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# WASHINGTON STATE PATROL



## REGULATION MANUAL

THIS MANUAL IS THE PROPERTY OF THE WASHINGTON STATE PATROL. IF FOUND, PLEASE NOTIFY THE EMPLOYEE NAMED BELOW OR YOUR NEAREST STATE PATROL OFFICE.

NAME \_\_\_\_\_ BADGE NUMBER \_\_\_\_\_

DISTRICT \_\_\_\_\_ PHONE NO. \_\_\_\_\_

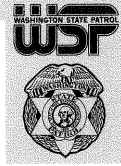


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The Washington State Patrol Regulation Manual is for internal use only and is not intended to enlarge an employee's civil or criminal liability in any way. The directives contained within should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of these directives, if proven, should only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

---

**INTEROFFICE COMMUNICATION**  
**WASHINGTON STATE PATROL**



**TO:** All Employees  
**FROM:** Deputy Chief G. Curt Hattell  
**SUBJECT:** Regulation Manual  
**DATE:** January 30, 2015

The *2015 Regulation Manual* has been approved for department use.

The manuals are color-coded into four sections according to safety and risk factors:

**Red Section (Chapters 1-5):** This section consists of policies that encompass areas concerning officer safety and agency risk management.

**Yellow Section (Chapters 6-8):** This section addresses policies related to the agency's values and standards of employee conduct and agency risk management of an administrative nature.

**White Section (Chapters 9-22):** The policies in this section address the standards of department authority and organization; management; personnel issues including complaint and disciplinary procedures; communication systems; uniforms; vehicles and equipment; traffic responsibilities; investigations; evidence system; and reporting procedures.

**Blue Section (Appendix):** Has been deleted, as information is available on various WSP systems and the internet.

A number of policies have been revised, one policy was deleted, and three new policies were added. This printing of the *2015 Regulation Manual* contains all General Order revisions in 2014.

Employees are required to know and follow the policies and procedures in the *2015 Regulation Manual*. Supervisors will ensure all employees have access to a copy of the manual, which may be accessed on the agency Intranet.

Changes to the policies and procedures of the *2015 Regulation Manual* will be made through the issuance of General Orders; changes shall be noted in printed copies of the current *2015 Regulation Manual*. Supervisors will ensure employees review all General Orders and sign a Directive Control Sheet (3000-323-070). Directive Control Sheets shall be maintained per retention requirements.

DCH  
GCH:lu



**► GENERAL**

This manual provides employees of the department with a readily accessible source of policy, procedure, and information which comply with the standards set by the Commission on Accreditation for Law Enforcement Agencies (CALEA). The manual is intended to serve as a guide and framework within which employees can make decisions. It is not intended to cover every situation that may arise in the discharge of an employee's duties.

This manual is issued on the authority of the Chief of the Washington State Patrol. All members are required to familiarize themselves with the contents and keep them at their work place or in their assigned vehicle for immediate access. Because this manual contains sensitive information, employees are responsible for its security. Employees must immediately report the loss of a manual to a supervisor.

Certain policies in the manual may be covered by bargaining agreements. In the case where department policy differs from language in an agreement, the language in the agreement shall take precedence. In those areas where the agreement language covers part, but not all, of a department policy, the areas of the department policy not covered will control.

**► ORDERS AND DIRECTIVES**

Changes to information contained in this manual will be by General Order (GO) from the Office of the Chief or the yearly revision of the manual. Employees shall update their manual from the information on a General Order by highlighting the policy title and writing "Refer to GO 15-\_\_" or by whatever means they deem appropriate.

**► REVISION OF POLICIES**

This edition of the manual contains a number of policy revisions, one policy was deleted, and three policies were added. A list of changes to policies not distributed in a General Order in 2014 is included in the Section 2015 Changes by Chapter. Employees are responsible for reviewing all changes and shall be familiar with all new policies and procedures.

**► REPRINTING**

This manual is intended to be republished yearly. All General Orders in effect at the time of reprinting will be included.

**► MANUAL ORGANIZATION**

This manual contains policies of the department. The policies are grouped into chapters numbered from 1 through 22. Refer to the Table of Contents for more information.

**► GLOSSARY OF TERMS**

Employees should familiarize themselves with the glossary terms.

**► INDEX**

The Index is an alphabetical listing of subject matter by topic and key words to assist employees in locating policy or procedure.

► **MANUAL COMMENTS**

If any area of this manual needs correction or if you have any suggestions or comments for future editions, please notify the Strategic Planning and Accountability Section at (360) 596-4141 or by e-mail to [SPASubmissions@wsp.wa.gov](mailto:SPASubmissions@wsp.wa.gov). Any assistance is appreciated.





## MISSION, VISION, VALUES, AND GOALS

### MISSION

The Washington State Patrol makes a difference every day, enhancing the safety and security of our state by providing the best in public safety services.

### VISION

To be the best public safety agency in the United States.

### VALUES

Every employee is a critical member of a team committed to:

- *Strong leadership*
- *Effective partnerships*
- *Professional excellence*
- *Acting with integrity and accountability*
- *Respecting and protecting individual rights*
- *Earning the trust and confidence of the public*

### GOALS

- Goal 1 Make people safe on Washington roadways and ferries.
- Goal 2 Reduce our people's vulnerability to fire, crime, terrorism, and natural hazards.
- Goal 3 Meet the growing need for law enforcement, forensic, investigative, fire protection, and other public safety services statewide.
- Goal 4 Improve technology to enhance and sustain business processes, public safety infrastructure, and statewide emergency communications to facilitate the accomplishment of all agency goals.
- Goal 5 Provide strong leadership and resources to foster a safe, ethical, innovative, knowledgeable, and diverse workforce.



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**2015 CHANGES BY CHAPTER**

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Listed below are changes made to the *Regulation Manual* since the last printing. General Orders from 2014 are included in this manual. The revisions listed below did not appear in a General Order. This list may not be all-inclusive. It is the responsibility of each employee to read the manual and be familiar with its contents.

- In Policy 8.00.280, **WSP OFFICER AND CADET OFF-DUTY EMPLOYMENT REGULATIONS**, under section II./B./1./b., changed the title of the form from "Washington State Patrol Notice of Limitations on Liability (the second page of the Application Request for Authorization of Off-Duty Employment)" to "Washington State Patrol Off-Duty Employment – Notice of Limitation on Liability form." Added this form to the "See Also" area.
- In Policy 10.01.040, **BUSINESS CARDS, LETTERHEAD, AND ENVELOPES**, the web link under "See Also" was updated.
- In Policy 11.15.010, **DEPARTMENT AWARDS**, "...or Lean philosophies" was added after POPS in section 8, Chief's Coin, in paragraph a.(1).
- All references to the *Supervisor/Employee Reference Manual* were changed to the *Human Resource Division Standard Operating Procedures Manual*.
- Removed all of the blue pages. Collision investigation formulas are available on the Academy iWSP site under collision investigation [shared documents](#). Other information previously in the blue pages is available on other WSP systems or the internet.



## GLOSSARY

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The following definitions shall apply to the words and/or phrases listed below whenever those words and/or phrases are used in the Washington State Patrol *Regulation Manual*.

### -B-

BUREAU - A bureau is the primary subordinate organizational segment of the department.

### -C-

CAD - (Communications Activity Data). A computerized tracking system that monitors events and status and provides access to criminal justice information.

CIVIL SERVICE EMPLOYEES - Those employees covered by Civil Service Rules (General Service employees and Washington Management Service employees).

CLAIM - The aggregate of operative facts giving rise to a right enforceable by a court that does not involve a breach of contract. For claims regarding damages filed against the state of Washington, see Chapter 4.92 RCW.

COMMANDER - Commanding officer/director/manager in charge of a division/district/section.

CONTRABAND - In general, any property which is unlawful to produce or possess. Goods exported from or imported into a country against its laws.

### -D-

DELEGATION OF AUTHORITY - The granting of authority to a subordinate to perform tasks for which the grantor is held responsible. Delegation of authority is not merely giving power; rather, it is granting permission to do something with an indication of how the authority over that task is to be used. Each successive delegation of authority creates a new obligation from the subordinate to the immediate supervisor.

DEPARTMENT - The Washington State Patrol.

DETACHMENT - A detachment is the primary geographic subdivision of a field district.

DISCOVERY - Discovery is the process of identifying, locating, securing, and producing information and materials for the purpose of obtaining evidence for utilization in the legal process. There are several ways to conduct discovery, the most common of which are interrogatories, requests for production of documents, and depositions.

DISTRICT - A district is a primary field subdivision of the Field Operations Bureau.

DIVISION - A division is a primary subdivision of a bureau with department-wide responsibility for providing a specific specialized function.

### -E-

E-DISCOVERY - The process of identifying, preserving, collecting, preparing, reviewing, and producing electronically stored information in the context of the legal process.

EMPLOYEE - Any person employed by the Washington State Patrol.

## GLOSSARY

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EXECUTIVE STAFF - Includes the Chief, Deputy Chief, Assistant Chiefs, Bureau Directors, Labor and Policy Advisor, Risk Management Division Commander, and Government and Media Relations Commander.

EXEMPT EMPLOYEES - Employees who are not covered by Civil Service Rules and are not Washington State Patrol officers.

### -H-

HEADQUARTERS - The headquarters office of the Washington State Patrol is in the General Administration Building in Olympia.

HOLD - To place a retainer or restriction on an individual or property for further investigation.

### -I-

INTENT - The state of mind in which or the purpose with which one does an act; also, the character that the law imputes to an act. Intent is the exercise of intelligent will to perform the act; it is an essential element of major crimes.

INVESTIGATING OFFICER - An officer assigned to the investigation of a collision, incident, or offense.

### -J-

JURISDICTION (COURT) - Fundamentally, a court has jurisdiction to try only those crimes committed in the county where the court is located. The venue or place where the crime is committed determines where the defendant shall be tried.

### -M-

MAY AND SHOULD - Indicate permissive compliance.

METADATA - Data typically stored electronically that describes characteristics of electronically stored information, found in different places in different forms. Metadata can describe how, when, and by whom electronically stored information was collected, created, accessed, modified, and how it is formatted.

MISDEMEANOR - Any offense less than a felony. Any offense which is not punishable by death or imprisonment in a state prison.

MODUS OPERANDI - A manner of operation. Many criminals operate in a stereotyped manner, seldom deviating from their usual method of operation.

### -O-

OFF DUTY - The time during which a member or employee is not on an on-duty (at work or on-the-job) status.

OFFICER - Employees who have and exercise police powers and duties under general law enforcement authority throughout the state as described in RCW 43.43.030. This class includes troopers, sergeants, lieutenants, captains, assistant chiefs, deputy chief, and the Chief. The term "officer" may also apply to commercial vehicle officers, commercial vehicle enforcement officers, and communications officers where specifically indicated.

ON DUTY - On duty includes the time required or scheduled for the performance of the duties of a particular assignment. An officer is subject to duty 24 hours a day.

## GLOSSARY

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### -P-

PLAINTIFF - A person who institutes an action; the party who complains and sues in a civil action; the complaining party in an action.

POST - A post is a fixed geographic location assigned to an individual officer.

PREPONDERANCE OF EVIDENCE - Greater weight of evidence, or evidence which is more credible and convincing to the mind; not necessarily the greater number of witnesses.

PRIMA FACIE - At first view; so far as it appears; at first glance.

PRIMARY INVESTIGATION - The first investigation of any incident, complaint, or offense.

### -R-

RCW (Revised Code of Washington) - Statutes of law of the state of Washington.

REASONABLE BELIEF - Refers to a belief based on facts and circumstances known to the officer which would lead any reasonable and prudent person to the same belief.

### -S-

SEARCH WARRANT - An order in writing in the name of the People of the State, and signed by a magistrate. It is directed to a peace officer and commands the officer to search for personal property and bring it before the magistrate.

SECTION - A section is the secondary subdivision of a bureau and the principal subordinate part of a division, usually assigned to perform part of the responsibility of a division.

SERGEANT - An employee whom the Chief has promoted from the rank of trooper to the rank of sergeant.

SHIFT - A shift is one of several tours of duty, usually consisting of an eight-hour period of time.

SPECIAL DEPUTY - A position appointed by the Chief that may be given limited police authority as the Chief deems necessary.

STATUTE - An act of the legislature; an enactment duly sanctioned and authenticated by constitutional rule, act of Congress, etc.

STATUTE OF LIMITATIONS - A statute which imposes time limits upon the right of action in certain cases; as, by obliging a creditor to demand payment within a certain time; or the time within which indictments must be found.

SUBPOENA - A judicial writ requiring a person to appear as a witness at a specified time and place, under penalty for default.

## GLOSSARY

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SUFFICIENT CAUSE - Any action that jeopardizes the integrity, image, or reputation, or violates any directive or regulation of the Washington State Patrol.

SUMMONS - A written order signed by a justice directing the person named therein to appear at a given time in the court named with reference to a matter named therein. Proceedings by summons is the usual method of making persons amenable for minor offenses.

SUPERVISION, LINE - Line supervision of a subordinate by a supervisor is the process of overseeing his/her performance in the accomplishment of his/her tasks. The supervisor is provided with authority and power to direct the subordinate's activities.

### -T-

TAR (Time and Activity Report) - A written or computerized report of an employee's time and activity.

TORT - Any private or civil wrong, by act or omission, for which a civil suit can be brought; but not including a breach of contract.

TOUR OF DUTY - A shift, watch, or the time assigned on duty.

TOXIC - Pertaining to poison; poisonous; due to or caused by poison.

TROOPER - An employee who has and exercises police powers and duties under general law enforcement authority throughout the state as described in RCW 43.43.030.

TROOPER CADET - An exempt employee in training with temporary police authority for special assignments or Academy field training.

### -U-

UNIT - A unit is usually a subdivision of a section, normally small, with employees assigned to perform a specialized activity.

### -V-

VEHICLE - Every device which may be used on a street, on rails, in the air, or on the water, which is capable of transporting persons or property.

### -W-

WARRANT OF ARREST - An order in writing in the name of the People of the State, and signed by a magistrate, commanding the arrest of the defendant. A warrant of arrest is issued for the purpose of apprehending and bringing before the court a person charged with the commission of a crime.

WEAPON, DEADLY - An explosive, firearm, or other weapon, device instrument, article or substance, including a "vehicle" which, under the circumstances in which it is used, attempted to be used, or threatened to be used, is readily capable of causing death or serious bodily injury.

## GLOSSARY

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WILL AND SHALL - Indicate mandatory compliance.

WRIT - A mandatory order, under seal, issued by a court, and commanding the person named therein to attach the body of the defendant, and to have the defendant brought before the court.

WSP COMMERCIAL VEHICLE ENFORCEMENT OFFICER - Commissioned to enforce laws related to commercial vehicles. WSP CVEOs are armed for defensive purposes.

WSP COMMERCIAL VEHICLE OFFICER - Commissioned to enforce laws related to commercial vehicles; unarmed.

