

## Pasco Police Department Policy Manual

<b>PATROL</b>	<b>Chapter No. 41</b>
<b>Effective Date:</b> 04/01/2018  <b>Revision Date:</b> 06/17/2020	<b>Reference:</b> Chapter 33 – Training and Career Development Mobile Video Data Camera Procedure Canine Program Manual Amber Alert Procedure Blue Alert Procedure Silver Alert & Endangered Missing Person Procedure

### 41.1.1 CONTINUOUS PATROL COVERAGE

A. The Pasco Police Department's Field Operations Division maintains patrol coverage 24 hours a day, seven days a week. The Field Operations Division's shift hours of work are:

Days: 0700 – 1740 hours

Swings: 1530 – 0210 hours

Graves: 2120 – 0800 hours

#### B. SHIFT / AREA / ROTATION ASSIGNMENT

It is the general policy of the Pasco Police Department that officers assigned to the Field Operations Division will work a non-rotating watch. This does not preclude the Field Operations Captain from temporarily reassigning officers from one watch to another for the purpose of responding to special or emergency situations or meeting minimum staffing requirements. Generally, there will be no routine rotation of officers from one watch to another on a daily, weekly, monthly, or quarterly basis. They will patrol in clearly marked vehicles to an assigned area within the City of Pasco.

Probationary officers assigned to Patrol Training Officer (PTO) may be required to rotate shifts for the purpose of orientation and training.

In assigning officers to shifts, the following factors will be taken into consideration:

- The preference of the officer as determined through the seniority-based bidding system;
- The need for appropriate levels of experience on each shift;
- The need for technical skills and training on the shift;
- Other operational needs of the department.

C. Patrol officers are assigned to a shift on a twelve-month cycle. As a general rule, assignments to a shift will last one year, from approximately January 1 to December 31. In December of each year, assignments will be made for the upcoming year to allow officers advanced notice in the event a change in a shift is made.

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- D. Shift supervisors are accountable for the assignment of personnel to the respective patrol districts. On a temporary basis, the shift supervisors have flexibility in order to achieve the best utilization of personnel resources in providing coverage on a given shift. Area assignments are made utilizing information that includes:
- Average calls for service generated in specific areas during specific times,
  - Barriers, natural or man-made, affecting unit mobility,
  - Anticipated area activities requiring additional services or attention
- E. Area responsibility will be assigned during the bidding process. Generally, an officer will be assigned to one particular area for a twelve (12) month period.
- F. Under the 10:40 schedule, days off are determined by the officer's initial assignment to either the A or B rotation of their respective Days, Swings, or Graves squad, with all members of the same rotation having the same assigned days on and off within the 28-day cycle.

#### **41.1.2 ROLL CALL (BRIEFING)**

Patrol officers attend roll call or "briefing" at the beginning of each shift. Briefings generally last between 15-20 minutes. Information passed on at briefing includes, but is not limited to:

##### **A. Staffing**

1. The names of the officers working
2. Zone assignments.

##### **B. Pass-On information**

Review information of importance from the previous 24 hours or the previous 4-5 days for those officers returning from their days off. Some of the information in the pass-on log includes:

1. Major crimes committed.
2. Criminal suspects in the area.
3. Stolen vehicle information.
4. Case reports of interest.

##### **C. Briefing Update**

Containing information of interest from Pasco PD and outside agencies is reviewed.

##### **D. Important issues**

Those issues that affect officers will be addressed. An officer, detective, sergeant, or member of the command staff may present these issues. There are many issues discussed during this time, some of which are:

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1. Changes in policies and procedures.
2. Special events.
3. Budget issues (new officers, vehicles, equipment).
4. Department news.

#### **E. Training**

Training issues will be regularly discussed, reviewed, or training is given at roll call (refer to 33.5.2).

#### **41.1.3 SPECIAL PURPOSE VEHICLES**

Purpose - To promote the concept of community-oriented policing. This concept advocates police and community partnership in solving our policing problems and needs. This is accomplished by an increased police presence, increased crime detection, suppression, apprehension, and police response. This creates greater police-citizen interaction, building trust, and rapport with the community.

##### **A. Bicycle Patrol**

1. Conditions and Limitations of Usage

Bicycle officers patrol in a highly visible manner in the areas of the City where there are large numbers of people. Examples of these areas include bicycle and pedestrian pathways, parks, locations of parades and special events, apartment complexes, and shopping centers. These areas are patrolled during the hours of daylight for high visibility and at night for the detection of criminal activity not usually discovered by conventional patrol.

Bicycle officers are expected to make a high number of citizen contacts and are not restricted in the use of the bicycle. During inclement weather, officers may exercise discretion in the use of the bicycle.

Authorization for use in various situations - Due to the unobtrusive nature of bicycle patrol, officers assigned to the unit may be used in special operations such as stake-outs or activities requiring plain clothes while operating a bicycle.

Officers are available to speak at public and private functions to promote bicycle safety and the concept of community-oriented policing.

At the request of outside agencies, and the approval of the Chief, bicycle officers and their assigned equipment may be sent to assist agencies during special functions.

2. Qualifications and Training

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Officers selected for the bicycle unit shall possess the qualities listed and meet the requirements of the position. Particular attention is placed on demonstrated public relations skills and professional appearance.

Bicycle officers attend a bicycle patrol training class provided by the Washington State Criminal Justice Training Commission (WSCJTC) as soon as practical after assignment to the unit. Bicycle officers who have not completed the Washington State Criminal Justice Training Commission bicycle patrol training class will attend an "in house" class taught by current or prior bicycle officer(s) who have attended that WSCJTC training. Bicycle officers are authorized to operate the bicycle and related equipment after receiving the above-described training.

#### **3. Equipment**

Bicycle officers are personally equipped to meet all applicable safety standards for bicycle patrol duties. The bicycle is capable of withstanding both on- and off-road use. It contains sufficient equipment for officers to complete assigned patrol duties.

Each officer is responsible for the care and maintenance of their assigned bicycles. Requests for maintenance and repair to be done by a specialized mechanic are routed through the chain of command.

The bicycle is equipped with a lighting system that meets the requirements of [RCW 46.61.780](#).

## **B. All-Terrain Vehicle (ATV) Patrol**

#### **1. Conditions and Limitations of Usage**

ATV's used by the Pasco Police Department will be the property of the Pasco Police Department.

ATV officers patrol in a highly visible manner in the areas of the City where there are large numbers of people or large areas of ground not readily accessible by patrol vehicles. Examples of these areas include bicycle and pedestrian pathways, parks, new construction areas, and crop circles, or vacant acreage. These areas are patrolled during the hours of daylight for high visibility and at night for the detection of criminal activity not normally discovered by conventional patrol.

ATV officers are expected to make a high number of citizen contacts when operating in parks or on pathways and are not restricted in the off-road use of the ATV. Barring exigent circumstances, ATV officers should operate the ATV at all times in a safe and legal manner that would not alarm the public. ATV officers should be cautious around animals, particularly horses, until the animal's reaction can be assessed.

