatory manner.

The Department should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of his/her status in the recruiting process.

1000.3 SELECTION PROCESS
The Department shall actively strive to identify a diverse group of candidates that have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department shall employ a comprehensive screening, background investigation and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

(a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
Recruitment and Selection

(b) Driving record
(c) Reference checks
(d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.
(e) Information obtained from public internet sites
(f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
(g) Local, state and federal criminal history record checks
(h) Polygraph (RCW 43.101.095; WAC 139-07-040)
(i) Medical and psychological examination (may only be given after a conditional offer of employment)
(j) Review board or selection committee assessment

1000.3.1 VETERAN PREFERENCE
The Department will provide veteran preference percentages as required (RCW 41.04.010).

1000.4 PURPOSE AND SCOPE
This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Washougal Police Department and that are promulgated and maintained by the Human Resources.

1000.5 BACKGROUND INVESTIGATION
Every candidate shall undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate’s unsuitability to perform duties relevant to the operation of the Washougal Police Department (RCW 43.101.095).

1000.5.1 NOTICES
Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA (15 USC § 1681d).

1000.5.2 REVIEW OF SOCIAL MEDIA SITES
Due to the potential for accessing unsubstantiated, private or protected information, candidates shall not be required to provide passwords, account information or access to password-protected social media accounts (RCW 49.44.200).
Recruitment and Selection

1000.5.3 DOCUMENTING AND REPORTING
The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate’s background investigation file. These files shall be stored in a secured manner and made available only to those who are authorized to participate in the selection process.

1000.5.4 RECORDS RETENTION
The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

1000.6 DISQUALIFICATION GUIDELINES
As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate’s qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

1000.7 EMPLOYMENT STANDARDS
All candidates shall meet the minimum standards required by state law (RCW 43.101.095; RCW 43.101.200). Candidates will be evaluated based on merit, ability, competence and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community.

Validated, job-related and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge and skills required to perform the position’s essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation.
1000.7.1 STANDARDS FOR OFFICERS
Candidates shall meet the following minimum standards established by the Washington State Criminal Justice Training Commission (WSCJTC) (RCW 43.101.095):

   (a) Be eligible for WSCJTC certification
   (b) Submit to a psychological evaluation
   (c) Submit to a polygraph examination
   (d) Submit to a criminal history check
   (e) Not been convicted of a felony offense
Evaluation of Employees

1001.1 PURPOSE AND SCOPE
This policy defines the performance evaluation process and establishes guidelines for conducting the formal written performance evaluation and discussion.

1001.2 POLICY
The annual performance evaluation is an ongoing process of communication between a supervisor and employee that occurs throughout the rating period. The communication process includes setting objectives, identifying goals, provide feedback, and evaluating results. The process also includes an annual written performance evaluation and a discussion about the written evaluation that is completed at established during the year.

1001.3 DEFINITIONS
Personal File: The file which is maintained in the Office of the Chief as a permanent record of employment history with the Washougal Police Department. Medical information is not included.

Guardian Tracking (GT): Is an electronic file which in part, maintains information for the purpose of completing performance evaluations. Medical information is not included.

Supervisor File: Any file which is maintained by an employee's supervisor for the purpose of completing performance evaluations. Medical information is not included.

Sworn Employee: All sworn peace officers as defined by RCW.

Non-Sworn Employee: Washougal Police Department non-sworn positions are administrative assistants and animal control officers,

1001.4 ANNUAL WRITTEN PERFORMANCE EVALUATION
The annual performance evaluation provides a guide for mutual work planning and review and an opportunity to convert general impressions into a more objective history of work performance based on job standards. The objective is to:

1. Review and record work performance,
2. Give recognition for good work,
3. Provide a guide for improvement where needed,
4. Identify opportunities for professional development, and
5. Outline action steps necessary to meet professional development and work performance related goals.
Evaluation of Employees

Evaluation reports will be completed by each employee's immediate supervisor. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the immediate supervisor for their input. Because shift changes twice a year some officers may be evaluated by two supervisors during a rating period. All evaluations will be reviewed and approved by a supervisor of higher rank prior to presenting the evaluation to the employee.

Assessment of an employee's job performance is an ongoing process. Continued coaching and feedback during rating periods provide supervisors and employees with opportunities to correct performance issues as they arise. Employees demonstrating substandard performance shall be notified of such performance as soon as possible in order to have an opportunity to remediate the issues. After notifying the employee the supervisor shall document the performance issue in Guardian Tracking.

An employee's annual evaluation may not contain substandard ratings or exceptional ratings without correlating documentation supporting the rating in Guardian Tracking. Ratings are as follows:

1 to 1.75: Needs Improvement - reasons must be previously documented in Guardian Tracking
2 to 2.75: Meets Expectations
3: Exceeds Expectations - reasons must be previously documented in Guardian Tracking

Employees who disagree with their evaluation and who desire to provide a formal response or a rebuttal may do so in writing.

Annual performance evaluations should be used by the Department for making personnel decisions relating to promotion, job assignment, corrective action, disciplinary action, demotion, and termination from employment.

1001.4.1 EVALUATION FREQUENCY AND RATING PERIOD.
Annual performance evaluations cover a specific time period and are based on documented performance during that period.

Sworn personnel: Evaluation period is January 1st to December 31st of each year.
Non-sworn personnel: Evaluation period is based on date of hire.
Reserve Officers: Evaluation period is January 1st to December 31st of each year.

1001.5 PERFORMANCE IMPROVEMENT PLAN
A performance improvement plan may be completed any time a supervisor deems it is appropriate. Generally, a performance improvement plan is a tool used to demonstrate those areas of
performance deemed less than standard and to establish a work-plan for improving performance in those areas.

1001.6 PROBATIONARY PERIODS AND PROBATIONARY EVALUATIONS

**Entry Level officers:** The probationary period for all entry level officers is 18 months from date of hire. Probationary status may be extended as outlined by policy. A monthly evaluation will be completed on the employee once he/she has successfully completed BLEA and FTO program. Monthly evaluations are completed by the employee’s immediate supervisor and will continue for the remainder of the probationary period.

**Lateral Officers:** The probationary period for all lateral hired officers is 12 months from date of hire. Probationary status may be extended as outlined by policy. A monthly evaluation will be completed on the employee once he/she has successfully completed the FTO program. Monthly evaluations are completed by the employee’s immediate supervisor and will continue for the remainder of the probationary period.

**New Hire - Non Sworn Employees:** The probationary period for all new-hire civilian employees is 6 months from date of hire and may be extended an additional 6 months as outlined in City Personnel Policy. Monthly evaluations are completed by the employee’s immediate supervisor and will continue for the remainder of the probationary period.

**Internal Hire (within the City) - Non Sworn Employees:** Per City Personnel Policies there may or may not be a probationary period for internal new-hire civilian employees (e.g., public works employee transfers to WPD as an Animal Control Officer). See City Personnel Policy and consult with HR to determine status of a probationary period for all internal new-hire civilian employees. If the City elects to have a probationary period for a internal new-hire civilian employee, monthly evaluations will be completed by the employee’s immediate supervisor for the probationary period.

All probationary employees will receive annual written evaluations (if applicable) in addition to monthly evaluations.

1001.7 EVALUATION MEETING

The supervisor will meet with each employee to have a collaborative discussion about their performance evaluation. The meeting should include:

1. A discussion of the employee's work performance during the rating period.
2. Creation of goals for reaching the expected level of performance during the rating period.
3. Seeking the employee's input and clarifying any questions the employee may have.
4. A discussion of career interests and expectations and goals for the upcoming year.
Evaluation of Employees

1001.8 EVALUATION FOLLOW-UP
An employee's supervisor shall monitor performance and provide follow-up feedback throughout the year by:

1. Maintaining documentation of performance in Guardian Tracking throughout the evaluation period, to include positive and negative behavior/information.
2. Keeping communication open and providing timely feedback to employees regarding performance.
3. Providing follow-up and assistance as indicated in the performance expectations.
4. Leading employees toward accomplishing their goals.

1001.9 EVALUATION DISTRIBUTION
All annual performance evaluations are completed electronically and are maintained in the HRPro system for the tenure of the employee's employment. Employees have access to their annual evaluations and may make copies of them at any time.
Special Assignments and Promotions

1002.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for promotions and for making special assignments within the Washougal Police Department.

1002.2
Human Resources is responsible for maintaining requirements and information for promotional opportunities and processes.

1002.3 POLICY
The Washougal Police Department determines assignments and promotions in a nondiscriminatory manner based upon job-related factors and candidate skills and qualifications. Assignments and promotions are made by the Chief of Police.

1002.4 SPECIAL ASSIGNMENT POSITIONS
The following positions are considered special assignments and not promotions:

(a) Detective
(b) Canine handler
(c) Field Training Officer (FTO)
(d) School Resource Officer (SRO)
(e) Firearms Instructor
(f) Defensive Tactics Instructor

1002.4.1 EVALUATION CRITERIA
The following criteria will be used in evaluating candidates for a special assignment:

(a) Presents a professional, neat appearance.
(b) Maintains a physical condition that aids in his/her performance.
(c) Expresses an interest in the assignment.
(d) Demonstrates the following traits:
   1. Emotional stability and maturity
   2. Stress tolerance
   3. Sound judgment and decision-making
   4. Personal integrity and ethical conduct
   5. Leadership skills
   6. Initiative
   7. Adaptability and flexibility
8. Ability to conform to department goals and objectives in a positive manner

1002.4.2 SELECTION PROCESS
The selection process for special assignments will be determined by the Chief of Police.

1002.4.3 GENERAL REQUIREMENTS
The following requirements should be considered when selecting a candidate for a special assignment:

(a) Off probation
(b) Possession of or ability to obtain any certification required by CJTC or law
(c) Exceptional skills, experience, or abilities related to the special assignment
Anti-Retaliation

1003.1 PURPOSE AND SCOPE
This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members’ access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, law, ordinance, or collective bargaining agreement or memorandum of understanding.

1003.2 POLICY
The Washougal Police Department has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

1003.3 RETALIATION PROHIBITED
No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because he/she has engaged in protected activity.
1003.4 COMPLAINTS OF RETALIATION

Any member who feels he/she has been retaliated against in violation of this policy should promptly report the matter to any supervisor, command staff member, Chief of Police or the City Director of Human Resources.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false, with willful or reckless disregard for the truth or falsity of the information or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member’s identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is part of the investigative process.

1003.5 SUPERVISOR RESPONSIBILITIES

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include, but are not limited to:

(a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.

(b) Receiving all complaints in a fair and impartial manner.

(c) Documenting the complaint and any steps taken to resolve the problem.

(d) Acknowledging receipt of the complaint, notifying the Chief of Police via the chain of command and explaining to the member how the complaint will be handled.

(e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.

(f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.

(g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.

(h) Not interfering with or denying the right of a member to make any complaint.

(i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.
Anti-Retaliation

1003.6 COMMAND STAFF RESPONSIBILITIES
The Chief of Police should communicate to all supervisors the prohibition against retaliation. Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

(a) Communicating to all members the prohibition against retaliation.
(b) The timely review of complaint investigations.
(c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.
(d) The timely communication of the outcome to the complainant.

1003.7 WHISTLE-BLOWING
Washington law protects employees who make good faith reports of improper government actions. Improper government actions include violations of Washington law, abuse of authority, gross waste of funds, and substantial and specific danger to the public health or safety (RCW 42.40.010 et seq.; RCW 49.60.210; RCW 42.41.010 et seq.).

Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Internal Affairs for investigation pursuant to the Personnel Complaints Policy.

1003.7.1 DISPLAY OF REPORTING PROCEDURES
The Department shall display the City policy to employees regarding their rights and the procedures for reporting information of an alleged improper government action. A copy of the policy shall be made available to employees upon request (RCW 42.41.030).

1003.8 RECORDS RETENTION AND RELEASE
The Chief of Police shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

1003.9 TRAINING
The policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.
Reporting of Employee Convictions

1004.1 PURPOSE AND SCOPE
Convictions of certain offenses may restrict or prohibit an employee's ability to properly perform official duties; therefore, all employees shall be required to promptly notify the Department of any past and current criminal convictions.

1004.2 DOMESTIC VIOLENCE CONVICTIONS AND RESTRAINING ORDERS
Washington and federal law prohibit individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing a firearm. Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922).

All members are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

1004.3 REPORTING PROCEDURE
All members of this department and all retired officers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing of any past or current criminal arrest or conviction regardless of whether or not the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members and all retired officers with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing if the member or retiree becomes the subject of a domestic violence restraining order or similar court order.

Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing his/her duties may be disciplined including, but not limited to, being placed on administrative leave, reassignment and/or termination.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.
Drug- and Alcohol-Free Workplace

1005.1 PURPOSE AND SCOPE
The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace.

1005.2 POLICY
It is the policy of this department to provide a drug- and alcohol-free workplace for all members.

1005.3 GENERAL GUIDELINES
Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public. Such use shall not be tolerated (41 USC § 8103).

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify an on-duty supervisor or an on-call supervisor if there isn't a supervisor on duty once the member is aware that he/she will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, he/she shall be immediately removed and released from work (see Work Restrictions in this policy).

1005.3.1 USE OF MEDICATIONS
Members should avoid taking any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to his/her immediate supervisor prior to commencing any on-duty status.

No member shall be permitted to work or drive a vehicle owned or leased by the Department while taking any medication that has the potential to impair his/her abilities, without a written release from his/her physician.

Possession of medical marijuana or being under the influence of marijuana on- or off-duty is prohibited and may lead to disciplinary action (RCW 69.51A.060).

1005.4 MEMBER RESPONSIBILITIES
Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing or using controlled substances or alcohol on department premises or on department time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.
Drug- and Alcohol-Free Workplace

Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow member poses a risk to the health and safety of the member or others due to drug or alcohol use.

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

1005.5 EMPLOYEE ASSISTANCE PROGRAM (EAP)
The Department has a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact Human Resources, their insurance providers or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

1005.6 WORK RESTRICTIONS
If a member informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from his/her physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and shall ensure that he/she is safely transported away from the Department.

1005.7 REQUESTING SCREENING TESTS
A supervisor may request an employee to submit to a screening test under any of the following circumstances:

(a) The supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing his/her ability to perform duties safely and efficiently.

(b) The employee discharges a firearm, other than by accident, in the performance of his/her duties.

(c) During the performance of his/her duties, the employee drives a motor vehicle and becomes involved in an incident that results in bodily injury to him/herself or another person, or substantial damage to property.

1005.7.1 SUPERVISOR RESPONSIBILITY
The supervisor shall prepare a written record documenting the specific facts that led to the decision to request the test, and shall inform the employee in writing of the following:

(a) The test will be given to detect either alcohol or drugs, or both.
Drug- and Alcohol-Free Workplace

(b) The result of the test is not admissible in any criminal proceeding against the employee.

(c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

1005.7.2 SCREENING TEST REFUSAL
An employee may be subject to disciplinary action if he/she:

(a) Fails or refuses to submit to a screening test as requested.

(b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested, that he/she took the controlled substance as directed, pursuant to a current and lawful prescription issued in his/her name.

(c) Violates any provisions of this policy.

1005.8 CONFIDENTIALITY
The Department recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained separately from the employee’s other personnel files.
1006.1 OTHER LEAVES
Employee(s) are directed to refer to their labor agreement and/or the city rules and regulations for this policy.
Sick Leave

1007.1 PURPOSE AND SCOPE
This policy provides general guidance regarding the use and processing of sick leave. The accrual and terms of use of sick leave for eligible employees are detailed in the City personnel manual or applicable labor agreement.

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) or the Washington Paid Family and Medical Leave program (PFML) (29 USC § 2601 et seq.; RCW 50.04.010 et seq.).

1007.2 POLICY
It is the policy of the Washougal Police Department to provide eligible employees with a sick leave benefit.

1007.3 EXTENDED ABSENCE
Members absent from duty for more than three consecutive days may be required to furnish verification supporting the need to be absent and/or the ability to return to work (RCW 49.46.210; WAC 296-128-660). Members on an extended absence shall, if possible, contact their supervisors at specified intervals to provide an update on their absence and expected date of return.

1007.4 SUPERVISOR RESPONSIBILITIES
The responsibilities of supervisors include, but are not limited to:

(a) Monitoring and regularly reviewing the attendance of those under their command to ensure that the use of sick leave and absences is consistent with this policy.

(b) Attempting to determine whether an absence of four or more days may qualify as family medical leave and consulting with legal counsel or the Human Resources as appropriate.

(c) When appropriate, counseling members regarding inappropriate use of sick leave.

(d) Referring eligible members to an available employee assistance program when appropriate.

1007.5 PERSONNEL AGENCY
The Director of Human Resources shall ensure:

(a) Written or electronic notice is provided to each employee regarding applicable paid sick leave provisions as required by WAC 296-128-760.

(b) This Sick Leave Policy is readily available to all employees.
Sick Leave

(c) Employee records are retained and preserved regarding paid sick leave information and data as required by WAC 296-128-010.

1007.6 RETALIATION
No employee shall be retaliated against for using qualifying sick leave (WAC 296-128-770).
Bereavement Leave

1008.1 PURPOSE AND SCOPE
Employee(s) are directed to reference their labor agreement and city rules and regulations for this policy.
Communicable Diseases

1009.1 PURPOSE AND SCOPE
This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

1009.1.1 DEFINITIONS
Definitions related to this policy include:

Communicable disease - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include, but are not limited to, hepatitis B virus (HBV), HIV and tuberculosis.

Exposure - When an eye, mouth, mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member’s position at the Washougal Police Department. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

1009.2 POLICY
The Washougal Police Department is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

1009.3 EXPOSURE CONTROL OFFICER
The Chief of Police will assign a person as the Exposure Control Officer (ECO). The ECO shall develop an exposure control plan that includes (WAC 296-823.100 et seq.):

(a) Exposure-prevention and decontamination procedures.
(b) Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.
(c) The provision that department members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) for each member’s position and risk of exposure.
(d) Evaluation of persons in custody for any exposure risk and measures to separate them.
(e) Compliance with all relevant laws or regulations related to communicable diseases, including:
   1. Bloodborne pathogen mandates including but not limited to (WAC 296-823-110 et seq.):
      (a) The identification of positions with the potential for exposure.
Communicable Diseases

(b) Measures to eliminate or minimize occupational exposure and how members will be informed of those measures.

(c) A plan for the distribution and use of personal protective equipment (PPE) related to communicable diseases.

(d) Directions for appropriate labeling of contaminated items.

(e) Rules regarding worksite maintenance.

(f) Rules regarding waste.

(g) Confidentiality requirements and medical protocols.

(h) Maintenance of training and medical records.

2. The Washington Industrial Safety and Health Act (RCW 49.17.010 et seq.; WAC 296-800-110 et seq.).

3. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).

The ECO should also act as the liaison with the Washington Division of Occupational Safety and Health (DOSH) and may request voluntary compliance inspections. The ECO should annually review and update the exposure control plan and review implementation of the plan (WAC 296-823-11010).

1009.4 EXPOSURE PREVENTION AND MITIGATION

1009.4.1 GENERAL PRECAUTIONS

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes, but is not limited to:

(a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area or department vehicles, as applicable.

(b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.

(c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.

(d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.

(e) Using an appropriate barrier device when providing CPR.

(f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.

(g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing and portable radio) as soon as possible if the equipment is a potential source of exposure.
Communicable Diseases

1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.

   (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.

   (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.

   (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

1009.4.2 IMMUNIZATIONS
Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (WAC 296-823-130).

1009.5 POST EXPOSURE

1009.5.1 INITIAL POST-EXPOSURE STEPS
Members who experience an exposure or suspected exposure shall:

   (a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).

   (b) Obtain medical attention as appropriate.

   (c) Notify a supervisor as soon as practicable.

1009.5.2 REPORTING REQUIREMENTS
The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. A supervisor shall be called if there isn't an on-duty supervisor. The supervisor shall ensure the following information is documented (WAC 296-823-16005):

   (a) Name and Social Security number of the member exposed

   (b) Date and time of the incident

   (c) Location of the incident

   (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)

   (e) Work being done during exposure

   (f) How the incident occurred or was caused

   (g) PPE in use at the time of the incident

   (h) Actions taken post-event (e.g., clean-up, notifications)
Communicable Diseases

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Occupational Disease and Work-Related Injury Reporting Policy).

1009.5.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT
Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary (WAC 296-823-16005).

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information:

(a) Whether the member has been informed of the results of the evaluation.

(b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

1009.5.4 COUNSELING
The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure (WAC 296-823-16005).

1009.5.5 SOURCE TESTING
Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate. Source testing is the responsibility of the ECO (WAC 296-823-16010). If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed member’s supervisor to ensure testing is sought.

Source testing may be achieved by:

(a) Obtaining consent from the individual.

(b) In the event that consent cannot be obtained, by contacting the local health authority who may pursue testing of the source individual for HIV or other communicable diseases (RCW 70.24.340; WAC 246-100-205).

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the City Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.
Communicable Diseases

1009.6 CONFIDENTIALITY OF REPORTS
Medical information shall remain in confidential files and shall not be disclosed to anyone without the member’s written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well.

1009.7 TRAINING
All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training shall include the mandates provided in WAC 296-823-12005 et seq. and:

(a) Shall be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.

(b) Shall be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.

(c) Shall provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure and what steps should be taken if a suspected exposure occurs.
Smoking and Tobacco Use

1010.1 PURPOSE AND SCOPE
This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty or while in Washougal Police Department facilities or vehicles.

For the purposes of this policy, smoking and tobacco use includes, but is not limited to, any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches and chewing tobacco, as well as any device intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

1010.2 POLICY
The Washougal Police Department recognizes that tobacco use is a health risk and can be offensive to others.

Smoking and tobacco use also presents an unprofessional image for the Department and its members. Therefore smoking and tobacco use is prohibited by members and visitors in all department facilities, buildings and vehicles, and as is further outlined in this policy (RCW 70.160.030).

1010.3 SMOKING AND TOBACCO USE
Smoking and tobacco use by members is prohibited anytime members are in public view representing the Washougal Police Department.

It shall be the responsibility of each member to ensure that no person under his/her supervision smokes or uses any tobacco product inside City facilities and vehicles.

1010.4 ADDITIONAL PROHIBITIONS
No person shall smoke tobacco products within 25 feet of a main entrance, exit or operable window of any building (RCW 70.160.075).

1010.4.1 NOTICE
The Chief of Police or the authorized designee shall ensure that proper signage prohibiting smoking is conspicuously posted at each entrance to the department facilities (RCW 70.160.050).
Personnel Complaints

1011.1 PURPOSE AND SCOPE
This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Washougal Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

1011.2 POLICY
The Washougal Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct or improper job performance in accordance with this policy and applicable federal, state and local law, municipal rules and the requirements of any memorandum of understanding or collective bargaining agreements. It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

1011.3 PERSONNEL COMPLAINTS
Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or of federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

1011.3.1 COMPLAINT CLASSIFICATIONS
Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which the commander and/or chief is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

Formal - A matter in which a supervisor determines that further action is warranted. Such complaints will be investigated by a supervisor of rank greater than the accused member.

Incomplete - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. Such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

1011.3.2 SOURCES OF COMPLAINTS
The following applies to the source of complaints:
Personnel Complaints

(a) Individuals from the public may make complaints in any form, including in writing, by email, in person, or by telephone.

(b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.

(c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.

(d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.

(e) Tort claims and lawsuits may generate a personnel complaint.

1011.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1011.4.1 COMPLAINT FORMS
Personnel complaint forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the department website.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

1011.4.2 ACCEPTANCE
All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor.

Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

1011.5 DOCUMENTATION
Supervisors shall ensure that all formal and informal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints are to be documented in Guardian Tracking at the conclusion of the complaint. The Guardian entry shall include the nature of the complaint and the actions taken to address the complaint, if applicable, and the disposition. On an annual basis, the Department should audit the log and send an audit report to the Chief of Police or the authorized designee.