# Chapter 1

## ARREST

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### ► SECTION 00: ARREST PROTOCOL ◄

#### **1.00.010**     **WASHINGTON'S AUTHORITY TO POLICE OFFICERS** **(CALEA 1.2.5, 61.1.2)**

#### **I. POLICY**

##### **A. State Arrests**

1. When a state or local law enforcement officer arrests a person for a federal offense without a warrant, the law of the state where the arrest is made determines its lawfulness.

##### **B. Arrest Authority**

1. In Washington, the authority of a police officer to make an arrest without a warrant is restricted to situations where the following applies:
  - a. There has been a misdemeanor or gross misdemeanor committed in the presence of the arresting officer.
  - b. The arresting officer has probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving any of the following:
    - (1) Physical harm or threats of harm to any person or property
    - (2) The unlawful taking of property
    - (3) The use or possession of cannabis [RCW 10.31.100(1)]
    - (4) Traffic offenses listed in RCW 10.31.100 (3) through (6)
    - (5) Possession or consumption of alcohol by a person under 21 years of age [RCW 66.44.270]
    - (6) Criminal trespass under RCW 9A.52.070 or 9A.52.080
    - (7) Violation of orders, including restraining order or foreign protection order
    - (8) Domestic violence over the age of 16
    - (9) Indecent exposure
    - (10) Violation of RCW 9A.50.020, Interference with a health care facility
    - (11) Illegal possession of a firearm on school property

- (12) The arresting officer has probable cause to believe the person arrested has committed or is committing a felony.
- c. No officer may be held criminally or civilly liable for making an arrest pursuant to RCW 10.31.100 (2) or (8) if the officer acts in good faith and without malice.

**Applies to:**

WSP Officers

**See Also:**

United States vs. DIRE, 332 U.S.581 (1948); RCW 9A.50.020, 10.31.100

### **1.00.020**

### **CONSTITUTIONAL RIGHTS – ADVISING A SUSPECT (CALEA 1.2.3, 1.2.5, 42.2.1, 44.2.2)**

#### **I. POLICY**

##### **A. Constitutional Rights**

- 1. Officers shall advise suspects of their Constitutional Rights at the time of arrest.

##### **B. On-Scene Questioning**

- 1. Officers may question persons during the general on-scene investigation as to pertinent facts without Constitutional Rights warnings until one of the following situations exists:
  - a. The officer's suspicions focus on a particular individual or the person appears to be implicated in a crime.
  - b. The officer's questioning becomes accusatory.
  - c. Interrogation includes actions taken or words used by an officer that the officer intends or should know are reasonably likely to elicit an incriminating response.
- 2. Volunteered and spontaneous statements are not barred, and officers do not need to give warnings preceding them. However, questioning initiated by the police officer in clarification or amplification of the volunteered or spontaneous statements should be preceded by a warning.
- 3. Once the accused has indicated a desire to respond only through counsel, all questioning must cease until counsel is made available, unless the accused personally initiates further communications, exchanges, or conversations with the officer. Suspects may waive their constitutional right to remain silent, but must do so knowingly, voluntarily, and intelligently after their constitutional rights have been read to them and they have indicated understanding.
- 4. It may be necessary for the officer to testify to the precise language used to warn the person and the precise language used to waive such rights.

**Applies to:**

WSP Officers

**See Also:**

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**1.00.030      TEMPORARY DETENTION (CALEA 1.2.3, 1.2.4, 41.2.4)****I. POLICY****A. Citizen Contact**

1. The law enforcement officer interacts with members of the community on a daily basis. Occasionally, the officer must approach individuals in situations that appear to warrant inquiry and investigation.
2. In these situations, the officer may be preventing or detecting the commission of a crime or providing assistance to a person in need. The officer's approach may vary from a mere contact, to a formal stop or frisk, to a full seizure and search of a person.

**B. Initiating Citizen Contact**

1. The face-to-face communication between an officer and a private person under circumstances where the person is free to leave if he/she wishes is a contact. A contact may be undertaken by an officer when he or she reasonably believes that, under the circumstances, some investigation of a situation is justified.
2. The standard for initiating a contact is not dependent upon probable cause, reasonable suspicion, or any other specific indication of criminal activity.

**C. Citizen Stop**

1. A stop is a temporary detention of a person for investigation. A stop occurs when an officer uses his/her authority to compel a person to halt, or to remain in a certain place, or to perform some act (such as walking to a nearby location where the officer can use a radio or telephone).
2. If a person is under a reasonable impression that he/she is not free to leave the officer's presence, a stop has occurred.

**II. PROCEDURES****A. Police Authority to Detain Pedestrians**

1. Decisions by both the United States Supreme Court and Washington State courts have given express recognition to the power of police officers to detain a person for the purpose of questioning and other investigative purposes under circumstances which fall short of providing probable cause for an arrest. In 1968, the question before the United States Supreme Court was the legality of the police practice of stopping and "frisking" persons suspected of criminal activity.
2. Recognizing the public interest in the investigation and prevention of crime, the court found that the Fourth Amendment to the United States Constitution tolerates "stops" which are less intrusive than arrests, where less than probable cause for an arrest is present. The court went on to state that an officer may briefly detain for



limited questioning a person whom he/she reasonably suspects of criminal activity and may frisk the person for weapons, provided the officer has reasonable grounds to believe that the person is armed and dangerous. This right is accorded in order that the officer may protect himself/herself and others from physical harm. Terry v. Ohio 392 US 1 (1968)

3. The Supreme Court in 1980 reviewed the authority to stop a person as discussed in Terry and further explained the point at which a person is "seized." The majority adhered to the view that a person is "seized" only when by means of physical force or a show of authority his/her freedom of movement is restrained. The reasoning is that the purpose of the Fourth Amendment is not to eliminate all contacts between the police and the citizenry, but to prevent arbitrary and oppressive interference by enforcement officers with the privacy and personal security of individuals. United States v. Mendenhall 446 US 544 (1980)
4. The Court of Appeals for the state of Washington addressed the question of temporary detention and, in applying the analysis of the United States Supreme Court, stated that in order for a police officer to avoid Fourth Amendment violations, the officer must have a well-founded suspicion based on specific, objective facts that a person is engaged in criminal activity. The officer may briefly detain the person in order to investigate the suspicious activity. State v. Tocki 32 Wn App 457 (1982)
5. The United States Supreme Court and the Washington courts recognize an exception to the probable cause standard. This exception is known as "reasonable suspicion." This exception was required because the court had broadened the term "seizure" to include detentions that are less intrusive to personal liberty than traditional arrests.

#### **B. Reasonable Suspicion Standard**

1. The United States Supreme Court defined reasonable suspicion as a combination of specific and articulable facts, together with reasonable inferences from those facts which in light of the officer's experience, reasonably justify a belief that the person to be stopped has committed, is committing, or is about to commit a crime. Terry v. Ohio, supra.
2. To determine the reasonableness of seizures which are less intrusive than traditional arrests, the United States Supreme Court stated that consideration of the constitutionality of such seizures involves a weighing of the following:
  - a. The gravity of the public concern.
  - b. The degree to which the seizure advances the public interest.
  - c. The severity of the interferences with individual liberty.

**C. Factors Which May Establish Reasonable Suspicion**

1. The following list contains some factors that alone or in combination may be sufficient to establish reasonable suspicion on the part of an officer:
  - a. **The Person's Appearance** — Does it generally fit the description of a person wanted for a known offense? Does the person appear to be suffering from a recent injury, or to be under the influence of alcohol, drugs, or other intoxicants?
  - b. **The Person's Actions** — Is the person running away from an actual or possible crime scene? Is the person otherwise behaving in a manner indicating possible criminal conduct? If so, in what way? Has the person made furtive gestures? Were incriminating statements or conversations overheard? Is the person with companions who themselves are reasonably suspicious?
  - c. **Prior Knowledge of the Person** — Does the person have an arrest or conviction record, or is the person otherwise known to have committed a serious offense? If so, is it for offenses similar to one that has just occurred, or which the officer suspects is about to occur? Does the officer know the person's record?
  - d. **Demeanor During a Contact** — If the person responded to questions during the contact, were the person's answers evasive, incriminating, or improbable? Was the person excessively nervous during the contact?
  - e. **Area of the Stop** — Is the person near the area of a known offense soon after its commission? Is the area known for criminal activity (a high crime area)? If so, is it the kind of activity the person is thought to have committed, be committing, or about to commit?
  - f. **Time of Day** — Is it usual for people to be in the area at this time? Is it the time of day during which criminal activity of the kind suspected usually occurs?
  - g. **Police Training and Experience** — Does the person's conduct resemble the pattern or modus operandi followed in particular criminal offenses? Does the investigating officer have experience in dealing with the particular kind of criminal activity being investigated?
  - h. **Police Purpose** — Was the officer investigating a specific crime or a specific type of criminal activity? How serious is the suspected criminal activity? Might innocent people be endangered if investigative action is not taken at once?
  - i. **Source of Information** — If the basis of the officer's reasonable suspicion is, in whole or in part, information supplied by another person, what kind of person is the information source? Is the person a criminal informant, a witness, or a victim of a crime? How reliable does the person

appear to be? Has the person supplied information in the past that proved to be reliable? Is the person known to the officer? Did the officer obtain the information directly from the person? How did the person obtain this information? Was any part of the information corroborated prior to making the stop?

#### D. Police Authority to Detain Motorists

1. Automobiles are frequently used both as a means for perpetrating a crime and as an instrument of escape. The courts have had to reckon with the problems involved in the detention of motorists. Stopping a moving vehicle comes closer to the definition of arrest than does a casual approach to a pedestrian on the street. When a pedestrian is confronted by a police officer who wants to ask a few questions, the pedestrian can generally continue on his/her course during the conversation. When a driver of a motor vehicle is forced off the road by an officer or directed to stop by use of audio-visual equipment, the driver's freedom of locomotion has been impeded without his or her consent for the duration of the stop.
2. Although the facts in Terry concerned the detention of a pedestrian on a street, there is no valid reason why this same reasoning cannot be applied in an automobile situation. Delaware v. Prouse 440 US 648 (1979)
3. The United States Court of Appeals decided in 1969 (Carpenter v. Sigler, 419 F. 2d 169) that the standard in Terry applies when detaining the driver of an automobile. In that case, officers—while patrolling the streets at 3:30 a.m.—noticed a car containing two men driving slowly through the streets located off the main highway. Noticing that the car had an out-of-county license, the officers kept the vehicle under surveillance for a period and noted that it moved slowly by several business establishments that were closed. They stopped the car and one of the officers asked an occupant of the car to step out. While the occupant was leaving the car, he bumped into some object on the floor, which gave a noise of metal hitting metal. The officer then shined his light inside and saw the ends of two pry bars sticking out of a pack on the floor of the car.
4. The defendant was convicted by the state court of burglary and possession of burglary tools. A motion was made at the trial to exclude the evidence because the original stopping was illegal, the defendants claiming there was no authority to arrest.
5. The court, however, rejected this argument and applied the Terry reasoning, stating that in applying the Terry analysis to the facts of this case, it seems clear that the police officers were "reasonable" in the initial "seizure" of Carpenter. It was an early morning hour in a small town where unidentified cars do not routinely travel at that time. The car had out-of-county license plates. There had been a series of burglaries in the town. During the period of surveillance by the officers, the car moved slowly past closed business establishments and pursued a rather erratic course through the streets of the town. These facts taken together all point to sufficient justification for stopping the defendant's vehicle and requiring the occupants to identify themselves.

6. The Supreme Court has ruled that once a motor vehicle has been lawfully detained for a traffic violation, an officer may order the driver to get out of the vehicle without violating the Fourth Amendment's proscription of unreasonable searches and seizures (Pennsylvania v. Mimms, 434 U.S. 106 [1977]). Subsequently, the court ruled that an officer may, as a matter of course, order a passenger of a lawfully stopped automobile to exit the vehicle (Maryland v. Wilson, 117 S.Ct. 882 [1997]).

#### **E. Police Conduct During a Temporary Detention**

1. Once an officer has justified the detention of an individual by complying with the reasonable suspicion standard, the officer's conduct during the detention must also be reasonable. Every phase of a stop will be considered by the courts in determining whether the stop was lawful.
2. For this reason, all police action during a stop must be conducted in a reasonable manner.

#### **F. Duration of Detention**

1. The detention must be for a brief period of time. Officers should detain a person only for the length of time necessary to obtain or verify the person's identification, or an account of the person's presence or an account of the offense, or otherwise determine if the person should be arrested or released.

#### **G. Explanation to the Detained Person**

1. Officers should act with as much restraint and courtesy toward the person stopped as is possible under the circumstances. Police officers should make their identity as a law enforcement officer known as soon as practicable after making the stop.
2. At some point during the stop, the officer should, in every case, give the person stopped an explanation of the purpose of the stop. This explanation need not be very explicit. Its purpose is to reassure the person that the stop is not just for the purpose of harassment. This may help in obtaining cooperation from the individual.

#### **H. Rights of the Detained Person**

1. During the questioning, the detained person need not be advised of his/her Miranda Rights until probable cause to arrest develops, or until the questioning becomes sustained and coercive, rather than brief and casual.
2. When either of these events occur, the officer should immediately halt the questioning and advise the person of his/her Miranda Rights.

**I. Use of Force During the Detention**

1. An officer should use reasonable means, considering the totality of the circumstances to effect the stop. The reasonable means may be a verbal request, an order, or the use of physical force.
2. A police officer, in carrying out an investigative stop, may use his/her weapon and handcuffs if, under the circumstances, it is reasonable.

**Applies to:** WSP Officers

**See Also:** --

**1.00.040 ARREST/DETENTION – ALIENS (CALEA 61.1.2, 61.1.3)****I. POLICY****A. Immigration Hold**

1. Officers shall not stop, detain, interrogate, or place an immigration hold on any person solely for the purpose of ascertaining immigration status or in any other way attempt to enforce federal immigration laws.
2. If an individual is arrested for a criminal violation, officers may notify the Immigration Services office if the officer has a reasonable suspicion based on articulable facts—other than a person's nationality, name, or ability to communicate in English—that the person arrested is an undocumented or illegal alien.
3. Officers shall document all the facts upon which they base their suspicion.

**B. Detainment for Immigration Status**

1. A person shall not be held or detained any longer than is necessary to complete the normal processes in connection with a criminal charge or traffic violation for which the person was arrested. The time cannot be extended to allow Immigration Services persons enough time to respond.
2. If an officer needs the assistance of an interpreter because of a language barrier, every reasonable effort shall be made to obtain such assistance from sources other than the Immigration and Naturalization Service. The Immigration Service shall be used only when all other sources of translation are reasonably unavailable. All efforts to obtain interpretation services shall be documented when it is necessary to contact the Immigration Service for such assistance.

**Applies to:** WSP Officers

**See Also:**

**1.00.050**     **ARREST OF JUVENILES (CALEA 44.1.1, 44.2.1, 44.2.2, 44.2.3, 61.1.2, 61.1.3, 61.1.5, 61.1.11)**

**I. POLICY**

**A. Response to Juveniles**

1. The department is committed to developing and perpetuating programs that prevent and control juvenile delinquency through procedures that facilitate the proper handling of criminal and non-criminal incidents involving juveniles.
2. The department recognizes that an effective police response to incidents involving juveniles requires awareness and understanding of the specific needs of youths. The ability to collaborate with other agencies providing services for young persons, as well as a knowledge of the law as it relates to juvenile matters, is a prerequisite for an effective program.