At the request of outside agencies, and the approval of the Chief, ATV officers and their assigned equipment may be sent to assist agencies during special functions.

#### **2. Qualifications and Training**

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Officers selected for the ATV use shall have a currently valid driver's license and will have successfully completed a class on the use of the ATV instructed by a WSCJTC-certified Emergency Vehicle Operators Course (EVOC) instructor. This class will include instruction on applicable on- and off-road laws concerning ATV's, protective gear (helmets), effective handling techniques, the specific controls on the current ATV's and a practical demonstration of knowledge by operating the ATV over a prescribed course while observed by the EVOC instructor.

#### **3. Equipment**

ATV's will normally be transported on roadways using a flatbed trailer and a hitch-equipped city vehicle. Barring exigent circumstances, ATV's should not be operated on the public roadways. ATV's should receive a walk-around inspection by the user prior to use. Any identified need for repair or maintenance should be passed on to the on-duty patrol supervisor and to City Shops to facilitate repair.

### **C. Evidence Recovery Vehicle (ERV)**

#### **1. Conditions and Limitations of Usage**

ERV used by the Pasco Police Department will be the property of the Pasco Police Department.

ERV will be used as needed during investigations.

At the request of outside agencies, and the approval of the Chief, Support Services Captain or Investigative Sergeant, ERV may be sent to assist agencies during investigations.

#### **2. Qualifications and Training**

Operators of the ERV must have completed an operator's course on the vehicle with an EVOC instructor. Officers who have qualified on EVOC are authorized to operate the EVR.

#### **3. Equipment**

The Evidence Technician is primarily responsible for the condition of the ERV. Any identified need for repair or maintenance should be passed on to the investigations supervisor and to City Shops to facilitate repair.

### **D. SWAT Equipment Truck (SET)**

#### **1. Conditions and Limitations of Usage**

SET used by the Regional SWAT Team will be the property of the Pasco Police Department.

SET will be used as needed during SWAT Activations or other department use.

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#### **2. Qualifications and Training**

Operators of the SET must have completed an operator's course on the vehicle with an EVOC instructor. Officers who have qualified on EVOC are authorized to operate the SET.

#### **3. Equipment**

The TCR is responsible for the condition of the SET. Any identified need for repair or maintenance should be passed on to the investigations supervisor and to City Shops to facilitate repair. An equipment inventory list will be kept inside the vehicle.

#### **41.1.4 AGENCY SERVICE ANIMALS**

The only agency service animal approved is canine units.

#### **41.1.5 POLICE SERVICE CANINES**

The Pasco Police Department uses generalist canine teams to assist patrol and detectives. Refer to the Canine Procedures Manual.

#### **41.1.6 CONDUCTING FIELD INTERVIEWS**

The Field Interview (FI) is an effective tool for use in suspect identification, crime suppression, crime analysis, and community relations. FI's have provided suspect leads and cleared possible suspects from criminal suspicion.

Officers of the Pasco Police Department can make non-custodial contacts with citizens. These contacts may differ from the lawful detention of a "Terry Stop" in that citizens are not required to remain at the scene with the officer.

Officers are encouraged to use FI reporting. Field interview cards will be completed for most contacts. Documentation is important in cases where the officer is not well received or where the FI is based on a dispute (civil standby).

#### **41.2.1 RESPONSE TO EMERGENCY, URGENT AND NON-EMERGENCY CALLS**

This section deals with responding to calls in marked patrol vehicles with emergency equipment (lights and siren). Response to calls can be broken into two main categories: calls for service and officer requests for assistance. The type of response to calls and requests for assistance varies depending on the seriousness of the situation.

##### **A. Calls for Service**

Calls for service are broken down into three basic types: non-emergency, urgent and emergency.

1. A non-emergency call is one that is not affected by officer response time. Examples include: report calls of prior incidents (Burglary, Theft, etc.), suspicious subject or circumstance calls and non-injury/non-blocking accidents.

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2. An urgent call is a more serious call where the safety of the public or apprehension of a suspect is affected by police response time. Officers are required to maintain safe vehicle operations and comply with [RCW 46.37.190](#) and [RCW 46.61.035](#). Examples of urgent calls are: an officer's request for a "code 2" backup, robberies or burglaries just occurred.
3. An emergency call is when a person's life is in danger. Responding officers will immediately respond using emergency equipment if tactically appropriate. Officers are required to maintain safe vehicle operations and comply with [RCW 46.37.190](#) and [RCW 46.61.035](#). Examples are: an officer's request for "code 3" backup, violent crimes against persons in progress or life-threatening vehicle accidents. Police pursuits also are considered emergency calls.

#### **B. Responsibilities of On-Duty Driving**

When officers are not responding to urgent or emergency calls, they are expected to drive in a safe manner and operate the vehicle in compliance with the RCWs.

Nothing in this section is meant to reduce officer's responsibilities as outlined in [RCW 46.61.035](#) "Authorized Emergency Vehicles".

#### **C. Officer Requests for Assistance**

Officers make requests for assistance or status updates over the radio using one of four codes, depending on the need for priority backup.

1. Code 4 - means officer is okay and does not need backup.
2. Code 1 - the officer requests one additional officer, but a priority response is not needed.
3. Code 2 - the officer needs two additional officers and an expedited response. Based on circumstances, the responding officers may use their lights and siren.
4. Code 3 - the officer is in serious trouble and needs multiple officers to assist. Officers respond immediately with lights and siren.

#### **D. Use of Emergency Equipment**

Officers may choose to, or be required to, use vehicle emergency equipment depending on the type of call or request for assistance they are responding to. Driving conditions vary so much that it is difficult to create a policy that dictates how to respond. When responding to calls or requests for assistance officers will follow these guidelines:

1. Slow to a reasonable speed or stop before proceeding through intersections.
2. Proceed through red lights with at least emergency lights activated and use audible signal when appropriate.
3. Never pass on the right when emergency equipment is activated.

4. Remember it is the officer's responsibility to drive with due regard for all persons.

**E. Responsibilities during Emergency Response**

1. Responsibility of the responding officers:

- Drive their police vehicle and use emergency equipment as outlined above.
- Advise SECOMM and other officers, via radio, when they are responding to an emergency call.

Slow or discontinue their response when an adequate number of closer units are enroute.

2. Responsibility of the shift supervisor:

- Determine the nature of the response.
- Limit the number of units responding.
- Monitor the information to determine the continuing need for an emergency response.

3. Responsibility of the Dispatcher:

- Confirm that the sergeant heard the emergency call.
- Advise the sergeant and others how many units are responding.
- Keep the reporting party on the line (if appropriate) to determine the continued need for an emergency response.
- Advise officers of known hazards that dispatch is aware of.