All complaints shall also be documented in the Administrative Reports Log located in the Administrative Log Book that is located in the Sergeant's cabinet.
Personnel Complaints

1011.6 ADMINISTRATIVE INVESTIGATIONS
Allegations of misconduct will be administratively investigated as follows.

1011.6.1 SUPERVISOR RESPONSIBILITIES
In general, the primary responsibility for the investigation of a personnel complaint shall rest with
the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor
is the ultimate decision-maker regarding disciplinary action or has any personal involvement
regarding the alleged misconduct. The Chief of Police or the Commander may direct that another
supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent
aggravation of the situation.

The responsibilities of supervisors include, but are not limited to:

(a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is
completed.
   (a) The original complaint form will be directed to the Commander, who will
take appropriate action and/or determine who will have responsibility for the
investigation.
   (b) In circumstances where the integrity of the investigation could be jeopardized by
reducing the complaint to writing or where the confidentiality of a complainant
is at issue, a supervisor shall orally report the matter to the Commander, who
will initiate appropriate action.

(b) Responding to all complaints in a courteous and professional manner.

(c) Resolving those personnel complaints that can be resolved immediately.
   (a) A follow-up contact with the complainant should be made as soon as practical
after the department receives the complaint.
   (b) If the matter is resolved and no further action is required, the supervisor will note
the resolution on the complaint form and forward the form to the Commander.

(d) Upon receipt of a complaint involving allegations of a potentially serious nature,
the Chief of Police is to be notified as soon as practicable via the chain of command.

(e) Promptly contact the chief or the Commander for direction regarding their roles in
addressing a complaint that relates to sexual, racial, ethnic or other forms of prohibited
harassment or discrimination.

(f) Forward unresolved personnel complaints to the Commander to determine whether
contact the complainant or assign the complaint for investigation.

(g) Informing the complainant of the investigator’s name and the complaint number within
three days after assignment.

(h) Investigating a complaint as follows:
   1. Making reasonable efforts to obtain names, addresses and telephone numbers
   of witnesses.
2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.

   (i) Ensuring that the procedural rights of the accused member are followed.

   (j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

1011.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES
Whether conducted by the commander, a sergeant, or an outside entity, the following applies to employees:

   (a) Interviews of an accused employee shall be conducted during reasonable hours and preferably when the employee is on-duty. If the employee is off-duty, he/she shall be compensated.

   (b) Unless waived by the employee, interviews of an accused employee shall be at the Washougal Police Department or other reasonable and appropriate place.

   (c) No more than two interviewers should ask questions of an accused employee.

   (d) Prior to any interview, an employee should be informed of the nature of the investigation.

   (e) All interviews should be for a reasonable period and the employee's personal needs should be accommodated.

   (f) No employee should be subjected to offensive or threatening language, nor shall any promises, rewards, or other inducements be used to obtain answers.

   (g) Any employee refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.

   1. An employee should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the member has been given a Garrity advisement. Administrative investigators should consider the impact that compelling a statement from the employee may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).

   2. No information or evidence administratively coerced from an employee may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.

   (h) The interviewer should record all interviews of employees and witnesses. The employee may also record the interview. If the employee has been previously interviewed, a copy of that recorded interview shall be provided to the employee prior to any subsequent interview.

   (i) All employees subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, in order
Personnel Complaints

to maintain the integrity of each individual’s statement, involved employees shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

(j) All employees shall provide complete and truthful responses to questions posed during interviews.

(k) No employee may be compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation.

(l) An employee covered by civil service shall be provided a written statement of all accusations with a duplicate statement filed with the civil service commission (RCW 41.12.090; RCW 41.14.120).

1011.6.3 ADMINISTRATIVE INVESTIGATION FORMAT
Formal investigations of personnel complaints shall be thorough, complete and essentially follow this format:

Introduction - Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

Synopsis - Provide a brief summary of the facts giving rise to the investigation.

Summary - List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

Evidence - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

Conclusion - A recommendation regarding further action or disposition should be provided.

Exhibits - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

1011.6.4 DISPOSITIONS
Each personnel complaint shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.
If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1011.6.5 COMPLETION OF INVESTIGATIONS
Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within 90 days from the date of discovery by an individual authorized to initiate an investigation. Some investigations may take longer than 90 days to complete, if this occurs steps will be taken to keep involved members updated.

1011.6.6 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS
The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

1011.7 ADMINISTRATIVE SEARCHES
Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct. Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

1011.8 ADMINISTRATIVE LEAVE
When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

(a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.

(b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.

(c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.

1011.9 CRIMINAL INVESTIGATION
Where a member is accused of potential criminal conduct, a separate investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

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A member accused of criminal conduct shall be provided with all rights afforded to a civilian. The member should not be administratively ordered to provide any information in the criminal investigation.

The Washougal Police Department may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

1011.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES
Upon completion of a formal investigation, an investigation report should be forwarded to the Chief of Police through the chain of command. Each level of command should review and include their comments in writing before forwarding the report. The Chief of Police may accept or modify any classification or recommendation for disciplinary action.

1011.10.1 COMMANDER RESPONSIBILITIES
Upon receipt of any completed personnel investigation, the Commander shall review the entire investigative file, the member’s personnel file and any other relevant materials.

The Commander will make a recommendation regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Chief of Police, the Commander may return the entire investigation to the assigned investigator for further investigation or action.

When forwarding any written recommendation to the Chief of Police, the Commander shall include all relevant materials supporting the recommendation. Actual copies of a member’s existing personnel file need not be provided and may be incorporated by reference.

1011.10.2 CHIEF OF POLICE RESPONSIBILITIES
Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendation and/or may return the file to the Commander for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the Chief of Police shall provide the member with a written notice and the following:

(a) Access to all of the materials considered by the Chief of Police in recommending the proposed discipline.

(b) An opportunity to respond orally or in writing to the Chief of Police within five days of receiving the notice.

(c) Upon a showing of good cause by the member, the Chief of Police may grant a reasonable extension of time for the member to respond.
(d) If the member elects to respond orally, the presentation shall be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response or if the member has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. The Chief of Police shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police has issued a written decision, the discipline shall become effective.

1011.10.3 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT
The Chief of Police or the authorized designee should ensure that the complainant is notified of the disposition of the complaint (i.e., sustained, not sustained, exonerated, unfounded).

1011.11 PRE-DISCIPLINE EMPLOYEE RESPONSE
The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

(a) The response is not intended to be an adversarial or formal hearing.
(b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.
(c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.
(d) In the event that the Chief of Police elects to cause further investigation to be conducted, the employee shall be provided with the results prior to the imposition of any discipline.
(e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.

1011.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE
In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

1011.13 POST-DISCIPLINE APPEAL RIGHTS
Non-probationary employees have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The employee has the right to appeal using the procedures established by any collective bargaining agreement, memorandum of understanding and/or personnel rules.
Personnel Complaints

In the event of punitive action against an employee covered by civil service, the appeal process shall be in compliance with RCW 41.12.090 and RCW 41.14.120.

1011.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS
At-will and probationary employees and members other than non-probationary employees may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy, and without notice or cause at any time. These individuals are not entitled to any rights under this policy. However, any of these individuals released for misconduct should be afforded an opportunity solely to clear their names through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

Any probationary period may be extended at the discretion of the Chief of Police in cases where the individual has been absent for more than a week or when additional time to review the individual is considered to be appropriate.

1011.15 RETENTION OF PERSONNEL INVESTIGATION FILES
All personnel complaints shall be maintained in accordance with the State of Washington records retention schedule and as described in the Personnel Records Policy.

Citizen Complaints - GS50-01-09 requires retention for 3 years after matter is closed.

Internal Affairs Investigation Files - LE2010-059 & LE03-01-05 requires retention for 6 years after case is closed and 3 years after minor reaches age 18, if minor involved in incident then contact Washington State Archives for appraisal and selective retention.

Civil Rights Complaints - GS2017-002 requires retention for 6 years after resolution, completion, closure, or decision not to proceed.

1011.16 NOTIFICATION TO CRIMINAL JUSTICE TRAINING COMMISSION (CJTC) CERTIFICATION BOARD
Upon termination of a peace officer for any reason, including resignation, the Department shall, within 15 days of the termination, notify the CJTC on a personnel action report form provided by the commission. The Department shall, upon request of the CJTC, provide such additional documentation or information as the commission deems necessary to determine whether the termination provides grounds for revocation of the peace officer’s certification (RCW 43.101.135).
Seat Belts

1012.1 PURPOSE AND SCOPE
This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in department vehicles.

1012.1.1 DEFINITIONS
Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and regulations set forth in 49 CFR 571.213 and RCW 46.61.687(6).

1012.2 POLICY
It is the policy of the Washougal Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle collision.

1012.3 WEARING OF SAFETY RESTRAINTS
All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including those who are not members of the Department, are properly restrained (RCW 46.61.688; RCW 46.61.687).

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the department member or the public. Members must be prepared to justify any deviation from this requirement.

1012.4 TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES
Suspects, prisoners and arrestees should be in a seated position and secured in the rear seat of any department vehicle with a prisoner restraint system or, when a prisoner restraint system is not available, by seat belts provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints (WAC 204-41-030).

Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

1012.5 INOPERABLE SEAT BELTS
Department vehicles shall not be operated when the seat belt in the driver’s position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief of Police.
Seat Belts

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

1012.6 VEHICLES MANUFACTURED WITHOUT SEAT BELTS
Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer’s operator requirements for safe use.

1012.7 VEHICLE AIRBAGS
In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.
Body Armor

1013.1 PURPOSE AND SCOPE
The purpose of this policy is to provide law enforcement officers with guidelines for the proper use of body armor.

1013.2 POLICY
It is the policy of the Washougal Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

1013.3 ISSUANCE OF BODY ARMOR
The Administrative Sergeant shall ensure that body armor is issued to all officers when the officer begins service at the Washougal Police Department and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Administrative Sergeant shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to the schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

1013.3.1 USE OF SOFT BODY ARMOR
Generally, the use of body armor is required subject to the following:

(a) Officers shall only wear agency-approved body armor.

(b) Officers shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action.

(c) Officers may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action.

(d) Body armor shall be worn when an officer is working in uniform or taking part in Department range training.

(e) An officer may be excused from wearing body armor when he/she is involved in undercover or plainclothes work that his/her supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.

(f) Also, officers are excused from wearing body armour while on Washougal Police Department property. (Example: Officers who wear external body armour carriers)

1013.3.2 INSPECTIONS OF BODY ARMOR
Supervisors should ensure that body armor is worn and maintained in accordance with this policy through routine observation and periodic documented inspections. Annual inspections of
Body Armor

body armor should be conducted by the Administrative Sergeant for fit, cleanliness and signs of damage, abuse and wear.

1013.3.3 CARE AND MAINTENANCE OF SOFT BODY ARMOR
Soft body armor should never be stored for any period of time in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g., normal ambient room temperature/humidity conditions), such as in automobiles or automobile trunks.

Soft body armor should be cared for and cleaned pursuant to the manufacturer's care instructions provided with the soft body armor. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

Soft body armor should be replaced in accordance with the manufacturer's recommended replacement schedule.

1013.4 FIREARMS INSTRUCTOR RESPONSIBILITIES
The Firearms Instructor should:

(a) Monitor technological advances in the body armor industry for any appropriate changes to Department approved body armor.

(b) Assess weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.

(c) Provide training that educates officers about the safety benefits of wearing body armor.
Personnel Records

1014.1 PURPOSE AND SCOPE
This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual member's name.

1014.2 POLICY
It is the policy of this department to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of Washington.

1014.3 DEPARTMENT FILE
The department file shall be maintained as a record of a person’s employment/appointment with this department. The department file should contain, at a minimum:

(a) Personal data, including photographs, marital status, names of family members, educational and employment history or similar information. A photograph of the member should be permanently retained.

(b) Election of employee benefits.

(c) Personnel action reports reflecting assignments, promotions and other changes in employment/appointment status. These should be permanently retained.

(d) Original performance evaluations. These should be permanently maintained.

(e) Discipline records, including copies of sustained personnel complaints.

(f) Adverse comments such as supervisor notes or memos may be retained in the department file after the member has had the opportunity to read and initial the comment.
   1. Once a member has had an opportunity to read and initial any adverse comment, the member shall be given the opportunity to respond in writing to the adverse comment.
   2. Any member response shall be attached to and retained with the original adverse comment.
   3. If a member refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment. Such a refusal, however, shall not be deemed insubordination, nor shall it prohibit the entry of the adverse comment into the member’s file.

(g) Commendations and awards.

(h) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.
1014.4 SECTION FILE
Section files may be separately maintained internally by a member’s supervisor for the purpose of completing timely performance evaluations. The Section file may contain supervisor comments, notes, notices to correct and other materials that are intended to serve as a foundation for the completion of timely performance evaluations.

1014.5 TRAINING FILE
An individual training file shall be maintained by the Captain for each member. Training files will contain records of all training; original or photocopies of available certificates, transcripts, diplomas and other documentation; and education and firearms qualifications. Training records may also be created and stored remotely, either manually or automatically (e.g., Daily Training Bulletin (DTB) records).

(a) The involved member is responsible for providing the Captain or immediate supervisor with evidence of completed training/education in a timely manner.

(b) The Captain or supervisor shall ensure that copies of such training records are placed in the member’s training file.

1014.6 INTERNAL AFFAIRS FILE
Internal affairs files shall be maintained under the exclusive control of the Commander. Access to these files may only be approved by the Chief of Police or the Commander.

These files shall contain the complete investigation of all formal complaints of member misconduct, regardless of disposition. Investigations of complaints that result in the following findings shall not be placed in the member’s department file but will be maintained in the internal affairs file:

(a) Unfounded
(b) Exonerated
(c) Not sustained
(d) Sustained

1014.7 MEDICAL FILE
A medical file shall be maintained separately from all other personnel records and shall contain all documents relating to the member’s medical condition and history, including but not limited to:

(a) Materials relating to a medical leave of absence, including leave under the Family and Medical Leave Act (FMLA).
(b) Documents relating to workers’ compensation claims or the receipt of short- or long-term disability benefits.
(c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries and related documents.
(d) Medical release forms, doctor’s slips and attendance records that reveal a member’s medical condition.
Personnel Records

(e) Any other documents or materials that reveal the member’s medical history or medical condition, including past, present or future anticipated mental, psychological or physical limitations.

1014.8 SECURITY
Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records may be subject to disclosure. Refer to RCW 42.56 - Public Records Act for exemptions and guidance.

Nothing in this policy is intended to preclude review of personnel records by the City Manager, City Attorney, or other attorneys or representatives of the City in connection with official business.

1014.8.1 REQUESTS FOR DISCLOSURE
Any member receiving a request for a personnel record shall promptly notify the Public Records Officer or other person charged with the maintenance of such records.

Upon receipt of any such request, the responsible person shall notify the affected member as soon as practicable that such a request has been made.

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this may require assistance of available legal counsel.

All requests for disclosure that result in access to a member’s personnel records shall be logged in the corresponding file.

1014.8.2 RELEASE OF PERSONNEL INFORMATION
The Department may release any factual information concerning a disciplinary investigation if the member who is the subject of the investigation (or the member’s representative) publicly makes a statement that is published in the media and that the member (or representative) knows to be false. The disclosure of such information, if any, shall be limited to facts that refute any such false statement.

1014.9 MEMBER ACCESS TO HIS/HER OWN PERSONNEL RECORDS
Any member may request access to his/her own personnel records annually during the normal business hours of those responsible for maintaining such files. Any member seeking the removal of any item from his/her personnel records shall file a written request to the Chief of Police through the chain of command. The Department shall remove any such item if appropriate, or within 30 days provide the member with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the member’s request and the written response from the Department shall be retained with the contested item in the member’s corresponding personnel record (RCW 49.12.250).
Members may be restricted from accessing files containing any of the following information:

(a) An ongoing internal affairs investigation to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the member of the intent to discipline.

(b) Confidential portions of internal affairs files that have not been sustained against the member.

(c) Criminal investigations involving the member.

(d) Letters of reference concerning employment/appointment, licensing or issuance of permits regarding the member.

(e) Any portion of a test document, except the cumulative total test score for either a section of the test document or for the entire test document.

(f) Materials used by the Department for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments or other comments or ratings used for department planning purposes.

(g) Information of a personal nature about a person other than the member if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.

(h) Records relevant to any other pending claim between the Department and the member that may be discovered in a judicial proceeding.

1014.10 RETENTION AND PURGING

Unless provided otherwise in this policy, personnel records shall be maintained in accordance with the State of Washington Records Retention Schedule.

(a) During the preparation of each member’s performance evaluation, all personnel complaints and disciplinary actions should be reviewed to determine the relevancy, if any, to progressive discipline, training and career development. Each supervisor responsible for completing the member’s performance evaluation should determine whether any prior sustained disciplinary file should be retained beyond the required period for reasons other than pending litigation or other ongoing legal proceedings.

(b) If a supervisor determines that records of prior discipline should be retained beyond the required period, approval for such retention should be obtained through the chain of command from the Chief of Police.

(c) If, in the opinion of the Chief of Police, a personnel complaint or disciplinary action maintained beyond the required retention period is no longer relevant, all records of such matter may be destroyed in accordance with the established records retention schedule.
Commendations and Awards

1015.1 PURPOSE AND SCOPE
This policy provides general guidelines for recognizing commendable or meritorious acts of members of the Washougal Police Department and individuals from the community.

1015.2 POLICY
It is the policy of the Washougal Police Department to recognize and acknowledge exceptional individual or group achievements, performance, proficiency, heroism and service of its members and individuals from the community through commendations and awards.

1015.3 COMMENDATIONS
Commendations for members of the Department or for individuals from the community may be initiated by any department member or by any person from the community.

1015.4 CRITERIA
A meritorious or commendable act may include, but is not limited to:

• Superior handling of a difficult situation.
• Conspicuous bravery or outstanding performance.
• Any action or performance that is above and beyond typical duties.

1015.4.1 DEPARTMENT MEMBER DOCUMENTATION
Members of the Department should document meritorious or commendable acts. The documentation should contain:

(a) Identifying information:
   1. For members of the Department - name, section and assignment at the date and time of the meritorious or commendable act
   2. For individuals from the community - name, address, telephone number
(b) A brief account of the meritorious or commendable act with report numbers, as appropriate.
(c) The signature of the member submitting the documentation.

1015.4.2 COMMUNITY MEMBER DOCUMENTATION
Documentation of a meritorious or commendable act submitted by a person from the community should be accepted in any form. However, written documentation is preferred. Department members accepting the documentation should attempt to obtain detailed information regarding the matter, including:

(a) Identifying information:
Commendations and Awards

1. For members of the Department - name, section and assignment at the date and time of the meritorious or commendable act
2. For individuals from the community - name, address, telephone number
   (b) A brief account of the meritorious or commendable act with report numbers, as appropriate.
   (c) The signature of the person submitting the documentation.

1015.4.3 PROCESSING DOCUMENTATION
Documentation regarding the meritorious or commendable act of a member of the Department should be forwarded to the appropriate Captain for his/her review. The Captain should sign and forward the documentation to the Chief of Police for his/her review.

The Chief of Police or the authorized designee will present the commendation to the department member for his/her signature. The documentation will then be returned to the Administrative secretary for entry into the member’s personnel file.

Documentation regarding the meritorious or commendable act of an individual from the community should be forwarded to the Administrative Captain. The documentation will be signed by the Captain and forwarded to the Chief of Police for his/her review. An appropriate venue or ceremony to acknowledge the individual’s actions should be arranged. Documentation of the commendation shall be maintained in a file designated for such records.

1015.5 AWARDS
Awards may be bestowed upon members of the Department and individuals from the community. These awards include:

- Award of Merit.
- Award of Valor.
- Lifesaving Award.
- Meritorious Conduct.

Criteria for each award and the selection, presentation and display of any award are determined by the Chief of Police.
Accident Prevention Program (APP)

1016.1 SAFETY
Each employee will be given a safety orientation by the Administrative Sergeant when first hired. At a minimum the orientation will cover the following items outlined below:

Basic Safety Rules
Reporting of Injuries
Location of First Aid Kits and AED's
Reporting Unsafe Conditions & Practices
What to do in an Emergency
Identification of Hazardous Chemicals
How to Perform the Job Safely
Bloodborne Pathogens, Communicable Diseases & Other Potentially Infectious Materials

1016.1.1 DESCRIPTION OF AN ACCIDENT PREVENTION PROGRAM
We have a formal written accident prevention program as described in WISHA regulations (WAC 296-800-140). It consists of this safety orientation and a safety committee that is described in the Safety Committee below.

We also have basic safety rules that all employees must follow. They are:

- Never do anything that is unsafe in order to get the job done. If a job is unsafe, report it to your supervisor or safety committee representative. We will find a safer way to do that job.
- Do not remove or disable any safety device! Keep guards in place at all times on operating machinery.
- Never operate a piece of equipment unless you have been trained and are authorized.
- Use your personal protective equipment whenever it is required.
- Obey all safety warning signs.
- Working under the influence of alcohol or illegal drugs or using them at work is prohibited.
- Smoking is only permitted outside the building away from any entry or ventilation intake.
- Horseplay, running and fighting are prohibited
- Clean up spills immediately. Replace all tools and supplies after use. Good housekeeping helps prevent accidents.
1016.1.2 REPORTING INJURIES
If you are injured or become ill on the job, report this to any supervisor and/or human resources.

1016.1.3 FIRST AID KITS & AED LOCATIONS
There are first aid kits located in all department vehicles and AED's in all patrol vehicles. In addition there is a first aid kit and AED located in the hallway leading to the booking room. We require all department personnel to have first-aid/CPR training.

1016.1.4 REPORTING UNSAFE CONDITIONS AND PRACTICES
If you see something that is unsafe or someone working unsafely, immediately report it to any supervisor.

1016.1.5 WHAT TO DO IN AN EMERGENCY INCLUDING HOW TO EXIT THE WORKPLACE
Evacuation maps for the building are posted in the central hallway and training room.

Fire Emergency
- You will be trained on how to use a fire extinguisher as part of your orientation.
- All department members are trained annually on the use of fire extinguishers.
- If you discover a fire: Notify dispatch immediately and if possible, other on-duty personnel.
- If the fire is small (such as a wastebasket fire) and there is minimal smoke, you may try to put it out with a fire extinguisher (only if you have been trained on how to use fire extinguishers and if it is safe to do so).
- If the fire grows or there is thick smoke, do not continue to fight the fire.
- Tell other employees in the area to evacuate and update dispatch.
- Ensure prisoners are safe and if necessary evacuated and placed in cage cars.
- Go to the designated assembly point outside the building but remain available to allow fire personnel access to restricted areas of the building.

Earthquake Emergency

During an earthquake:

If you are inside a building:
1. Drop under a desk or table, cover your head and hold on. Stay away from windows, heavy cabinets, bookcases or glass dividers.
2. When the shaking stops, personnel are to check for damage and available evacuation routes then begin an evacuation of their area to the designated assembly location. For
3. Evacuation should proceed as quickly as possible since there may be aftershocks.
4. Supervisors must account for each employee and prisoners as quickly as possible.
5. First aid certified employees should check for injuries and help evacuate injured employees and prisoners. Do not attempt to move seriously injured persons unless they are in immediate danger of further injury.
6. Do not approach or touch downed power lines or objects touched by downed power lines.
7. Turn on police radios and also public radios and listen for public safety instructions.

If you are outside:
1. Stand away from buildings, trees, telephone, and electric lines.

If you are on the road:
1. Drive away from underpasses/overpasses. Stop in a safe area. Stay in the vehicle.