**B. Supporting Juvenile Programs**

1. With this in mind, department employees shall support department juvenile programs, taking all necessary measures to effect positive changes in juvenile offenders consistent with current state law and the safety and security interests of the community.

**C. Juvenile Investigations**

1. Juvenile investigations do not differ from any other police investigation concerning enforcement techniques. Officers may take whatever action is necessary; however, officers are encouraged to take the least coercive action, including outright release with no further action, consistent with preserving public safety, order, and the individual liberty of the juvenile.

**II. PROCEDURE**

**A. Juveniles Under the Age of 16 and 18**

1. Juveniles under the age of 16 who commit any traffic offense may be issued a traffic infraction/citation. Juveniles under the age of 18 who commit a non-traffic violation, such as possession of intoxicants, may be issued a citation. These juveniles shall be instructed to disregard the district court information, if a Notice of Infraction/Notice of Criminal Citation (NOI/NOCC) is issued, and that the juvenile court will contact or call them.
2. Juveniles 16 years of age or older who commit either a traffic infraction, such as speeding, or a criminal traffic offense, such as reckless driving, negligent driving, or DUI, and are issued a traffic infraction/citation shall be directed to contact district court.
3. Many juvenile courts now want the NOI/NOCC written for records purposes. District commanders shall ensure officers have been informed of the proper techniques for each county's juvenile court.

4. When appropriate, Uniform Crime Reporting (UCR) information shall be recorded on the Time and Activity Report.
5. Booking and/or referral to a juvenile detention center shall be determined by the applicable county procedures. Whenever possible, a juvenile shall be released to a parent or guardian, particularly for non-criminal behavior. The placing of juveniles into protective custody shall be guided by state law (13.32A.050) and applicable county procedures followed.
6. When subsequent investigation would substantiate a charge(s) against an individual and/or establishment for furnishing intoxicants to minors, a Liquor Violation form shall be completed and forwarded to the local liquor control board inspector.

#### **B. Rights of Juveniles**

1. Juveniles suspected of or arrested for specific acts shall be afforded the same care and regard concerning the rights of the individual as given adult offenders.
2. When advising juvenile suspects of their rights, officers shall include the clause "Your statement may be used against you in juvenile court or in a criminal prosecution in adult court in the event that juvenile court declines jurisdiction in your case."

#### **C. Custodial Interrogation of Juveniles**

1. Upon taking a juvenile into custody, in accordance with RCW 13.40.040 and prior to interrogation, the officer shall adhere to the following:
  - a. Advise the juvenile of their Miranda Rights.
  - b. Advise the juvenile of their Court Rule Rights.
    - (1) Provide access to a telephone.
    - (2) Provide the telephone number of public defender.
    - (3) Provide any other means to place the juvenile in communication with a lawyer.
  - c. Notify the juvenile's legal guardian (by telephone, in person, or by leaving a note at the juvenile's residence).
2. If the juvenile signs a written waiver of Miranda Rights or an attorney is present, the officer may proceed with interrogation within the following guidelines:
  - a. At least one—and preferably both parents or guardians—should be present during interrogation. If a parent or guardian is unavailable, a juvenile court official should be notified prior to the interrogation.

- b. The officer shall confer with the parents prior to the interrogation.
- c. The officer shall explain the reason for custody and agency/juvenile justice system procedures to the juvenile suspect and parent or guardian prior to the interrogation.
- d. No more than two officers shall be present during the interrogation.
- e. The interrogation shall be limited in duration to a reasonable period of time, with a break each hour.

**Applies to:** WSP Officers  
**See Also:** RCW 13.32A.050, 13.40.040

**1.00.060      ARREST OF FOREIGN DIPLOMATS (CALEA 1.1.4, 61.1.2, 61.1.3)**

**I. POLICY**

**A. Diplomatic Immunity**

1. As a rule, foreign diplomats cannot be arrested or detained. However, when a driver is stopped for a moving traffic violation and has proper and valid identification indicating diplomatic immunity, the officer may take appropriate enforcement, including the issuance of a Notice of Infraction/Notice of Criminal Citation (NOI/NOCC).
2. Issuance of an NOI/NOCC does not constitute an arrest or detention.
3. A person without proper identification, but believed to be a foreign diplomat, may be temporarily detained while verifying immunity status.
4. Officers having contact with foreign diplomats shall notify their supervisor, who shall then notify the division/district commander as soon as possible. Officers shall report each contact with a foreign diplomat to their communications center so that the stop can be recorded in the Computer Aided Dispatch (CAD) system.

**B. Testing and Physical Restraint of Foreign Diplomats**

1. When an officer determines that, in the interest of public safety, a foreign diplomat cannot be permitted to continue to operate a motor vehicle, the officer shall immediately summon the detachment or shift supervisor.
2. The diplomat may be provided transportation to a mutually agreeable destination or may call for other transportation.
3. Persons having diplomatic immunity shall not be subjected to sobriety or other mandatory tests and, except in extreme cases, shall not be physically restrained.
4. The diplomat shall be advised that the officer's primary responsibility is to ensure the safety of the official and others.
5. Access to a telephone shall be provided, upon request.



**C. Towing of Vehicles Bearing Diplomatic Plates**

1. Vehicles bearing diplomatic plates may be towed, when necessary. Prior to taking such action, contact should be attempted with the consulate or embassy involved to seek voluntary removal of the vehicle, unless the vehicle poses an immediate hazard to public safety.

**D. When to Notify the U.S. State Department and the Prosecutor's Office**

1. If a felony has been committed and there is probable cause to believe that a person with diplomatic immunity committed the crime, the U.S. State Department and the prosecutor's office shall be notified immediately by the division/district commander.

**E. Criminal Investigations with Foreign Diplomats**

1. Criminal investigations involving persons with diplomatic immunity shall be conducted to their conclusion. However, foreign diplomats shall not be arrested or taken into custody.

**Applies to:** WSP Officers

**See Also:** --

**1.00.061      CONSULAR NOTIFICATION (CALEA 1.1.4, 61.1.3)****I. POLICY****A. Notification Procedures**

1. Bilateral agreements and international treaties legally bind federal, state, and local law enforcement employees to certain notification procedures whenever a foreign national is detained or arrested.
2. These agreements require departmental employees to comply with the following procedures:
  - a. Promptly inform foreign nationals of their right to have their government informed whenever they are under arrest, jailed, or otherwise detained.
  - b. If the detainee asks to exercise these rights, inform the appropriate foreign consulate or embassy without delay and make a written record of such notification.
  - c. Subject to state law and jail regulations regarding access to detained persons, consular officers have the right to visit their nationals who are jailed or in custody or detention; to converse and correspond with them; and to arrange for their legal representation.
  - d. If, at any point, the foreign national expressly objects to these actions, the foreign consular officer should not take such actions on behalf of the person.

- e. Currently, over fifty countries require mandatory notification when their nationals are confined or detained. In these cases, the foreign national has no choice regarding notification, and departmental employees shall notify the consulate or the embassy of the situation without delay.
- f. Communications shall maintain a current list of foreign consulates.
- g. In cases where a detainee is identified as a foreign national and asks to exercise these rights or procedures, departmental employees shall provide Communications with the necessary details to make prompt notifications.

**Applies to:** WSP Officers

**See Also:** --

**1.00.070     CITIZEN'S ARREST (CALEA 61.1.2, 82.2.2)**

**I. POLICY**

**A. Private Persons May Arrest Under the Following Conditions:**

- 1. For any felony actually committed when the citizen has probable cause to believe the person arrested committed the felony.
- 2. For any breach of the peace committed in their presence. For purposes of this section, breach of the peace is defined as follows:
  - a. "A violation or disturbance of the public tranquility and order. The offense of breaking or disturbing the public peace by any riotous, forcible, or unlawful proceeding...term signifies disorderly, dangerous conduct disruptive of public peace." (Black's Law Dictionary, Fifth Edition, page 171)

**B. Private Person's Responsibilities**

- 1. It is a matter of department policy that citizen arrests shall not be encouraged. The citizen desiring to make the arrest shall be encouraged to record all facts and contact the appropriate prosecutor's office. If any person(s) must be taken into custody, it shall be accomplished by duly trained and authorized law enforcement officers.
- 2. In the event of citizen arrest, the citizen's responsibility is to surrender the arrestee to a law enforcement officer. The officer's responsibility shall be to review the circumstances surrounding the arrest, and the arrestee should be taken into custody only after the officer has determined the arrest to be valid. If the arrest is valid and the arrestee is taken into custody, the case shall then be processed as would any initiated by a citizen.

**Applies to:** WSP Officers

**See Also:** Black's Law Dictionary, Fifth Edition

**1.00.080 PUBLIC CONTACT WITH UNDERCOVER WSP OFFICERS****I. POLICY****A. Concealing Identity**

1. In order to accomplish their mission and to protect their personal safety, undercover officers must conceal their identity as police officers.

**B. Employees Who Encounter Undercover WSP Officers**

1. Any employee who encounters an undercover officer shall not indicate recognition unless greeted first.
2. Officers assigned to undercover duties shall avoid contact with other employees if there is a significant danger of revealing their identity, and should not engage in off-duty activities that could compromise their undercover status.

**Applies to:** All WSP Employees

**See Also:** --

**1.00.090 PRISONERS (CALEA 1.3.5, 41.3.3, 44.2.2, 70.1.1, 70.1.2, 70.1.3, 70.1.4, 70.1.5, 70.1.6, 70.1.7, 70.2.1, 70.3.1, 70.3.2, 70.4.1, 70.4.2, 70.5.1, 81.2.4)****I. POLICY****A. Treatment of Persons in Custody**

1. Officers shall treat persons in their custody in accordance with law and established department procedures.
2. Officers should constantly be alert for the safety of themselves, bystanders, and persons in custody. They should be in control of the situation at all times and assume whatever physical and psychological advantages are necessary to maintain that control (see also **REPORTING USE OF FORCE – WSP OFFICERS**).

**B. Transportation of Prisoners**

1. Prior to being placed in the patrol car and transported, prisoners shall be thoroughly searched in accordance with departmental training.
2. In patrol cars with security partitions, prisoners shall be transported in the back seat with the partitions closed and secured. Prisoners must wear a seat belt when transported in the patrol car, except in situations where an officer's personal safety is at risk, such as a combative prisoner. In addition, the restraint straps may be used to further secure prisoners who are handcuffed to prevent the possibility of harm to the officer or to the patrol vehicle.

3. Officers must be aware that upon arresting a person, the time between the arrest and incarceration is very critical for officer safety. A subject facing the loss of freedom may become extremely desperate and dangerous. This unpredictability creates a serious threat to officers. The fact that a criminal submits peacefully to arrest does not guarantee that the individual will not resort to violence or trickery. Therefore, the transporting officer must be on guard for any eventuality.
4. Prisoners should be placed in the patrol vehicle through a rear door that is away from traffic. For this reason, officers should keep the doors unlocked whenever on patrol. The prisoner should be directed to sit in the right rear of the vehicle. This allows the officer, once behind the wheel, the best view of the subject while en route the detention facility. Officers should not lose sight of the prisoner.
5. When transporting prisoners of the opposite sex, additional precaution must be taken. This applies to both male and female officers. The officer shall advise Communications of the starting and ending mileage, the point of origin, and the destination. Further information that includes the subject's name, description, and condition may also be helpful. This information may be supplied to Communications on any prisoner an officer is transporting if there is reason for concern.
6. In those instances where a COBAN video recording device is installed, the prisoner shall be made aware of the presence of the recording device. The video recording device will be activated and record the entire prisoner transport. Instances when the COBAN device is inoperable will be noted to Communications and logged into the CAD system.
7. In those instances where a partition is not installed, the prisoner shall be handcuffed and placed in the right front seat. The prisoner shall then be seat-belted.
8. When transporting felons or belligerent prisoners, officers shall utilize all assistance necessary. In particular instances, it may be necessary to utilize plastic cuffs or restraint strap around the legs in conjunction with handcuffs to prevent damage to the interior of the patrol vehicle or injuries to the prisoner. The use of the restraint strap does not necessarily constitute a use of force. Reporting the use of the restraint strap as a use of force will be according to departmental training.

### **C. General Precautions**

1. Prisoners should be transported to detention facilities as soon as practical and without delays en route.
2. Prisoners shall not be allowed to communicate with anyone during transportation.
3. Officers shall not stop violators nor engage in any pursuit activity while transporting a prisoner unless there are no viable alternatives and the circumstance is of such urgency as to warrant the stop or pursuit.

4. Prisoners should not be transported together when there is a possibility of harm occurring to any of the prisoners. Juveniles and adults should not be transported together if custody is for non-related offenses.
5. Officers shall search the vehicle—especially under the back seat—at the beginning of each shift if the vehicle has been out of their possession (repair shop, loan to another person, etc.) and after each transportation detail to look for any contraband, weapons, or personal property that may have been left by the prisoner. The results of such search shall be noted by the officer. Evidence or weapons shall be processed in accordance with departmental property procedures.
6. Belligerent prisoners should be transported alone and handcuffed. The seat belt shall be used to further secure the prisoner to prevent harm to the officer or damage to the patrol vehicle.
7. If the vehicle is equipped with seat belts, all prisoners shall wear them.

#### **D. Injured Prisoners – Medical Attention**

1. Officers having injured prisoners in their custody shall ensure that medical attention is made available. This may require transporting the prisoner to a hospital, clinic, doctor's office, or similar facility, or in less serious circumstances, providing them an opportunity to call a physician to attend to their needs.
2. The duty sergeant or the officer's immediate supervisor shall be notified as soon as practical of all situations in which medical attention is required by or made available to prisoners.

#### **E. Screening of Prisoners**

1. In an effort to transmit all important information to the jail custodian, it is suggested that the custodian be apprised of any unusual circumstances relating to the arrest and the prisoner in question.
2. Such circumstances might include the health of the subject, the mental condition (suicidal, depressed, etc.), involved in a motor vehicle collision, etc.

#### **F. Treatment of Persons in Custody**

1. The authority of officers does not include the right to persecute any prisoner or to mete out punishment for any offense. Officers should bear in mind that it is not a crime for a person to offend the personal feelings of a police officer.
2. Officers should conduct themselves in such a manner as will minimize the possibility of having to use force against a person.
3. Officers should allow prisoners reasonable use of toilet facilities.

### G. Precautions at Detention Facilities

1. Officers should walk behind the prisoner, keeping a safe distance while remaining close enough to retain control and prevent anyone from approaching the prisoner. Officers should not position themselves between two prisoners.
2. Officers' weapons should be secured either in a receptacle for that purpose, or in the trunk of the patrol vehicle whenever the officer is going to be within close proximity to a prisoner, such as when conducting a breath test.
3. Responsibility for the prisoner is not relinquished by the officer until the detention facility officially accepts the subject, or until the subject is released to a responsible person. The name and address of any person taking responsibility for a prisoner should be noted by the officer.