**41.2.2 VEHICLE PURSUITS**

Vehicle Pursuit Defined: The use of a marked police vehicle with the intent to stop a violator who is intentionally trying to elude the pursuing officer.

Patrol Officers will receive annual training on Emergency Vehicle Operations and Vehicle Pursuits.

**A. Evaluating the Circumstances**

There are many factors to be considered before deciding to pursue a suspect. Each situation is unique. The policy of this department is to apprehend violators of the law, but that policy is balanced against a greater concern for the safety of the public and the employee. This may result in traffic violators or criminal suspects avoiding apprehension.

Vehicular pursuits require officers to exhibit a high degree of common sense and sound judgment. Officers must not forget that the immediate apprehension of a suspect is generally not more important than the safety of the public and pursuing officers. Police officers acting



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reasonably under the existing circumstances will not be criticized in any way for a decision not to begin or to discontinue a pursuit.

Officers transporting persons other than commissioned Officers should not participate in pursuits except in extreme circumstances and should not pursue while transporting a prisoner.

#### **B. Decision to Pursue**

Officers must consider these factors before deciding whether or not to pursue:

1. The nature and seriousness of the initial offense compared to the hazard to the public created by the pursuit.
2. Decide if there is a need for immediate apprehension or can the suspect be identified and charged through investigation.
3. Other important considerations include: Traffic volume, roadway conditions, weather, familiarity with geography, the speed of the pursuit and the ability of other motorists and pedestrians to hear and see police emergency equipment.

Every Department member engaging in a pursuit must be able to articulate what conditions were present that justified the pursuit.

#### **C. Responsibilities of Officer Initiating a Pursuit.**

1. Comply with [RCW 46.61.035](#) "Authorized Emergency Vehicle."
2. Immediately notify the Dispatch Center that you are in pursuit. Provide at a minimum: Vehicle description, speed, direction of travel and reason for the pursuit.
3. Update information regularly.

#### **D. Responsibility of Secondary Units.**

A pursuit ordinarily will involve no more than three units; the supervisor may be a fourth unit overseeing the pursuit. Other units may follow at a safe distance, using lights and siren if appropriate.

1. The second unit's primary responsibility is to assist the primary unit. The second unit should handle the radio traffic and replace the primary unit in the event the primary unit cannot continue.
2. The third unit shall have the following responsibilities, but not limited to:
  - Replace either of the first two units in the event that one of them becomes disabled or is otherwise unable to continue the pursuit.
  - Discontinue the pursuit and render aid in the event of a collision involving third parties.

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- Be in a position, at the point of pursuit termination, to implement a high risk stop, containment, or apprehension of fleeing suspects or to provide traffic control, as necessary.
  - In the event that the PIT maneuver is utilized, the third unit will assist the secondary unit in pinning the vehicle.
3. Other patrol units near the pursuit area shall monitor the progress of the pursuit. They shall not directly engage in the pursuit unless requested by the primary unit or directed by a Supervisor. These units should be ready to replace any assigned unit in the event they cannot continue. They should be in position to respond to any collision that may result from the pursuit. Other Officers should make attempts to safely stop traffic at intersections in the path of the pursuit. Backup units should be available to assist in the apprehension of the suspects or provide any needed traffic control at the termination of the pursuit.
  4. In the event K9 is available, they should take over the primary unit position and responsibilities as soon as can be safely accomplished. The original primary unit will take over the secondary unit responsibilities.

#### **E. Police Vehicle Involvement**

Initiating officers should be in a fully marked police vehicle. Patrol cars without light bars may initiate a pursuit but must request a fully marked car for assistance. When a fully marked car arrives, the unmarked patrol car must give primary responsibility to the marked car.

#### **F. Responsibility of the Dispatch Center**

1. On notification of a pursuit, announce that the air is restricted.
2. Rebroadcast initial communications from the pursuing officer.
3. Confirm the supervisor knows of the pursuit.
4. Advise officers of known hazards affecting involved or responding units.

#### **G. Responsibility of Supervisors**

1. State over the radio that they are aware of and are monitoring the pursuit.
2. Control the number of units in the pursuit.
3. Decide whether to let the pursuit continue or direct its termination.
4. Assure that after action reports are forwarded to the division commander.

#### **H. Mandatory Pursuit Termination**

Vehicle Pursuits will be terminated when:

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1. Directed by a supervisor or commanding officer.
2. The suspect is identified and there is no need for immediate custody.
3. The danger of continuing the pursuit outweighs the immediate necessity of arresting the suspect.
4. Pursuing officer loses contact with the eluding vehicle.
5. Speed of the pursuit is beyond the driving skill of the officer.
6. Pursuing officers are unfamiliar with local geography or radio communication cannot be maintained.

#### **I. Authority to Terminate Pursuit**

Directed by a supervisor or commanding officer. The involved officer may terminate if they feel it is not safe to continue.

#### **J. Inter-Agency Pursuits**

When a pursuit enters another agency's jurisdiction, the primary officer or supervisor, taking into consideration distance traveled, unfamiliarity with the area and other pertinent facts, should determine whether or not to request the other agency to assume the pursuit. Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary officer or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether or not such jurisdiction is expected to assist.

1. Assumption of Pursuit by Another Agency

Units originally involved will discontinue the pursuit when advised that another agency has assumed the pursuit and assistance of the Pasco Police Department is no longer needed. Upon discontinuing the pursuit, the primary unit may proceed upon request, with or at the direction of a supervisor, to the termination point to assist in the investigation.

2. Pursuits Extending Into This Jurisdiction

The agency that initiates a pursuit into Pasco shall be responsible for conducting the pursuit. The Pasco supervisor will determine if Pasco units should become involved in the pursuit.

3. When a request is made for this department to assist or take over a pursuit from another agency that has entered this jurisdiction, the Pasco supervisor should consider the factors listed in this policy.
4. As soon as practical, the Pasco supervisor should review a request for assistance from another agency. The supervisor, after consideration of the factors listed in this policy, may decline to assist in, or assume the other agency's pursuit.

5. In the event that a pursuit from another agency terminates within this jurisdiction, officers shall provide appropriate assistance to officers from the allied agency including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

**K. After Action Reports/ Pursuit Critique**

The patrol supervisor is responsible for holding an after action critique for all vehicle pursuits and preparing a written report of that critique for training and policy review. This report will be included in the Blue Team pursuit submission which is forwarded to the Field Operations Captain. The Field Operations Captain will review all pursuit information to ensure policy compliance.

**L. Annual Analysis of Reports**

The Field Operations Captain is responsible for the annual review and analysis, to include a review of policy and reporting procedures of all pursuits. After the review, a report will be submitted to the Chief of Police.

**M. Initial Training on Pursuit Policy**

Initial training on the Pasco Police Department's pursuit policy will be documented.

**N. Annual Training on Pursuit Policy**

All sworn personnel will receive documented annual training on the Pasco Police Department's pursuit policy during shift briefing and/or during in-service training.