1016.1.6 IDENTIFICATION OF HAZARDOUS CHEMICALS USED AT THIS LOCATION

We use several chemicals, including solvents and cleaners. You will receive a separate orientation as part of our chemical hazard communication program on the hazards of these chemicals before you work with them or work in an area where they are used.

Refer to Department Policy – Hazardous Material Response for detailed information on hazardous materials and exposures to hazardous materials.

1016.1.7 USE AND CARE OF REQUIRED PERSONAL PROTECTIVE EQUIPMENT (PPE)
Some tasks in our department require an employee to wear PPE to protect against injury.

You will be instructed by a department instructor using the manufacturer’s instructions that are attached to this program how to use and care for these PPE.

Refer to Department Policy – Personal Protective Equipment for detailed instructions on the use of PPE’s.

1016.1.8 ON-THE-JOB TRAINING ABOUT WHAT YOU NEED TO KNOW TO PERFORM THE JOB SAFELY

- Before you are first assigned a task, a department instructor will show you what to do along with safety instructions and required PPE.
- We have established safety rules and personal protective equipment (PPE) requirements based upon a hazard assessment for each task.
Accident Prevention Program (APP)

- Do not use equipment or attempt to do any of these tasks until you have received the required training and PPE.
- All officers will receive, but are not limited to, the following job-specific training:
  - Patrol Safety see – Department Policy – Officer Response to Calls for detailed instructions and safety guidelines.
  - Arrests see – Department Policy – Handcuffing and Restraints, Department Policy - Arrests for Traffic Offenses, Department Policy – DUI Arrest and Investigation, Department Policy – First Amendment Assemblies for detailed instructions and safety guidelines.
  - Raids see – Department Policy – Operations Planning and Deconfliction and Department Policy – Warrant Service for detailed instructions.
  - Communications – Control 2 is the primary radio channel between the hours of 0300 hours and 1300 hours. Control 1 is the primary radio channel between the hours of 1300 hours and 0300 hours. For MDC usage refer to Department Policy – MDC Use

1016.2 BLOODBORNE PATHOGENS (BBP), COMMUNICABLE DISEASE & OTHER POTENTIALLY INFECTIOUS MATERIALS (OPIM)
In conducting law enforcement duties police officers have a high potential to be exposed to blood and OPIM in the process of conducting their routine duties.

The department operates in accordance with (Chapter 296-823 WAC):

- The department participates in New Hire training for all employees. Annual BBP and OPIM training are conducted thereafter. Training materials can be provided with a request. Requests should be made to the department's Administrative Sergeant.
- Completion of training is tracked and attendance list is kept on file within the Department.
- Determination (WAC 296-823-11005) :
- All employees of the Washougal Police Departments have the potential for occupational exposure to BBP or OPIM.
- Tasks related to occupational exposure could include but are not limited to:
  - Interactions with the public in a first responder capacity
  - Interactions with the public in a law enforcement capacity
  - Interactions with the public in a code enforcement capacity
  - Interactions with the public in an animal code enforcement capacity
  - Evidence Handling
1016.2.1 COMMUNICABLE DISEASES
The Washougal Police Department is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.
A communicable disease is a human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include but are not limited to, hepatitis B virus (HBV), HIV, and tuberculosis.
Refer to Department Policy – Communicable Diseases for detailed information on exposures and procedures.
- The Chief of Police will assign the role of Exposure Control Officer (ECO).
- The ECO acts as the liaison with the Washington Division of Occupational Safety and Health (DOSH) and may request voluntary compliance inspections.
The ECO will annually review and update the exposure control plan and review the implementation of the plan (WAC 296-823-11010).

1016.2.2 EXPOSURE CONTROL PLAN (ECP)
The Exposure Control Officer is responsible for the exposure control plan that includes (WAC 296-823.100 et seq.)
Refer to Department Policy – Communicable Diseases for detailed information on exposures and procedures.
- A copy of the ECP is available with a request to the departments’ ECO.
- This plan will be reviewed annually by the department’s safety committee.
- Revisions will include:
  - (a) New job classifications and potential for occupational exposure.
  - (b) How to modify tasks and procedures to minimize exposure.
  - (c) Changing technology
  - (d) Document and consider the implementation of commercially available effective devices designed to eliminate and minimize exposure.
A copy of the ECP can also be made available to employees and their representatives within 15 days by request to the department’s Administrative Sergeant.

1016.2.3 EXPOSURE CONTROL WITH INDIVIDUALS IN CUSTODY
Refer to Department Policy – Temporary Custody of Adults and Department Policy - Temporary Custody of Juveniles for detailed information on detention policies.
- Officers are trained on how to evaluate situations in which an individual has claimed or is known to be afflicted with, or displays symptoms of, any communicable disease that poses an unreasonable exposure risk.
Accident Prevention Program (APP)

- Officers taking custody of a person who exhibits any signs or is thought to have an infectious disease must notify a supervisor of the situation.
- These individuals should not be placed in a temporary holding cell at the Department unless they have been evaluated by a qualified medical or mental health professional, as appropriate for the circumstances.

Any detainee who is currently in custody that is demonstrating symptoms suggestive of tuberculosis or another infectious disease should be immediately isolated and transferred to a facility or hospital in which the detainee can be placed in an airborne infectious Isolation (AII) room and evaluated promptly for TB or another infectious disease.

NOTE: Notify a supervisor immediately if a person was placed in any department owned vehicle or facility and take the vehicle or room out of service and p

1016.3 SAFETY COMMITTEE

- Our safety committee will consist of a commander, sergeant, officer, and a non-sworn employee.
- Employees will elect from among themselves a representative to be on the committee.
- If there are no volunteers the commander or chief may appoint the members.
- Should a vacancy occur, a new member shall be selected prior to the next scheduled meeting
- With the exception of the commander, committee members will serve for one year and a maximum of two years.
- The safety committee members will elect a chairperson.

- The committee chair will prepare the committee's agenda. The chair will actively solicit agenda items for each monthly meeting. If no agenda items are presented to the chair, the chair may cancel or postpone the regularly scheduled monthly meeting. This action is at the discretion of the chair, but meetings may not be canceled more than twice in a row. At a minimum, the safety committee will meet quarterly.
- A committee member will be designated each month to keep minutes.

1016.3.1 THE SAFETY COMMITTEE AND ITS RESPONSIBILITIES

Each member has the responsibility to:

- Attend meetings.
- Participate/Discuss.
- Report for fellow employees on various hazards or unsafe work practices.
- Report to employees the safety efforts of the City.
Accident Prevention Program (APP)

- Education/Instruction.

Agenda Items:
- Approve previous minutes
- Unfinished business
- Review of recent incidents/accidents
- Report of inspections
- Special features, such as presentation
- New business
- Set next agenda and meeting date/time

Minutes:
- Documents attendance
- Summarizes all subjects discussed
- Filed for at least one year
- Posted on the safety bulletin board

1016.4 REPORTING WORKPLACE INJURY & ILLNESS
In accordance with (WAC 296-27-031), the department will report to the Washington Division of Occupational Safety & Health (DOSH):

- Within 8 hours of the death or the in-patient hospitalization of any employee.
- Within 24 hours of any non-hospitalization amputation or loss of the eye that is a result of an on the job injury.

Reporting will be made with the completion of the 296-800-320 Accident Investigation Report Form, and by calling DOSH (L&I) 1-800-423-7233.

1016.5 LEAD EXPOSURE
Lead poisoning can be a serious health risk to law enforcement personnel, shooting instructors, and range safety officers, especially at indoor shooting ranges.

Lead particles are released into the air every time lead-based ammunition is fired and can stay airborne for hours. Settled particles create a layer of toxic dust on work surfaces and, if disturbed by work activities, become airborne again. Lead dust transferred to clothes, skin, and hair can cause additional exposures outside of the workplace (e.g., at home).

Inhaling lead particles or ingesting lead (e.g., eating food contaminated with lead transferred from contaminated hands or surfaces) may cause a variety of health problems such as nausea, fatigue, muscle weakness, kidney disease, irritability, and reproductive damage. The risk for health problems increases with increased exposure. Lead can accumulate in the body and stay for years
In order to mitigate the risk of lead exposure the department has taken several steps to mitigate possible exposure:

- The use of non-lead base ammunition.
- The use of the best available firing range within a practical distance that meets or exceeds OSHA standards for:
  - Air quality, ventilation, and filtration.
  - Surface contamination, frequency, and thoroughness of cleaning physical environmental.
  - The use of D-leading solutions, such as hand washing soaps, and cleaning solutions.
  - Health and safety standard for employees, regular lead testing, and proper use of personal protective equipment.
- The department conducts lead awareness training on firing days, including:
  - Prohibiting eating and drinking while at the range,
  - Prohibiting the application of cosmetics (lip balm, etc.) while at the range,
  - Prohibiting smoking while at the firing range,
  - General lead dangers and ways it can enter the body,
  - Side effects of lead poisoning, and
  - Employees are directed to (WAC 296-62-07519) Appendix A and B, for more information, which is made available to all employees at the firing range.
- Employees are required to change clothing, shoes, and shower whenever possible before entering an area where eating or drinking takes place, such as a break room or lunch room if these are not options proper lead remove from clothing must take place via vacuuming, or another process to remove lead dust.
- Information regarding lead exposure and the possibility of cross-contamination into vehicles and the home, via lead dust accumulating on shoes and clothing, is distributed to all new hires.
- The department's laundering facility is aware of possible lead contamination of uniforms.
- Lead blood testing is offered, annually or by request to all Firearms Officers.
  - If elevated levels of lead are found to be present the WPD follows (WAC 296-62-07521) guidance for medical surveillance and examinations.

Information about lead and current training materials are also readily available at the department with request.
1016.6 HEAT EXPOSURE
During the months of May through September department members should remain aware of the risks to themselves from heat exposure and supervisors should remind members of the risks during shift meetings.

- Members are expected to self-manage heat and hydration levels.
- Members are given access to water.
- Members are allowed to take necessary breaks from the heat.

Up to date materials are available for department use on the [Lni.wa.gov](http://Ln.wa.gov) website – search – Heat Exposure

Refer to Department Policy – Bike Patrol Unit for additional information specific to the Bike Patrol Unit.

The Bicycle Patrol Unit supervisor shall have responsibility for conducting the necessary briefings or training for heat exposure of the Bike Patrol Unit.

**Responding to reports or observations of heat-related illness:**

Let a supervisor or someone nearby know if you or a co-worker is experiencing any signs or symptoms of heat-related illness, and take immediate action to ensure things don’t get dangerously worse.

(a) Time is critical. Get the worker away from the hot area into a cool shaded area. Quick action increases the chances for a full recovery.

(b) Let the worker rest and drink cool water.

(c) Never leave an employee who is experiencing heat-related problems alone, things could get worse.

(d) If the employee does not respond quickly, call emergency medical services.

If the employee receives medical attention get a written authorization from the provider that the worker can get back to work and if there is any restriction or limitations.

1016.7 NOISE EXPOSURE
The Washougal Police Department recognizes the possibility of occupational noise exposure.

These exposures include but are not limited to:

- The use of firearms.
- Sirens in the course of duty.
- Alarm systems, such as security, fire alarms, or car alarms.

1016.7.1 HEARING TESTING
- The Washougal Police Department tests the hearing of all new hires as a standard practice.
Accident Prevention Program (APP)

- Audiometric testing is conducted on each member annually
  - Records of hearing tests are kept within the department in each employee’s medical file.
- Environmental testing occurs when working environments change, such as the purchase of new equipment; or every five years.

Testing is performed in partnership with Association of Washington Cities.

1016.7.2 HEARING LOSS PREVENTION
Refer to Department Policy – Hearing Protection for additional information.

- Approved hearing protection shall be provided to and used by members during firearms training.
- Hearing protection shall meet or exceed the requirements provided by (WAC 269-817-200)
- The department’s Safety Committee will consider employee requests regarding:
  - Physical comfort of provided preventative hearing protection
  - Environmental conditions
  - Medical needs
  - Communication

1016.8 CONFINED SPACE AWARENESS
The Washougal Police Department recognizes the possibility that its members may be required to enter confined spaces.

- The department focuses on confined space awareness training in order to ensure that each member of the department is acting in accordance with (WAC 269-809-100).
  - Training included:
    (a) Designated roles
    (b) How to identify & evaluate hazards
    (c) Use of equipment
    (d) How to prevent unauthorized entry
    (e) How to coordinate entry
    (f) How to rescue entrants
- Only employees who have completed confined space training should attempt to enter a confined space in the course of work.
- Members are required to report any hazards they encountered or created during the course of entry operations.
  - Reporting can be done through a debriefing or during the course of entry operations.
1016.9  FIRST RESPONDER SITUATIONS

It is the policy of the Washougal Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR and use of an automated external defibrillator (AED) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Refer to Department Policy – Medical Aid & Response for detailed instructions on first responder responsibilities.

- Prior to initiating medical aid, the member should contact the Dispatch Center and request response by emergency medical services (EMS) as the member deems appropriate.
- Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Department Policy – Communicable Diseases.
- Members should use a barrier or bag device to perform rescue breathing.

1016.10  WORKPLACE VIOLENCE

The policy of the City and the Washougal Police Department is to conduct its operations in an environment free of violence. Accordingly, we have a "ZERO TOLERANCE" policy on workplace violence. Any form of workplace violence will not be tolerated and will be acted upon IMMEDIATELY.

Any City or employee who engages in threatening behavior or workplace violence will be subject to discipline up to and including termination. Further, any person who visits a City facility and engages in workplace violence and/or threatening behavior will be referred to law enforcement and be subject to applicable laws.

The Chief of Police and all supervisors must ensure that any form of threat (direct, confrontational, and veiled) be immediately confronted/acted upon by management, then documented and assessed. The Chief of Police and the Mayor or his/her designee are to be notified immediately.

Refer to The City of Washougal’s - Personnel Policy Manual - Workplace Violence Prevention Policy for more detailed information.

- The employees of the City of Washougal also have access to numerous resources through the City’s Employee Assistant Program (EAP).

EAP information can be access through the Human Resource Department.

1016.10.1  DOMESTIC VIOLENCE LEAVE, BILLING GUIDELINES FOR SEXUAL ASSAULT EXAMINATIONS & CRIME VICTIMS COMPENSATION PROGRAM

This leave is available to employees who are victims of domestic violence, sexual assault, or stalking. It is also available to employees with a family member who is a victim of domestic
violence, sexual assault, or stalking. Family member defined: child or parent (including biological, adopted, foster, step or legal guardian in loco parentis and “de facto”), a spouse, domestic partner, spouse’s parent, grandparent, grandchild or sibling. The leave may be taken in blocks, intermittently, or on a reduced leave schedule.

Refer to The City of Washougal’s - Personnel Policy Manual - Domestic Violence/Sexual Assault Leave for more detailed information.

- Information on domestic violence leave, sexual assault examinations, and victims’ compensation can be found with the Human Resources Department.

Refer to Department Policy – Domestic Violence Involving Law Enforcement Employees for detailed information on reporting roles and responsibilities.

1016.11 RADIO COMMUNICATION

Except as otherwise directed by a supervisor or other department-established protocol, all calls for service assigned by a dispatcher and status changes should be communicated by voice over the police radio and electronically via the Mobile Digital Computers (MDC) unless security or confidentiality prevents such broadcasting.

- All contacts or activity shall be documented at the time of the contact.
- Whenever the activity or contact is initiated by voice, it should be documented by a dispatcher.
- Whenever the activity or contact is not initiated by voice, the member shall document it via the MDC.
  - Status changes include but are not limited to:
    (a) Arrival at Scene
    (b) Traffic Stops
    (c) In Service
- When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when the officer loses radio contact with the dispatcher or with the other backup officers.
- Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.
- Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize non-essential radio traffic to permit the involved officers maximum access to the radio frequency.
- An officer may use a department issued personal communication device for work-related communication in the event that radio communications are unavailable.

All breaks in radio contact or signal disruption should be reported to a supervisor and CRESA.

Issues can be submitted to CRESA by phone (360) 737-1911; or online under the TECHNICAL SERVICES – Page
1016.11.1 EMERGENCY ACTIVATION OF RADIO
If there is an emergency activation and the member does not respond to a request for confirmation of the need for emergency assistance or confirms the need, available officers will be sent to assist the member. Members should ensure an on-duty supervisor is notified of the incident without delay.

Refer to **Department Policy – Mobile Digital Computer Use** for detailed information on radio and MDC use.
Fitness for Duty

1017.1 PURPOSE AND SCOPE
All officers are required to be free from any physical, emotional, or mental condition which might adversely affect the exercise of peace officer powers. The purpose of this policy is to ensure that all officers of this department remain fit for duty and able to perform their job functions.

1017.2 EMPLOYEE RESPONSIBILITIES
(a) It shall be the responsibility of each member of this department to maintain good physical condition sufficient to safely and properly perform the essential duties of their job position.
(b) Each member of this department shall perform his/her respective duties without physical, emotional, and/or mental constraints.
(c) During working hours, all employees are required to be alert, attentive, and capable of performing their assigned responsibilities.
(d) Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that an employee believes that another employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

1017.3 SUPERVISOR RESPONSIBILITIES
(a) A supervisor observing an employee or receiving a report of an employee who is perceived to be unable to safely perform his/her duties due to a physical or mental condition shall take prompt and appropriate action in an effort to address the situation.
(b) Whenever feasible, the supervisor should make a preliminary determination of the level of inability of the employee to perform the essential duties required of the job.
(c) In the event the employee appears to be in need of immediate medical or psychiatric treatment, all reasonable efforts should be made to obtain sufficient information regarding the nature of the concern to enable the Department to assess options and react responsibly to assure the safety of the employee, other members of the Department and the public, while complying with the employee’s legal rights.
(d) In conjunction with the Commander, a determination should be made whether or not the employee should be temporarily relieved from his/her duties.
(e) The Chief of Police shall be promptly notified in the event that any employee is relieved from duty.
1017.4 RELIEF FROM DUTY
Any employee suffering from a work or non-work related condition which warrants a temporary relief from duty may be entitled to be placed on family medical leave under state and/or federal law. Consult with Human Resources to assure proper notification and compliance with family medical leave rights. Employees who are relieved from duty for medical reasons may be eligible for workers compensation payments or may be required to use sick leave or other paid time off consistent with applicable policies.

Any employee suffering from a work related condition which warrants a temporary relief from duty shall be required to comply with personnel rules and guidelines for processing such claims.

1017.5 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS

(a) Whenever circumstances reasonably indicate that an employee is unfit for duty, the Chief of Police may serve that employee with a written order to undergo a physical and/or psychological examination to determine the level of the employee’s fitness for duty. The order shall indicate the date, time and place for the examination.

(b) The examining health care provider will provide the Department with a report indicating that the employee is either fit for duty or, if not, listing any functional limitations which limit the employee’s ability to perform job duties. The scope of the requested fitness for duty report shall be confined to the physical or psychological condition that prompted the need for the examination. If the employee places his/her condition at issue in any subsequent or related administrative action/grievance, the examining physician or therapist may be required to disclose any and all information which is relevant to such proceeding.

(c) In order to facilitate the examination of any employee, the Department will provide all appropriate documents and available information to assist in the evaluation and/or treatment.

(d) All reports and evaluations submitted by the treating physician or therapist shall be part of the employee’s confidential medical file.

(e) Any employee ordered to receive a fitness for duty examination shall comply with the terms of the order and cooperate fully with the examining physician or therapist regarding any clinical interview, tests administered or other procedures as directed. Any failure to comply with such an order and any failure to cooperate with the examining physician or therapist may be deemed insubordination and shall be subject to discipline up to and including termination.

(f) In the event an employee is required to submit to a “fitness for duty” examination as a condition of returning from medical leave required under the Family Medical Leave Act (FMLA), contact Human Resources for direction regarding how to proceed.

(g) Once an employee has been deemed fit for duty by the examining health care provider, the employee will be notified to resume his/her duties.
1017.6 LIMITATION ON HOURS WORKED
Absent emergency operations members should not work more than:

- 16 hours in one day (24 hour) period, or
- 30 hours in any 2 day (48 hour) period, or
- 84 hours in any 7 day (168 hour) period.

Except in very limited circumstances members should have a minimum of 8 hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve to off-duty status any member who has exceeded the above guidelines.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, general overtime and any other work assignments.

1017.7 APPEALS
An employee who is separated from paid employment or receives a reduction in salary resulting from a fitness for duty exam shall be entitled to an administrative appeal as outlined in the Personnel Complaints Policy.
Duty Schedule

1018.1 PURPOSE AND SCOPE
The duty schedule for all employees will be posted pursuant to the labor agreement. In addition to the labor agreement, the following schedule criteria apply:

4th of July Coverage - This day will be restricted. Those scheduled to work will be unable to take vacation, comp or other time off. Those scheduled for the day off, may be required to work overtime this day. Every effort will be made to determine necessary staffing levels and those employees originally scheduled off, will be released from duty requirements as early as possible prior to the events scheduled. A determination of staffing needs will be made NLT 14 days prior to the event.

New Years Eve - Those scheduled to work can not take the day off. Those scheduled off will have no restriction unless an event is scheduled and staffing requirements must be adjusted. If restrictions, due to events, are imposed, a determination of staffing needs will be made NLT 14 days prior to the event.

MotoCross - Those scheduled to work can not take the day off. Those scheduled off will have no restrictions unless an event is scheduled and staffing requirements must be adjusted. If restriction, due to events, are imposed, a determination of staffing needs will be made NLT 14 days prior to the event.

Vacation and other time off, approved prior to the announcement of the motocross data will stand as valid.

Minimum Staffing Levels - A minimum of two officers will be on duty at all times.

Vacation/Comp and other Time Scheduled Off - Two employees per squad will be scheduled off at any one time. This will allow for one day shift (Days, Day Sgt, Mids) and one night shift (Breaker, Night Sgt, Graves) off at a time.

Squad Training Days - If no training is scheduled on a squad training day the members of that squad have the option to comp out, if approved by the supervisor. If training is scheduled the members of the squad in training have the option to comp out after the training is complete, if approved by the supervisor.

Shift Swaps Shift - Swaps will be conducted in accordance with the WPOA Guild Contract. Shift swaps will only be granted after each employee has completed his or her portion of the request for shift swap form and the swap as been approved by a supervisor. Shift swaps must be submitted with a minimum of 72 hours notice.
Meal Periods and Breaks

1019.1 PURPOSE AND SCOPE
Employee(s) are directed to reference their labor agreement and city rules and regulations for this policy.

1019.1.1 MEAL PERIODS
Sworn officers and animal control officers shall remain on duty subject to call during meal breaks. All other employees are not on call during meal breaks unless directed otherwise by a supervisor.

Uniformed officers shall take their breaks within the City limits unless on assignment outside of the City or approved by a supervisor.

The time spent for the meal period shall not exceed the authorized time allowed.
Lactation Break Policy

1020.1 PURPOSE AND SCOPE
The purpose of this policy is to provide reasonable accommodations to employees desiring to express breast milk for the employee’s infant child.

1020.2 POLICY
It is the policy of this department to provide, in compliance with the Fair Labor Standards Act, reasonable break time and appropriate facilities to accommodate any employee desiring to express breast milk for her nursing child for up to two years after the child’s birth (29 USC § 207; RCW 43.10.005).

1020.3 LACTATION BREAK TIME
A rest period should be permitted each time the employee has the need to express breast milk (29 USC § 207). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time. Lactation breaks, if feasible, should be taken at the same time as the employee’s regularly scheduled rest or meal periods.

While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid.

Officers desiring to take a lactation break shall notify a supervisor prior to taking the break, such breaks may be reasonably delayed if it seriously disrupts department operations.

Once a lactation break has been approved the officer should place herself in the red, the break should not be interrupted except for emergency or exigent circumstances.

1020.4 PRIVATE LOCATION
The Department will make reasonable efforts to accommodate employees with the use of an appropriate room or other location to express milk in private. Such room or place should be in close proximity to the employee’s work area and shall be other than a bathroom or toilet stall. The location must be sanitary, shielded from view, and free from intrusion from co-workers and the public (29 USC § 207; RCW 43.70.640; RCW 43.10.005).