### H. Transportation From One Facility to Another

1. When transporting prisoners from one facility to another, the officer shall ensure the necessary paperwork required by the detention facility/court accompanies the prisoner and is presented to the receiving officer/court (e.g., medical records, case reports, warrants, sentences imposed, etc.). In addition, when a prisoner is to be released to another officer, facility, or court, the officer shall obtain the signature of that person to whom the prisoner is released.
2. Officers shall confirm the identity of each prisoner being transported. This shall be accomplished by verifying with the detention facility the booking records, photographs, and/or contact with the original arresting officer.

### I. Prisoner Escape

1. If a prisoner escapes custody, the officer shall notify Communications and make a reasonable attempt to capture the prisoner.
2. If the prisoner remains at large, the officer shall advise Communications to notify the duty sergeant. Communications should also be advised to notify local law enforcement agencies in the geographic area.
3. The officer shall prepare a report detailing the reason for the escape and the actions taken in trying to locate the escaped prisoner.

**Applies to:**

WSP Officers

**See Also:**RCW 46.37.510, 46.61.688; WAC 204-41-030; Reporting Use of Force Form; WSP Policy **Reporting Use of Force – WSP Officers**

**1.00.100 SPIT SOCK HOOD****I. POLICY**

- A. The Spit Sock Hood is manufactured from a light-weight, see-through, protective mesh material used to prevent contamination of saliva from subjects physically arrested. The design allows the subject to easily breathe, while preventing most saliva from being projected to the outside of the Spit Sock Hood.
- B. When an officer has determined a subject is likely to or has spit, the officer should place the sock over the subject's face and head. The officer's determination that a Spit Sock Hood is necessary must be based on objectively reasonable facts that the subject poses an immediate threat to spit on the officer or other persons. For officer safety, it is recommended the placement of the Spit Sock Hood be witnessed by a second officer, if reasonable. The subject should be observed throughout the duration of the subject wearing the Spit Sock Hood. If any signs of medical distress are observed, the officer should remove the Spit Sock Hood, initiate first aid, and/or call for emergency medical help, if needed. The Spit Sock Hood should be loose-fitting while on the subject's head.
- C. Only department-issued or approved Spit Sock Hoods shall be used.
- D. The Spit Sock Hood shall be used only once and then disposed of as a biohazard.
- E. If a single Spit Sock Hood is not sufficient to stop the spit, a second Spit Sock Hood may be placed over the first Spit Sock Hood in the same manner.
- F. Use of the Spit Sock Hood is to be documented on the Use of Force Review form, only if used in conjunction with another type of use of force tool/technique. The use of the Spit Sock Hood alone would not need to be documented on the Use of Force Review form.

**Applies to:** WSP Officers  
**See Also:** Use of Force Review Form

**► SECTION 01: PATROL VEHICLES ◀****1.01.010 VIOLATORS IN PATROL VEHICLES (CALEA 61.1.8)****I. POLICY**

- A. Officers shall not invite nor shall they permit any violator to sit in their patrol vehicle while taking enforcement action.
- B. This shall not apply to violators arrested and properly searched before being placed in the patrol vehicle.

**Applies to:** WSP Officers  
**See Also:** --

**1.01.020 PATROL CAR RIDERS****I. POLICY****A. When an Officer has an Observer in a Patrol Vehicle, the Following Applies:**

1. Prospective/actual trooper cadet and commercial vehicle enforcement officer applicants may ride only upon approval of the division/district commander or designee. Generally, those who have submitted an application should be allowed to ride. Division/district commanders may authorize a ride to a prospective applicant who has not yet submitted an application.
2. Employees must obtain permission to ride with officers from their immediate supervisor and the officer's supervisor. Employees may ride on duty only when necessary to perform the job. Off-duty employees may ride to familiarize themselves with an officer's job.
3. Communications officers shall complete 24 hours of on-duty ride time during probationary/trial service periods. Permanent status communications officers should complete 8 hours of on-duty ride time each quarter, contingent upon staffing needs and activity levels at Communications. Communications supervisors shall record the date and number of hours ridden by employees and monitor ride assignments to ensure proper variance.
4. Trooper cadet rides shall be as outlined in the *Training Division Pre-Academy Coaches' Manual*. While riding, cadets shall not make initial violator contacts and should only make any secondary contacts under the direct supervision of the officer with whom the cadet is riding. Cadets should participate as much as possible at collision scenes, motorist assists, and other investigations.
5. A spouse may ride with an officer, after obtaining approval from the officer's immediate supervisor. Supervisors may authorize two rides per year for the purpose of familiarizing spouses with the officer's duties. Spouses of employees who are a recipient of one of the department's annual awards will be allowed to ride in the award recipient's assigned patrol vehicle (if applicable) to and from the awards ceremony.
6. Public officials or journalists may obtain ride authorization through a commander. Relatives and friends shall not be allowed to ride in patrol vehicles; however, exceptions may be approved by the officer's division/district commander. Transportation of spouses, relatives, or friends in emergency situations shall be considered the same as emergency assistance to any person.
7. Police officers from other agencies may ride under emergency conditions or when permission has been obtained from both officers' immediate supervisors. Police officers shall be in uniform.



8. Individuals or employees who are not on official duty but are approved to ride shall not wear a uniform or carry a weapon when riding with an on-duty Washington State Patrol officer (with the exception of fully commissioned Washington law enforcement officers). Any exceptions must be approved by the Chief of the Washington State Patrol in writing.
9. Supervisors shall ensure armored and reflectorized vests and flashlights are available for sign-out. Whenever patrol car riders ride with an officer performing line duties, an armored vest will be available for the rider's optional use. The officer ensures the rider has a flashlight if riding after dark and a reflectorized vest is available and worn by the rider when engaged in manual traffic control, if trained to do so.
10. Before the ride, officers shall ensure riders are aware of the location of all emergency equipment in the vehicle. Emergency procedures and expected conduct shall be discussed and noted on the Field Training Officer Daily Events Log.

#### **B. Rules for All Observation Rides**

1. The Release and Waiver of Civil Claims form shall be read, dated, and signed by both the rider and officer. This does not apply to department employees riding while on duty.
2. The Orientation Check-Off Sheet on the back of the Release and Waiver of Civil Claims form shall be completed and signed by the rider and officer, and all conditions adhered to. The signed waiver form and Check-Off Sheet is turned in to the detachment supervisor before the ride.
3. The officer advises the duty sergeant and Communications of a rider and the expected duration of the ride.
4. Riders may use firearms or other weapons only when a need exists to protect the officer, themselves, or when directed by proper authority. Carrying of personal firearms is prohibited.
5. Riders shall not perform any duties of an officer without specific direction from the officer.
6. Riders shall not drive the patrol car, except in an emergency, as directed by the officer.
7. Only riders trained in manual traffic control shall assist in this function, unless life-threatening.
8. Non-law enforcement riders should not contact violators, except in an emergency situation.

**Applies to:**

All WSP Employees

**See Also:**Release and Waiver of Civil Claims; *Training Division Pre-Academy Coaches' Manual*

## ► SECTION 02: SEARCH PROTOCOL ◀

**1.02.010     SEARCHES (CALEA 1.2.4, 1.2.8, 70.1.1)****I. POLICY**

**A.** The Fourth Amendment of the U.S. Constitution and Article 1, Section 7, of the Washington State Constitution protect an individual's right against unreasonable search and seizure. Officers are responsible for preserving these rights while still accomplishing their enforcement mission.

**B.** All searches shall be conducted in a lawful manner and according to departmental training.

**C. Warrantless Searches**

1. A search warrant should be obtained prior to conducting a search; however, there are a number of exceptions to this general rule. The following are the most common exceptions:

a. **Search Incident to Arrest** – A search incident to arrest is triggered by an actual, lawful custodial arrest. Merely having probable cause to make the arrest is insufficient.

(1) The area searched must be within the arrestee's control at the time of the arrest.

(2) Officers shall maintain custody of personal items removed from arrested persons until returned or released to jail custodians. Evidence shall be processed according to department procedures (see **EVIDENCE AND PROPERTY HANDLING**).

b. **Search by Consent** – The following comprise the elements of a consent search:

(1) Consent is freely and voluntarily given.

(2) The consent is clear and explicit.

(3) The consenting party has the authority to give consent.

(4) The consenting party is notified of the following—in writing, where practical—and acknowledged with signature, date, time, and extent of the scope consented to with restrictions, as necessary.

(a) You have the right to refuse consent.

(b) If you consent to the search, you have the right to withdraw the consent at any time.

- (c) You have the right to limit the scope of the consent to certain areas of the premises or vehicle.
    - (d) Evidence found during the search may be used in court against you or any other person.
  - (5) A Consent to Search form should be used when conducting any type of consent search.
  - (6) The search shall not exceed the scope for which the consent was given. If consent is revoked prior to completion of the search, all evidence found prior to the revocation may be retained. This evidence may be used as probable cause for a subsequent warrant or for an immediate arrest.
- c. **Terry Frisk** – An officer having reasonable suspicion that a person is involved in criminal activity may frisk the person if the officer has reasonable, articulable suspicion that weapons are present or that the person presents an officer safety risk. The frisk must be limited to discovering weapons and may be extended inside clothing only if the officer reasonably believes a weapon may be present.
- (1) A brief inspection of the immediate area around a person(s) in a vehicle may be conducted if one or more persons makes a furtive movement, as if to hide a weapon.
- d. **At the Scene of a Crime** – Officers must have probable cause to believe a crime was committed in order to search a crime scene. Searches of crime scenes that are on public property may be conducted without a warrant. A search warrant shall be obtained prior to processing a crime scene that is on private property, unless permission to search and process the scene is obtained from the property's owner.
- e. **Exigent Circumstances** – Officers faced with exigent circumstances or an emergency situation may be justified in making an immediate, warrantless entry and search of a dwelling or vehicle or in conducting an immediate, warrantless search of an individual's person, rather than delaying the search until they obtain a warrant. Examples of exigent circumstances might include:
- (1) Suspect poses a danger to officer or public if not immediately apprehended.
  - (2) A grave offense is involved, particularly a crime of violence.
  - (3) The suspect is reasonably believed to be armed.

- (4) Officers are in hot pursuit.
- (5) Evidence associated with the crime is mobile or subject to destruction if the suspect is not immediately apprehended.
- f. **Inventory of Seized Vehicles or Other Property** – Officers shall conduct a detailed inspection and inventory of all impounded vehicles. A warrant is needed to search locked containers or open the trunk of the vehicle, even if it may be opened without a key from an accessible area of the passenger compartment. Locked or closed containers should be inventoried as a sealed unit absent exigent circumstances. This inventory may be not be used as a pretext for an evidentiary search.
- g. **Plain view** – An observation made from inside a constitutionally protected area where the officer has a lawful right to be; the item(s) are immediately recognized as contraband and as having some evidentiary value; and the discovery was inadvertent.
- h. **Open view** – An observation made from outside a constitutionally protected area, while at a location the officer has a right to be.

**Applies to:**  
**See Also:**

WSP Officers  
RCW 10.79.040, 69.50.505; Washington State Constitution  
(Article 1, Section 7)

### ► SECTION 03: OBTAINING SAMPLES ◀

#### 1.03.010     BLOOD SAMPLES (CALEA 61.1.5, 61.1.11, 61.2.1)

##### **I. POLICY**

##### **A. Obtaining a Blood Sample**

1. The taking of blood samples at the officer's discretion to determine alcoholic content or the presence of drugs shall not be done, except under the following circumstances (refer to the Special Evidence Warning in the DUI Arrest Report):
  - a. If the driver is unconscious and the officer has reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug or was in violation of RCW 46.61.503.
  - b. If the driver is under arrest for vehicular homicide and there is reason to believe the driver is under the influence of alcohol or drugs.

- c. If the driver is under arrest for vehicular assault and there is reason to believe the driver is under the influence of alcohol or drugs.
- d. If the driver is under arrest for DUI resulting from a collision in which another person has been seriously injured.
- e. If the driver is under arrest and in violation of RCW 46.61.502 Section 6 (Felony DUI).
  - (1) The person has four or more prior offenses within ten years as defined in RCW 46.61.5055.
  - (2) The person has previously been convicted of:
    - (a) Vehicular homicide while under the influence of intoxicating liquor or any drug.
    - (b) Vehicular assault while under the influence of intoxicating liquor and/or any drug.
    - (c) An out-of-state offense comparable to the offenses specified above.
    - (d) Felony DUI or Felony Physical Control.
- 2. A blood sample should be taken in any of the above situations and may be taken without consent when these circumstances exist and a search warrant for blood is obtained or exigency exists. Vials for preserving the blood sample shall be available at district/detachment offices.
- 3. For all other impaired driving crimes necessitating blood evidence, an officer may seek a search warrant for blood or request a waiver of warrant requirement (voluntary consent). If a person has been read an implied consent warning for breath, and refuses, a voluntary consent blood draw will not be requested and only a search warrant for blood may be sought. Each district commander, in consultation with their local prosecutors, will determine if voluntary blood draws will be performed.

#### **B. Blood Sample Retrieval**

- 1. Retrieval of the blood sample shall be in adherence to the **BLOOD/URINE SAMPLE RETRIEVAL** policy.

#### **C. Search Warrants for Blood**

- 1. Officers may request a search warrant to extract samples of blood from a suspect as evidence of one or more of the following crimes: driving while under the influence, physical control of a vehicle while under the influence, and/or driver under 21 consuming alcohol when the officer (a) has probable cause to believe the suspect driver has committed one or more of these crimes; and (b) the suspect driver refuses a breath test or when blood evidence is relevant to the elements of the crime.

2. Officers should consider, at a minimum, the following factors, when determining whether to request a search warrant to extract samples of blood: (a) whether the suspect driver has one or more previous alcohol-related driving convictions; (b) whether the officer suspects the presence of drugs; or (c) whether or not a collision was involved.
3. **OFFICERS MUST OBTAIN SUPERVISORY APPROVAL PRIOR TO REQUESTING A SEARCH WARRANT FOR BLOOD. IN CERTAIN JURISDICTIONS, THE LOCAL PROSECUTOR MUST APPROVE THE AFFIDAVIT IN SUPPORT OF THE SEARCH WARRANT BEFORE IT IS PRESENTED TO A JUDGE.**

**Applies to:**

WSP Officers

**See Also:**

Special Evidence Warning in the DUI Arrest Report; RCW 46.61.502, 46.61.503, 46.61.5055; WSP Policy **Blood/Urine Sample Retrieval**

**1.03.020      BLOOD/URINE SAMPLE RETRIEVAL (CALEA 61.1.11)**

**I. POLICY**

**A. Blood Sample**

1. In the event of a collision involving death or substantial bodily harm that involves a temporary but substantial disfigurement, or which causes a temporary but substantial loss or impairment of the function of any bodily part or organ, or which causes a fracture of any bodily part and such injury or death is proximately caused by a person who operates or drives a vehicle while under the influence of intoxicating liquor or any drug, the following procedures shall be adhered to when a blood sample is to be obtained for alcohol or drug testing.
2. In ALL cases where there is probable cause to arrest the suspect for Vehicular Homicide, Vehicular Assault, or DUI with serious bodily injury to another, A BLOOD SAMPLE WILL BE OBTAINED. DO NOT TAKE A BREATH SAMPLE.
3. An officer having personal knowledge of the details of the collision shall proceed to the hospital to contact the suspect driver, or shall transport the suspect driver to a hospital, or shall contact paramedics at the scene, for the purpose of obtaining a blood sample. If this is not feasible, the officer who goes to the hospital MUST BE ADVISED THAT PROBABLE CAUSE EXISTS TO TAKE THE BLOOD SAMPLE.
4. All elements of probable cause (e.g., smell, appearance, or any other evidence) must be communicated by a person having direct, personal knowledge of the probable cause. If not, the officer MUST ESTABLISH THE PROBABLE CAUSE.
5. The suspect driver MUST BE PLACED UNDER ARREST, whether unconscious or not, for Vehicular Homicide, Vehicular Assault, or DUI with serious bodily injury to another (refer to Special Evidence Warnings).