**41.2.3 FORCIBLE STOPPING**

Prior to utilizing, officers will complete training in forcible stopping techniques.

Forcible stopping of vehicles in any form may be considered an application of Deadly Force and, therefore, each incident requires an administrative review and a written report of each incident.

After first receiving authorization from the supervisor, the following forcible stopping techniques may be used:

**1. Vehicle Pinning**

Officers may use their patrol vehicle as a tool to keep a vehicle from moving from a stationary position when it is reasonably believed that the vehicle can/will be used in an attempt to flee lawful detention.

- A. Officers should consider factors such as potential suspect violence, weapons, tactical position, bystanders, vehicle occupants, and traffic conditions before using this tactic.

- B. This is a very low speed tactic and should cause little to no vehicle damage.
- C. When a departmental vehicle is being used as an approved tool, no collision report is required.

## **2. Intentional Vehicle Striking**

Intentional Striking is to cease a vehicle's movement rendering it inoperable. This is accomplished when an officer intentionally uses a patrol vehicle to strike the suspect's vehicle to stop it or keep it from moving. Prior to intentionally striking vehicles, officers will:

- A. Receive authorization from the shift supervisor.
- B. In most circumstances, only strike the vehicle at low speeds (less than 25 mph).
- C. Employ the technique in a relatively safe area. (Not near an embankment, in heavy traffic, near pedestrians)
- D. Only strike portions of the vehicle not occupied by the driver or passengers.

Officers are cautioned that intentional striking may be considered an application of deadly force if the force that is intentionally applied is likely to produce death or serious bodily injury.

## **3. Pursuit Immobilization Technique (PIT)**

Pursuit Immobilization Technique (PIT) defined: The pursuit immobilization technique is a method to reduce risks in bringing pursuits to a conclusion. Extenuating circumstances, for purposes of this policy, are defined as: any circumstance/s, which creates a high risk to the public, and using PIT could bring an end to that risk. Examples of this may include wrong-way drivers on the freeway, situations where police believe a vehicle is not stopping due to mechanical failure, and/or medical issues of the driver. PIT is a forced rotational vehicle stop of a noncompliant suspect in an effort to end the suspect's flight. As instructed and used by officers, it is separate and distinct from Intentional Ramming.

No officer shall take part in a PIT attempt without first being trained in the PIT. The PIT will require two separate cars (PIT car and pin car) whose drivers both must be PIT-trained. PIT training will consist of a course taught by WSCJTC-certified EVOC instructors. The PIT class will include but is not limited to, a review of this policy, an explanation of the PIT, practical repetitions of the PIT on a closed course using designated cars, and successful PIT applications by each officer while monitored by an EVOC instructor.

### **A. PIT - Under 40 Miles Per Hour**

PIT maneuvers at less than 40 miles per hour may be executed at the discretion of a pursuing officer; however, if time allows, supervisor authorization should be requested by the pursuing officer. If performed at less than 40 miles per hour, PIT may be used under the following conditions:

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PIT shall be used only to apprehend felony offenders whose actions indicate a disregard for the safety of the officer(s) or the public.

Eluding can be the only felony present precipitating the need for PIT maneuvers.

#### **B. PIT – Over 40 Miles Per Hour**

If executed at 40 miles per hour or higher, PIT requires supervisory authorization. In these instances, PIT may be used:

After less intrusive methods have been tried or considered and have been judged to be ineffective; and when the totality of the circumstances requires immediate intervention to stop a fleeing suspect's vehicle.

#### **C. Site Assessment for the Use of PIT**

A site assessment is crucial when considering the use of PIT. Prior to executing a PIT maneuver, officers should consider features in the surrounding area, such as:

- Blind Curves (PIT works best in curves, but should not be performed when the officer believes that visibility is significantly compromised.)
- Bridge abutments
- Major obstacles on roadsides
- Oncoming traffic
- Pedestrians

#### **D. Officers shall not be disciplined for a decision against executing a PIT maneuver in a pursuit situation. Officers are not authorized to perform PIT maneuvers until completing PIT training program.**

Whenever the PIT maneuver is utilized, it will be documented on the pursuit report form at a minimum.

#### **E. Intentional Intervention: Intentional intervention is considered use of lethal force. Intentional intervention (ramming) of a vehicle is the deliberate act of hitting another vehicle with a patrol vehicle for the purpose of functionally damaging or forcing the other vehicle off the road. The use of the Pursuit Immobilization Technique (PIT) is not an intentional intervention.**

#### **F. PIT can be utilized for extenuating circumstances but only by the approval of a supervisor.**

### **41.2.4 NOTIFYING SUPERVISOR, CORONER, STREET DEPARTMENT, PUBLIC UTILITIES, AND NEWS MEDIA**

#### **A. Police Supervisors**

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Officers arriving at the scene of an emergency situation should notify their supervisor and dispatcher as soon as possible of the status of the incident. This notification should be made over the radio. If the incident is of a sensitive nature, telephonic, or mobile data, computer contact should be made. The officer should make any requests for further staffing and/or equipment over the radio. The duty sergeant will monitor the incident and/or request additional information. The duty sergeant will handle notifications to the division captain. Shift supervisors will respond to all serious incidents that occur during their shift unless already committed to a more serious event.

#### **B. Coroner**

The Coroner's office is notified whenever Pasco Police personnel investigate a human death within our jurisdiction. The notification is made by phone, and details of the situation are provided. The Coroner or his staff will either respond to the scene to take custody of the deceased or issue a N.J.A. (No Jurisdiction Assumed) number in cases they deem response is not needed. The latter occurs most often in cases where natural death has occurred, personal physicians agree to sign the death certificate, and the deceased is released to a funeral home.

#### **C. Street Department**

During normal business hours, Pasco Police employees contact the Street Department by radio or phone for routine information, assistance, and support.

After hours, the on-call street department supervisor approves emergency assistance needed by police. This "after hours" notification approval applies to both the Street Department and the State of Washington Department of Transportation. In these situations, a SECOMM Dispatcher notifies the appropriate agencies by phone.

#### **D. Public Utilities**

In cases of accidental property damage or utility interruptions, police officers direct dispatch to notify the appropriate public utility.

In emergency or investigative cases, the appropriate Pasco Police Department authority contacts utility employees with specific request or assistance.

#### **E. Media Notification**

In addition to case reports, press releases will be prepared for the following incidents:

1. Homicides
2. Accidental Deaths
4. Officer-Involved Shootings
3. Major Traffic Collisions
5. Major Wanted Persons/Fugitive Arrests
6. Circumstances of Media Interest

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Before release, a commissioned supervisor approves the press release.

In addition to formal press releases, the information in these matters and other "soft news" items that may be considered of interest to the public may be released through the Pasco Police social media accounts by designated members of the Social Media Team. Before posting information on department social media accounts, members of the Social Media Team must attend department directed training. Social Media Team members may post to department social media accounts without prior approval.