Employees occupying such private areas shall either secure the door or otherwise make it clear that the area is occupied with a need for privacy. All other employees should avoid interrupting an employee during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for employees assigned to the field may be taken at the nearest appropriate private area.
Lactation Break Policy

1020.5 STORAGE OF EXPRESSED MILK
Any employee storing expressed milk in any authorized refrigerated area within the Department shall clearly label it as such and shall remove it when the employee ends her shift.
Payroll Records

1021.1 PURPOSE AND SCOPE
This policy provides the guidelines for completing and submitting payroll records for the payment of wages.

1021.1.1 RESPONSIBILITY FOR COMPLETION OF PAYROLL RECORDS
All employees are responsible for the accurate and timely submission of payroll records for the payment of wages.

1021.1.2 TIME REQUIREMENTS
Unless specified otherwise, employee payroll records shall be completed and submitted to the Department no later than 8:00 a.m. on the 6th and 21st day of each month.

1021.2 RESPONSIBILITIES
Members are responsible for the accurate completion and timely submission of their payroll records for the payment of wages.
Overtime Compensation Requests

1022.1 PURPOSE AND SCOPE
Employee(s) are also directed to reference their labor agreement and city rules and regulations for this policy.

1022.2 REQUEST FOR OVERTIME COMPENSATION
Employees shall submit all overtime request slips for approval by a supervisor. The approving supervisor shall forward all approved overtime request slips to the Front Office for processing. Failure to submit a request for overtime compensation in a timely manner may result in discipline.
Outside Employment

1023.1 PURPOSE AND SCOPE
In order to avoid actual or perceived conflicts of interest for departmental employees engaging in outside employment, all employees shall obtain written approval from the Chief of Police prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the Chief of Police in accordance with the provisions of this policy.

1023.1.1 DEFINITIONS
Outside Employment - Any member of this department who receives wages, compensation or other consideration of value from another employer, organization or individual not affiliated directly with this department for services, product(s) or benefits rendered. For purposes of this section, the definition of outside employment includes those employees who are self-employed and not affiliated directly with this department for services, product(s) or benefits rendered.

Outside Overtime - Any member of this department who performs duties or services on behalf of an outside organization, company, or individual within this jurisdiction. Such outside overtime shall be requested and scheduled directly through this department so that the Department may be reimbursed for the cost of wages and benefits.

1023.2 OBTAINING APPROVAL
No member of this department may engage in any outside employment without first obtaining prior written approval of the Chief of Police. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy may lead to disciplinary action.

In order to obtain approval for outside employment, the employee must submit a request to the Chief of Police.

If approved, the employee must submit a new request to the Chief of Police at the beginning of each calendar year.

Any employee denied outside employment shall be provided with a written reason for the denial.

1023.2.1 APPEAL OF DENIAL OF OUTSIDE EMPLOYMENT
If an employee’s Outside Employment Application is denied or withdrawn by the Department, the employee may file a written notice of appeal to the Chief of Police for reconsideration within ten days of the date of denial.

1023.2.2 REVOCATION/SUSPENSION OF OUTSIDE EMPLOYMENT PERMITS
Any outside employment permit may be revoked or suspended under the following circumstances:
Outside Employment

(a) Should an employee's performance at this department decline to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Chief of Police may, at his/her discretion, revoke any previously approved outside employment permit(s). That revocation will stand until the employee's performance has been reestablished at a satisfactory level and his/her supervisor recommends reinstatement of the outside employment permit.

(b) Suspension or revocation of a previously approved outside employment permit may be included as a term or condition of sustained discipline.

(c) If, at any time an employee's conduct or outside employment conflicts with the provisions of department policy, the approval may be suspended or revoked by the Chief of Police.

(d) When an employee is unable to perform at a full duty capacity due to an injury or other condition, any previously approved outside employment permit may be subjected to similar restrictions as those applicable to the employee's regularly assigned duties until the employee has been cleared to return to full duty status.

1023.3 PROHIBITED OUTSIDE EMPLOYMENT
The Department expressly reserves the right to deny any Outside Employment Application submitted by an employee seeking to engage in any activity which, in its view, would:

(a) Involve the employee's use of departmental time, facilities, equipment or supplies, the use of the Department badge, uniform, prestige or influence for private gain or advantage.

(b) Involve the employee's receipt or acceptance of any money or other consideration from anyone other than this department for the performance of an act which the employee, if not performing such act, would be required or expected to render in the regular course or hours of employment or as a part of the employee's duties as a member of this department.

(c) Involve the performance of an act in other than the employee's capacity as a member of this department that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other employee of this department.

(d) Involve time demands that would render performance of the employee's duties for this department less efficient or render the employee unavailable for reasonably anticipated overtime assignments and other job-related demands that occur outside regular working hours.

1023.3.1 OUTSIDE SECURITY AND PEACE OFFICER EMPLOYMENT
Because it would further create a potential conflict of interest, no member of this Department may engage in any outside or secondary employment as a private security guard, private investigator or other similar private security position.
Outside Employment

Any private organization, entity or individual seeking special services for security or traffic control from members of this department must submit a written request to the Chief of Police in advance of the desired service. Such outside overtime will be assigned, monitored and paid through the Department.

(a) The applicant will be required to enter into an indemnification agreement prior to approval.

(b) The applicant will further be required to provide for the compensation and full benefits of all employees requested for such outside security services.

(c) Should such a request be approved, any employees working outside overtime shall be subject to the following conditions:

1. The officer(s) shall wear the departmental uniform/identification.
2. The officer(s) shall be subject to the rules and regulations of this department.
3. No officer may engage in such outside employment during or at the site of a strike, lockout, picket, or other physical demonstration of a labor dispute.
4. Compensation for such approved outside security services shall be pursuant to normal overtime procedures.
5. Outside security services shall not be subject to the collective bargaining process.
6. No officer may engage in outside employment as a peace officer for any other public agency without prior written authorization of the Chief of Police.

1023.3.2 OUTSIDE OVERTIME ARREST AND REPORTING PROCEDURE
Any employee making an arrest or taking other official police action while working in an approved outside overtime assignment shall be required to complete all related reports in a timely manner pursuant to department policy. Time spent on the completion of such reports shall be considered incidental to the outside overtime assignment and should be reported as time worked on employee time records.

1023.4 DEPARTMENT RESOURCES
Employees are prohibited from using any department equipment or resources in the course of or for the benefit of any outside employment. This shall include the prohibition of access to official records or databases of this department or other agencies through the use of the employee’s position with this department.

1023.4.1 REVIEW OF FINANCIAL RECORDS
Employees approved for outside employment expressly agree that their personal financial records may be requested and reviewed/audited for potential conflict of interest. Prior to providing written approval for an outside employment position, the Department may request that an employee provide his/her personal financial records for review/audit in order to determine whether a conflict
Outside Employment

of interest exists. Failure of the employee to provide the requested personal financial records could result in denial of the off-duty work permit. If, after approving a request for an outside employment position, the Department becomes concerned that a conflict of interest exists based on a financial reason, the Department may request that the employee provide his/her personal financial records for review/audit. If the employee elects not to provide the requested records, his/her off-duty work permit may be revoked pursuant to REVOCATION/SUSPENSION OF OUTSIDE EMPLOYMENT PERMITS.

1023.5 MATERIAL CHANGES OR TERMINATION OF OUTSIDE EMPLOYMENT
If an employee terminates his/her outside employment the employee shall promptly submit written notification of such termination to the Chief of Police through channels. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through normal procedures set forth in this policy.

Employees are also required to disclose material changes in outside employment that occur after approval of outside employment has been granted to the Chief of Police in writing. For the purpose of this policy, such changes include any material change in the number of hours, type of duties or demands of outside employment. Employees who are uncertain whether a change in outside employment is material are advised to report the change.

1023.6 OUTSIDE EMPLOYMENT WHILE ON DISABILITY
Department members engaged in outside employment who are placed on disability leave or modified/light-duty shall inform the Chief of Police in writing within five days whether or not they intend to continue to engage in such outside employment while on leave or light-duty status. The Chief of Police shall review the duties of the outside employment along with any related doctor’s orders, and make a determination as to whether such outside employment may continue or not.

Criteria for revoking the outside employment permit include, but are not limited to, the following:

(a) The outside employment is medically detrimental to the total recovery of the disabled member, as indicated by the City's professional medical advisors.

(b) The outside employment performed requires the same or similar physical ability, as would be required of an on-duty member.

(c) The employee’s failure to make timely notice of their intentions to their supervisor.

When the disabled member returns to full duty with the Washougal Police Department, a request (in writing) may be made to the Chief of Policeto resume outside employment.
Occupational Disease and Work-Related Injury Reporting

1024.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases, post-traumatic stress disorder (PTSD), and work-related injuries.

1024.1.1 DEFINITIONS
Definitions related to this policy include:

**Occupational disease or work-related injury** - An injury, disease, PTSD, or infection while acting in the course of employment (RCW 51.08.013; RCW 51.08.100; RCW 51.08.140; RCW 51.08.142).

1024.2 POLICY
The Washougal Police Department will address occupational diseases and work-related injuries appropriately, and will comply with applicable state workers’ compensation requirements (RCW 51.28.010 et seq.).

1024.3 RESPONSIBILITIES

1024.3.1 MEMBER RESPONSIBILITIES
Any member sustaining any occupational disease or work-related injury shall report such event as soon as practicable, but within 24 hours, to a supervisor, and shall seek medical care when appropriate.

1024.3.2 SUPERVISOR RESPONSIBILITIES
A supervisor learning of any occupational disease or work-related injury should ensure the member receives medical care as appropriate.

Supervisors shall ensure that required documents regarding workers’ compensation are completed and forwarded promptly. Any related City of Washougal disease- or injury-reporting protocol shall also be followed.

Supervisors shall determine whether the Major Incident Notification and the Accident, Illness and Injury Prevention policies apply and take additional action as required.

1024.3.3 SUPERVISOR RESPONSIBILITIES
The supervisor who receives a report of an occupational disease or work-related injury should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Chief of Police, to ensure any required Department of Labor and Industries reporting is made as required in the accident, illness and injury prevention plan identified in the Accident, Illness and Injury Prevention Policy.
Occupational Disease and Work-Related Injury Reporting

1024.3.4 CHIEF OF POLICE RESPONSIBILITIES
The Chief of Police shall review and forward copies of the report to Human Resources. Copies of the report and related documents retained by the Department shall be filed in the member’s confidential medical file.

1024.4 OTHER DISEASE OR INJURY
Diseases and injuries caused or occurring on-duty that do not qualify for workers’ compensation reporting shall be documented in a memo to the Chief of Police by the employee or a supervisor. Unless the injury is extremely minor, this report shall be signed by the affected member, indicating that he/she desired no medical attention at the time of the report. By signing, the member does not preclude his/her ability to later seek medical attention.

1024.5 SETTLEMENT OFFERS
When a member sustains an occupational disease or work-related injury that is caused by another person and is subsequently contacted by that person, his/her agent, insurance company or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to the Chief of Police as soon as possible.

1024.5.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL
No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an occupational disease or work-related injury, the member shall provide the Chief of Police with written notice of the proposed terms of such settlement. In no case shall the member accept a settlement without first providing written notice to the Chief of Police. The purpose of such notice is to permit the City to determine whether the offered settlement will affect any claim the City may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the disease or injury, and to protect the City’s right of subrogation, while ensuring that the member’s right to receive compensation is not affected.
Personal Appearance Standards

1025.1 PURPOSE AND SCOPE
In order to project uniformity and neutrality toward the public and other members of the department, employees shall maintain their personal hygiene and appearance in a manner that projects a professional image appropriate for this department and for their assignment.

1025.2 GROOMING STANDARDS
Unless otherwise stated, and because deviations from these standards could present officer safety issues, the following appearance standards shall apply to all employees, except those whose current assignment would deem them not appropriate, and where the Chief of Police has granted exception.

1025.2.1 HAIR
Hairstyles of all members shall be neat in appearance. For male sworn members, hair must not extend below the top edge of the uniform collar while assuming a normal stance.

For female sworn members, hair must be no longer than the horizontal level of the bottom of the uniform patch when the employee is standing erect, worn up or in a tightly wrapped braid or ponytail.

1025.2.2 MUSTACHES
A short and neatly trimmed mustache may be worn. Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip.

1025.2.3 SIDEBURNS
Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat.

1025.2.4 FACIAL HAIR
Facial hair may be worn. Authorized facial hair includes sideburns, mustaches, goatees, beards, and eyebrows.

The following guidelines must be adhered to by personnel wearing facial hair:

(a) Facial hair must not be longer than a quarter (1/4) inch in length.
(b) Beards and goatees must be worn with a mustache.
(c) No portion of the beard, mustache, or goatee may be exceptionally longer than the rest.
(d) Facial hair shall be kept clean, neatly trimmed, and present a conservative, professional appearance.
(e) The neck must remain clean shaven.
(f) Patches or clumps of hair such as “soul patches” are not permitted.
Personal Appearance Standards

(g) Facial hair shall not be dyed in unnatural colors. Examples of unnatural colors include green, yellow, purple, etc.

1025.2.5 FINGERNAILS
Fingernails extending beyond the tip of the finger can pose a safety hazard to officers or others. For this reason, fingernails shall be trimmed so that no point of the nail extends beyond the tip of the finger.

1025.2.6 JEWELRY AND ACCESSORIES
No jewelry or personal ornaments shall be worn by officers on any part of the uniform or equipment, except those authorized within this manual. Jewelry, if worn around the neck, shall not be visible above the shirt collar.

Earrings shall other than, small studs (less than 1/4" in diameter) shall not be worn by uniformed sworn members, detectives or special assignment personnel without permission of the Chief of Police or his/her designee. Only one ring may be worn on each hand of the employee while on-duty.

1025.3 TATTOOS
While on-duty or representing the Department in any official capacity, every reasonable effort should be made to conceal tattoos or other body art. At no time while on-duty or representing the Department in any official capacity, shall any offensive tattoo or body art be visible. Examples of offensive tattoos would include, but not be limited to, those which depict racial, sexual, discriminatory, gang related or obscene language.

1025.4 BODY PIERCING OR ALTERATION
Body piercing or alteration to any area of the body visible in any authorized uniform or attire that is a deviation from normal anatomical features and which is not medically required is prohibited except with prior authorization of the Chief of Police. Such body alteration includes, but is not limited to:

(a) Tongue splitting or piercing.
(b) The complete or transdermal implantation of any material other than hair replacement.
(c) Abnormal shaping of the ears, eyes, nose or teeth.
(d) Branding or scarification.
Uniform Regulations

1026.1 PURPOSE AND SCOPE
The uniform policy of the Washougal Police Department is established to ensure that all uniformed officers are easily recognizable as an officer from a professional organization and readily identifiable as a police officer to the public.

Each officer’s appearance affects the image of the Washougal Police Department. Officers will wear a complete and professional uniform at all times. There will be no mixing or matching by wearing part civilian and part uniform classified clothing items. There will also be no mixing and/or matching of the different uniform classifications outlined in this policy. Anytime uniformed personnel are acting in any type of a uniformed capacity, or are interacting and in view of the public, will conform to the uniform standards set forth in this policy. Washougal Police Department uniforms shall not be worn by any person or organization not employed by the Washougal Police Department without written approval of the Chief of Police or their designee.

Employees should also refer to the following associated policies:

• Department Owned and Personal Property
• Body Armor
• Grooming Standards

The Uniform and Equipment Specifications manual is maintained and periodically updated by the Chief of Police or his/her designee. That manual should be consulted regarding authorized equipment and uniform specifications.

The Washougal Police Department will provide uniforms for all employees required to wear them in the manner, quantity and frequency agreed upon in the respective employee group's collective bargaining agreement.

A clothing allowance may be provided to commissioned and non-commissioned personnel as outlined in collective bargaining agreements or through established department policies. Uniformed reserve officers personnel may be provided with uniforms if determined by the Chief of Police.

1026.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT
Police employees wear the uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose to identify the wearer as a source of assistance in an emergency, crisis or other time of need.

(a) Uniform and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean, and appear professionally pressed.

(b) Personnel shall wear only the uniform specified for their rank and assignment.
Uniform Regulations

(c) All supervisors will perform periodic inspections of their personnel to ensure conformance to these regulations.

(d) Civilian attire shall not be worn in combination with any distinguishable part of the uniform.

(e) Uniforms are only to be worn while on duty, while in transit to or from work, for court, or at other official department functions or events.

(f) If the uniform is worn while in transit, an outer garment shall be worn over the uniform shirt so as not to bring attention to the employee while he/she is off duty.

(g) Employees are not to purchase or drink alcoholic beverages while wearing any part of the department uniform, including the uniform pants.

(h) Mirrored sunglasses will not be worn with any Department uniform.

(i) Visible jewelry, other than those items listed below, shall not be worn with the uniform—unless specifically authorized by the Chief of Police or his/her designee.

1. Wrist watch.
2. Wedding ring(s), class ring, or other ring of tasteful design. A maximum of one ring/set may be worn on each hand. No ring will be worn that interferes with the use of equipment or hinders the use of the hand or fingers.
3. Medical alert bracelet.
4. “Memory” bracelet/band
5. One earring per natural earlobe is allowed Earrings must be studded or no larger than ¼ inch loops. Gauges and multiple earrings are prohibited.
6. No tongue studs or visible body piercing (other than the listed earring stud), will be worn.

1026.3 DEPARTMENT ISSUED BADGE AND IDENTIFICATION

1026.3.1 DEPARTMENT ISSUED BADGE

Only sworn members, honorably retired members, and persons designated by the Chief of Police or designee will be issued, allowed to purchase, or given a department LEO badge.

Badges issued to members (including ACO, CEO, Support Staff) will be returned upon promotion, demotion, retirement, resignation, termination or at the request of the Chief of Police or designee.

Members will be issued one badge upon employment, promotion, or demotion. Members may purchase one additional badge for the rank or position they currently hold and one badge for each position previously held during their employment with the Washougal Police Department.

Badges issued to members will be titled with the member’s rank. Retirement badges will be inscribed on the back with the member’s dates of service. Retirement badge will reflect the member’s rank or position at time of retirement.
Uniform Regulations

Presentation of badges to law enforcement dignitaries, ordering special badges for acrylic embedment, and other special situations will require the approval of the Chief of Police or designee.

1026.3.2 DEPARTMENT ISSUED IDENTIFICATION
The Department issues each employee an official department identification card bearing the employee's name, identifying information and photo likeness. All employees shall be in possession of their department issued identification card at all times while on duty or when carrying a concealed weapon.

(a) Whenever on duty or acting in an official capacity representing the department, employees shall display their department issued identification in a courteous manner to any person upon request and as soon as practical.

(b) Officers working specialized assignments may be excused from the possession and display requirements when directed by their Section Supervisor.

1026.4 UNIFORM CLASSES

1026.4.1 CLASS A UNIFORM (DRESS UNIFORM)
The Class A uniform is to be worn for court appearances and on special occasions such as funerals, graduations, ceremonies, or as directed. The Class A uniform is required for all sworn personnel.

The standard Class A uniform shall consist of higher quality black trousers and matching black long sleeve regulation shirt with shoulder patches.

Metal nameplates will be silver for officers, detectives, and reserve officers and gold for Sergeants and above. All lettering will be black in color and in all upper case. The nameplate will list the officer's last name.

Gold collar rank insignias will be worn for all ranks above sergeant.

Cloth chevrons (stripes) will be worn on each arm for the rank of sergeant. Chevrons will be silver/white in color.

Authorized awarded medals, special recognition, and optional American flag pin or Military Recognition Ribbon will be displayed along with the department approved metal badge.

Service stripes or service stars will be displayed on the left forearm.

A black clip on or Velcro style regulation tie with tie bar will be worn.

The Class A duty belt may be black leather, patent, or nylon. The duty belt will be clean, without "worn" markings or discoloration.

Footwear for the Class A uniform shall be clean high shine black leather or corafram shoes and black socks. Shoes being worn with the Class A uniform will be free of external manufacturer insignias or lettering. Shoes with pointed toes are not permitted.
Uniform Regulations

Pens and other writing utensils shall not be exposed while wearing the Class A uniform dress shirt.

Dress jacket, if authorized, shall be department issued black jackets.

Class A uniform hats - black "Uniform Cap" manufactured by Midway CAP Company. Class A uniform hats will only be worn if authorized by the Chief of Police.

Class A uniform dress is required for all court appearance unless on duty in the patrol capacity.

Class A uniform dress may be required at other formal functions, as designated by the Chief of Police or their designee.

1026.4.2 CLASS B UNIFORM
All sworn personnel will possess and maintain a serviceable Class B uniform at all times.

The Class B uniform shall consist of the same black trousers and black long sleeve shirts with shoulder patches as the Class A uniform. Class B uniform shall also consist of a black short sleeve shirt with shoulder patches. The short sleeve shirt shall be from the same manufacturer and style of the long sleeve shirt.

Class B uniform is identical to Class A uniform with the following exceptions:

Long or short sleeve shirt may be worn with the collar open. Wearing a tie is not required for Class B uniforms.

Shirts will meet the same standards as Class A uniforms for metal nameplates, collar rank, metal badge, and service stripes.

The Class B short sleeve uniform shirt will be worn with a black rounded crewneck t-shirt. The Class B long sleeve uniform shirt will be worn with either a black rounded crewneck t-shirt or optional black long sleeve turtleneck with no exposed insignias, lettering, or logos.

Black leather or nylon duty equipment may be worn.

Footwear for the Class B uniform shall be clean black shoes or boots capable of a shine and black socks. Shoes or boots will be free of external manufacturer insignias, lettering, or logos. Shoes or Boots with pointed toes are not permitted. No suede material is authorized.

Pens and other writing utensils shall not be exposed while wearing the Class B uniform shirt.

Class B uniform dress is suitable for non-patrol related functions.

1026.4.3 CLASS C UNIFORM (STANDARD PATROL UNIFORM)
All sworn personnel will possess and maintain a minimum of two complete sets of serviceable Class C uniforms at all times.

The Class C uniform shall consist of black BDU style pants and black long or short sleeve BDU style shirts with shoulder patches.

The class C uniform may be worn with either a cloth or metal badge.
Uniform Regulations

The name tag will be stitched or sewn on in all upper case letters of the officer's last name. Lettering will be silver/white in color for all ranks.

All officers at the rank of sergeant or higher will have rank indicators displayed on Class C uniform shirts.

Cloth chevrons (stripes) will be worn on each arm for the rank of sergeant. Chevrons will be silver/white in color.

Collar rank insignias will be worn for all ranks above sergeant. Collar rank insignias may be stitched, sewn on, or metal.

The long sleeve shirt may have the option of service stripes attached to the left forearm.

Approved undershirts: A black rounded crewneck t-shirt will be worn with the short sleeve Class C shirt. For long sleeve Class C uniform shirts, a black rounded crewneck t-shirt or optional black long sleeve turtleneck is authorized. T-shirts and turtleneck shall be solid black in color and will have no visible insignias, lettering, or logos.

Black "Commando Sweater" is authorized to wear over Class C Uniform. Approved manufacturer is Blauer Uniforms or a similar brand with prior approval from the Chief of Police. Commando sweater will have shoulder patches, metal badge, and metal nameplate. Metal nameplates will be silver with black lettering for officers, detectives, and reserve officers. Metal nameplates for sergeants and above will be gold with black lettering. Sergeant Chevrons will be worn on each sleeve for sergeants.

The department issued baseball cap or stocking cap is approved for headwear. Other headwear may be worn with the expressed permission of the Chief of Police or his/her designee.

Footwear for the Class C uniform shall be clean black shoes or boots capable of a shine and black socks. Shoes or boots will be free of external manufacturer insignias or lettering. Shoes or Boots with pointed toes are not permitted. No suede material is authorized.