6. DO NOT advise suspects they are under arrest for "Investigation of..." or advise them of their Implied Consent Warnings. Under these conditions, they do not have the right to refuse to give a sample.
7. Verbally identify yourself to the person, giving your rank, name, and agency. Read the Special Evidence Warnings exactly as they are written on the form, including the right to additional tests. Read these out loud, regardless of the level of consciousness of the suspect. If the suspect cannot sign the forms or otherwise acknowledge they were read, record the response in the appropriate space. Do not read the "Voluntary Blood/Breath/Urine" section of the form, as the sample is not voluntary.
8. Ensure that only 10 mL. grey-top vials that are not past their expiration date are used for the sample. (BE SURE TO WEAR LATEX GLOVES while handling them.) Do not cover or overwrite the lot control number and/or expiration date on the 10 mL. grey-top vials. It is important to note on the vial if it contains a dry white powder. If two vials cannot be filled, obtain as much blood as possible and mark the vials with the suspect's name, the date, time, and your initials.
9. Obtain a copy of any release from liability/waiver forms you may have signed.
10. Complete a Property/Evidence Report, indicating in the remarks section if the blood was drawn for Vehicular Assault, Vehicular Homicide, or DUI with serious bodily injury to another.
11. Complete a Toxicology Laboratory Request for Analysis and indicate if a vehicular assault or homicide, as this may affect the course of testing. If a Drug Recognition Expert (DRE) exam on the subject was included, a copy of the DRE face sheet should be attached to the Toxicology Laboratory Request Form.
12. The completed Property/Evidence Report and the Toxicology Laboratory Request must be placed into the evidence box with the vials, before going off shift.
13. Complete a Report of Investigation form, listing your actions and observations of the suspect.
14. If probable cause does not exist to take a sample, attempt to obtain consent for a voluntary sample. For consent to be valid, it must be clear, explicit, and voluntarily given by a person with authority to give it.

**B. Urine Sample**

1. If mushroom or LSD ingestion is suspected, a urine sample may be requested from the suspect with his/her consent. If further probable cause exists, the officer may consider a search warrant to obtain the urine. Urine will not be obtained in lieu of the legal blood draw.
2. There is no statutory authority to require an individual to provide a urine sample without their consent [(RCW 46.20.308(3))]. Implied consent does not apply to urine samples.
3. Attempt to obtain consent for a voluntary sample. For consent to be valid, it must be clear, explicit, and voluntarily given.
4. If consent for a voluntary urine sample cannot be obtained and probable cause exists, a telephonic search warrant should be obtained.
5. It is suggested that all affidavits and search warrants be reviewed by legal counsel prior to presentation to a magistrate/judge.
6. **BE SURE TO WEAR LATEX GLOVES IF HANDLING THE SAMPLE.** Mark the vials with the suspect's name, date, time, and your initials.
  - a. If a urine sample is collected, urine cups obtained from the toxicology laboratory (not hospital cups) should be used.
  - b. Do not pour the urine sample into the 10 mL. grey-top vials.
7. Obtain a copy of any release from liability/waiver forms you may have signed.
8. Complete a Property/Evidence Report, indicating in the remarks section if the urine was taken for Vehicular Assault, Vehicular Homicide, or DUI with serious bodily injury to another.
9. Complete a Toxicology Laboratory Request for Analysis.
10. The Property/Evidence Report and Toxicology Laboratory Request must be placed into the evidence box with the vials before going off shift.
11. Complete a Report of Investigation, listing your actions and observations of the suspect.



**Applies to:**

WSP Officers

**See Also:**

RCW 46.20.308, 46.61.520, 46.61.522, 9A.04.110; DUI Arrest Report; Property/Evidence Report; Toxicology Laboratory Request for Analysis; Report of Investigation

## Chapter 2

# USE OF FORCE AND LETHAL FORCE POLICIES

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### ► SECTION 00: USE OF FORCE ◀

#### **2.00.010      USE OF FORCE – DEFINED (CALEA 1.3.1, 1.3.2, 1.3.4, 1.3.6)**

#### **I.    DEFINITION**

- A.    *Use of force* is defined as "Power dynamically considered, that is, in motion or in action; constraining power, compulsion; strength directed at an end. Force may be applied through the use of a person's body, weapons, equipment, and/or other instruments."

#### **II.   POLICY**

##### **A.   Reasonable Use of Force**

1.   Only reasonable force to lawfully perform an officer's duties shall be used.

##### **B.   Reportable Uses of Force**

1.   Physical take-downs, leg sweeps, or any technique which forcibly requires the subject to end up on the ground from means other than his/her own.
2.   Restraint Strap, if used to overcome combative resistance or aggression.
3.   Use of OC-10.
4.   Use of the Taser.
5.   Striking with hand/fist or foot.
6.   Any use of an impact tool, whether designed for that function or not.
7.   Neck restraint hold.
8.   Any action that results in a complaint of injury and/or any form of visible injury to a subject.
9.   Use of the Pursuit Immobilization Technique at 40 miles per hour or higher.
10.   Use of a vehicle in an act of intentional intervention.
11.   Use of any firearm (*including unintentional discharge*), except as outlined in the **ANIMAL DESTRUCTION** policy.

**C. Reporting Use of Force**

1. The use of force reporting process evaluates the appropriateness of the force, alternatives to the force, tactics used to administer the force, or the training and supervisory concerns related to the use of force incident.

**D. Investigation of Use of Force**

1. Use of force (including lethal force, which includes intentional intervention) is not, by definition, a criminal allegation.
2. Use of lethal force shall be investigated first by the Criminal Investigation Division, but for the purposes of this policy, it is not considered criminal, unless evidence is discovered which would lead to the filing of criminal charges by the appropriate prosecutor.

**Applies to:** WSP Officers

**See Also:** WSP Policy **Animal Destruction**

**2.00.020** **LETHAL USE OF FORCE – WSP OFFICERS (CALEA 1.2.1, 1.3.2, 74.3.1)**

**I. POLICY****A. WSP OFFICERS ARE AUTHORIZED TO USE LETHAL FORCE UNDER THE FOLLOWING CIRCUMSTANCES:**

1. When arresting or apprehending any person for the commission of any crime, an officer has probable cause to believe that, if not apprehended, the suspect's freedom poses a threat of death or serious physical harm to the officer or others. Among the circumstances which may be considered by an officer as a "threat of serious physical harm" are:
  - a. When a suspect threatens an officer with a weapon or displays a weapon in a manner that could reasonably be construed as threatening.
  - b. There is probable cause to believe that the suspect has committed any crime involving the infliction or threatened infliction of serious physical harm.
2. After capture, to prevent the escape of a suspect when an officer has probable cause to believe the suspect's freedom will represent a threat of death or serious physical harm to the officer or others. Where feasible, some warning needs to be given.
3. See RCW 9A.16.040, **Justifiable homicide or use of deadly force by public officer, peace officer, person aiding.**

**NOTE:** RCW 9A.16.040 provides that the use of lethal force under these limited circumstances is justifiable. If an officer acts without malice and in a good-faith belief that such act is justifiable under RCW 9A.16.040, the statute provides that the officer shall not be held criminally liable.

**Applies to:** WSP Officers  
**See Also:** WSP Policy **Lethal Use of Force – WSP CVEOs and Trooper Cadets**; RCW 9A.16.040

**2.00.030 LETHAL USE OF FORCE – WSP CVEOS AND TROOPER CADETS (CALEA 1.2.1, 1.3.2)**

**I. POLICY**

**A. WSP COMMERCIAL VEHICLE ENFORCEMENT OFFICERS AND TROOPER CADETS ARE AUTHORIZED TO USE LETHAL FORCE ONLY UNDER THE FOLLOWING CIRCUMSTANCES:**

1. When a suspect threatens an officer with a weapon or displays a weapon in a manner that could reasonably be construed as threatening death or serious physical harm to the officer/cadet or to others in the officer's/cadet's immediate presence.
2. WSP CVE officers/trooper cadets shall not intervene in situations outside of their immediate presence. In these instances, WSP CVE officers/trooper cadets are to call for a WSP officer or other law enforcement officer to respond. A person who is fleeing is not a threat to the WSP CVE officer/trooper cadet and should not be pursued.

**NOTE:** RCW 9A.16.040 provides that the use of lethal force under these limited circumstances is justifiable. If an officer acts without malice and in a good-faith belief that such act is justifiable under RCW 9A.16.040, the statute provides that the officer shall not be held criminally liable.

**Applies to:** WSP CVEOs and Trooper Cadets  
**See Also:** WSP Policy **Lethal Use of Force – WSP Officers**; RCW 9A.16.040

**2.00.040 FIREARMS, WSP OFFICERS (CALEA 1.2.1, 1.3.2, 1.3.3)**

**I. POLICY**

- A. A WSP officer may use a firearm only when (a) it would appear to a reasonable officer that any other alternative would be ineffective under the particular circumstances based only upon the facts known to the officer or reasonable assumptions made by the officer at the moment the firearm was discharged; and (b) it is consistent with **USE OF FORCE** or **USE OF LETHAL FORCE** policies.
- B. Lethal force shall not be used in the following situations:
1. In any misdemeanor or gross misdemeanor case unless it qualifies under **USE OF LETHAL FORCE** or **USE OF FORCE - FIREARMS**, and there is a high degree of certainty no other person will be injured.
  2. When it appears likely an innocent person may be injured.
  3. From a moving vehicle, except in defense of self or others when the suspect is using deadly force.

4. At an unarmed fleeing suspected felon, unless it is necessary to prevent the escape and the officer has probable cause to believe that the suspect's freedom poses a significant threat of death or serious physical injury to the officer or others.

C. Warning shots shall not be fired under any circumstance.

**Applies to:**

WSP Officers

**See Also:**

RCW 13.32A.050, 13.40.040; WSP Policies **Use of Force – Firearms, WSP CVEOs and Trooper Cadets; Use of Force; Use of Lethal Force; Use of Force – Firearms**

**2.00.050 FIREARMS, WSP CVEOS AND TROOPER CADETS**  
(CALEA 1.2.1, 1.3.2, 1.3.3)

**I. POLICY**

- A. A WSP CVE officer/trooper cadet may use a firearm only when (a) it would appear to a reasonable officer that any other alternative would be ineffective under the particular circumstances based only upon the facts known to the officer or reasonable assumptions made by the officer at the moment the firearm was discharged; and (b) it is consistent with **USE OF FORCE** or **USE OF LETHAL FORCE** policies in this manual.
- B. Lethal force shall not be used in the following situations:
  1. In any misdemeanor or gross misdemeanor case unless it qualifies under **USE OF LETHAL FORCE** or **USE OF FORCE - FIREARMS**, and there is a high degree of certainty no other person will be injured.
  2. When it appears likely an innocent person may be injured.
  3. From a moving vehicle, except in defense of self or others when the suspect is using deadly force.
- C. WSP CVE officers/trooper cadets shall not engage in pursuits of fleeing felons. They are to call for WSP officers or other law enforcement personnel to respond.
- D. Warning shots shall not be fired under any circumstance.

**Applies to:**

WSP CVEOs and Trooper Cadets

**See Also:**

WSP Policies **Use of Force – Firearms, WSP Officers; Use of Force; Use of Lethal Force; Use of Force – Firearms**

**2.00.060 NECK HOLDS** (CALEA 1.2.1, 1.3.2, 1.3.11)

**I. POLICY**

**A. WSP Officers**

1. 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.

#### **B. WSP CVEOs and Trooper Cadets**

1. 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.

**Applies to:** WSP Officers, CVEOs, and Trooper Cadets

**See Also:** --

#### **2.00.080 INTENTIONAL INTERVENTION, WSP OFFICERS (CALEA 1.2.1)**

##### **I. POLICY**

- A. 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(s) for the purpose of functionally damaging or forcing the other vehicle off the road. The use of the Pursuit Immobilization Technique (PIT) is not intentional intervention.
- B. Intentional intervention shall be used to effect an apprehension only as a last resort and only when the officer knows or has reasonable grounds to believe the occupant(s) has committed or is attempting to commit a crime that poses a threat of death or serious bodily injury.
- C. Intentional intervention shall not be used to apprehend a traffic offender, misdemeanor, or fleeing felon whose only felony is attempting to elude a pursuing police vehicle.
- D. Officers attempting intentional intervention with a vehicle shall be held to the same standards as are applied to any other use of lethal force.

**Applies to:** WSP Officers

**See Also:** WSP Policy **Use of Force – Intentional Intervention, WSP CVEOs and Trooper Cadets**

#### **2.00.090 INTENTIONAL INTERVENTION, WSP CVEOS AND TROOPER CADETS (CALEA 1.2.1)**

##### **I. DEFINITION**

- A. Intentional intervention (ramming) of a vehicle is the deliberate act of hitting another vehicle with a patrol vehicle(s) for the purpose of functionally damaging or forcing the other vehicle off the road. Intentional intervention is considered use of lethal force.

##### **II. POLICY**

- A. WSP CVE officers/trooper cadets shall not engage in pursuits or intentional intervention (ramming of a vehicle).