#### **41.2.5 MISSING PERSONS**

The Pasco Police Department shall have a case file (electronic or hard copy) on file to support a missing person entry. A record for a missing person who is the age of 21 and over may be entered in the Missing Person File provided the department has signed documentation in its possession supporting the stated conditions under which the person is declared missing. This documentation will aid in the protection of the individual's right to privacy.

In the absence of documentation from a parent, legal guardian, next of kin, physician, or other authoritative sources, including friend or neighbor in unusual circumstances, or when such documentation is not reasonably attainable, a report by the investigating officer will suffice.

A record for a missing person who is under the age of 21 must be entered into WACIC/NCIC using one of the appropriate categories within two hours of receipt of the minimum data required to enter the record. All adult missing person records should be entered as soon as possible after a missing person report has been taken.

A missing person report should always be completed and entered immediately. There is no limit.

All reports taken for missing adults, 21 and older, must be signed by the reporting party, or at last resort an officer, and entered immediately.

Entries remain within WACIC/NCIC until the person is located, or the entering agency clears or cancels the record.

- A. Officers obtain as much identifying information about the person as possible, noting the information on the missing person form. If a photograph of the person is available, obtain and attach it to the case. Obtain the name of the missing person's dentist whenever possible. Officers also try to determine the missing person's last known location and any area the person is known to frequent.
- B. After obtaining identifying information, officers look for the missing person in areas that information indicates the person might be. Other Pasco officers assist as needed. If the missing person is known to frequent locations outside Pasco, an officer or records specialist is instructed to contact that agency and request they check the location.
- C. Reporting officers contact the records section as soon as possible and provide them with a complete description of the missing person. A records specialist or the investigating officer will enter the information into WACIC and NCIC. Missing persons are removed from the computer only after a records specialist receives



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appropriate notification from a Pasco or outside agency employee that the person has been located. "Records specialist" will include officers trained to enter and clear missing people from WACIC and NCIC.

#### **D. Alert Systems**

To assist in the location of missing adults and children, alert systems may be used.

Alert system notifications to the public include:

1. Amber Alert
2. Silver Alert
3. Endangered Missing Person Advisory
4. Blue Alert

Washington State Patrol is responsible for setting criteria for each notification listed on [WSP Alerts & Missing Persons website](#). Personnel should follow procedures the appropriate department procedure for each.

- E. Reporting officers indicate the case status as "referred to detectives" who conduct any follow-up investigation, including any subsequent contacts with the reporting party.

#### **41.2.6 MISSING CHILDREN**

An immediate investigation is required any time an officer receives information that a child is or may be missing. The officer completes an incident report and makes an effort to locate the missing child.

If it appears that the child is lost or the victim of a criminal act, the investigating officer notifies the supervisor, the supervisor decides whether to notify the Field Operations Captain and what other special efforts to locate the child should be initiated. Prompt and systematic searches shall be considered. Use of alert systems shall be considered and, if appropriate, the Amber Alert Procedure will be utilized.

Missing juveniles are required to be entered into WACIC/NCIC within two hours. This includes persons between the ages of 18-21 per Suzanne's Law of April 2003 and the Adam Walsh Act of 2006. Juvenile missing reports do not require a signed report for entry, although a signed report is always recommended.

A records specialist or officer deletes this information from WACIC/NCIC when notified the child is found. Parents shall be reminded to immediately notify Pasco Police when the child returns.

#### **Follow-up Investigations**

1. Cases involving missing children that are not immediately assigned will have copies forwarded to the Support Services Division for review. If further follow up investigation is required, the case will be assigned to a detective.

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2. If, after 30 days, the missing child has not returned, the Washington State Patrol Missing Children Clearinghouse will be notified. Additionally, the juvenile's parent(s) may be contacted to obtain dental records or any other information that may help in locating the child. If dental records are available, they will be forwarded to the State Patrol Dental Investigation Unit.

#### **Returned Missing Juveniles**

1. When information is received indicating that a missing child has been found or returned, clear the report after verifying the information.
2. A records specialist clears the WACIC/NCIC entry upon notification from the detective section. A locate is sent to WACIC and NCIC, which in turn notifies the Missing Children Clearinghouse that the child is no longer missing or on runaway status.

#### **41.2.7 MENTAL HEALTH ISSUES**

It is the policy of this department to handle cases where people are suspected of or are suffering from mental illness in an expeditious manner and ensure they receive the appropriate services.

The intent of this policy is to provide guidance to department personnel in dealing with persons suspected of being mentally ill or having special needs. While the most serious consequences of Officer Interactions with the mentally ill are altercations or armed confrontations, other agency personnel who come in contact with the public will need to provide information and assistance to the mentally ill. While the list below is certainly not complete, it should provide personnel with some behaviors and conditions they can observe that may help to identify persons with mental health needs.

#### **POSSIBLE INDICATORS OF MENTAL ILLNESS**

Persons suffering from mental illness may neglect their personal care and exhibit some of the following:

##### **Personal appearance**

- Unkempt appearance
- Dirty or uncombed hair
- Unshaven
- Dirty clothing
- Inappropriate clothing for the weather
- Body odors

##### **Condition of residence (if applicable)**

- Exterior and/or interior of residence in poor repair
- Old newspapers lying around

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- Inaccurate calendar
- Little or no food
- Strong odors
- Many pets – animals appear neglected
- Garbage or litter

They may exhibit signs of some of the following mental / emotional conditions:

- Confusion
- Disorientation
- Inappropriate responses
- Forgetfulness
- Repetitiveness in conversation
- Seeing, hearing, smelling, tasting, feeling things that are not there
- False irrational beliefs, which persist but are not real or true
- Suspiciousness, lack of trust
- Unusual or bizarre behavior
- Exhibit anger, irritability, hostility towards self and/or others
- Appear nervous or fidgety
- Appear sad or depressed
- Alcohol and/or drug abuse

### **COMMUNITY RESOURCES FOR MENTAL ILLNESS**

There are a number of agencies that provide services for persons with special needs or who are suffering from mental illness and may be appropriate for intervention and services. The dispatch center has the current numbers and locations. Officers receive information about resources available and how to access them at annual training.

### **GUIDELINES**

When dealing with persons suspected of being mentally ill, officer(s) should remember that the subjects' mental condition is an "illness," not a crime. Because the mentally ill can act in unpredictable ways, an Officer should always employ good officer safety practices and protect other persons.