Black leather or nylon duty equipment may be worn.

External carrier or inner carrier vests may be worn with Class C uniforms.

Approved optional duty belt suspenders are authorized with the Class C uniform dress.

Department issued patrol jackets, rain jacket, or poncho are approved with the class C uniform.

Ribbons and medals are not authorized to be worn on Class C uniforms.

Class C uniform is suitable for patrol use on any shift.

Class C uniforms are only acceptable for court if the officer is on duty in the patrol capacity and with prior approval from a supervisor.

1026.4.4 CLASS D UNIFORM (JUMPSUIT)
The optional jumpsuit uniform is classified as the Class D uniform. Summer, medium, and winter jumpsuit weights are authorized and will be black in color. Class D jumpsuit uniforms will be
Uniform Regulations

supplied by a vendor and manufacturer that has been approved by the Chief of Police or their designee.

Class D uniforms will have a reflective "POLICE" printed on the back panel for commissioned staff. The panel will be affixed and centered on the back of the jumpsuit.

The class D uniform may be worn with either a sewn on cloth badge or metal badge. Sewn on cloth rank indicators will be affixed to the class D uniform.

The nametag will be stitched or sewn on and in all upper case letters of the officer's last name. Lettering will be silver/white in color for all ranks.

Approved undershirts: Black rounded crewneck short or long sleeve t-shirt with no visible insignias, lettering, or logos. Long sleeve t-shirts will only be worn with long sleeve jumpsuits. Turtle neck is authorized with long sleeve jumpsuits only. With the exception of “W.P.D.” turtle necks will not have visible insignia’s, lettering, or logos.

Black leather or nylon duty belt may be worn with the class D uniform.

Only department approved headwear is to be worn with the class D uniform.

Department issued patrol jackets, rain jacket, or poncho are approved with the class D uniform.

Footwear for the Class D uniform shall be clean black shoes or boots capable of a shine and black socks. Shoes or boots will be free of external manufacturer insignias, lettering, or logos. Shoes or Boots with pointed toes are not permitted. No suede material is authorized.

Any attachment to the class D uniform such as specialty patches (Metro K-9/Motors, etc.) sewn on flags, paracord zipper pulls, or other attachments outside the listed policy are only authorized upon approval by the Chief of Police or his/her designee.

When utilizing optional duty belt suspenders with the Class D uniform the back panel will have openings at the top and bottom to allow the suspender placement under the back panel. Suspenders must be worn so they do not cover or interfere with the nametag or badge.

External carrier or inner carrier vests may be worn with Class D uniforms.

Service stripes are optional on Jumpsuits.

Ribbons and medals are not authorized to be worn on Class C uniforms.

Class D uniform is suitable for patrol use on any shift.

Class D uniforms are only acceptable for court if the officer is on duty in the patrol capacity and with prior approval from a supervisor.

1026.4.5 UNIFORM (BIKE UNIFORM & QUAD UNIFORM)

The uniform worn for bike patrol and/or quad patrol is classified as the Class E uniform.

The Class E uniform shirt shall be the black "polo shirt - patrol" with shoulder patches. Cloth badge will be sewn on the left hand side and centered with the 2nd button. The officer's last name
Uniform Regulations

will be sewn on the right hand side and centered to the badge and will include the officer’s rank abbreviation. Example: SGT SMITH. All lettering will be silver/white in color and in upper case lettering. Polo shirts without shoulder patches are not authorized for any patrol related duties.

Approved undershirt is a black rounded crewneck t-shirt with no visible insignias, lettering, or logos.

Officers wearing a Class E uniform are authorized to wear pants or shorts. The pants will consist of the black 5.11 BDU pants. Shorts will be department supplied black “bike shorts”.

Department issued bike helmets will be worn at all times while operating a bike or quad. The department issued baseball cap is approved for headwear if not on a bike or quad.

Footwear for the Class E uniform shall be clean black shoes or boots capable of a shine and black socks. Shoes or boots will be free of external manufacturer insignias, lettering, or logos. Shoes or Boots with pointed toes are not permitted. No suede material is authorized.

Black leather or nylon duty equipment may be worn. Solid black gloves are authorized for personnel assigned to bike patrol or quad patrol. Gloves should be leather, or similar, and thin enough to safely handle a firearm.

Approved optional duty belt suspenders are authorized with the Class E uniform.

Class E uniforms shall utilize the department issued patrol jacket.

External carrier or inner carrier vests may be worn with Class E uniforms.

Ribbons and medals are not authorized to be worn on Class E uniforms.

Class C uniform is authorized in lieu of Class E uniforms for bike patrol and quad patrol.

Class E uniform is not acceptable for court.

1026.4.6 UNIFORMS - OTHER

POLO SHIRTS – PATROL

Polo shirts may be authorized for patrol in lieu of BDU style shirts during periods of hot weather. Patrol polo shirts will be black in color with shoulder patches. Cloth badge will be sewn on the left hand side and centered with the 2nd button. The officer’s last name will be sewn on the right hand side and centered to the badge and will include the officer’s rank abbreviation. Example: SGT SMITH. All lettering will be silver/white in color and in upper case lettering. Polo shirts without shoulder patches are not authorized for patrol related duties.

POLO SHIRTS – NON PATROL

Polo shirts will be black in color. Cloth badge will be sewn on the left hand side and centered with the 2nd button. The officer’s last name will be sewn on the right hand side and centered to the badge and will include the officer’s rank abbreviation. Example: SGT SMITH. All lettering will be silver/white in color and in all upper case lettering. Polo shirts without shoulder patches are not authorized for patrol related duties.
Uniform Regulations

EXTERNAL CARRIER

Department approved external carriers can be worn over Class C, D, and E uniforms. External carriers will have a large reflective “POLICE” centered on the back panel and smaller reflective “POLICE” centered on the front panel.

Cloth or metal badge will be on the left breast side. The Velcro name tape will list the officer’s last name and will include the officer’s rank abbreviation. Example: SGT SMITH. All lettering will be silver/white in color and in upper case lettering. The officer’s name shall always be affixed to the front of the external carrier and clearly visible.

Department approved equipment that may be affixed to the external carrier:

(a) Handcuff case
(b) Magazine case
(c) Defense spray holder
(d) Radio holder
(e) Flashlight holder
(f) Glove holder
(g) TASER holster
(h) Key holder
(i) Cellular telephone holder
(j) Tourniquet kit
(k) Small Pouch for miscellaneous Items

Additional armor plating/plates must be of the same manufacturer as the ballistic panels inside the external carrier. The only exception is plating/plates that meets the approved “armor rating” standards as set by the National Institute of Justice (NIJ). Written permission from a supervisor must be on file before an officer may wear non-same manufacturer armor plating.

Officers are specifically prohibited from using any form of “self-made” armor plating/plates.

Ribbons and medals are not authorized to be worn on external carriers.

Firearms of any type are not allowed to be affixed to an external carrier without the expressed approval of the Chief of Police or his/her designee.

1026.5 ANIMAL CONTROL OFFICER UNIFORMS AND EQUIPMENT

All Animal Control Officers (ACO) will possess and maintain a minimum of two complete sets of clean, pressed, and serviceable uniforms at all times.

The ACO uniform shall consist of navy blue (dark) BDU style pants and tan long or short sleeve BDU style shirts with shoulder patches.
Uniform Regulations

The sewn on cloth name tag or stitched name will be on the right hand side and in blue lettering, the blue lettering will be the same blue color as is on the A/C shoulder patch. All lettering will be ¾” block lettering and in all upper case. It will list the officer’s first initial and last name. Example: J DOE

Jumpsuits – ACO’s are authorized to wear department approved jumpsuits. Jumpsuits will be brown in color, have shoulder patches, badge, and the ACO’s first initial and last name in ¾” block blue lettering and all in upper case. Example: J DOE. Jumpsuits are not authorized court attire unless the ACO is on duty in the patrol capacity.

A black rounded crew collared t-shirt will be worn with the short or long sleeve uniform shirt and jumpsuit. T-shirts will not have visible insignias, lettering, or logos.

The department issued baseball cap or stocking cap is approved for headwear.

Footwear for the ACO uniform shall be clean black shoes or boots capable of a shine and black socks. Shoes or boots will be free of external manufacturer insignias, lettering, or logos. Shoes or Boots with pointed toes are not permitted. No suede material is authorized.

Black nylon duty equipment will be worn.

Approved optional duty belt suspenders are authorized with the animal control uniform.

ACO’s shall utilize department issued jackets. Jackets will have shoulder patches, badge, and officer’s name displayed at all times.

Department approved equipment that may be carried on the duty belt:

(a) Taser
(b) Pepper spray
(c) Expandable baton (ASP)
(d) Cellphone
(e) Flashlight
(f) Portable radio

1026.6 CODE ENFORCEMENT OFFICER UNIFORMS
All Code Enforcement Officers (CEO) will possess and maintain a minimum of two complete sets of clean, pressed, and serviceable uniforms at all times.

The code enforcement uniform shall consist of blue or tan BDU style pants and short sleeve POLO style shirts.

Polo shirts will be blue in color. The official seal of the City of Washougal will be embroidered on the left hand side and centered with the 2nd button. “CODE ENFORCEMENT” in ¼” lettering will be centered over the top of the seal and the lettering will follow the curvature of the city seal.
The CEO’s last name will be embroidered in ½” lettering on the right hand side and centered with the city seal. All lettering will be silver/white in color and in all upper case lettering. Name example: SMITH

Footwear for the CEO uniform shall be clean black shoes or boots capable of a shine and black socks. Shoes or boots will be free of external manufacturer insignias, lettering, or logos. Shoes or Boots with pointed toes are not permitted. No suede material is authorized.

1026.7 SUPPORT STAFF (FRONT OFFICE)

Front office support staff will possess and maintain at least two complete uniforms. Uniforms will be clean, pressed, and serviceable at all times.

The uniform shall consist of black or tan pants and ¾ length button down “Lands’ End” style shirt. Shirt colors to be approved by the Chief of Police or his/her designee.

“Washougal Police” will be stitched on the left hand side and centered with the 2nd button. “Washougal” will be centered over “Police”.

The employee’s first name will be embroidered in ½” silver/white block lettering on the right side and centered to the 2nd button. Example: Kelly.

Department approved sweater or fleece vest will be black in color. The metal badge will be worn on the sweater or vest.

Footwear shall be clean black shoes. Shoes will be free of external manufacturer insignias, lettering, or logos.

1026.8 PLACEMENT OF ITEMS ON UNIFORM

(a) Shoulder Patches - The authorized shoulder patch supplied by the Department shall be machine stitched to the sleeves of all uniform shirts and jackets, three-quarters of an inch below the shoulder seam of the shirt and be bisected by the crease in the sleeve. Any Officer who is a qualified Emergency Medical Technician may wear an E.M.T. patch centered on the right sleeve, centered between the top sleeve seam and department shoulder patch or Accreditation Patch.

(b) Service Stripes, stars - Service stripes and stars are indicators for length of service may be worn on long sleeved shirts and jackets. They are to be machine stitched onto the uniform. The bottom of the service stripe will be one-half inch above the cuff seam and along the outer edge of the sleeve crease. The stripes are to be worn on the left sleeve only. Earning of service stripes and service stars is a culmination of all full time commissioned law enforcement experience and can also include service as a Washougal Reserve officer. Each service stripe denotes three years of service. Service stripes will be silver/white in color. Each service star denotes five years of service. Service star strips will be placed ¼ inch above the left cuff seam along the outside edge of the sleeve and parallel to the ground. Service Stars will be silver/white in color. Wearing service stripes and service stars together is not authorized.
Uniform Regulations

(c) **Nameplate, nametags** - The regulation metal nameplate, or an authorized sewn on cloth nametag, shall be worn at all times while in uniform. The nameplate or nametag shall display the employee’s last name. It shall be worn directly above the right pocket, with equal distance from both sides of the nameplate or nametag to the outer edge of the pocket. Officers, detectives, and reserve officers shall wear silver nameplates, sergeants and above shall wear gold nameplates. Metal nameplates will have black lettering and all upper case lettering. Metal nameplate dimensions: 2 3/8” X ½”. Lettering for cloth nametags shall be silver/white in color and in all upper case block lettering.

1. When a jacket is worn, the nameplate or an authorized sewn on cloth nametag shall be affixed to the jacket in the same manner as the uniform.

2. When an external carrier is worn, the cloth nametag shall be affixed to the front of the external carrier at or near the same level as the badge.

(d) **Assignment Insignias** - Assignment insignias, (SWAT, FTO, etc.) may be worn as designated by the Chief of Police.

(e) **Flag Pin** - A flag pin may be worn, centered above the nameplate.

(f) **Badge** - The department issued badge, or an authorized sewn on cloth replica, must be worn and visible at all times while in uniform. While in uniform the badge will be centered and ¼ inch above the left breast pocket. While in plain clothes the badge will be affixed to the belt and directly in front of the firearm.

(g) **Rank Insignia** - The designated insignia indicating the employee’s rank must be worn at all times while in uniform. The Chief of Police may authorize exceptions.

1. Three (3) STARS: Chief of Police.
2. Two (2) STARS: Assistant Chief of Police.
3. One (1) OAKLEAF: Commander.
4. Two (2) BARS: Captain.
5. One (1) BAR: Lieutenant.
6. Three (3) STRIPES: Sergeant (Sergeant chevrons will be worn directly below the department shoulder patches. Chevrons will be silver/white in color.)
7. Two (2) STRIPES: Corporal. (Corporal chevrons will be worn directly below the department shoulder patches. Chevrons will be silver/white in color.
8. Service Recognition Ribbons, Military Recognition Ribbon - Ribbons shall be worn centered above the right front shirt pocket and ¼ inch above the nameplate. The order of precedence for Ribbons is:

   (a) Medal of Honor
   (b) Medal of Valor
   (c) Medal of Distinction
   (d) Purple Heart
   (e) Life Saving Medal
Uniform Regulations

(f) Meritorious Service

(g) Commendation Ribbon

(h) FBI National Academy

(i) Length of Service (plus oakleaf cluster for each 5 years of service)

(j) Outside Government Agency Award

A Star cluster will be affixed to ribbons for each subsequent awarding of the same ribbon. Oakleaf cluster denotes five (5) subsequent awarding of the same ribbon.

Additional approved Ribbon Types: Armed Forces Service Ribbon. The armed forces service ribbon shall be worn centered and above the service ribbons.

All ribbons will be worn on ribbon bars supplied by the department.

Insignia Pins. All approved insignia shall be worn centered and directly above the right shirt pocket. A maximum of 2 approved insignia types i.e.; SWAT, FTO is authorized to be worn at a time. Insignia types such as FTO etc; shall only be worn while the officer is actually a member or participant of the program the pin represents. Insignia pins shall be worn centered above the right front shirt pocket above the nameplate and above any service ribbons. (1)There is no limit to the number of service ribbons that may be worn. Members of the Traffic Unit and Marine Patrol Unit may wear a unit designator on their uniform above the right breast pocket. The Traffic Unit will wear the winged wheel traffic unit emblem. The Marine Patrol unit will wear a uniform name tag with Marine Patrol printed beneath their name on the tag. Authorized licensed pilots may wear wings centered above the nametag. Special ribbons of distinction authorized by the Chief of Police. A verbal order followed up by a written directive signed by the Chief of Police or Commander is sufficient documentation. Approved insignia types: Bomb Pin, K9 Pin, SWAT Pin, EMT Pin, FTO Pin. Maximum of two may be worn at a time:

1026.9 MOURNING BADGE

Uniformed employees should wear a black mourning band across the uniform badge whenever a law enforcement officer is killed in the line of duty. The following mourning periods will be observed:

(a) An officer of this department - From the time of death until midnight on the 14th day after the death.

(b) An officer from this county, an adjacent county, or this state - From the time of death until midnight on the day of the funeral.

(c) Funeral attendee - While attending the funeral of an out of region fallen officer.

(d) National Peace Officers Memorial Day (May 15th) - From 0001 hours until 2359 hours.

(e) As directed by the Chief of Police.
1026.10 CIVILIAN ATTIRE
There are assignments within the Department that do not require the wearing of a uniform because recognition and authority are not essential to their function. There are also assignments in which the wearing of civilian attire is necessary.

(a) All employees shall wear clothing that fits properly, is clean and free of stains, and not damaged or excessively worn.

(b) All male administrative, investigative and support personnel who elect to wear civilian clothing to work shall wear button style shirts with a collar, slacks or suits that are moderate in style.

(c) All female administrative, investigative, and support personnel who elect to wear civilian clothes to work shall wear dresses, slacks, shirts, blouses, or suits which are moderate in style.

(d) The following items shall not be worn on duty:
   1. T-shirt alone.
   2. Open toed sandals or thongs.
   3. Swimsuit, tube tops, or halter-tops.
   4. Spandex type pants or see-through clothing.
   5. Distasteful printed slogans, buttons or pins.
   6. Shorts, cut offs
   7. Sweat suits (shirts or pants) unless approved for training such as DT, PT.

(e) Variations from this order are allowed at the discretion of the Chief of Police or designee when the employee's assignment or current task is not conducive to the wearing of such clothing.

(f) No item of civilian attire may be worn on duty that would adversely affect the reputation of the Washougal Police Department or the morale of the employees.

1026.11 UNIFORMS AND EQUIPMENT
The Department shall provide each new officer who is required to wear a uniform three (3) complete uniforms in good condition. Replacement of uniforms and/or equipment, in whole or in part, shall occur as needed. The officer shall certify to the Chief or his/her designee that such replacement is necessary.

The City shall provide dry cleaning for one complete uniform per week at a location designated by the City. An account will be maintained and be administered by the Chief of Police for plain clothed officers; the annual per-officer amount will be determined by collective bargaining between the guild and city. These funds can be spent upon the Chief's approval (cleaning will be paid only for department issued uniforms).
1026.12 POLITICAL ACTIVITIES, ENDORSEMENTS, AND ADVERTISEMENTS
Unless specifically authorized by the Chief of Police, Washougal Police Department employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a department badge, patch or other official insignia, or cause to be posted, published, or displayed, the image of another employee, or identify himself/herself as an employee of the Washougal Police Department, to do any of the following:

(a) Endorse, support, oppose or contradict any political campaign or initiative.
(b) Endorse, support, oppose, or contradict any social issue, cause or religion.
(c) Endorse, support, or oppose, any product, service, company or other commercial entity.

Appear in any commercial, social, or non-profit publication, or any motion picture, film, video, public broadcast or any website.

1026.13 OPTIONAL EQUIPMENT - MAINTENANCE AND REPLACEMENT
The Chief of Police or designee may authorize employees to possess and use optional equipment under the following conditions:

(a) Any of the items listed in the Uniform and Equipment Specifications as optional shall be purchased totally at the expense of the employee. No part of the purchase cost shall be offset by the Department for the cost of providing the Department issued item.
(b) Maintenance of optional items shall be the financial responsibility of the purchasing employee. For example, repairs due to normal wear and tear.
(c) Replacement of optional items shall be done as follows:
   1. When the item is no longer functional because of normal wear and tear, the employee bears the full cost of replacement.
   2. When the item is no longer functional because of damage in the course of the employee’s duties, it shall be replaced following the procedures for the replacement of damaged personal property if approved by the Chief of Police or his/her designee. (See the Department Owned and Personal Property Policy).

1026.14 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES
Washougal Police Department employees may not wear any uniform item, accessory or attachment unless specifically authorized in the Uniform and Equipment Specifications or by the Chief of Police or designee.

Washougal Police Department employees may not use or carry any safety item, tool or other piece of equipment unless specifically authorized in the Uniform and Equipment Specifications or by the Chief of Police or designee.
Nepotism and Conflicting Relationships

1027.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure equal opportunity and effective employment practices by avoiding actual or perceived favoritism, discrimination, or actual or potential conflicts of interest by or between members of this department. These employment practices include: recruiting, testing, hiring, compensation, assignment, use of facilities, access to training opportunities, supervision, performance appraisal, discipline and workplace safety and security.

1027.1.1 DEFINITIONS
Business relationship - Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder or investor in an outside business, company, partnership, corporation, venture or other transaction where the Department employee's annual interest, compensation, investment or obligation is greater than $250.

Conflict of interest - Any actual, perceived or potential conflict of interest in which it reasonably appears that a department employee's action, inaction or decisions are or may be influenced by the employee's personal or business relationship.

Nepotism - The practice of showing favoritism to relatives in appointment, employment, promotion or advancement by any public official in a position to influence these personnel decisions.

Personal relationship - Includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship.

Public official - A supervisor, officer or employee who is vested with authority by law, rule or regulation, or to whom authority has been delegated.

Relative - An employee's parent, stepparent, spouse, domestic partner, significant other, child (natural, adopted or step), sibling or grandparent.

Subordinate - An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

Supervisor - An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and/or performance of a subordinate employee.

1027.2 RESTRICTED DUTIES AND ASSIGNMENTS
The Department does not prohibit all personal or business relationships between employees. However, in order to avoid nepotism or other inappropriate conflicts, the following reasonable restrictions shall apply:

(a) Employees are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other employee who is a relative or with whom they are involved in a personal or business relationship.
Nepotism and Conflicting Relationships

1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to defer matters pertaining to the involved employee to an uninvolved supervisor.

2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing employees in such supervisor/subordinate situations. The Department, however, reserves the right to transfer or reassign any employee to another position within the same classification in order to avoid conflicts with any provision of this policy.

(b) Employees are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal or business relationship.

(c) Whenever possible, FTOs and other trainers will not be assigned to train relatives. FTOs and other trainers are prohibited from entering into or maintaining personal or business relationships with any employee they are assigned to train until such time as the training has been successfully completed and the employee is off probation.

(d) To avoid actual or perceived conflicts of interest, members of this department shall refrain from developing or maintaining personal or financial relationships with victims, witnesses or other individuals during the course of or as a direct result of any official contact.

(e) Except as required in the performance of official duties or, in the case of immediate relatives, employees shall not develop or maintain personal or financial relationships with any individual they know or reasonably should know is under criminal investigation, is a convicted felon, parolee, fugitive, or registered sex offender, or who engages in serious violations of state or federal laws.

1027.2.1 EMPLOYEE RESPONSIBILITY
Prior to entering into any personal or business relationship or other circumstance which the employee knows or reasonably should know could create a conflict of interest or other violation of this policy, the employee shall promptly notify his/her uninvolved, next highest level of supervisor.

Whenever any employee is placed in circumstances that would require the employee to take enforcement action or provide official information or services to any relative or individual with whom the employee is involved in a personal or business relationship, the employee shall promptly notify his/her uninvolved, immediate supervisor. In the event that no uninvolved supervisor is immediately available, the employee shall promptly notify dispatch to have another uninvolved employee either relieve the involved employee or minimally remain present to witness the action.
Nepotism and Conflicting Relationships

1027.2.2 SUPERVISORS RESPONSIBILITY
Upon being notified of, or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to promptly mitigate or avoid such violations, whenever possible. Supervisors shall also promptly notify the Chief of Police of such actual or potential violations through the chain of command.
Domestic Violence Involving Law Enforcement Employees

1028.1 PURPOSE AND SCOPE
This policy establishes procedures, protocols and actions for investigating and reporting domestic violence involving employees of this and other law enforcement agencies. The intent of this policy is to ensure that law enforcement employees are held to the standards of the law regarding domestic violence (RCW 10.99.090).

1028.1.1 DEFINITIONS
Agency - Means a general authority Washington law enforcement agency as defined in RCW 10.93.020.
Employee - Means any person currently employed with an agency.
DVPC - Domestic Violence Prosecution Center
Non-Sworn Employee - Means any employee of an agency that is not classified as a peace officer as defined in RCW 10.93.020
Sworn Employee - Means a general authority Washington peace officer as defined in RCW 10.93.020, any person appointed under RCW 35.21.333, and any person appointed or elected to carry out the duties of the sheriff under RCW Chapter 36.28.