**Applies to:** WSP CVEOs and Trooper Cadets  
**See Also:** WSP Policy **Use of Force – Intentional Intervention, Officers**

**2.00.100**     **DIVISION/DISTRICT/SECTION RESPONSIBILITIES (CALEA 1.3.6, 1.3.7, 1.3.8)**

**I. POLICY**

**A. Investigation of Use of Force**

1. Division/district commanders shall ensure all incidents of use of force by a subordinate are investigated. Every effort shall be made to ensure an open and transparent investigation that is thorough, fair, complete, and professional.
2. If the incident involves death, serious injury, the use of lethal force, or an alleged use of lethal force, the division/district commander shall request the assistance of the Criminal Investigation Division (CID). When CID begins an investigation, the local investigation shall be terminated and all evidence collected shall be relinquished to the assigned CID investigator(s).
  - a. CID will consult with a crime laboratory representative for the assistance of the Crime Scene Response Team.
  - b. Division/district commanders, in conjunction with CID, will engage the local agency of jurisdiction in conducting a joint investigation; they shall also ensure notification of the county prosecutor.
3. If the investigation is turned over to CID investigators, the division/district commander shall have the investigating supervisor submit a detailed written report within 48 hours to the CID investigator. The report shall include all actions, observations, and participation in the investigation.
4. All officers who assisted at the scene shall also be required to write a detailed report of their observations and actions.
5. In this section, the term “involved” means the employee(s) who used or allegedly used lethal force. “Involved” does not include employees who may have witnessed the actions of another officer or civilian.
6. The use of lethal force by departmental personnel is not, by default or definition, a criminal allegation. RCW 9A.16.040 provides that the use of lethal force is justifiable under limited circumstances. If an officer acts without malice and in good-faith belief that such act is justifiable under RCW 9A.16.040, the statute provides that the officer shall not be held criminally liable.
7. Use of lethal force shall not be considered criminal (for the purposes of this policy) unless evidence is discovered that could potentially lead to the filing of criminal charges by a prosecutor. If a determination of possible criminal conduct by the officer is reached, the involved officer will be advised of his/her

Constitutional Rights (Miranda Warnings) prior to any questioning and will be afforded all rights available to any other accused citizen, as well as any provided under applicable collective bargaining agreements.

#### **B. Office of Professional Standards Involvement**

1. In those cases where policy violations are discovered, the division/district commander shall immediately notify the Office of Professional Standards (OPS) by use of the Internal Incident Report. The OPS Commander, in consultation with the division/district commander, shall determine whether to initiate an administrative investigation at that time or wait to make a determination until the conclusion of a criminal investigation.
2. If an administrative investigation is required in addition to the CID investigation, it will normally be conducted as a follow-up investigation. Under appropriate circumstances and with prosecutorial notification, an administrative investigation may be started prior to a criminal declination by the prosecutor. Upon approval of the Investigative Services Bureau Assistant Chief, the OPS Commander shall assign investigative responsibility and assign a case number.
3. When the CID investigation is completed, the investigator(s) shall forward a detailed report, along with copies of the Use of Force Report and all investigative documentation, through the local chain of command to the commander of OPS.

#### **C. Relief From Duty**

1. In cases of death or serious injury, division/district commanders shall relieve the officer(s) from line duty and place them on administrative leave. Division/district commanders shall also consider relief from duty in situations where the use of lethal force does not result in injury.
2. Commanders shall consult with their assistant chief/bureau director and the Human Resource Division when relieving officer(s) from duty.
3. Officers relieved of duty shall provide the division/district commander with a telephone number where they can be reached if the need arises.

#### **D. Return to Work Protocol**

1. After a statement is obtained from the involved officer, investigators shall provide the appointing authority, the affected assistant chief, the Investigative Services Bureau Assistant Chief, and the OPS and CID commanders with a detailed briefing on the investigation.
2. The appointing authority and OPS Commander shall make a determination based upon this briefing as to whether the use of force was "authorized," then formulate a recommendation for the affected assistant chief as to whether the officer should return to full duty.



3. If the appointing authority recommends that the officer not be returned to full duty, the officer shall remain on administrative leave, or the appointing authority may temporarily reassign the officer to other appropriate duties.
4. Before an officer involved in a lethal force incident is returned to full duty, the following shall occur:
  - a. The appointing authority shall contact the involved officer to determine the officer's input as to whether the officer is ready to return.
  - b. The appointing authority shall arrange for the officer to team up with a fellow officer for one to three work shifts prior to return to normal duty.
  - c. The officer shall qualify with their current duty weapon in order to ensure that the officer is familiar and confident with the issued weapon.
  - d. A critical incident stress debriefing with the Department Psychologist.

#### E. Incident Report Form Requirement

1. In any incident involving a Washington State Patrol employee where there has been a death of a person, serious injury to a person, or substantial property damage or loss (in excess of \$100,000) caused (or alleged to have been caused) by the actions of a Washington State Patrol employee, the employee's division/district/section commander shall complete an Office of Financial Management Incident Report Form (refer to **REPORTING DEATHS, SERIOUS INJURIES, AND SUBSTANTIAL LOSSES**). Once completed, this form should be sent immediately to the Risk Management Division Commander, whereupon it will be logged and then forwarded to the Department of Enterprise Services/Risk Management.

**Applies to:**

All WSP Employees

**See Also:**

RCW 9A.16.040; WSP Policy **Reporting Deaths, Serious Injuries, and Substantial Losses**; Use of Force Report; Incident Report Form; Internal Incident Report

### **2.00.110 RESPONSIBILITIES – INVESTIGATION (CALEA 1.3.5, 1.3.6)**

#### **I. POLICY**

##### **A. Involved Officer(s)**

1. The involved officer(s) shall immediately:
  - a. Notify Communications of the incident and location.
  - b. Determine the physical condition of any injured person and render first aid when appropriate.
  - c. Request emergency medical aid if needed.

2. The officer(s) shall remain at the scene (unless injured) until the arrival of the investigator(s) or relieved by proper authority. If the continued presence of the officer at the scene might cause a more hazardous situation to develop (violent crowd, emotional trauma, etc.), the ranking supervisor or command officer at the scene shall instruct the officer(s) to proceed to a more appropriate location. The division/district commander, in consultation with the Criminal Investigation Division (CID), shall arrange to have the officer(s) transported to a secure location as soon as possible. The officer will remain at the secure location until released by CID Investigators.
3. All evidence, including weapons, equipment, or uniform items shall be immediately secured for examination and relinquished to the investigator and/or supervisor.
4. The involved officer will be asked to immediately provide the following critical information regarding the incident to the designated commissioned supervisor at the scene in order to ensure scene safety and preservation of all evidence:
  - a. Any immediate hazards to other responding personnel or the public.
  - b. Information necessary to apprehend suspects.
  - c. Provide the location of any injured persons.
  - d. From where and in what direction did you fire rounds?
  - e. From where and in what direction did the suspect(s) fire rounds?
  - f. Is there any evidence that needs protection/preservation?
  - g. Identity and/or location of any witnesses.
  - h. Are there any additional crime scenes that must be protected?
5. The involved officer(s) shall not discuss the incident with anyone other than the following people until the officer has provided an official statement to the investigators or the employer; or, if no official statement was provided, the conclusion of the investigation:
  - a. The involved officer's spouse.
  - b. The involved officer's lawyer.
  - c. A member of the clergy.
  - d. Health care provider.
  - e. A psychologist.
  - f. Union representative (unless the union representative was a witness to the event).

Nothing herein requires the involved officer to discuss the incident with the people listed, unless a supervisory authority specifically orders or compels the discussion.

6. When directed, the officer(s) shall prepare written reports of the incident.

## **B. Communications**

1. The notified Communications Center shall:
  - a. Dispatch requested medical aid.
  - b. Notify the local duty supervisor.
  - c. Notify the officer's supervisor.
  - d. Notify the local district/section commander.
  - e. Notify the local Criminal Investigation Unit Supervisor.
  - f. Notify the Executive Staff.
  - g. Notify the Department Psychologist.

## **C. Supervisor**

1. The supervisor and/or division/district commander shall proceed immediately to the scene and conduct a preliminary use of force investigation. The supervisor shall respond to the scene and assume on-scene supervisory responsibility. This authority shall be maintained until the supervisor is properly relieved. When appropriate, CID shall be called to the scene to investigate the incident, but the supervisor shall not relinquish on-scene supervisory responsibility of the scene to CID.
2. The supervisor shall:
  - a. As soon as possible, contact the involved officer and obtain a Public Safety Statement to determine if exigent circumstances exist and ensure necessary resources are responding in order to protect other officers and the public and to preserve evidence.
  - b. Initiate Unified Command and establish a Command Post.
  - c. If there is a suspect at large, consider the use of canine or aircraft and/or canvassing the area.
  - d. Identify, locate, and detain all witnesses.
  - e. Assign an officer to ride in each ambulance with injured persons for the preservation of evidence, custody of persons under arrest, statement or dying declaration, or for support of any injured officer.
  - f. Create perimeter, crowd, and traffic control and establish control of emergency vehicle ingress/egress routes. Maintain a log of all persons entering the scene.
  - g. Ensure that any weapons and all evidence are secured. The firearm(s) are to be given to the assigned CID investigator.

- h. The supervisor shall ensure the involved officer(s) are provided a replacement firearm and holster (if it is necessary for the officer(s) to relinquish the holster, unless the division/district commander determines that the issuance of a replacement weapon is inappropriate).
    - i. The firearm(s) shall be submitted into and remain in the evidence system until criminal proceedings, if any, have been adjudicated, administrative proceedings have been completed, and three-year statute of limitations on the filing of a wrongful death lawsuit has expired, and any such civil proceedings have been adjudicated.
3. The supervisor's use of force investigation consists of:
  - a. Ensuring an arrest report, if required, is completed by the appropriate officer.
    - (1) If necessary, the supervisor shall order the officer to complete the arrest report.
  - b. Examining all injuries, visible or not.
  - c. Ensuring medical treatment is provided.
  - d. Obtaining a medical release form, if applicable.
  - e. Interviewing all employees who were witnesses, any other witnesses, and the recipient of the use of force.
    - (1) Officers/employees involved in the use of lethal force shall not be interviewed by the supervisor. CID shall be called to the scene to investigate these incidents.
    - (2) In compliance with the appropriate labor agreements, the officer involved in non-lethal uses of force may be interviewed. In incidents where the force used may involve criminal conduct, the involved officer shall be advised of his/her Constitutional Rights prior to being questioned by criminal investigators.
  - f. Photographing visible injuries. Clothing should be removed to display the injury or area of alleged injury and a scale measurement shall be used when available. (Photographs can be taken by medical personnel, when appropriate.)
  - g. Examining the involved officer's service equipment and photographing any item of evidentiary value, if warranted.
  - h. Completing the Use of Force Report and forwarding it to the division/district commander.
  - i. The supervisor shall complete an Internal Incident Report and forward it to the appropriate division/district commander only if there appears to be a policy violation. If no policy violations are discovered, the supervisor need only complete the Use of Force Report and forward it and all appropriate documentation to the appropriate division/district commander.

4. If there appears to be an alleged policy violation, the supervisor shall immediately notify the division/district commander, who shall in turn notify the Office of Professional Standards (OPS) Commander. The supervisor shall complete an Internal Incident Report and forward it to the appropriate commander. The OPS Commander, in consultation with the division/district commander, shall determine and delegate investigative responsibility for the investigation.

#### **D. Detective(s)**

1. Detective(s) from CID shall respond to the scene of all incidents where lethal force has been used. The detective(s) shall immediately assume investigative responsibility for the incident. Field supervisor(s) shall maintain on-scene supervisory responsibility for the scene. This includes incidents when CID personnel use lethal force.

**Applies to:** All Officers and Communications Officers

**See Also:** Use of Force Report; Internal Incident Report; Public Safety Statement

### **2.00.120 USE OF FORCE REVIEW**

#### **I. POLICY**

##### **A. Review of Use of Lethal Force**

1. A committee composed of representatives from the Criminal Investigation Division, the officer's district/division command, the Training Division, the Department Psychologist, and the Risk Management Division Commander shall conduct a critical incident review of a use of lethal force. The purpose is to identify any needed process improvements, identify any needed training, and to identify any emerging officer safety trends. The review should be within 60 days of the completion of the investigation, with consideration for any pending administrative or criminal prosecution.

**Applies to:** Commanders of the Criminal Investigation Division, Training Division, Risk Management Division; division/district commanders; Department Psychologist

**See Also:** --

### **2.00.130 ANIMAL DESTRUCTION**

#### **I. POLICY**

[Click here to view General Order 15-001](#)

- A. The destruction of an animal is justified in the following instances:
  1. For self-defense.
  2. To prevent substantial harm to others.
  3. When the animal is so badly injured that humanity requires its relief from further suffering.

- B. A seriously wounded or injured animal may be destroyed only after reasonable attempts have been made to request assistance from the animal's owner. The destruction of vicious animals should be guided by the same rules set forth for self-defense and the defense and safety of others. Officers should attempt to have a witness present if no other agency can respond.
- C. Immediate notification shall be made to the officer's supervisor upon destruction of any animal. A follow-up IOC shall be forwarded to the supervisor detailing the incident, but it shall not be considered use of force. The IOC shall include when/where occurred, the kind of animal, reason for destruction, type of weapon used, and the number of shots fired. The IOC shall be forwarded to the Office of Professional Standards for statistical purposes only.

**Applies to:** WSP Officers

**See Also:** --

## ► SECTION 01: DEPARTMENT STANDARD ◀

### 2.01.010     DEPARTMENT STANDARD

#### I. POLICY

##### A. Policy for Department Use Only

- 1. This policy is intended for departmental use only. Although it creates a higher standard of safety or care than is required by law, violations should serve only as the basis for departmental administrative sanctions. Violations of law form the basis for civil and criminal sanctions in a recognized judicial setting.

**Applies to:** WSP Officers

**See Also:** --

## ► SECTION 02: SPECIAL EVENTS ◀

### 2.02.010     RAIDS (CALEA 42.2.2, 43.1.5, 74.3.1)

#### I. POLICY

##### A. Team Members

- 1. Raids should be under the authority of one person—the incident commander. The incident commander is responsible for the entire operation from planning to execution.
- 2. When the raid is large or involves more than one location, the incident commander will designate team leaders. This allows all involved to know whose instructions to follow and gives the commander better control. In a small raid involving a single team of three or four, one person must still be in charge of the entire operation.

3. The incident commander should have sufficient staff so as to discourage resistance. There should be a sufficient number of employees to control the entire area of the raid, cut off avenues of escape, and control situations that may arise during the raid. The SWAT Team shall be called for raids involving known serious, violent, or heavily armed offenders.
4. In selecting team members, experience, ability, and discipline should be primary considerations. The incident commander has the final decision in team selection.
5. Areas to consider in the selection of team members:
  - a. Those trained in using firearms during entry tactics.
  - b. Employees directly involved in the case.
  - c. Necessary technicians (evidence, photo, fingerprints).
  - d. One to record all raid details for court presentation.
  - e. Employees with specific skills, such as:
    - (1) Canine handlers (Explosives and/or Narcotics Detection);
    - (2) Languages;
    - (3) Appearance (subterfuge);
    - (4) Technical equipment expertise (e.g., videotape technicians or High Tech Crimes Unit [HTCU]);
    - (5) SWAT and/or Crisis Negotiation Team;
    - (6) Bomb Squad;
    - (7) Others as identified.

#### **B. Safety of All**

1. The incident commander should ensure all involved become acquainted before the raid. This reduces the possibility of mistaking someone as a suspect and clarifies the identity of involved employees.
2. Team members shall be recognizable as law enforcement employees. Apparel must include identifiable lettering, insignias, or appropriate markings.
3. Deploy employees for four unit functions: outer perimeter, inner perimeter, entry team, and support team.