Some tactical considerations with persons suspected of mental illness are:

- Only one officer should talk at a time (two officer minimum response)
- Use firm, one-sentence commands
- Repeat instructions continually
- Tell the person what you are going to do

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- Use good communications skills
- Do not indicate you believe in their delusions but show you understand they believe it is happening
- Show concern and understanding
- Never turn your back on a mentally disturbed person
- Scan the immediate area for potential weapons or danger
- Avoid getting too close to the subject unless you intend to subdue them physically
- Never allow the individual to leave the room or immediate area by themselves
- Be alert. Watch the person's hands and eyes as their actions may indicate what they plan to do next
- Do not assume that mentally ill persons are slow or otherwise physically incapacitated
- Gauge your responses to the subject according to the symptoms they exhibit
- Stop doing anything that escalates dangerous behavior
- Continue doing anything that de-escalates dangerous behavior
- Take the subject into custody if legally justified.
- If circumstances do not warrant custody, release subject to an appropriate agency or caretaker

When individuals suspected of a mental disorder have committed a crime for which they may be legally arrested, officers/supervisors will exercise their judgment in deciding whether to arrest the individual(s) in the criminal matter(s).

If interviews or interrogations of an individual suspected of a mental disorder are required in a criminal investigation, care should be used to be sensitive to the individual's mental state/condition.

1. Conduct the interview/interrogation in as non-threatening environment as possible.
2. There should be at least two officers present during the interview/interrogation.
3. Thoroughly document the individual's demeanor, actions, and statements during the interview/interrogation.

#### **INVOLUNTARY TREATMENT ACT**

Involuntary Custody Evaluation: [RCW 71.05.150\(4\)](#) allows a peace officer to cause a person to be taken into custody and immediately delivered to an evaluation and treatment center or the emergency department of a local hospital.

#### **A. When**

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Whenever an officer receives information that as a result of a mental disorder a person presents an imminent likelihood of serious harm or is in imminent danger because of being gravely disabled.

#### **B. Use of Force**

[RCW 9A.16.020](#) states that any person may use force to prevent a mentally ill person from committing an act dangerous to any person, or in enforcing necessary restraint for the protection or restoration to health of the person, during such period only as is necessary to obtain legal authority for the restraint or custody of the person.

#### **C. Documentation**

Mental health professionals must have "specific facts" presented in the police report in order for them to proceed in the mental health evaluation process. Officers will be sure to include all facts to indicate why the person was an imminent danger and will include any information regarding repeated and escalating patterns of behavior.

#### **D. Notification Requirement**

Whenever an officer places a combative into custody for a mental health evaluation, the officer shall check the box on the Mental Hold form requesting the written results of the mental health professional's investigation per [RCW 71.05.157](#)

### **TRAINING**

Dealing with persons suspected of having mental illness is instructed at the Basic Law Enforcement Academy.

The Pasco Police Department will provide in-service training for all patrol officers in Crisis Intervention Team (CIT) annually. The 40-hour CIT Team class focus is on dealing with persons with mental health illness and provides available community resources for the mentally ill. The department will strive to ensure that 25% of the commissioned police officers receive this advanced training.

### **SUICIDE ATTEMPTS AND MENTAL HEALTH REFERRALS**

Referrals to a mental health agency pursuant to this policy should be limited to instances where:

- A person is the subject of a report of threatened or attempted suicide; and
- The responding officer(s) believe, based on their training and experience, that the person could benefit from mental health services;
- The person does not consent to voluntary mental health services;
- The person is not involuntarily committed or involuntarily transported for a mental health evaluation under [RCW 71.05](#); and
- The person is not being transported to a hospital or jail.

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#### **Procedure**

Upon responding to a report of threatened or attempted suicide where all of the aforementioned criteria are met, the primary officer is encouraged to refer the person to CRISIS Response Unit (CRISIS) located at 500 N. Morain St., Kennewick.

Referrals should be made via written documentation and should be noted/coded in a way to allow the law enforcement agency to identify specific reports where a referral was made/is being made (similar to how DV-related incidents are noted/coded). Additionally, referrals should include sufficient narrative for the mental health agency to understand the nature of the call, the behavior of the individual, and prioritize their level of response.

Referrals by written documentation can be supplemented with a phone call or dispatch referral to CRISIS. Phone calls or dispatch referrals should not be a substitute for written documentation referrals. Phone calls or dispatch referrals should be noted in the written documentation, including the date and time of the referral and to whom the officer spoke.

Referrals made by written documentation only, without a phone call or dispatch referral to CRISIS, should be processed in as expeditious a manner as practicable. [RCW 71.05.458](#) requires the mental health agency to attempt to contact the person as soon as possible but not more than 24 hours (excluding holidays and weekends) after receiving the referral from law enforcement to determine whether mental health intervention is necessary.

#### **41.3.1 VEHICLE MARKINGS**

To be more readily seen and identified by the public, patrol vehicles are marked in the following manner:

- A. Emergency lights - Patrol vehicles have overhead red and blue light bars or conspicuous emergency red and blue lights mounted on the grill, dash and/or rear deck. Some command and detective vehicles may have emergency red and blue lights mounted on the grille, dash, and/or rear deck without markings, with a goal of having flashing lights visible from all angles.
- B. Striping – The majority of patrol vehicles have a designated graphic package with the words "Pasco Police" displayed conspicuously on the sides and rear of the vehicle.
- C. Sirens - Every patrol vehicle is equipped with an audible siren.

The Pasco Police Department does not normally use unmarked vehicles for patrol, however on occasions it may be necessary. Unmarked vehicles include but are not limited to the command and detective vehicles as well as undercover vehicles.

#### **41.3.2 PATROL VEHICLE EQUIPMENT**

Patrol vehicles will be stocked with the following equipment:

- A. Trunk or rear storage area:
  - Fingerprint kit (powder, brush, tape and cards)
  - Latex Gloves (3 pair)

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- Hypodermic needle containers (2)
- Road flares (12 minimum)
- Paper and plastic bags
- First aid kit
- Fire extinguisher
- Bio-Hazard kit

#### **B. Passenger Compartment:**

- CPR mask (in addition to the ones issued to individual officers)
- Hazardous materials guide
- Vehicle registration, insurance card, city accident form
- Disinfectant scrubs
- Hand cleaner

#### **C. Traffic cars also carry a collision investigation kit that includes:**

- 100' tape
- Marking crayons
- Spray paint
- Concrete nails and hammers
- Miscellaneous small hand tools

Replacement equipment will be available in the supply room, accessible by supervisors. Any item not in stock should be reported to the Admin Sergeant or other Quartermaster role to be reordered. Sergeants shall encourage periodic checks by officers to replenish supplies and assure operational readiness.

### **41.3.3 SEAT BELT USE**

All occupants of department vehicles will use safety restraints. This includes prisoner transports.

[RCW 46.61.688](#) requires that any person operating or riding in a vehicle to wear a seat belt. [RCW 46.61.687](#) requires that a child must be restrained in a child restraint system, if the passenger seating position equipped with a safety belt system allows sufficient space for installation until the child is eight years old unless the child is four feet nine inches or taller. The child restraint system must comply with standards of the United States department of transportation and must be secured in the vehicle in accordance with instructions of the vehicle manufacturer and the child restraint system manufacture.' An approved car seat is available at the station for use in these circumstances. For a child who is eight years of age or older or four feet, nine inches or taller shall be properly restrained with the motor vehicle's safety belt properly adjusted and fastened around the child's body or an appropriately fitting child restraint system.