1028.2 DEPARTMENT RESPONSIBILITIES
Washougal Police Department has the following obligations (RCW 10.99.030 and 10.99.090):

(a) Provide pre-hire screening procedures reasonably calculated to disclose whether an applicant for a sworn employee position has a history of domestic violence, child abuse allegations, or have been subject to protective order.
(b) Maintain ongoing and meaningful relationships with victim advocacy groups and other domestic violence professionals in the community.
(c) In response to observed behavior or at the request of the employee, the Washougal Police Department may offer or recommend intervention services to employees. If domestic violence is suspected, the referral should be to a domestic violence specialist.
(d) Any employee who becomes aware of domestic violence committed by a sworn/non-sworn employee must immediately report that allegation to their supervisor.
(e) Recognize that employees who disclose that they have personally engaged in criminal acts of domestic violence are not entitled to confidentiality. Such acts shall be investigated administratively and criminally as appropriate.
(f) Provide information to employing law enforcement agencies within 24 hours of a domestic violence or domestic dispute report involving a sworn/non-sworn employee.
Domestic Violence Involving Law Enforcement Employees

This should be accomplished by either a direct phone conversation or personal contact with the Chief of Police.

(g) Provide information on this domestic violence policy and programs under RCW 26.50.150 to employees and make it available to employee families and the public.

(h) Provide victims of domestic violence by Washougal Police Department employees a department point of contact to assist the victim through the investigative process. Consideration should be given to selecting a point of contact at least one rank higher than the perpetrator, and would ideally be someone other than the investigator.

(i) Provide victims of domestic violence by Washougal Police Department employees contact information about public and private nonprofit domestic violence services and information regarding relevant confidentiality policies related to the victim’s information.

(j) Respond to Washougal Police Department employees who are alleged victims of violence at the hands of sworn/non-sworn employees of the Washougal Police Department. Safety concerns and domestic violence services information will be reviewed with the victim employee.

(k) Provide for an impartial administrative investigation and appropriate criminal investigation of all acts of domestic violence allegedly committed by a sworn/non-sworn employee and appropriate sanctions when it is found that an employee has committed an act of domestic violence. Administrative investigations may be conducted by the Washougal Police Department or through agreements with other law enforcement agencies.

(l) Consider whether to relieve a sworn employee of Department-issued weapons and suspend law enforcement powers pending resolution of an investigation.

1028.2.1 SUPERVISOR RESPONSIBILITIES

In an effort to prevent domestic violence behaviors and/or prevent problems from escalating to criminal conduct, supervisors:

(1) Recognize on-duty and/or off-duty behavior that may be a warning sign of domestic violence.
   a. Warning signs may include, but not limited to, increased use of force during arrests, alcohol and/or drug abuse, increase in controlling behaviors, stalking activity, citizen and fellow employee complaints of unwarranted aggression and verbal abuse, and aggression toward animals.
   b. Monitor frequent tardiness and absences.

(2) Recognize inappropriate aggressive behaviors by all Department personnel.
   a. Inappropriate aggressive behaviors may include, but are not limited to: stalking, inappropriate surveillance activities, unusually high incidences of physical altercations, injuries, or verbal disputes.
Domestic Violence Involving Law Enforcement Employees

(3) Maintain close supervision of all personnel who display warning signs or inappropriate aggressive behaviors.

(4) Accept reports of domestic violence by all personnel.
   a. Washougal Police personnel who disclose to any member of the Department that they have personally engaged in or been a victim of domestic violence that may rise to the level of criminal behavior are not entitled to confidentiality.
   b. A report of potentially criminal domestic violence by Washougal Police personnel shall be treated as an admission of a crime or notification that a crime has occurred.

(5) Document the warning signs, inappropriate behaviors and reports of domestic violence.

(6) Notify Command of warning signs, inappropriate behaviors and reports of domestic violence.
   a. The notification should include information about domestic violence whether on- or off-duty for all Department employees.

1028.2.2 COMMANDER RESPONSIBILITIES

When the Commander is notified of an incident covered by this policy he/she shall promptly notify the Chief of such incident and:

(1) If a sworn employee of the Washougal Police Department is involved the Commander shall:
   a. Determine if the involved employee’s law enforcement powers should be suspended and if Department owned weapons and other Department owned equipment should be removed pending the outcome of the investigation and possible prosecutorial charging decision.
   b. Issue an administrative order prohibiting on-duty contact with the victim, if appropriate.
   c. Respond to the scene if the situation dictates command presence.
   d. Forward information on the incident to the Chief for review and further action.

(2) If a non-sworn Washougal Police Department employee is involved the Commander shall:
   a. Respond to the scene if the situation dictates command presence
   b. Forward information on the incident to the Chief for review and further action.

(3) If incident involves an employee of another law enforcement agency the Commander shall:
   a. Verify command notification of the employing agency.
   b. Verify on-duty WPD supervisor has offered assistance on scene.
   c. Ensure that the Washougal Police Department provides appropriate reports and any other requested documentation to the employing agency.

1028.2.3 ADMINISTRATIVE RESPONSIBILITIES

An internal affairs investigation will be conducted and will be completely separate from any criminal investigation, when:
Domestic Violence Involving Law Enforcement Employees

(a) Any Washougal Police employee is arrested or charges filed involving a domestic violence.

(b) Articulable facts exists regarding domestic violence behavior by the employee, even if the employee is not arrested or charged.

(c) Command will take any necessary administrative action prior to the investigation to protect the interests of everyone involved.

(d) Disciplinary action may be taken following the completion of the investigation up to and including termination.

1028.3 EMPLOYEE ACTIONS
Law enforcement employees have the following obligations or entitlements (RCW 10.99.090):

(a) Employees are entitled to seek assistance through the employee assistance program, employee peer counselors, chaplains, or psychological professionals.

(b) Employees with knowledge or information about any sworn employee in violation of this policy must report in writing to their supervisor as soon as possible. Failure to report may subject the employee to disciplinary action.

(c) Employees who are victims of domestic violence are encouraged to request assistance, but are not subject to punitive measures for failing to report their abuse.

(d) Employees should be alert to the likelihood of victim or witness intimidation and shall immediately take appropriate action. This action will include, but is not limited to the report to a supervisor, the Commander or the Chief of Police within 24 hours.

(e) Employees are expected to fully cooperate with the investigation of allegations under this Policy but only as requested by a supervisor, ordered by court, or by other legal court process (e.g., subpoena).

(f) When a law enforcement agency responds to a call in which an employee is alleged to have been involved in a domestic dispute or committed an act of domestic violence, the involved employee must immediately report that police response to their supervisor.

(g) When an employee becomes the subject of an investigation for child abuse or neglect, or becomes subject to an order under RCW 26.44.063 or an order of protection under RCW 26.50.020 et seq. or any equivalent order issued by another state or tribal court, that employee must immediately report the fact to his/her supervisor. The employee must also notify their supervisor of any notices of court dates, appearances, and proceedings received by the employee.

1028.4 INCIDENT RESPONSE
Notification of any incident of domestic violence involving any law enforcement officer requires a prompt response, full investigation and a complete written report by this department (RCW 10.99.030). This response would be the same for non-sworn employees of the Washougal Police Department. These incidents additionally require:

(a) On-scene supervisory presence.
Domestic Violence Involving Law Enforcement Employees

(b) Notification through the chain of command to the Chief of Police of this department; and if the incident involves employees of another agency, notification of the agency head of the employing agency.

(c) The Chief of Police may delegate responsibility for receiving such reports.

(d) In the event of a report of domestic violence alleged to have been committed by a Chief of Police, prompt notification will be made to the employing entity’s chief executive officer, or, in the case of an elected Sheriff, the County’s Prosecutor.

1028.4.1 PATROL RESPONSE - SWORN EMPLOYEE (NON-WPD)
A patrol officer responding to an incident described as domestic violence involving a non-WPD law enforcement officer shall request a supervisory response.

(a) The primary unit will conduct a thorough investigation of a non-WPD law enforcement officer the same as reports of domestic violence involving citizens.

(b) Patrol units responding to suspicious circumstances, compelling third party accounts of incidents, unexplained property damage, verbal arguments, etc. or other troubling event involving non-WPD law enforcement officers will complete written reports of the incident.

(c) A copy of all reports of the incident should be forwarded to the City Attorney if non-felony, or the DVPC if felony. Access to the report should then be restricted and the report should also be restricted to a “read only” version.

1028.4.2 PATROL RESPONSE - SWORN & NON-SWORN EMPLOYEE (WPD)
A patrol officer responding to an incident described as domestic violence involving a law enforcement officer shall request a supervisory response.

(a) The primary unit will respond to secure the scene until a supervisor arrives and ensure the safety of all parties involved.

(b) If the alleged offender has left the scene and probable cause exists, responding patrol units shall search the area and attempted to locate the suspect.

1028.4.3 PATROL SUPERVISOR RESPONSE
A patrol supervisor shall:

(1) Respond to the scene of all domestic violence incidents within the jurisdiction of the Washougal Police Department involving a law enforcement officer from any agency or any non-sworn employee of the Washougal Police Department.

   a. In the event of the arrest of a sworn employee of another agency, contact that agency prior to custody transport and request authorization to seize that employee’s agency issued weapons or arrange for the employing agency to obtain them.

   b. Notify the Commander

(2) Respond whenever practical to the scene of any domestic violence incident involving any employee of this Department regardless of jurisdiction.
Domestic Violence Involving Law Enforcement Employees

a. In the event of the arrest of a sworn employee of the Washougal Police Department in another law enforcement jurisdiction, contact Command who will order the surrender of the officer’s Department issued weapons.

(3) In the event any employee of this Department is involved in any domestic violence incident as a suspect or victim within the jurisdiction of the Washougal Police Department:

   a. Notify the Commander. If the incident involves the Commander or Chief of Police, notify the individual’s direct supervisor.
   b. Ensure scene security and if needed, provide medical aid.
   c. Request the Regional Major Crimes Team (RMCT) be notified to respond and conduct the investigation, regardless if the employee is the victim or suspect.

(4) In all cases involving any Washougal Police employees, debrief the responding Washougal Police Officers and have each of them submit a report detailing their actions.

1028.5 VICTIM SAFETY ASSISTANCE AND NOTIFICATION
The Washougal Police Department will work with community resources and domestic violence advocacy agencies and shall make available to the victim (RCW 10.99.090):

   (a) Information on how to obtain protective orders and/or removal of weapons from his/her home.
   (b) Assistance with obtaining such orders in coordination with domestic violence victim advocates.
   (c) A copy of this policy and any agency confidentiality policy.
   (d) Information about public and private domestic violence advocacy resources to include the Washington State Domestic Violence Hotline.
   (e) Information related to relevant confidentiality policies related to the victim’s information and public disclosure as provide by law.
   (f) The Washougal Police Department will coordinate victim notification regarding criminal and administrative investigative processes through the designated agency liaison in order to assist with victim safety.
Department Badges

1029.1 PURPOSE AND SCOPE
The Washougal Police Department badge and uniform patch as well as the likeness of these items and the name of the Washougal Police Department are the property of the Department and their use shall be restricted as set forth in this policy.

1029.2 POLICY
The uniform badge shall be issued to department members as a symbol of authority and the use and display of departmental badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on duty or otherwise acting in an official or authorized capacity.

1029.2.1 FLAT BADGE
Sworn officers, with the written approval of the Chief of Police may purchase, at his/her own expense, a flat badge capable of being carried in a wallet. The use of the flat badge is subject to all the same provisions of departmental policy as the uniform badge.

(a) An officer may sell, exchange, or transfer the flat badge he/she purchased to another officer within the Washougal Police Department with the written approval of the Chief of Police.

(b) Should the flat badge become lost, damaged, or otherwise removed from the officer’s control, he/she shall make the proper notifications as outlined in the Department Owned and Personal Property Policy.

(c) An honorably retired officer may keep his/her flat badge upon retirement.

(d) The purchase, carrying or display of a flat badge is not authorized for non-sworn personnel.

1029.2.2 NON-SWORN (CIVILIAN) PERSONNEL
Badges and departmental identification cards issued to non-sworn personnel shall be clearly marked to reflect the position of the assigned employee (e.g. Admin Assistant, Evidence Technician, Animal Control Officer).

Non-sworn personnel shall not display any department badge except as a part of his/her uniform and while on duty, or otherwise acting in an official and authorized capacity.

Non-sworn personnel shall not display any department badge or represent him/herself, on or off duty, in such a manner which would cause a reasonable person to believe that he/she is a sworn peace officer.
1029.2.3 RETIREE UNIFORM BADGE
Upon honorable retirement employees may purchase his/her assigned duty badge for display purposes. It is intended that the duty badge be used only as private memorabilia as other uses of the badge may be unlawful or in violation of this policy.

1029.3 UNAUTHORIZED USE
Except as required for on-duty use by current employees, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.

Department badges are issued to all sworn employees and non-sworn uniformed employees for official use only. The department badge, shoulder patch or the likeness thereof, or the department name shall not be used for personal or private reasons including, but not limited to, letters, memoranda, and electronic communications such as electronic mail or web sites and web pages.

The use of the badge, uniform patch and department name for all material (printed matter, products or other items) developed for Department use shall be subject to approval by the Chief of Police.

Employees shall not loan his/her department badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.

1029.4 PERMITTED USE BY EMPLOYEE GROUPS
The likeness of the department badge shall not be used without the expressed authorization of the Chief of Police and shall be subject to the following:

(a) The employee associations may use the likeness of the department badge for merchandise and official association business provided they are used in a clear representation of the association and not the Washougal Police Department. The following modifications shall be included:

1. The text on the upper and lower ribbons is replaced with the name of the employee association.
2. The badge number portion displays the initials of the employee association.

(b) The likeness of the department badge for endorsement of political candidates shall not be used without the expressed approval of the Chief of Police.
Temporal Modified-Duty Assignments

1030.1 PURPOSE AND SCOPE
This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, City rules or current collective bargaining agreements or memorandums of understanding. For example, nothing in this policy affects the obligation of the Department to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

1030.2 POLICY
Subject to operational considerations, the Washougal Police Department may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Department with a productive employee during the temporary period.

1030.3 GENERAL CONSIDERATIONS
Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or the Washington Law Against Discrimination shall be treated equally, without regard to any preference for a work-related injury.

No position in the Washougal Police Department shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Department. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee’s ability to perform in a modified-duty assignment.

The Chief of Police or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle or engaging in outside employment, or may otherwise limit them in employing their peace officer powers.

Temporary modified-duty assignments shall generally not exceed a cumulative total of 1,040 hours in any one-year period.

1030.4 PROCEDURE
Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.
**Temporary Modified-Duty Assignments**

Employees seeking a temporary modified-duty assignment should submit a written request to the Commander or the authorized designees. The request should, as applicable, include a certification from the treating medical professional containing:

(a) An assessment of the nature and probable duration of the illness or injury.
(b) The prognosis for recovery.
(c) The nature and scope of limitations and/or work restrictions.
(d) A statement regarding any required workplace accommodations, mobility aids or medical devices.
(e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The Commander will make a recommendation to the Chief of Police regarding temporary modified-duty assignments that may be available based on the needs of the Department and the limitations of the employee. The Chief of Police or the authorized designee shall confer with human resources or the City Attorney as appropriate.

### 1030.5 ACCOUNTABILITY

Written notification of assignments, work schedules and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate department operations and the employee’s medical appointments, as mutually agreed upon with the Commander or designee.

#### 1030.5.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to temporary modified duty shall include, but are not limited to:

(a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.
(b) Promptly notifying their supervisor of any change in restrictions or limitations after each appointment with their treating medical professionals.
(c) Communicating a status update to their supervisor no less than once every 30 days while assigned to temporary modified duty.
(d) Submitting a written status report to the commander that contains a status update and anticipated date of return to full-duty when a temporary modified-duty assignment extends beyond 60 days.

#### 1030.5.2 SUPERVISOR RESPONSIBILITIES

The Administrative Sergeant shall monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of Administrative Sergeant shall include, but are not limited to:
Temporary Modified-Duty Assignments

(a) Periodically apprising the Commander of the status and performance of employees assigned to temporary modified duty.

(b) Notifying the Commander and ensuring that the required documentation facilitating a return to full duty is received from the employee.

(c) Ensuring that employees returning to full duty have completed any required training and certification.

1030.6 MEDICAL EXAMINATIONS
Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Department may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the Fitness for Duty Policy.

1030.7 PREGNANCY
If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth, or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

Nothing in this policy limits a pregnant employee's right to a temporary modified-duty assignment if required under RCW 43.10.005 or WAC 357-26-030 et seq.

1030.7.1 NOTIFICATION
Pregnant employees shall notify their immediate supervisor as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the City’s personnel rules and regulations regarding family and medical care leave.

1030.8 PROBATIONARY EMPLOYEES
Probationary employees who are assigned to a temporary modified-duty assignment shall have their probation extended by a period of time equal to their assignment to temporary modified duty.

1030.9 MAINTENANCE OF CERTIFICATION AND TRAINING
Employees assigned to temporary modified duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided that the certification, training or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to temporary modified duty shall inform the Administrative Sergeant of any inability to maintain any certification, training or qualifications.
Employee Speech, Expression and Social Networking

1031.1 PURPOSE AND SCOPE
This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balancing of employee speech and expression with the needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

1031.1.1 APPLICABILITY
This policy applies to all forms of communication including but not limited to film, video, print media, public or private speech, use of all Internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file-sharing sites.

1031.2 POLICY
Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Washougal Police Department will carefully balance the individual employee’s rights against the Department’s needs and interests when exercising a reasonable degree of control over its employees’ speech and expression.

1031.3 SAFETY
Employees should consider carefully the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of the Washougal Police Department employees, such as posting personal information in a public forum, can result in compromising an employee’s home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be expected to compromise the safety of any employee, an employee’s family or associates.
Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of an officer who is working undercover.
- Disclosing the address of a fellow officer.
- Otherwise disclosing where another officer can be located off-duty.

1031.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the department’s safety, performance and public-trust needs, the following are prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, on a matter of public concern):

(a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Washougal Police Department or its employees.

(b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Washougal Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the Washougal Police Department or its employees. Examples may include:

1. Statements that indicate disregard for the law or the state or U.S. Constitution.
2. Expression that demonstrates support for criminal activity.
3. Participating in sexually explicit photographs or videos for compensation or distribution.

(c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination or illegal behavior.

(d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape.

(e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Washougal Police Department.

(f) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Department...
for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee (RCW 9A.68.020).

(g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Washougal Police Department on any personal or social networking or other website or web page, without the express authorization of the Chief of Police.

(h) Accessing websites for non-authorized purposes, or use of any personal communication device, game device or media device, whether personally or department-owned, for personal purposes while on-duty, except in the following circumstances:

1. When brief personal communication may be warranted by the circumstances (e.g., inform family of extended hours).

2. During authorized breaks; such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

1031.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or officer associations, employees may not represent the Washougal Police Department or identify themselves in any way that could be reasonably perceived as representing the Washougal Police Department in order to do any of the following, unless specifically authorized by the Chief of Police:

(a) Endorse, support, oppose or contradict any political campaign or initiative.

(b) Endorse, support, oppose or contradict any social issue, cause or religion.

(c) Endorse, support or oppose any product, service, company or other commercial entity.

(d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or any website.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization (e.g. bargaining group), is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Washougal Police Department.

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized
bargaining unit or officer associations, on political subjects and candidates at all times while off-duty. However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

1031.5 PRIVACY EXPECTATION
Members forfeit any expectation of privacy with regard to emails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, MySpace) that is accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

1031.6 CONSIDERATIONS
In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police or authorized designee should consider include:

(a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.

(b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.

(c) Whether the speech or conduct would reflect unfavorably upon the Department.

(d) Whether the speech or conduct would negatively affect the member’s appearance of impartiality in the performance of his/her duties.

(e) Whether similar speech or conduct has been previously authorized.

(f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

1031.7 TRAINING
Subject to available resources, the Department should provide training regarding employee speech and the use of social networking to all members of the Department.
Line-of-Duty Deaths

1032.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance to members of the Washougal Police Department in the event of the death of a member occurring in the line of duty and to direct the Department in providing proper support for the member’s survivors.

The Chief of Police may also apply some or all of this policy in situations where members are injured in the line of duty and the injuries are life-threatening.

1032.1.1 DEFINITIONS
Definitions related to this policy include:

Line-of-duty death - The death of a sworn member during the course of performing law enforcement-related functions while on- or off-duty, or a non-sworn member during the course of performing their assigned duties.

Survivors - Immediate family members of the deceased member, which can include spouse, children, parents, other next of kin or significant others. The determination of who should be considered a survivor for purposes of this policy should be made on a case-by-case basis given the individual’s relationship with the member and whether the individual was previously designated by the deceased member.

1032.2 POLICY
It is the policy of the Washougal Police Department to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty.

It is also the policy of this department to respect the requests of the survivors when they conflict with these guidelines, as appropriate.

1032.3 NOTIFYING SURVIVORS
Survivors should be notified as soon as possible in order to avoid the survivors hearing about the incident in other ways.

The Chief of Police, Commander, or the authorized designee should review the deceased member’s emergency contact information and make accommodations to respect the member’s wishes and instructions specific to notifying survivors. However, notification should not be excessively delayed because of attempts to assemble a notification team in accordance with the member’s wishes.

The Chief of Police, Commander, or the authorized designee should select at least two members to conduct notification of survivors.

Notifying members should:
Line-of-Duty Deaths

(a) Make notifications in a direct and compassionate manner, communicating as many facts of the incident as possible, including the current location of the member. Information that is not verified should not be provided until an investigation has been completed.

(b) Determine the method of notifying surviving children by consulting with other survivors and taking into account factors such as the child’s age, maturity and current location (e.g., small children at home, children in school).

(c) Plan for concerns such as known health concerns of survivors or language barriers.

(d) Offer to transport survivors to the hospital, if appropriate. Survivors should be transported in department vehicles. Notifying members shall inform the Hospital Liaison over a secure network that the survivors are on their way to the hospital and should remain at the hospital while the survivors are present.

(e) When survivors are not at their residences or known places of employment, actively seek information and follow leads from neighbors, other law enforcement, postal authorities and other sources of information in order to accomplish notification in as timely a fashion as possible. Notifying members shall not disclose the reason for their contact other than a family emergency.

(f) If making notification at a survivor’s workplace, ask a workplace supervisor for the use of a quiet, private room to meet with the survivor. Members shall not inform the workplace supervisor of the purpose of their visit other than to indicate that it is a family emergency.

(g) Offer to call other survivors, friends or clergy to support the survivors and to avoid leaving survivors alone after notification.

(h) Assist the survivors with meeting childcare or other immediate needs.

(i) Provide other assistance to survivors and take reasonable measures to accommodate their needs, wishes and desires. Care should be taken not to make promises or commitments to survivors that cannot be met.

(j) Inform the survivors of the name and phone number of the Survivor Support Liaison (see the Survivor Support Liaison section of this policy), if known, and the Department Liaison.

(k) Provide their contact information to the survivors before departing.

(l) Document the survivor’s names and contact information, as well as the time and location of notification. This information should be forwarded to the Department Liaison.

(m) Inform the Chief of Police or the authorized designee once survivor notifications have been made so that other Washougal Police Department members may be apprised that survivor notifications are complete.

1032.3.1 OUT-OF-AREA NOTIFICATIONS
The Department Liaison should request assistance from law enforcement agencies in appropriate jurisdictions for in-person notification to survivors who are out of the area.
(a) The Department Liaison should contact the appropriate jurisdiction using a secure network and provide the assisting agency with the name and telephone number of the department member that the survivors can call for more information following the notification by the assisting agency.

(b) The Department Liaison may assist in making transportation arrangements for the member’s survivors, but will not obligate the Department to pay travel expenses without the authorization of the Chief of Police.