- a. **The Outer Perimeter** — Seal the outer boundary of the operation's area. The team must use a marked patrol car for security during the entire course of the raid. Uniformed officers and inexperienced raid employees should be used here.
- b. **The Inner Perimeter** — Sealing the suspect within a specified area or capturing if he/she is able to break away from the entry team. This team should be positioned to not easily be seen, but to cover all possible exits. They shall not enter or actively search the building unless told by the incident commander. Members of this unit should clearly know their line of fire.
- c. **The Entry Team** — Enters the building and apprehends the suspect. Entry team members must be familiar with each other, trained in entry techniques, and have proper equipment. This team must be identifiable as police officers. Team size should be kept to the minimum needed to accomplish the mission. A member of the entry team shall have a search warrant to serve, when applicable.
- d. **The Support Team** — Follows the entry team in after the location is secured. This team takes custody of suspects and conducts a thorough systematic search of the target location. The team should include the officer holding the warrant, if not a member of the entry team. The support team should include:
  - (1) A recorder to maintain an accurate log of all raid events. The recorder notes details of what occurred and supplements notes with videos, photographs of raid conditions, the location of found evidence, and persons arrested.
  - (2) A photographer to photograph and videotape appropriate items or events.
  - (3) An evidence collector or property custodian to handle all goods or properties seized and persons taken into custody.

## C. Types of Entries

### 1. Low-Profile Search Warrant Entry

- a. Definition: Entering a location where existing risk factors are of the lowest level of danger to officers and others.
  - (1) Example: Serving search warrant on business establishments or storage facility for documents when no known threat exists.
- b. Low-profile entry is appropriate when non-confrontational contact (entry) is expected and is used:
  - (1) When suspects appear non-violent.
  - (2) To avoid destruction of property.



- (3) To reduce potential for injury.

**NOTE: BE PREPARED FOR THE UNEXPECTED!**

## 2. Medium Risk Search Warrant Entry

- a. Definition: Entering a location where existing risk factors are of the intermediate level of danger to officers and others.
  - (1) Examples:
    - (a) Suspect disposing of evidence.
    - (b) Suspect leaves scene of felony collision (under influence).
    - (c) Fleeing felon enters residence.
- b. Officers knock and announce. When there is no response from inside, wait an appropriate length of time and enter the building. When entering, use discipline, move no faster than required to accurately identify threat, and take the appropriate precautions, if necessary.
- c. A medium risk search warrant entry is used when:
  - (1) There is a known target, suspect, or objective.
  - (2) There is disposable evidence.
  - (3) Officers are refused entry.
  - (4) An element of surprise is needed.

**NOTE: BE PREPARED FOR THE UNEXPECTED!**

## 3. High Risk Search Warrant Entry

- a. Definition: Entering a facility where existing risk factors are of the highest levels of danger to officers and others.

**NOTE:** A high risk search warrant entry shall be handled by the **SWAT Team**.

- b. A high risk search warrant entry is used:
  - (1) To diffuse a hostage situation.
  - (2) When the suspect has a history of being extremely violent.
  - (3) When there is high propensity to use weapons.
  - (4) When the location is barricaded/fortified.

**NOTE: BE PREPARED FOR THE UNEXPECTED!**

**D. Gathering Information**

1. The successful execution of a raid is a direct result of the attention given to its preparation.
2. Raid planning data is derived from four activities: reconnaissance of the area; background information of persons involved; surveillance of behavior patterns; and identification of persons frequenting the area or building.
3. A reconnaissance of the raid area should include the structure to be entered and the surrounding neighborhood. Study the building to determine construction and layout. Note locations of doors, windows, common exits, fire escapes, and Communications facilities. Obtain information about the placement of lights and switches. If the building is an apartment, hotel, or motel, the layout of one room can often be determined by studying a similar room. Obtain information about the layout from a blueprint or floor plan.
4. Survey adjoining buildings to determine accessibility from the raid site. Study the neighborhood's terrain to determine various approaches and escapes. Note obstructions, vantage points, and pedestrian and traffic patterns. A videotape of the neighborhood can help familiarize members with the target area. Issue diagrams depicting essential information.
5. If possible, conduct the raid when there is least likelihood of innocent parties being involved.
6. Intelligence regarding all suspects is vital for planning the raid. Determine each suspect's behavioral characteristics. Include information on the suspect's physical condition, state of mind, the possibility of surrender, and any criminal and personal history. Determine the armament available and skills of suspects. Determine the suspect's precise location and if likely to be awake or asleep. Raid plans should ensure that bystanders cannot be used as hostages or otherwise endangered. If necessary, evacuate bystanders in the immediate area.
7. Have a fixed surveillance to study habits and learn the identity of persons frequenting the building or the surrounding area. Maintain continuous surveillance just before the raid for last-minute information regarding persons, activities, and unexpected circumstances.
8. Use the following to gather information before conducting a raid:
  - a. The case file of an ongoing investigation for providing information and intelligence on suspects and their habits, accomplices, and contacts. There may also be information on vehicles or the suspect's residence.
  - b. Undercover officers can often provide information needed for the raid.

- c. A reliable informant can provide information on suspects, associates, and personal habits. When possible, verify the information.
  - d. Subterfuge involves getting a team member or members into the target area to gather raid information. Methods of gaining access are endless. Disguises may include building inspectors, city inspectors, utility repair crews, deliverers, fire inspectors, or uniformed police officers in circumstances where their presence would not be unusual.
9. **Positive identification of the physical target is critical.** The agency initiating the case should firmly establish identification during the investigation and before planning the raid.
10. The incident commander must verify the target location submitted by the investigating agency. Team members should conduct additional surveillance to confirm the target location.
11. Intelligence-gathering before and during planning (a checklist for geographic locations):
- a. Interior layout of the target.
  - b. Maps, photos, sketches of the target location (including commercial maps and aerial photographs, if needed).
  - c. Approach and escape routes at the target location.
    - (1) Fire escapes or stairs
    - (2) Dumbwaiters, elevators, laundry chutes
    - (3) Void air shafts
    - (4) Location of all doors, windows, skylights
    - (5) Access between adjoining buildings through roofs, basement, holes in wall, etc.
    - (6) Hidden rooms and underground bunkers
  - d. Construction and peculiarities of the target location.
    - (1) Can gunfire penetrate?
    - (2) Is the site a fire hazard?
    - (3) Underground parking facilities? An attached garage? Is the garage used?
    - (4) Doorman, porters, and/or superintendent?
    - (5) Barred windows? Reinforced door? Does it contain a complicated lock system?

- (6) Which way do the windows and doors open?
- (7) Is there an alarm system?
- (8) Are there guard dogs or other animals present?
- (9) Is there security or counter surveillance technology present?
- e. Location of all utility shutoff points (internal/external).
  - (1) Water
  - (2) Telephone
  - (3) Electricity
  - (4) Sewer/waste/water lines
  - (5) Natural gas
- f. Location of internal utilities.
  - (1) Sinks
  - (2) Toilet bowls
  - (3) Drains
  - (4) Ventilation outlets
- g. People in the immediate area and their possible reactions to a police operation in their neighborhood.
- h. Dangers to innocent people residing in the target area and nearby buildings; evacuation plan for bystander safety?
  - (1) Check regular delivery routes/school bus schedules

### **E. Checklist for Suspects**

- 1. Number of suspects and persons involved.
- 2. Makeup of persons involved. Men or women? Children at the target site? Occupants' ages?
- 3. Number of suspects at the targeted site at any particular hour.
- 4. Identity and background of the leader among the suspects.
- 5. Capabilities of the suspects:
  - a. Magnitude of their violations and the suspects' classifications.
  - b. Previous police arrests.

- c. Likelihood of resistance.
- d. The physical and mental conditions. Are they professionals, junkies, psychotics? Are they known for resisting arrest, militancy, specializing in unarmed fighting (e.g., martial arts)?
- e. Weapons proficiency.
  - (1) Do they have police records for use or carrying firearms?
  - (2) Usually armed?
  - (3) Military backgrounds?
  - (4) Access to weapons—if so, types, how many, how much ammunition? Location of weapons?
  - (5) Knowledgeable in the use of explosives?
  - (6) Knowledgeable in the use of toxins/poisons?
- 6. Suspect access to transportation.
  - a. Obtain all registration numbers and descriptions of autos, planes, boats, etc.
  - b. Locate all vehicles for the purpose of guarding them during the raid.
- 7. Anticipation of media reaction to arrest or possible death of the suspects.
- 8. Possible presence of dangerous substances.
  - a. Clandestine drug laboratory
  - b. Explosives
  - c. Poisons
  - d. Booby traps

#### **F. Pre-Raid Briefing**

- 1. During planning, the incident commander must meet with team members and supervisors. Keep operational planning among the immediate team and disseminate raid information on a need-to-know basis. All preparatory planning culminates in the pre-raid briefing.
- 2. The incident commander should conduct the pre-raid meeting and ensure:
  - a. Communications is notified of the raid. A representative from Communications should be invited to the briefing.

- b. The affected district commander and the local sheriff or police chief of operations occurring within their respective jurisdictions is notified of the raid.
- c. When practical, the commander of Government and Media Relations (GMR) or designee is notified of the raid.
- d. Team members know the system established to identify one another. All team members, undercover people, and others involved must be present.
- e. Team leaders of extremely large raid groups should be briefed by the incident commander and then brief their teams in detail on assignments to be performed by each member. In a small raid group, one person should brief all members.
- f. Incorporation of a "mock-up" diagram of the objective. Team members can relate their moves to something they can see, and potential problems can be noted and eliminated during the briefing. The diagram should be as detailed as possible and complemented by photos, maps, and sketches.
- g. All raid members understand the nature of the operation and that the suspect or suspects are clearly identified and known by the team. Raid members must review and be thoroughly familiar with the suspect's photograph and other descriptive material. Undercover officers should furnish information on the characteristics of the suspects and note any previous statements about expected violence.
- h. Raid members know the criminal evidence being sought, since the nature of the crime may determine the amount of surprise necessary to prevent its destruction.
- i. Detailed descriptions of vehicles (including boats or planes) used by the suspects are given. Provide license plate numbers and accurate, detailed descriptions of all vehicles involved.
- j. Information on timing is specific. Give the exact time the raid team will meet at the pre-selected staging area, and allow a specific amount of time for them to leave the area and be in position at the target site.
- k. Tactics for gaining entry are fully reviewed.
- l. Team members know who will have the warrant.
- m. Sufficient consideration and explanation should be given to post-entry assignments. These include:
  - (1) Custody and handling of prisoners, evidence, seized vehicles.
  - (2) Handling of additional suspects who arrive during or at the end of the raid.

- (3) Transporting the team from the raid back to the staging area.
    - (4) Procedures for securing the target site or having post-raid surveillance, if needed.
  - n. All team members are aware of the type of entry to be used.
  - o. All team members are aware of procedures should the raid be aborted.
- 3. Team members should discuss special instructions and assignments, if any. **Examples:**
  - a. Raid team members should know the identity and expected reaction of any undercover employee at the raid site (e.g., whether to treat the person as a suspect to protect the identity or if the person will openly assist the raid team).
  - b. If an informant is at the raid site, advise raid team members of the informant's identity on a need-to-know basis.
  - c. Ensure raid members know how to use needed specialized equipment.
  - d. Devise a system of hand or light signals in case the equipment fails or circumstances prohibit use.
  - e. If a clandestine laboratory is discovered during the execution of a search warrant, **TERMINATE** the search until the SWAT Team arrives and makes assessment.
  - f. Process juveniles separately from adult offenders, and maintain this separation until released to a responsible adult with parent's permission, or to an appropriate government agency.
  - g. If female suspects might be apprehended during a raid, have them searched and attended by a female officer.
- 4. Undercover officers involved in the situation creating the raid should not be present when the raid takes place.

### G. Use of Force

- 1. Prior to an operation, it shall be discussed with local law enforcement which agency will assume primary investigative responsibility in the event of lethal force being used.

### H. Raid Equipment

- 1. All raid team employees shall be armed with their personal firearms. Other considerations:
  - a. High-powered rifles are good in anti-sniper work, but their use in raids in urban areas is severely restricted.

- b. Standardize weapons and ammunition for the raid. It eases supply efforts and allows for ammunition exchange between team members. Members shall comply with firearms regulations.
2. Arrange vehicles for transporting the raid team, equipment, apprehended suspects, and seized evidence.
  - a. Team employees will use marked or unmarked vehicles, or a combination.
  - b. Sound, lighting, or communication-type vehicles, if needed.
  - c. Marked patrol vehicles and uniformed patrol officers in case of a breakout.
  - d. A standby medical unit could be needed.
3. If there is a long surveillance before initiating the raid, consider transportation of food, water, and equipment to the scene of the surveillance.
4. Communication among team members is a factor in determining success, since communication provides effective control of the raid. In addition to hand-carried radios, there are other devices that do not restrict officer mobility.
5. Avoid shouting commands. Hand and arm signals are an alternate means of communication in case of radio malfunction or other problems. During the pre-raid briefing, clearly explain the meaning of each signal to avoid confusion.
6. Include entry tools in the team's equipment, and augment with any special tools required by the type of operation, such as door slams, crowbars, sledgehammers, battering rams, and bolt cutters.
7. Equipment should include:
  - a. Emergency medical kit
  - b. Flashlights or hand lamps (even in a daytime raid, the darkened interior of a building may make a light essential)
  - c. Protective equipment
    - (1) Body armor
    - (2) Helmets
    - (3) Visors or goggles
    - (4) Gloves
    - (5) Heavy-duty shoes
  - d. ASP batons



- e. Department-approved chemical agent or oleoresin capsicum
  - f. Field glasses
  - g. Hand radios—ensure batteries are charged and all radios function and are set to the appropriate frequency
  - h. Spare handcuffs with keys/flex cuffs
  - i. Reserve ammunition
  - j. Sketches of the interior of the targeted building
  - k. Suspects' photographs, issued or circulated among team members
  - l. Field testing kits
  - m. Evidence containers
  - n. Cellular phone
  - o. Ram
  - p. Crowbar
  - q. Fire extinguisher
  - r. Tape recorder
8. Specialized equipment to consider for a raid includes:
- a. Gas equipment—with employees trained in its use
  - b. Appropriate cameras, film, and flash
  - c. Flares for light and signal
  - d. Rope
  - e. Fingerprint equipment
  - f. High-intensity lights
  - g. Rubber gloves
  - h. Videotape equipment
  - i. Binoculars, night-vision devices, and distance-listening devices
  - j. Ballistic shield
  - k. Kevlar helmets

**I. Raid Execution**

1. After the pre-raid briefing, begin the raid. In the first phase of the raid, all raid team and support employees (including a representative from Communications) reports to the pre-selected staging area at the assigned time. This area should be useful for concealing the operation and its proximity to the target.
2. At the staging area, the team discusses any last-minute intelligence updates and resolves any last-minute problems.
3. Outer perimeter team members then proceed to their assigned positions and seal off the area. They set up roadblocks and have marked vehicles occupied and ready.
4. The inner perimeter team, support team, and entry team move directly to the target location, using as much cover as available and, if possible, sticking to the planned approach. The raid team should be inconspicuous upon arrival. Lock all vehicles.
5. The inner perimeter team takes up assigned positions. Duties include:
  - a. Cover all escape routes from the target.
  - b. Set up observation posts, with an unobstructed view of the target.
  - c. Prevent anyone from entering or leaving the target.
  - d. Secure suspects' vehicles to prevent use in an escape attempt.
  - e. Eliminate disadvantageous lighting.
  - f. Where previously decided upon, secure all outside utility connections (telephone and water).
  - g. Locate doormen or other building employees who might disclose the team's presence to the suspects.
  - h. Notify the team leader when everyone is in position.
6. The support team, accompanied by the entry team, then enters the target location and observes the target for any activity where the suspects are. Support and entry teams should not cluster together, as this makes them a good target. Teams should avoid using more than one entry point, especially at night. The support team immediately takes up the assigned positions within the target location and initiates assigned duties.