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#### **41.3.4 AUTHORIZED PERSONAL EQUIPMENT AND APPAREL**

Officers who elect at their own expense to replace individual issued items with similar personal items shall ensure that such personal items meet the standards described in policy 22.1.6. For example, gloves will be plain black without visible logo, shoes, and boots will have solid black toes capable of being polished. Additional storage pouches on gun belts or load-bearing vests will have a finish matching the issued gear.

No lapel pins or similar objects will be worn on the uniform unless authorized by the Chief or his designee.

Personal items such as eyeglasses, watches, or hairnets/holders should, as a general rule, be simple and not conspicuous when worn with the uniform.

#### **41.3.5 BODY ARMOR – BALLISTIC VESTS – PROTECTIVE VESTS**

All commissioned personnel of the Pasco Police Department are issued a protective vest at the time of hire. Protective vests are replaced as recommended by NIJ standards.

Ballistic vests shall have a protection level of type II or higher.

Use of the protective vest is as listed for all sworn personnel while on duty.

- Patrol – uniformed officers at all times while on duty.
- Detectives – when making contact with suspects or any potential high-risk situation.
- Command – when making contact with suspicious or any potential high-risk situation.
- Undercover – As required.
- No exceptions unless specified by the Chief of Police.

#### **41.3.6 PROTECTIVE VESTS – HIGH RISK USAGE**

The Pasco Police Department requires all commissioned personnel engaged in pre-planned high-risk situations to wear their protective vest. The personnel most likely affected would be detectives, narcotics detectives, K-9 handlers, and uniformed personnel assigned to assist the above entities. Examples of high-risk situations are barricaded persons, drug raids, residential search warrants, etc.

#### **41.3.7 MOBILE DATA COMPUTER (MDC)**

Members of the Pasco Police Department who utilize the MDC's must maintain certification with the Washington State ACCESS System. The Support Services Division is responsible for training and maintaining these files.

The MDC's are for official police use only, only by ACCESS-trained officers and records specialists.

No software programs or files will be installed on the MDC's without the authorization of the Chief or his designee. No software currently running on Pasco-owned mobile, desktop or



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handheld computers will be altered or manipulated. MDC's are subject to inspection and monitoring at any time by supervisory and command staff to ensure compliance.

#### **41.3.8 AUDIO/VIDEO RECORDING EQUIPMENT**

##### **In-Car**

The Pasco Police Department uses in-car audio/video recording equipment in the patrol vehicles. The mobile video camera system (MVC) enhances the safety of the officers while making contact with the public. The MVC system documents details that are useful in resolving court cases and complaints against the officers. The MVC system is also a valuable training tool.

The use of the MVC system is subject to guidelines contained in [RCW 9.73.090\(1\)\(c\)](#) and Mobile Video Data Camera procedure.

##### **Body Worn Camera**

#### **I. PURPOSE**

This policy is intended to provide officers with instructions on when and how to use body-worn cameras (BWCs) so that officers may reliably record their contacts with the public in accordance with the law.

#### **II. POLICY**

It is the policy of the Pasco Police Department that officers shall activate the BWC when such use is appropriate to the proper performance of his or her official duties, where the recordings are consistent with this policy and law. This policy does not govern the use of surreptitious recording devices used in undercover operations.

#### **III. PROCEDURES**

##### **A. Administration**

The Pasco Police Department has adopted the use of the BWC to accomplish several objectives. The primary objectives are as follows:

1. BWCs allow for accurate documentation of police-public contacts, arrests, and critical incidents. They also serve to enhance the accuracy of officer reports and testimony in court.
2. Audio and video recordings also enhance this agency's ability to review probable cause for arrest, officer and suspect interaction, and evidence for investigative and prosecutorial purposes and to provide additional information for officer evaluation and training.
3. The BWC may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.

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4. The FOD Captain will annually review this policy, the use of the BWC program, to include data capture, frequency of use and storage. Recommendation for changes will be send to the Chief of Police if needed.

#### **B. Use the BWC**

1. Officers shall activate the BWC prior to contacting any person in an enforcement capacity, or as soon as reasonably possible during an unanticipated contact.
2. Whenever possible, officers should verbally inform individuals that they are being recorded. Officers shall make reasonable attempts to ensure that non-English speaking persons, those with limited English proficiency, or persons hearing impaired understand they are being recorded. In locations where individuals have a reasonable expectation of privacy, such as a residence, they may decline to be recorded unless the recording is being made in pursuant to an arrest or search of the residence or the individuals. The BWC shall remain activated until the event is completed in order to ensure the integrity of the recording unless the contact moves into an area restricted by this policy (see items D.1-5) During protracted events where enforcement or contact with subjects is not occurring, the BWC may be manually deactivated if the officer is no longer involved in any enforcement activities. The deactivation will be noted on a BWC Exception Report<sup>2</sup>. The BWC will be reactivated if enforcement activities are resumed.
3. Officers should evaluate the situation and may place the BWC in MUTE MODE if privacy, confidential or tactical interest outweighs a law enforcement interest, or where a witness or victim is reluctant to provide information to law enforcement. The MUTE MODE will be noted on a BWC Exception Report<sup>2</sup> before muting. The BWC will be reactivated as soon as reasonably possible once the special interest is completed. .
4. If an officer fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the officer shall document when and why a recording was not made, was interrupted, or was terminated. Documentation shall take place on a BWC Exception Report<sup>2</sup>.
5. Civilians shall not be allowed to review the recordings at the scene.
6. Due to the sensitive nature of information, informants or victims at the police headquarters, the BWC will be powered off when officers are inside the building and turned on once they exit. The exception will be if the officer has a suspect in their custody, anticipates taking enforcement action inside of headquarters or is in the public lobby/community room.
7. Officers assigned to the regional SWAT Team or regional task forces will not wear a BWC if those units do not have specific policies for their use.

#### **C. Procedures for BWC Use**

1. BWC equipment is issued primarily to uniformed personnel as authorized by this agency. Officers who are assigned BWC equipment must use the equipment unless otherwise authorized by supervisory personnel.