1032.4 NOTIFYING DEPARTMENT MEMBERS
Supervisors or members designated by the Chief of Police are responsible for notifying department members of the line-of-duty death as soon as possible after the survivor notification is made. Notifications and related information should be communicated in person or using secure networks and should not be transmitted over the radio.

Notifications should be made in person and as promptly as possible to all members on-duty at the time of the incident. Members reporting for subsequent shifts within a short amount of time should be notified in person at the beginning of their shift. Members reporting for duty from their residence should be instructed to contact their supervisor as soon as practicable. Those members who are working later shifts or are on days off should be notified by phone as soon as practicable.

Members having a close bond with the deceased member should be notified of the incident in person. Supervisors should consider assistance (e.g., peer support group, modifying work schedules, approving sick leave) for members who are especially affected by the incident.

Supervisors should direct members not to disclose any information outside the Department regarding the deceased member or the incident.

1032.5 LIAISONS AND COORDINATORS
The Chief of Police, Commander, or the authorized designee should select members to serve as liaisons and coordinators to handle responsibilities related to a line-of-duty death, including, but not limited to:

(a) Department Liaison.
(b) Hospital Liaison.
(c) Survivor Support Liaison.
(d) Critical Incident Stress Management (CISM) coordinator.
(e) Funeral Liaison.
(f) Mutual aid coordinator.
(g) Benefits Liaison.
(h) Finance coordinator.

Liaisons and coordinators will be directed by the Department Liaison and should be given sufficient duty time to complete their assignments.
Members may be assigned responsibilities of more than one liaison or coordinator position depending on available department resources. The Department Liaison may assign separate liaisons and coordinators to accommodate multiple family units, if needed.

Liaisons and coordinators may be members of the Department or members from other law enforcement agencies.

1032.5.1 DEPARTMENT LIAISON
The Department Liaison should be of sufficient rank to effectively coordinate department resources, and should serve as a facilitator between the deceased member’s survivors and the Department. The Department Liaison reports directly to the Chief of Police. The Department Liaison’s responsibilities include, but are not limited to:

(a) Directing the other liaisons and coordinators in fulfilling survivors’ needs and requests. Consideration should be given to organizing the effort using the National Incident Management System (NIMS).

(b) Establishing contact with survivors within 24 hours of the incident and providing them contact information.

(c) Advising survivors of the other liaison and coordinator positions and their roles and responsibilities.

(d) Identifying locations that will accommodate a law enforcement funeral and presenting the options to the appropriate survivors, who will select the location.

(e) Coordinating all official law enforcement notifications and arrangements.

(f) Making necessary contacts for authorization to display flags at half-mast.

(g) Ensuring that department members are reminded of appropriate information-sharing restrictions regarding the release of information that could undermine future legal proceedings.

(h) Coordinating security checks of the member’s residence as necessary and reasonable.

(i) Serving as a liaison with visiting law enforcement agencies during memorial and funeral services.

1032.5.2 HOSPITAL LIAISON
The Hospital Liaison should work with hospital personnel to:

(a) Arrange for appropriate and separate waiting areas for:
   1. The survivors and others whose presence is requested by the survivors.
   2. Department members and friends of the deceased member.
   3. Media personnel.

(b) Ensure, as much as practicable, that any suspects who are in the hospital and their families or friends are not in close proximity to the member’s survivors or Washougal Police Department members (except for members who may be guarding the suspect).
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(c) Ensure that survivors receive timely updates regarding the member before information is released to others.

(d) Arrange for survivors to have private time with the member, if requested.
   1. The Hospital Liaison or hospital personnel may need to explain the condition of the member to the survivors to prepare them accordingly.
   2. The Hospital Liaison should accompany the survivors into the room, if requested.

(e) Stay with survivors and ensure that they are provided with other assistance as needed at the hospital.

(f) If applicable, explain to the survivors why an autopsy may be needed.

(g) Ensure hospital bills are directed to the Department, that the survivors are not asked to sign as guarantor of payment for any hospital treatment and that the member’s residence address, insurance information and next of kin are not included on hospital paperwork.

Other responsibilities of the Hospital Liaison include, but are not limited to:

• Arranging transportation for the survivors back to their residence.
• Working with investigators to gather and preserve the deceased member’s equipment and other items that may be of evidentiary value.
• Documenting his/her actions at the conclusion of his/her duties.

1032.5.3 SURVIVOR SUPPORT LIAISON

The Survivor Support Liaison should work with the Department Liaison to fulfill the immediate needs and requests of the survivors of any member who has died in the line of duty, and serve as the long-term department contact for survivors.

The Survivor Support Liaison should be selected by the deceased member’s Captain. The following should be considered when selecting the Survivor Support Liaison:

• The liaison should be an individual the survivors know and with whom they are comfortable working.
• If the survivors have no preference, the selection may be made from names recommended by the deceased member’s supervisor and/or coworkers. The deceased member’s partner or close friends may not be the best selections for this assignment because the emotional connection to the member or survivors may impair their ability to conduct adequate liaison duties.
• The liaison must be willing to assume the assignment with an understanding of the emotional and time demands involved.

The responsibilities of the Survivor Support Liaison include, but are not limited to:

(a) Arranging for transportation of survivors to hospitals, places of worship, funeral homes and other locations, as appropriate.
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(b) Communicating with the Department Liaison regarding appropriate security measures for the family residence, as needed.

(c) If requested by the survivors, providing assistance with instituting methods of screening telephone calls made to their residence after the incident.

(d) Providing assistance with travel and lodging arrangements for out-of-town survivors.

(e) Returning the deceased member's personal effects from the Department and the hospital to the survivors. The following should be considered when returning the personal effects:
   1. Items should not be delivered to the survivors until they are ready to receive the items.
   2. Items not retained as evidence should be delivered in a clean, unmarked box.
   3. All clothing not retained as evidence should be cleaned and made presentable (e.g., items should be free of blood or other signs of the incident).
   4. The return of some personal effects may be delayed due to ongoing investigations.

(f) Assisting with the return of department-issued equipment that may be at the deceased member's residence.
   1. Unless there are safety concerns, the return of the equipment should take place after the funeral at a time and in a manner considerate of the survivors' wishes.

(g) Working with the CISM coordinator to ensure that survivors have access to available counseling services.

(h) Coordinating with the department's Public Information Officer (PIO) to brief the survivors on pending press releases related to the incident and to assist the survivors with media relations in accordance with their wishes (see the Public Information Officer section of this policy).

(i) Briefing survivors on investigative processes related to the line-of-duty death, such as criminal, internal and administrative investigations.

(j) Informing survivors of any related criminal proceedings and accompanying them to such proceedings.

(k) Introducing survivors to prosecutors, victim's assistance personnel and other involved personnel as appropriate.

(l) Maintaining long-term contact with survivors and taking measures to sustain a supportive relationship (e.g., follow-up visits, phone calls, cards on special occasions, special support during holidays).

(m) Inviting survivors to department activities, memorial services or other functions as appropriate.

Survivor Support Liaisons providing services after an incident resulting in multiple members being killed should coordinate with and support each other through conference calls or meetings as necessary.
Line-of-Duty Deaths

The Department recognizes that the duties of a Survivor Support Liaison will often affect regular assignments over many years, and is committed to supporting members in the assignment.

If needed, the Survivor Support Liaison should be issued a personal communication device (PCD) owned by the Department to facilitate communications necessary to the assignment. The department-issued PCD shall be used in accordance with the Personal Communication Devices Policy.

1032.5.4 CRITICAL INCIDENT STRESS MANAGEMENT COORDINATOR
The CISM coordinator should work with the Chief of Police or the authorized designee, liaisons, coordinators and other resources to make CISM and counseling services available to members and survivors who are impacted by a line-of-duty death. The responsibilities of the CISM coordinator include, but are not limited to:

(a) Identifying members who are likely to be significantly affected by the incident and may have an increased need for CISM and counseling services, including:
   1. Members involved in the incident.
   2. Members who witnessed the incident.
   3. Members who worked closely with the deceased member but were not involved in the incident.

(b) Ensuring that members who were involved in or witnessed the incident are relieved of department responsibilities until they can receive CISM support as appropriate and possible.

(c) Ensuring that CISM and counseling resources (e.g., peer support, debriefing, grief counselors) are available to members as soon as reasonably practicable following the line-of-duty death.

(d) Coordinating with the Survivor Support Liaison to ensure survivors are aware of available CISM and counseling services and assisting with arrangements as needed.

(e) Following up with members and the Survivor Support Liaison in the months following the incident to determine if additional CISM or counseling services are needed.

1032.5.5 FUNERAL LIAISON
The Funeral Liaison should work with the Department Liaison, Survivor Support Liaison and survivors to coordinate funeral arrangements to the extent the survivors wish. The Funeral Liaison’s responsibilities include, but are not limited to:

(a) Assisting survivors in working with the funeral director regarding funeral arrangements and briefing them on law enforcement funeral procedures.

(b) Completing funeral notification to other law enforcement agencies.

(c) Coordinating the funeral activities of the Department, including, but not limited to the following:
   1. Honor Guard
Line-of-Duty Deaths

(a) Casket watch
(b) Color guard
(c) Pallbearers
(d) Bell/rifle salute

2. Bagpipers/bugler
3. Uniform for burial
4. Flag presentation
5. Last radio call
(d) Briefing the Chief of Police and command staff concerning funeral arrangements.
(e) Assigning an officer to remain at the family home during the viewing and funeral.
(f) Arranging for transportation of the survivors to and from the funeral home and interment site using department vehicles and drivers.

1032.5.6 MUTUAL AID COORDINATOR
The mutual aid coordinator should work with the Department Liaison and the Funeral Liaison to request and coordinate any assistance from outside law enforcement agencies needed for, but not limited to:

(a) Traffic control during the deceased member’s funeral.
(b) Area coverage so that as many Washougal Police Department members can attend funeral services as possible.

The mutual aid coordinator should perform his/her duties in accordance with the Outside Agency Assistance Policy.

1032.5.7 BENEFITS LIAISON
The Benefits Liaison should provide survivors with information concerning available benefits and assist them in applying for benefits. Responsibilities of the Benefits Liaison include, but are not limited to:

(a) Confirming the filing of workers’ compensation claims and related paperwork (see the Occupational Disease and Work-Related Injury Reporting Policy).
(b) Researching and assisting survivors with application for federal government survivor benefits, such as those offered through the:
   1. Public Safety Officers’ Benefits (PSOB) Programs.
   2. Public Safety Officers’ Educational Assistance (PSOEA) Program.
   3. Social Security Administration.
   4. Department of Veterans Affairs.
(c) Researching and assisting survivors with application for state and local government survivor benefits.
Line-of-Duty Deaths

1. Death benefit (RCW 41.26.510)
2. Education benefit (RCW 28B.10.567; RCW 28B.15.380; RCW 28B.15.520)
3. Retirement benefits (RCW 41.04.393)

(d) Researching and assisting survivors with application for other survivor benefits such as:
   1. Private foundation survivor benefits programs.
   2. Survivor scholarship programs.

(e) Researching and informing survivors of support programs sponsored by police associations and other organizations.

(f) Documenting and informing survivors of inquiries and interest regarding public donations to the survivors.
   1. If requested, working with the finance coordinator to assist survivors with establishing a process for the receipt of public donations.

(g) Providing survivors with a summary of the nature and amount of benefits applied for, including the name of a contact person at each benefit office. Printed copies of the summary and benefit application documentation should be provided to affected survivors.

(h) Maintaining contact with the survivors and assisting with subsequent benefit questions and processes as needed.

1032.5.8 FINANCE COORDINATOR
The finance coordinator should work with the Chief of Police and the Department Liaison to manage financial matters related to the line-of-duty death. The finance coordinator’s responsibilities include, but are not limited to:

(a) Establishing methods for purchasing and monitoring costs related to the incident.

(b) Providing information on finance-related issues, such as:
   1. Paying survivors’ travel costs if authorized.
   2. Transportation costs for the deceased.
   3. Funeral and memorial costs.
   4. Related funding or accounting questions and issues.

(c) Working with the Benefits Liaison to establish a process for the receipt of public donations to the deceased member’s survivors.

(d) Providing accounting and cost information as needed.

1032.6 PUBLIC INFORMATION OFFICER
In the event of a line-of-duty death, the department’s PIO should be the department’s contact point for the media. As such, the PIO should coordinate with the Department Liaison to:
Line-of-Duty Deaths

(a) Collect and maintain the most current incident information and determine what information should be released.

(b) Ensure that department members are instructed to direct any media inquiries to the PIO.

(c) Prepare necessary press releases.
   1. Ensure coordination with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
   2. Ensure that important public information is disseminated, such as information on how the public can show support for the Department and deceased member’s survivors.

(d) Arrange for community and media briefings by the Chief of Police or the authorized designee as appropriate.

(e) Respond, or coordinate the response, to media inquiries.

(f) If requested, assist the member’s survivors with media inquiries.
   1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.

(g) Release information regarding memorial services and funeral arrangements to department members, other agencies and the media as appropriate.

(h) If desired by the survivors, arrange for the recording of memorial and funeral services via photos and/or video.

The identity of deceased members should be withheld until the member’s survivors have been notified. If the media has obtained identifying information for the deceased member prior to survivor notification, the PIO should request that the media withhold the information from release until proper notification can be made to survivors. The PIO should ensure that media are notified when survivor notifications have been made.

1032.7 INVESTIGATION OF THE INCIDENT
The Chief of Police shall ensure that line-of-duty deaths are investigated thoroughly and may choose to use the investigation process outlined in the Officer-Involved Shootings and Deaths Policy.

Investigators from other agencies may be assigned to work on any criminal investigation related to line-of-duty deaths. Partners, close friends or personnel who worked closely with the deceased member should not have any investigative responsibilities because such relationships may impair the objectivity required for an impartial investigation of the incident.

Involved department members should be kept informed of the progress of the investigations and provide investigators with any information that may be pertinent to the investigations.
Line-of-Duty Deaths

1032.8 LINE-OF-DUTY DEATH OF A LAW ENFORCEMENT ANIMAL
The Chief of Police may authorize appropriate memorial and funeral services for law enforcement animals killed in the line of duty.

1032.9 NON-LINE-OF-DUTY DEATH
The Chief of Police may authorize certain support services for the death of a member not occurring in the line of duty.
Attachments
MUTUAL LAW ENFORCEMENT ASSISTANCE AGREEMENT

REGIONAL MAJOR CRIMES TEAM (RMCT)

Battle Ground Police Department, Camas Police Department, Clark County Sheriff's Office, La Center Police Department, Ridgefield Police Department, Vancouver Police Department, and Washougal Police Department.

THIS MUTUAL AID LAW ENFORCEMENT ASSISTANCE AGREEMENT is entered into by and between the undersigned parties in order to provide for the establishment and support of a Regional Major Crimes Team, comprised of a call responsive investigative team. Except to the extent that this agreement provides an express condition to the contrary, all terms and provisions set forth in the Master Interlocal Mutual Law Enforcement Assistance Agreement previously executed by the parties are incorporated by reference and made a part of this agreement.

1. Effective Date and Duration. This Agreement shall be effective from the date the agreement is executed by at least two parties and shall renew automatically on the first day of each following January thereafter unless terminated in accordance with the provisions of the Master Agreement between the parties.

2. Purpose and Function. The purpose of the agreement is to provide for the cooperative and coordinated investigations of law enforcement-involved fatalities or serious injury incidents, major crimes, or other serious incidents — special requests within Clark County as is authorized by RCW 39.34 and RCW 10.93.

Each Department should establish their own guideline as to when and if they will request assistance from RMCT. The involved agency may investigate the matter by itself or may seek aid from other agencies.

3. Definitions.

a. Law enforcement-involved fatalities or serious injury incidents:

   1. Intentional and unintentional shootings (OIS)
   2. Any fatal or critical injury to a person in law enforcement custody
   3. Serious assaults upon law enforcement or other law enforcement employee who are on-duty or are acting with a law enforcement purpose
4. Vehicular collisions involving fatality or critical injury that occurs as a result of use of force (i.e.: gunfire, intervention technique, police pursuit).

b. Major crimes:
   1. Homicide
   2. Suspicious Death
   3. Infant Deaths
   4. Robberies with violent assaults
   5. Burglaries or home invasions with violent assaults
   6. Rapes
   7. Assault I with serious injuries
   8. Kidnap I (actual missing person)

c. Other serious incident or special request:
   1. Officer involved Domestic Violence
   2. Any other sensitive or critical event involving a law enforcement employee where criminal conduct is a possibility to be investigated.
   3. Non-officer involved incident - activation with agreement between command level personnel from the agency of jurisdiction and/or requesting agency and the participating agency agreeing to activate

d. "Incident commander" means the Chief Law Enforcement Officer, or their designee, of the jurisdiction where the crime or investigation occurs.

e. "RMCT supervisors" means the designated sergeant or commander of the Vancouver Police department detective unit and the designated sergeant or commander for the Clark County Sheriff's office detective unit or other agreed upon RMCT supervisor.

f. "Investigative Team" means a contingent of specially trained and qualified detectives employed by participating agencies, assigned as members of the Regional Major Crimes Team, and tasked with responding to defined law enforcement-involved fatalities or serious injury incidents, major crimes, or other serious incident - special request at the request of the participating agency with primary geographic or territorial jurisdiction.

g. Primary jurisdiction" means the agency with primary territorial jurisdiction as defined in RCW 10.93.020. In the event that a law enforcement-involved fatality or serious injury incident, major crime, or other serious incident - special request occurs in or across two or more territorial jurisdictions, primary jurisdiction may be assigned by agreement of the affected agencies.
h. "Regional Major Crimes Team" ("RMCT") means all investigators and supervisory personnel assigned by participating agencies to the team.

4. Activation and Control of Regional Major Crimes Team.

a. Activation. Upon the commission of a crime, law enforcement-involved fatality or serious injury incident, or other serious incident – special request that would qualify for the activation of the RMCT, the chief law enforcement officer of the agency with primary jurisdiction, or his or her authorized representative, is empowered to request assistance by directing a request to the RMCT supervisors. The RMCT supervisor for the incident will be determined by type of incident and the jurisdiction where the incident occurs.

b. Any law enforcement-involved fatality or serious injury incident as defined in section 3-a of this agreement that occurs within the city limits of Vancouver will be the responsibility of the Clark County Sheriff's detective supervisor. Any such incidents occurring outside the city limits of Vancouver, involving a Clark County Sheriff's employee, will be the responsibility of the RMCT supervisor of the Vancouver Police Major Crime Unit. Any activation of RMCT for an employee-involved fatal or critical incident that occurs in the jurisdiction of participating agency will be the responsibility of a CCSO, VPD or other agreed upon RMCT supervisor. The agency of jurisdiction incident commander and the RMCT supervisor will evaluate the situation, considering the need for and availability of tactical, forensic and support resources. The RMCT supervisor may activate the number of team members he or she feels is required to start the investigation. In doing so, the RMCT shall respond to its fullest ability without compromising the ability and resources of member agencies to maintain a reasonable level of service within their own jurisdiction.

c. Any major crime as defined in section 3-b of this agreement that occurs within the city limits of Vancouver will be the responsibility of the Vancouver Police detective supervisor. Any major crime outside of the Vancouver city limits will be the responsibility of the Clark County Sheriff's detective supervisor or other agreed upon RMCT supervisor. The agency of jurisdiction incident commander and the RMCT supervisor will evaluate the situation, considering the need for and availability of tactical, forensic and support resources. The RMCT supervisor may activate the number of team members he or she feels is required to start the investigation. In doing so, the RMCT shall respond to its fullest ability without compromising the ability and resources of member agencies to maintain a reasonable level of service within their own jurisdiction.
d. Any other serious incident or special request as defined in section 3-c of this agreement will be evaluated by the agency of jurisdiction or requesting agency. The agency of jurisdiction or requesting agency will contact other participating agency command personnel who will evaluate the request and will make the decision if the team should be activated. The agency of jurisdiction incident commander and the RMCT supervisor will evaluate the situation, considering the need for and availability of tactical, forensic and support resources. If the requesting agency does not agree with a decision to not activate the team, the requesting agency chief may contact the host agency head to overrule the decision.

e. Supervision and Control. The chief law enforcement officer of the agency with primary jurisdiction, or his or her authorized representative, shall act as the incident commander for the duration of the investigation and shall provide general support to the RMCT. The agency of jurisdiction investigation commander will coordinate RMCT activity with the RMCT supervisor to achieve mutually desired results. The RMCT supervisor shall retain full tactical authority to assign, deploy, or initiate action by RMCT personnel and may withdraw RMCT personnel or request that personnel from other agencies avoid or discontinue activities which, in his or her discretion, will compromise or hinder the effective performance of the RMCT.

f. Media Relations. The media contact person’s duties shall be coordinated with the Chief of Police or Sheriff of the venue agency, the incident Commander, the RMCT supervisor, any investigator/s involved in the internal/administrative investigation, and the Prosecuting Attorney of venue.

1. The public’s right to know what occurred must be balanced with the investigative process and the rights of involved individuals.

2. If possible, the identity of any involved employee should be withheld from the media for approximately 48 hours following the incident.

   a. A 48 hour release policy for all parties involved in a shooting, to include the individual shot, is recommended to allow for notification to families and arrange for temporary, secure accommodations if they fear threats or retaliation may follow. The 48 hour release policy also provides the department sufficient time to properly notify the family of the individual shot.

   3. Prior to the identity being released, the involved employee should be notified.
5. **Organization.** No separate legal or administrative entity is created by the RMCT agreement and this agreement does not affect the organization or functions of the parties, except as provided below:

a. **Team Structure.** A minimum of two sergeants will be assigned to the team, one sergeant from the Clark County Sheriff’s Office and one assigned from Vancouver Police Department and other participating agency as long as assigned to agency units.

b. **Rotating Administrative Oversight.** Operational administration shall rotate yearly (between the Vancouver Police Department and the Clark County Sheriff’s Office). The agency with administrative oversight will organize bimonthly meetings and organize contacts with other groups when necessary. Individual agency cost analysis will be done by each participating agency annually. The sergeants from the Clark County Sheriff’s Office and Vancouver Police Department Major Crime Teams will compile the Regional Major Crime Team statistics annually for presentation to the LEC.

c. **Assigned Investigators.** A roster of assigned investigators will be prepared by the Clark County Sheriff’s Office and the Vancouver Police Department, one or more assigned by the Chief of the Camas Police Department, and one or more each assigned at the sole discretion of the Chiefs of the Battle Ground, La Center, Ridgefield and Washougal police departments.

d. **Selection of Team Members.** Each participating agency shall have primary responsibility for the assignment of its personnel to the Regional Major Crimes Team. This agreement contemplates commitments of a recommended minimum of four (4) years to the investigative team. This inter-local agreement contemplates willingness and demonstrated interest and ability. The following minimum training requirements and demonstrated ability will be satisfied within 12 months of the initial assignment of personnel, at the expense of the assigning agency.

1. Basic Homicide Investigation school
2. Basic Reid Interviewing or equivalent
3. Willingness and ability to work as a team member
4. Good writing skills documented by sample reports
5. Demonstrated interest in investigations by report samples and work experience; and
6. Ability to complete complex investigation in follow-up to the primary RMCT investigation.

e. **Removal from RMCT.** A member of the team may be recalled at any time by the member’s employing agency.
f. Other Participation. Member departments may choose to contribute to the RMCT by supplying personnel other than investigators.