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2. Police personnel shall use only BWCs issued by this department. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the agency.
3. Police personnel who are assigned BWCs must complete an agency approved and/or provided training program to ensure proper use and operations. Additional training may be required at periodic intervals to ensure the continued effective use and operation of the equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in policy and equipment.
4. BWC equipment is the responsibility of individual officers and will be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the officer's supervisor as soon as possible so that a replacement unit may be procured.
5. Officers shall inspect and test the BWC prior to each shift in order to verify proper functioning and shall immediately notify their supervisor of any problems.
6. Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC recordings without prior written authorization and approval of the Chief of police or his or her designee.
7. Officers are encouraged to inform their supervisor of any recordings that may be of value for training purposes.
8. Following an officer involved shooting, or other use of deadly force, involved personnel or any supervisor shall not view the BWC recording on any device or computer prior to the Special Investigative Unit (SIU) viewing the footage.
  - Involved officers shall be allowed to view their own BWC recording prior to a walkthrough and statement;
  - Witness officers shall be allowed to view their own BWC recording prior to a walkthrough and statement;
  - Except when exigent circumstances exist, such as an officer being injured, in order to obtain identifying suspect information or other pertinent information from the BWC recordings;
9. SIU personnel will be responsible for collecting and securing the BWCs from all involved and witness officers at the earliest opportunity.
10. Requests for deletion of portions of the recordings (e.g., in the event of a personal recording) must be submitted in writing and approved by the Chief of police or his or her designee in accordance with state record retention laws. All requests and final decisions shall be kept on file.
11. Officers shall note in their incident, arrest, and related reports when recordings were made during the incident in question. Officers may review BWC recordings

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to aid in the investigation and reporting. However, BWC recordings are not a replacement for written reports.

#### **D. Restrictions on Using the BWC**

BWCs shall be used only in conjunction with official law enforcement duties. Only authorized department issued recording devices will be used. The BWC shall not generally be used to record:

1. Communications with other police personnel without the permission of the Chief of police;
2. Encounters with undercover officers or confidential informants;
3. When on break or otherwise engaged in personal activities; or
4. In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room;
5. During a medical evaluation or a medical facility, except in circumstances where an officer has reason to believe a confrontation is likely

#### **E. Storage**

1. All files<sup>1</sup> shall be securely downloaded periodically and no later than the end of each shift. Each file shall contain information related to the date, BWC identifier, and assigned officer.
2. All images and sounds recorded by the BWC are the exclusive property of this department. Accessing, copying, or releasing files for non-law enforcement purposes is strictly prohibited.
3. All access to BWC data (images, sounds, and metadata) must be specifically authorized by the chief of police or his or her designee, and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.
4. Files should be securely stored in accordance with state records retention laws and no longer than useful for purposes of training or for use in an investigation or prosecution. In capital punishment prosecutions, recordings shall be kept until the offender is no longer under control of a criminal justice agency. Recordings not containing data governed by state records retention laws may be destroyed after sixty days.

#### **F. Supervisory Responsibilities**

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1. Supervisory personnel shall ensure that officers equipped with BWC devices utilize them in accordance with policy and procedures defined herein.
2. Supervisors are required to ensure that officer equipment is operating properly and those officers are checking and using the devices appropriately and in accordance with this policy and to identify any areas in which additional training or guidance is required.

#### **G. Discipline and Use of BWC for Internal Investigations**

1. The department will not use BWC footage to randomly check officer conduct. The use of BWC to routinely audit officer activity will be prohibited absent performance improvement plans that specifically require BWC auditing.
2. BWC footage should be used by the department for training and individual officer coaching and counseling, recognizing that officers make split-second decisions in a wide range of critical incidents. The use of BWC will not be used to second guess these dynamic situations, rather to improve the officer's performance.
3. In the event that misconduct is captured on the BWC, the investigation will follow the procedures as outlined in department policy. Misconduct or violations captured on BWC will result in the same discipline as incidents that are not captured by BWC.

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<sup>1</sup> For the purpose of the BWC policy, the term "file" refers to all sounds, images, and associated metadata.

<sup>2</sup> BWC Exception Report – an officer documenting audibly on video the purpose for deactivating the recording. An audible announcement must be made prior to deactivation or placing in MUTE MODE. The BWC Exception Report can also be documented within and incident report.

#### **41.3.9 LICENSE PLATE RECOGNITION SYSTEMS**

The Pasco Police Department does not use license plate recognition (LPR) systems.

#### **41.4.1 RESPONSE TO DOMESTIC CALLS**

The purpose of this policy is to establish guidelines for law enforcement officers in response to domestic violence calls. Officers shall be expected to do the following:

- Establish arrest and prosecution as a preferred means of police response to domestic violence
- Take appropriate action for any violation of permanent, temporary or emergency orders of protection
- Afford protection and support to adult and child victims of domestic violence
- Promote the safety of law enforcement personnel responding to incidents of domestic violence

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- Provide victims or witnesses of domestic violence with support and assistance through cooperative efforts with community stakeholders in order to prevent further abuse and harassment or both
- Complete thorough investigations and effect arrest of the primary aggressor upon the establishment of probable cause

It is the policy of this department to provide a proactive, pro-arrest approach in responding to domestic violence. The primary focus shall be on victim safety, followed closely by perpetrator accountability. The officer shall attempt to determine the *primary aggressor* and arrest him or her. Officers should not arrest a person who acted in self-defense as defined by state statute.

Officers should refer to the Department's Domestic Violence Procedures.

#### 41.4.2 NASAL NALOXONE / NARCAN

##### PURPOSE

Nasal Naloxone/Narcan is a nasal spray which may counteract the effects of a heroin or other opioid overdose. It is designed to reverse the depressive effects of opioids on the respiratory system with just one application.

##### POLICY

It is the policy of Pasco Police Department that sworn Officers who have been trained in the use of Nasal Naloxone/Narcan will carry the kit in their patrol car while on duty, with the option of using it when responding to an apparent opioid overdose.

##### AUTHORIZATION

All authorized personnel who are properly trained in the use and administration of naloxone in suspected opioid-induced overdose patients are authorized to administer naloxone as allowed under RCW 69.41.095

Employees of the Pasco Police Department are also covered from liability under house bill ESB 5516 which states: "A person acting in good faith may receive, possess, and administer naloxone to an individual suffering from an apparent opiate-related overdose. Health practitioners or persons who administer, dispense, prescribe, purchase, acquire, possess, or use naloxone in a good faith effort to assist a person experiencing or likely to experience an opiate-related overdose will not be in violation of professional conduct standards or provisions. Effective June 10, 2010."

[RCW 69.50.315](#) (Good Samaritan Drug Overdose Law) states that:

1. A person acting in good faith who seeks medical assistance for someone experiencing a drug-related overdose shall not be charged or prosecuted for possession of a controlled substance pursuant to [RCW 69.50.4013](#), or penalized under [RCW 69.50.4014](#) if the evidence for the charge of possession of a controlled substance was obtained as a result of the person seeking medical assistance.

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- A person acting in good faith may receive a naloxone prescription, possess naloxone, and administer naloxone to an individual suffering from an apparent opioid-related overdose.
- 2. A person who experiences a drug-related overdose and is in need of medical assistance shall not be charged or prosecuted for possession of a controlled substance pursuant to [RCW 69.50.4013](#) or penalized under [RCW 69.50.4014](#) if the evidence for the charge of possession of a controlled substance was obtained as a result of the overdose and the need for medical assistance.
- 3. The protection in this section from prosecution for possession crimes under [RCW 69.50.4013](#) shall not be grounds for suppression of evidence in other criminal charges.