   1. Support staff may be provided to do transcription of tapes
   2. Uniformed personnel may be provided when needed to guard crime scenes or provide crime scene security
   3. Other types of personnel contribution can be negotiated with the host agency

6. **Budget and Finance.** The parties agree to budget and finance provisions for costs incurred by or in connection with the operations of the Regional Major Crimes Team (RMCT) in the following particulars:

   a. All costs shall be incurred by individual contributing agencies for the first three days of an investigation where the RMCT is activated. Agencies involved in a prolonged investigation, more than three-day duration, will meet and decide agency allocation of costs. Those agencies not in agreement with this decision may withdraw from the investigation. Secondary costs (eg. Transcription fees, records production fees) will be borne by the agency of jurisdiction.

   b. Each individual agency shall maintain a tracking of direct and other costs. This data shall be used to calculate a year-end cost of RMCT services.

   c. Costs are to be calculated as spelled out in the Master Interlocal Mutual Law Enforcement Assistance Agreement.

7. **Policy Development and Review.** A policy group made up of a representative from each participating agency will coordinate the development of policies applicable to the Regional Major Crimes Team, subject to review and approval by all participating agencies. At a minimum, such policies shall address:

   a. Designation of agency of primary responsibility for each investigation;
   b. Media relations;
   c. Duration of RMCT activation; and
   d. Yearly review of the RMCT and this Agreement to determine if the unit is meeting the needs of the agencies involved and the community.

Following policy ratification, the policy group shall forward copies of all policies to all participating agencies for inclusion into their respective department manuals.

8. **Law Enforcement Council (LEC) responsibilities:**

   a. The LEC is responsible for an annual review of the team's performance;
b. The LEC is required to recommend policy changes and changes to the agreement to the LEC. (ONLY changes to the agreement that do not affect an individual agencies staffing or resource allocation can be made to the agreement by an LEC vote.)

c. Any changes to the policy of the RMCT shall be approved and ratified by a majority vote of the LEC where two-thirds of the membership is present.

9. **Liability and Hold Harmless.** Liability and indemnification shall be as spelled out in the Master Interlocal Mutual Law Enforcement Assistance Agreement.

10. **Policy and Discipline.** Each officer assigned to the RMCT is required to follow the written policy of the agency which commissioned him or her as to their conduct as a law enforcement officer and the commissioning agency shall be responsible for any disciplinary action to be taken against said individual for a breach of policy.

11. **Administrative Process.** The Administrative Investigation Team for the involved agency is not bound by some of the same investigative restrictions that apply to RMCT criminal investigators. The employer - employee relationship and the personnel rules affecting administrative process is guided by the commissioning agency’s local contracts, Civil Service provisions, and policy / procedures.

12. **Case Review.** Either the incident commander and/or the RMCT supervisor are responsible for reviewing all cases investigated by the RMCT and shall review all submittals to prosecuting authorities requesting charges.

13. **Dispute Resolution.** Any disputes that arise from the engagement of the major crimes team that cannot be resolved through the incident command, chain of command, shall be forwarded through to the Chief Law enforcement officer for the agency of jurisdiction and the Chief Law enforcement officer for the major crimes team.

14. **Termination and Disposition of Property.** Any party may terminate participation hereunder by providing 90 days prior written notice to the other parties.

15. **Choice of Law.** The parties agree that, in connection with their activities under this Interlocal Agreement, they shall comply with all applicable federal, state and local laws or regulations and, further, that this Interlocal Agreement shall be construed according to the laws of the State of Washington.
REGIONAL MAJOR CRIMES TEAM PROTOCOL FOR THE CRIMINAL INVESTIGATION OF EMPLOYEE-INVOLVED SERIOUS INJURY OR FATAL INCIDENTS

Battle Ground Police Department, Camas Police Department, Clark County Sheriff’s Office, La Center Police Department, Ridgefield Police Department, Vancouver Police Department, and, Washougal Police Department.

1. Purpose:

The investigation of incidents involving serious injury or death inflicted by or upon police employees in the exercise of their official duties requires a concerted and coordinated approach between participating law enforcement agencies and the county Prosecuting Attorney’s Office of venue. The need to perform a complete, thorough, and impartial investigation under close public scrutiny without infringement on the rights of those involved necessitates a comprehensive, pre-planned procedure. It is the intent that this protocol be employed when a participating law enforcement agency employee or employees is/are involved in a serious injury or fatal incident, as defined in section 3 of this protocol. The success of such investigations will be enhanced with the approval and sanctioning of all involved agencies as to the procedures guiding these investigations where the role of each participant is well-defined.

2. Effect of Protocol:

This protocol represents an agreement among participating agencies concerning the manner in which law enforcement employee-involved fatal or serious injury incidents are investigated. It is anticipated that each incident involves unique circumstances and flexibility must be allowed for minor modifications. It is the intent of this protocol that necessary accommodations may occur to meet the terms of labor agreements, policies or contracts of individual agencies. This protocol is not a statute, ordinance, or regulation, and it is not intended to increase the civil or criminal liability of member agencies or their employees. This protocol shall also not be construed as creating any mandatory obligations to, or on behalf of, third parties. This agreement shall serve as a guideline, in concert with the Regional Major Crimes Team Agreement, for the activation of the RMCT to investigate employee-involved fatal and/or serious injury incidents, and for the thorough and impartial investigation of such incidents.
3. Definitions:

**Employee–Involved Fatal or Critical Incidents:** Incidents involving two or more people, in which a law enforcement officer is involved as an actor, victim, custodial officer, or where a fatal or critical injury occurs based on actions taken. Examples of such incidents include:

- Intentional and unintentional shootings (OIS)
- Intentional and unintentional use of any other dangerous or deadly weapons
- Serious assaults upon law enforcement or other agency employees who are on-duty or are acting with a law enforcement purpose
- Any fatal or critical injury to a person in police custody
- Any fatal or critical injury to a person who is a passenger of a law enforcement officer (citizen ride-a-long, emergency transport)
- Vehicular collisions specifically including any vehicle fatality or critical injury that occurs as a result of use of force (enforcement intervention techniques such as ramming, roadblocks, or forcing a vehicle to alter its course by cutting in front of it or by contact). This protocol would not apply to vehicular collisions where the only injury is suffered by a law enforcement officer who was the sole occupant of a vehicle that was not involved in a collision with any other occupied vehicle
- Employee-involved serious injury or fatal incident, either to themselves or another.

**Actor:** A person, including a supervisor who issues an order, whose act is a “proximate cause” of a fatal or critical injury to another person, or a person who intends that his or her act be a “proximate cause” of serious bodily injury or death to another person who is actually seriously injured or killed by another.

**Administrative/Internal Investigators:** Investigators who have been assigned by the venue agency to conduct the investigation and review of the incident in terms of compliance with department policy and procedures.

**Criminal Investigators:** Investigators assigned per the Regional Major Crimes Team Agreement to conduct the criminal investigation of the incident.

**Fatal or Critical Injury:** Death or such severe injury that death is likely to result.

**Law Enforcement Employee and Agent:** This protocol applies to staff of all law enforcement agencies listed as parties to the Regional Major Crimes Team Agreement, whether on duty or off-duty, and to informants when they are working under the direct control and supervision of a certified law enforcement officer.

**Proximate Cause:** A cause which, in a natural and continuous sequence, produces a fatal or critical injury.

**Venue Agency:** The agency with primary geographical jurisdiction over the incident. The venue agency will have the primary responsibility for media relations and incident command.
Victim: The person who is injured or killed by the act of the actor, whether intentional or not. For purposes of this document only, the word “victim” does not imply the existence of criminal liability; it is used simply to designate the person who is physically harmed.

4. Determination of Venue:

When an incident occurs, in part, in two or more jurisdictions, each jurisdiction is a venue agency. When an incident occurs on the boundary of two or more jurisdictions, or at a location where the relevant boundary is not readily ascertainable or is in dispute, the venue agency shall be:

- The employer agency if the actor is employed by either of the boundary agencies.
- Both boundary agencies if the actors are employed by both.
- The agency having the greater interest in the case by virtue of having the predominant police involvement in the incident or by virtue of having had the majority of acts leading up to the termination of the incident.

For custodial deaths, the agency having custody of the person at the time his/her distress was first discovered is the venue agency. Also, a venue agency is the agency within whose jurisdiction any serious injury or fatal act was inflicted.

- If the conduct resulting in the serious injury or fatality was apparently criminal, the lead venue agency is the one within whose geographical jurisdiction the act occurred. If there is apparently no criminal conduct involved, the lead venue agency is the one having custody of the injured/deceased when distress was first discovered.

Certain circumstances or multi-agency law enforcement operations may result in special venue and/or control situations; refer to RMCT Agreement Section 5.

- When joint venue exists, the lead venue agency may abdicate its responsibility to the other agency or agencies by mutual agreement at the level of Assistant Chief or above, Chief or Sheriff.

5. Activation of Protocol:

Activation of the Regional Major Crimes Team, in the event of an employee-involved serious injury or fatal incident, will follow procedures specified in Section 5 of the RMCT Agreement, as follows. The chief law enforcement officer of the agency of jurisdiction, or his or her authorized representative, is empowered to request assistance by directing a request to the appropriate RMCT supervisor/s. Any activation of RMCT for an employee-involved fatal or critical incident that occurs within the city limits of Vancouver will be the responsibility of the RMCT supervisor of the Clark County Sheriff’s Major Crimes Unit. Any incident outside the city of Vancouver, involving a Clark County Sheriff’s employee, will be the responsibility of the RMCT supervisor of the Vancouver Police Major Crimes Unit. Any activation of RMCT for an employee-involved fatal or critical incident that occurs in the jurisdiction of participating agency will be the responsibility of a CCSO, VPD or other agreed upon RMCT supervisor. The incident commander of the venue agency, along with the RMCT supervisor, will evaluate the situation, considering the need for and availability of tactical, forensic and support resources. The RMCT
supervisor will activate the number of team members he or she feels is required to begin the investigation.

Supervision and control of the investigation of employee-involved serious injury or fatal incidents will be in accordance with Section 5 of the RMCT Agreement, which reads, in part, as follows: The chief law enforcement officer of the agency with primary jurisdiction (venue agency) or his or her authorized representative, shall act as the incident commander for the duration of the investigation and shall provide general support to the RMCT. The agency of jurisdiction (venue agency) investigation commander (incident commander) of the venue agency will coordinate RMCT activity with the RMCT supervisor to achieve mutually desired results. The RMCT supervisor shall retain full tactical authority to assign, deploy, initiate, or discontinue action by RMCT personnel.

6. Investigative Team Composition and Duration:

As outlined above, any employee–involved serious injury or fatal incidents that occur within the city limits of Vancouver will be the responsibility of the RMCT supervisor of the Clark County Sheriff’s Major Crimes Unit. Any such incidents occurring outside the city limits of Vancouver, involving a Clark County Sheriff’s employee, will be the responsibility of the RMCT supervisor of the Vancouver Police Major Crimes Unit. Any activation of RMCT for an employee-involved fatal or critical incident that occurs in the jurisdiction of participating agency will be the responsibility of a CCSO, VPD or other agreed upon RMCT supervisor. Due to the potential sensitivity of such investigations, the RMCT supervisors, in conjunction with the investigations or other incident commander, will coordinate the deployment of appropriate investigative resources to effectively allow for teaming investigators in a manner that provides both the appearance and the reality of a thorough, fair, comprehensive and professional effort that is objective and free of conflicts of interest. This will be accomplished by teaming investigators and forensics specialists from the venue agency with investigators from other participating agencies whenever possible.

It will be the responsibility of the RMCT supervisor to establish liaison with the Prosecuting Attorney’s Office of jurisdiction in the event of an employee-involved serious injury or fatal incident. The Clark County Prosecuting Attorney’s Office maintains an “on-call prosecutor” for such events. It is recommended that prosecutorial staff respond to the scene of such incidents to personally observe conditions at the scene and to avail themselves for advice to investigators, if necessary.

Investigators assigned from other agencies to the RMCT or venue agency will be available as part of the concerted operation for the first three days of the investigation. Agencies involved in a prolonged investigation of more than three-day duration will meet and decide agency allocation of costs. Investigators assigned from other agencies may continue with the investigation upon mutual agreement of the RMCT or venue agency and the investigator’s employing agency.

Expenses and administrative responsibilities are outlined in Section 7 of the RMCT Agreement. Overtime expenditures, per diem expense, and other typical operating expenses such as salary and equipment are the responsibility of the investigator’s employing agency for the first three
days of an investigation. Administrative responsibilities, other than scheduling, will be the responsibility of the investigator’s employing agency. Case expenses such as records research and retrieval fees, informant expenses, and evidence processing expenses will be the responsibility of the venue agency.

7. Rules and Procedures:

Actions of the first supervisor arriving at the scene of an officer-involved serious injury or fatal incident will directly influence the quality of the investigation to follow. The preservation of evidence through crime scene protection, identification of witnesses, and ensuring the Constitutional rights of everyone directly and peripherally involved begin with the efforts of the on-scene supervisor. The patrol supervisor checklist relieves the supervisor from the need to remember an important, lengthy list of actions and steps while involved in a stressful situation. The checklist will also guide needed steps to maintain the quality of the subsequent investigation. The checklist is included as an addendum (Section 18) to this document. When this checklist conflicts with an agency’s policy, that policy will supersede the checklist. It is the responsibility of the agency to notify RMCT Incident Commander of an identified conflict.

The Regional Major Crimes Team will be responsible for conducting the on-scene and follow-up investigation of employee-involved serious injury or fatal incidents. This may include the performance of numerous tasks listed in the “Patrol Supervisor Checklist,” depending on the ready availability of investigators to respond to the scene of any such incident. It is recommended that uninjured, involved employees NOT be driven to a precinct or other facility when RMCT investigators response times are reasonable and if circumstances permit. For the purposes of this section, a reasonable response time may be within two hours. Witness employees who did not take action in an incident should remain on-scene to speak with investigators. If it is necessary to remove involved employees or witnesses from the scene, notify the RMCT supervisor of the location they are transported to. Involved, uninjured employees should still be separated, and removed from the immediate incident scene while shielding them from the media and/or curious onlookers. Each sequestered employee should be assigned an unininvolved officer. During this period of time the incident should not be discussed except as authorized by legal defense counsel, peer support, authorized union communication and/or incident command relating to the public safety statement or criminal investigation. Responding investigators can then assist the patrol supervisor with numerous tasks relating to the crime scene/s, witnesses, and the involved employee(s) (photo and protect fragile evidence; locate, identify and interview witnesses; conduct the scene walk-through with involved employee/s; seize and replace weapons as necessary; etc.)

The Regional Major Crimes Team supervisor will coordinate the team’s response based upon initial information received from the on-scene supervisor and/or incident commander from the venue agency. Factors that must be considered in determining necessary personnel include, but are not limited to:

- Number of crime scenes and the extent of the scene/s
- Number of personnel involved
- Location and setting
- Time of day
• Number of witnesses or potential witnesses

A minimum of one RMCT supervisor, two investigative teams (minimum four investigators), and two crime scene evidence investigators (one primary and one assistant) should respond to any police employee-involved serious injury or fatal incident. Ideally, all RMCT personnel should convene at the incident command post for a briefing with the on-scene supervisor and/or incident commander and designation of assignments. Incidents involving multiple crime scenes and/or actors transported to a hospital may require personnel to respond to various locations. In such cases, the RMCT supervisor will brief those investigators as soon as is practical following the command post briefing. A checklist to assist the supervisor of the Regional Major Crime Team with employee-involved serious injury or fatal incident investigations is included as an addendum (Section 18) to this document.

8. Scene Walk-Thru for Involved Agencies:

If requested by the involved agency’s Chief or Sheriff, arrange for a walk-thru of the scene. This will only take place upon completion of the crime scene processing and evidence collection, just prior to the scene being turned back over to a responsible party or released. Involved officers will not be ordered to participate in this administrative walk-thru. The lead detective and lead supervisor will participate in this walk-thru.

9. Interviewing Police Employees:

Law enforcement employees interviewed regarding fatal or critical incidents in which they are involved will be considered witnesses unless circumstances dictate otherwise. Miranda warnings are only applicable if, or when, the interview becomes a custodial interrogation. Interviews of all witnessing employees and acting employees will be conducted separately and all interviews should be audio recorded. Law enforcement employees have the same rights and privileges as other citizens in regard to interviews, including the right to representation. If the representative is not an attorney (or another person with a statutorily recognized privilege) the content of private conversations between the employee and the representative may not be privileged. It is recommended and supported by research that, in order to obtain the highest quality statement from involved employees, investigators should wait a minimum of forty-eight (48) to seventy-two (72) hours before conducting the interview.

Details of any interview conducted after the Garrity admonishment may not be shared with criminal investigators nor can the information be used in any criminal proceedings against the interviewee. Administrative process is guided by the commissioning agency’s local contracts, civil service provisions, and policy / procedures (RMCT Agreement section 12).
10. **Intoxicant Testing:**

Internal administrative policies and bargaining agreements of the employing agency will dictate the process and procedure for mandatory intoxicant testing of any police employee involved in a serious injury or fatal incident. Administrative order for intoxicant testing will come from the employer agency not criminal investigators.

11. **Report Writing:**

Responding personnel entering the perimeter of the crime scene, criminal investigators and crime scene technicians will write reports documenting and detailing their participation in the investigation. Investigators assigned as a team should allocate and divide the responsibilities for documenting interviews and observations during the course of the investigation. Actor employees should not be required to submit written reports. Their actions will be documented during interviews with investigators from the Regional Major Crimes Team. Witness employees may be required to write a report detailing the circumstances of their involvement or participation in the investigation. Witness employees may be interviewed further about their actions and observations. All other personnel shall submit written reports detailing their involvement or participation in the investigation.

12. **Access to Reports and Evidence:**

All materials created or collected as a result of the criminal investigation, including evidentiary documentation, will be made available as timely as is possible to agencies involved in the investigation, including the administrative (internal) investigators. Release of any materials pertaining to the investigation should be coordinated with, and approved by, the Prosecuting Attorney of venue. Investigative materials would include all reports or other documentation gathered, photographs, diagrams, video tapes, audio recordings, and items of physical evidence.

13. **Evidence Storage/Retention:**

The release of any items seized as evidence during the course of an employee-involved serious injury or fatal incident investigation shall only occur upon approval of the Prosecuting Attorney of venue, or his/her designee. When the Prosecuting Attorney concludes that physical evidence collected by criminal investigators is no longer needed for the criminal aspect of the incident, the venue agency shall be notified of that decision and will assume responsibility for the preservation or release of evidentiary items as it desires.

No evidence shall be released or destroyed without consent or agreement of all agencies involved, including venue agency prosecutorial authority and the venue and/or employer agency’s civil attorneys.
14. Case Review.

Either the incident commander and/or the RMCT supervisor are responsible for reviewing all cases investigated by the RMCT and shall review all submittals to prosecuting authorities requesting charges.

15. Case Overview Meeting:

Case overview meeting may be conducted upon the request of the Sheriff or Chief of Police of any involved jurisdiction. The overview is intended to brief the involved agency’s command staff and legal department on what occurred during the incident, what investigative steps were undertaken. The lead investigator and supervisor will be responsible for presenting to the involved agency’s command staff. Involved officers will not be present for the case overview meeting.

16. News Media Relations:

Any media releases regarding employee-involved serious injury or fatal incidents will follow guidelines established in the Regional Major Crimes Team Agreement (Section 5f). Media releases will be the responsibility of the venue agency. The department’s Public Information Officer (or a designee) who has an established relationship with the media should be utilized for all releases of information. The media contact person’s duties shall be coordinated with the Chief of Police or Sheriff of the venue agency, the Incident Commander, the RMCT supervisor, any investigator/s involved in the internal/administrative investigation, and the Prosecuting Attorney of venue. The public’s right to know what occurred must be balanced with the investigative process and the rights of involved individuals. Care must be taken to ensure that misleading, erroneous, or false statements are not made. If possible, the identity of any involved employee should be withheld from the media for approximately 48 hours following the incident. A 48 hour release policy for all parties involved in a shooting, to include the individual shot, is recommended to allow for notification to families and arrange for temporary, secure accommodations if they fear threats or retaliation may follow. The 48 hour release policy also provides the department sufficient time to properly notify the family of the individual shot. Prior to the identity being released, the involved employee should be notified.

17. Dispute Resolution:

Any disputes that arise from the engagement of the major crimes team that cannot be resolved through the incident command shall be forwarded through to the Chief Law enforcement officer for the agency of jurisdiction and the Chief Law enforcement officer for the major crimes team.
18. Addendum

1) Patrol Supervisor Checklist
2) Public Safety Statement (Patrol supervisor documents statement and provides it to RMCT supervisor – individual agencies may have their own version of this statement form)
3) Patrol Supervisor Critical Incident Worksheet (Patrol supervisor completes Worksheet and provides it to RMCT supervisor – individual agencies may have their own version of this document)
4) RMCT Supervisor Checklist
5) Command Checklist
RMCT OIS Command Checklist 2014.pdf
Police Employee – Involved Fatal or Serious Injury Incidents

Command Guidelines

(NOTE: Not all steps will be required, depending on circumstances, and steps are not necessarily listed in order of priority)

1. _____ Ensure scene security immediately, with a perimeter established for each scene a sufficient distance to safeguard evidence. In most circumstances an inner (evidence) perimeter and an outer (control) perimeter are preferable.
   a. Access to scene(s) shall be limited to only those officials who must enter for an investigative purpose. Written reports are expected from those who enter.
   b. Establish a written log as quickly as possible to identify all persons entering the scene(s), the time of their entry and exit, and the reason for entry.
2. _____ Provide general support to the RMCT
3. _____ Allow use of space and equipment as needed.
4. _____ Evaluate the situation, considering the need for and availability of tactical, forensic and support service.
5. _____ Designate a lead supervisor per RMCT protocol-agreement.
6. _____ Coordinate venue agency and control of RMCT activities.
7. _____ Ensure that RMCT Supervisor provides briefing for all RMCT personnel. RMCT supervisor convenes all RMCT personnel at the incident command post, or other private setting away from involved parties, for a briefing with the on-scene supervisor for designation of assignments.
8. _____ Ensure RMCT supervisor assigns Team investigators with other participating agencies when coordinating the deployment of investigative resources.
9. _____ Ensure a media contact person has been appointed. The media contact person’s duties shall be coordinated with the Chief of Police or sheriff of the venue agency, the incident Commander, the RMCT supervisor, any investigator/s involved in the internal/administrative investigation, and the Prosecuting Attorney of venue.
   a. The public’s right to know what occurred must be balanced with the investigative process and the rights of involved individuals.
   b. If possible, the identity of any involved employee should be withheld from the media for approximately 48 hours following the incident.
   c. Prior to the identity being released, the involved employee should be notified.
10. _____ Dispute resolution: Any disputes that arise from the engagement of the major crimes team that cannot be resolved through the incident command, chain of command, shall be forwarded through to the chief law enforcement officer for the agency of jurisdiction and the chief law enforcement officer for the major crimes team.
11. _____ Arrange incident debrief. Brief the involved agency’s Chief or Sheriff as soon as practical after their initial investigation has begun. Ensure the involved agency’s Chief or Sheriff is kept informed of the progress of the investigation.
12. _____ If requested by the involved agency’s Chief or Sheriff, arrange for a walk-thru of the scene. This will only take place upon completion of the crime scene processing and evidence collection, just prior to the scene being turned back over to a responsible party or released. Involved officers and witnesses will not participate in this administrative walk-through. The lead detective and lead supervisor will participate in this walk-thru.

13. _____ Case review. Either the incident commander and/or the RMCT supervisor are responsible for reviewing all cases investigated by the RMCT and shall review all submittals to prosecuting authorities requesting charges.

14. _____ Case overview meeting for the involved agency. Intended to brief the involved agency’s command staff and legal department on what occurred during the incident, what investigative steps were undertaken. The lead investigator and supervisor will be responsible for presenting to the involved agency’s command staff.

15. _____ No evidence shall be released or destroyed without consent or agreement of all agencies involved, including venue agency prosecutorial authority and the venue and/or employer agency’s civil attorneys.
OIS Patrol Supervisor Checklist WPD.pdf
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