7. Complete the Safety Plan/Risk Analysis before executing a search warrant. All team members shall be briefed with information from the Safety Plan/Risk Analysis.
8. A copy of the Safety Plan/Risk Analysis shall be placed in the case file.

#### J. Serving a Search Warrant

1. **REQUIREMENTS:** All warrants need to be served based upon the conditions identified within the four corners of the warrant.
2. The tactic of surprise may be needed if dangerous suspects may be apprehended or if hostages may be taken as a means of escape. Surprise is also essential when narcotics evidence may be seized. If the incident commander determines this type of entry is necessary, use maximum safety measures.
3. The tactic of subterfuge may be used to gain entry into a building without encountering resistance or having to use force.
4. Methods to gain entry are infinite. The specific tactic—surprise, subterfuge or warning—is determined before the raid team arrives at the target location. Allow some latitude for an on-site change by the incident commander, if needed.
5. After the incident commander determines the teams are in position, the signal to proceed is given.
6. Assigned duties of the entry team are to:
  - a. Gain entry to the target location.
  - b. Identify themselves and state the purpose of the entry.
  - c. Gain control of the suspects.
  - d. Secure all weapons found in the target location.
  - e. Prevent the destruction of evidence.
  - f. Establish order inside the target.
  - g. Search all suspects and place them under guard.
  - h. Advise all team members of the status of the Safety Plan/Risk Analysis.

**K. Post-Raid Procedures**

1. During the planning stages, develop plans for handling the target location after the raid.
2. After the conclusion of the raid, a debriefing shall be held. All team members should be questioned for pertinent raid information and notes taken. An After-Action Report shall be submitted as soon as possible after the debriefing and disseminated through the chain of command to the Chief.
3. The raid should be critiqued analyzing both strengths and weaknesses in the raid and possible improvements. Problems encountered should be noted on the tactical plan. The tactical plans and analyses from successful raids are valuable for future operations.

**Applies to:** WSP Officers

**See Also:** --

**2.02.020      POLICE RESPONSE TO LABOR/MANAGEMENT DISPUTES**  
**(CALEA 41.2.4, 46.2.7)**

**I. POLICY****A. Strikes, Lockouts, and Labor Disputes**

1. Negotiation and collective bargaining are legally recognized methods of settling labor disputes. It is not the function of the department to deal with the unresolved issues which precipitate strike activity.
2. It is the policy of the department that the police role in strikes and labor disputes will be unbiased, reasonable, and impartial while protecting life and property, maintaining law and order, and assuring that the civil rights of all involved parties are protected.
3. When a strike, lockout, or other labor dispute occurs that involves picketing or similar physical actions of one of the parties, the district commander shall notify the Headquarters Duty Officer. The district commander shall monitor the dispute and keep Headquarters advised of changes in the situation.

**B. Law Officers at Strike Locations**

1. If a labor dispute necessitates the presence of department employees at the scene of a possible confrontation, the decision to deploy officers will be made by the Chief. Certain situations may require the establishment of a field command post. (Refer to the *Incident Management Handbook* for such procedures.) If a situation occurs that may require a law enforcement response, or if

assistance is requested by another law enforcement agency, the district commander or designee shall request approval from the Chief, through the chain of command, before responding. This procedure shall not prohibit officers from responding to emergency situations where injuries or officer safety are involved.

2. During routine assignment to the scene of a labor dispute, the following general guidelines will be adhered to:
  - a. Officers must realize the position that they represent in any strike situation; that they are under constant observation by both labor and management. Officers will maintain an attitude of strict neutrality and impartiality at all times. The only purpose of law enforcement officers being detailed to a strike scene is to protect life and property and keep the peace.
  - b. The causative issues of a strike are of no concern to an officer. Discussions regarding the issues involved must be tactfully avoided, regardless of whether this subject is introduced by labor, management, or a citizen who appears to be an uninterested, innocent bystander.
  - c. If picketers are present, an attempt will be made to identify the picket captain and enlist cooperation in controlling actions of picketers.
  - d. Officers should also identify a management representative of the struck company and solicit cooperation in controlling the actions of working employees.
  - e. The number of uniformed officers at a strike scene will be kept to an absolute minimum, with officer safety as the determining factor in that decisions.
  - f. Tact, diplomacy, and patience will usually lead to a peaceful resolution of problems at a strike location.
3. The primary duties of all officers at a strike location are to protect life and property and preserve the peace.
4. Because of the sensitive and generally non-criminal nature of most strike situations, extraordinary restraint and patience are required. Whenever possible, officers will request voluntary compliance by anyone whose behavior is unacceptable before resorting to verbal commands, physical intervention, or arrest.
5. Officers assigned to a strike situation will inform their supervisors regarding:
  - a. The estimated size and mood of any gathering of picketers, spectators, and/or working employees.

- b. Observations of signs of intoxication or open use of alcohol and/or drugs by anyone involved in the incident.
  - c. The names of picket captains, union officials, or management representatives present at the scene.
  - d. The number and approximate ages of any children at the scene and the likelihood of injury if they remain.
  - e. Observations of any activity indicative of potential "problems" developing at the scene.
- 6. When a strike develops and a picket line is established, picket captains are selected by the union to supervise the activities of the pickets. Normally a picket captain will be in charge of a group picketing a given gate or location. Picket captains are usually responsible persons, selected for leadership and their ability to supervise people. In most cases, they are willing to work with law enforcement officers at the location of the strike.
  - 7. Each officer assigned should attempt to establish good relations with the picket captain or other union representatives, and also with management representatives. Care must be taken to avoid the appearance of fraternization with either side.
  - 8. Officers should not enter company property, except for enforcement, and should not park department vehicles on company grounds. They should not use company telephones or fraternize with company guards.
  - 9. At a strike location, both labor and management may have food available for their employees. Although they will often invite officers to partake in it, this shall be avoided.

### **C. Injunctions**

- 1. Management may secure an injunction to restrict the activity of pickets. An injunction is a writ or order of a civil court restraining a person or group of persons from doing a particular act. Normally the department has no duty to enforce an injunction, except if the court order directs police in general to act. Officers should consult with Headquarters before acting to enforce an injunction.

### **D. Arrest Procedures**

- 1. Physical arrests as a result of incidents occurring at a strike location should be made only as a last resort. This is not intended, nor should it be interpreted, as a "tolerance policy" on the part of the department.

2. Situations will arise when attempts by officers to gain the voluntary cooperation of persons at the scene will be unsuccessful. Officers witnessing blatant violators of criminal, non-traffic, or traffic ordinances will take appropriate enforcement action, provided such action can be accomplished without unnecessarily subjecting the officers to an unreasonable risk of physical injury.
3. Physical arrests or citations for violations of trespassing ordinances should be avoided, if possible. Officers should discuss trespassing violations with their supervisors or local prosecuting attorney.
4. When officers anticipate an arrest situation, they should call for assistance before making the arrest. This cannot always be done because many incidents occur spontaneously and it is necessary for officers to make an immediate arrest. However, when possible, the call for assistance should be made prior to any attempt to take the offending person into custody.
5. Once an arrest is accomplished, it is important that the person or persons arrested be removed from the area immediately. For this reason, it is advisable to have requested assistance prior to making the arrest. Any delay in the area of the arrest may lead to an attempted rescue of the prisoner.

#### **E. Crossing of Picket Lines**

1. Restraint of vehicular or pedestrian traffic is illegal. All persons and vehicles have the right to enter and leave a strike location at will. Therefore, it is the duty of officers to peacefully guarantee restricted vehicular and pedestrian access to and from a strike location.
2. In some cases, the picket line will be tightly closed in order to prevent entrance. In this event, the picket captain should be requested to open the picket line to those wishing to enter and/or leave. If the picket captain fails to comply with the request or the pickets refuse to obey their leader, the officers will order the pickets to move away from the entrance. If the pickets still refuse to move, the officers should open the picket line without hesitation using the minimum amount of force necessary to accomplish this task.
3. When picket lines are opened by officers, they should face the pickets rather than the persons or vehicles entering the gate. This action affords the officers the opportunity to observe the actions of the pickets and reduces the possibility of assaults being committed or damage being done to vehicles entering the plant. It may also negate the possibility of an officer being pushed into or under the vehicles.

**F. Trucks Crossing Picket Lines**

1. Trucks can present a serious problem inasmuch as they are either delivering material to, or removing finished products from, the location.
2. The decision to enter or exit a struck location is entirely up to the truck driver. If a truck stops near a picketed vehicle access, the pickets should be allowed a reasonable period of time to present their case to the driver; provided, the truck does not constitute a traffic hazard. Officers will advise the driver of any vehicle stopped in a location that interferes with normal vehicular and pedestrian traffic to move the truck a reasonable distance to alleviate any problems.

**G. Train Movements and Railroad Right of Way**

1. Railroads are involved in interstate commerce as licensed common carriers. Federal law and rules of the Interstate Commerce Commission require that goods consigned for interstate shipment be transported without undue delay. Therefore, deliveries originating by rail from out of state must be made to the plant; and deliveries of finished products consigned for interstate shipment must be completed.
2. Management will generally enlist the aid of Railway Special Agents to facilitate movement of trains in and out of strike locations. If pickets attempt to block train movement, officers will request the assistance of a Railway Special Agent if one is present on the train.
3. The picket captain will then be asked to cooperate by advising the pickets to move off the tracks and allow the train to pass. In the event it is necessary to remove pickets, the officers should be certain that they are removed from the TRACKS ONLY, so the train can be moved in. Pickets should not be removed from the adjoining railroad property, as this is a problem for the Railway Special Agents. Every effort must be made to avoid forcible removal.

**H. Mass Picketing**

1. In some cases, the union might encourage mass picketing. This is done to prevent access in and out of the struck facility. The officers detailed must keep the gates from becoming jammed and must keep an open passageway for those persons desiring to move in or out of the plant. Mass picketing, in itself, is not illegal so long as there are no accompanying violations of the law.
2. Observations of picket line strategy changes and increases in picket strength should be immediately reported to a supervisor. Officers should be particularly alert for increased picket strength.



**I. Children on Picket Lines**

1. It is not uncommon to encounter young children walking picket lines with a striking parent. The presence of children at a strike location can be beneficial to law enforcement in that adult picketers are less likely to resort to violence due to concern for the safety and welfare of their children.
2. However, officers must assess the possibility of harm to children based on the totality of circumstances as they exist at a given location. If, for instance, a clear and present danger exists as a result of construction activity or movement of trucks, trains, or other heavy equipment near the picket line, officers should solicit the cooperation of the picket captain in removing children from the area.

**J. Strikers Following Company Vehicles**

1. Management frequently employs non-union drivers to pick up and deliver products and raw materials during a strike. Labor often responds to this tactic by utilizing what is known as a "roving picket line" or "ambulatory picketing."
2. Ambulatory picketing is legal provided no violations of criminal or traffic ordinances occur during the process. Picketers follow trucks to a pickup/delivery location and set up a picket line around the vehicle or at the entrance to the site in an effort to discourage the loading/unloading of the truck. As with picketing at the primary strike location, the pickets have a constitutionally guaranteed right to assemble on public property and should be granted a reasonable period of time to discuss their concerns with the truck driver and secondary employer representatives. The pickets may not interfere with vehicular or pedestrian traffic into or out of the secondary location.

**Applies to:** All WSP Employees  
**See Also:** *Incident Management Handbook*

## Chapter 3

### WEAPONS/FIREARMS

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#### ► SECTION 00: FIREARMS ◄

#### **3.00.010     DUTY WEAPONS (CALEA 1.2.2, 1.3.9, 1.3.10, 1.3.12, 33.4.1)**

##### **I. POLICY**

###### **A. Use of Firearm**

1. The use or handling of a firearm by an officer in a careless or imprudent manner, or the unjustified endangering of human life using a firearm in violation of the following rules and regulations, is strictly forbidden.

###### **B. Training Requirement**

1. Officers shall be fully trained in the policies and procedures outlined in the chapters on **Weapons/Firearms** and **Use of Force/Lethal Force** before being authorized by the Chief to carry a weapon.

###### **C. Firearm Inspection and Approval**

1. The department shall inspect and approve any firearm carried by authorized officers while on duty. The Supply Section shall maintain a list of all department-issued weapons, including approved weapons for each job classification.
2. Employees not authorized by the Chief to carry a firearm shall not bring a firearm into the workplace.

###### **D. Exchange of Weapons**

1. There will be no exchange of weapons between employees or loaning of department-owned weapons to anyone outside the department, except under exigent circumstances or with written division/district commander approval.

###### **E. Handgun Guidelines**

1. All authorized officers shall carry a fully loaded handgun while on duty, subject to the following guidelines:
  - a. Authorized uniformed officers shall carry a department-issued handgun.
  - b. Standard department-issue shall be the Smith & Wesson, Military & Police .40 caliber semiautomatic handgun.

- c. Officers in civilian clothes shall carry either a department-issued or department-approved privately owned handgun (as defined under the **USE OF PRIVATELY OWNED WEAPONS** policy).
- d. Officers shall not carry firearms other than those outlined under the policy on **BACKUP WEAPONS**, unless such firearm is department-issued or authorized by the Chief. Trooper cadets shall not carry backup weapons.
- e. Officers authorized to carry a firearm shall not display firearms in any public place except in conformance with the Use of Force policies of this department. Officers in civilian clothes who are authorized to carry a firearm shall carry the firearm in a safe and secure manner, concealed from public view. CVEOs and trooper cadets shall not carry a firearm when in civilian clothes.

#### **F. Issuing Semiautomatic Rifles**

- 1. Authorized uniformed troopers and sergeants shall carry a department-issued AR-15 or a department-approved privately owned semiautomatic rifle.
  - a. If a detachment member assigned the rifle is transferred to a non-Field Operations Bureau (FOB) assignment, the rifle shall be returned to Supply for reissue with a completed equipment transfer form.
- 2. The rifle shall be carried in the receptacle designed to hold it in place inside the patrol vehicle or in the trunk if secured in the issued case.
- 3. If an officer has two rounds less than maximum magazine capacity for the AR-15, he/she is within regulation.

#### **G. Issuing Shotguns**

- 1. Authorized uniformed troopers shall carry a department-issued shotgun.
- 2. The shotgun shall be carried in the receptacle designed to hold it in place inside the patrol vehicle. The maximum number of shells should be loaded in the magazine, but the chamber shall be empty and the safety on until the officer is ready to fire.
- 3. Only department-issued 12-gauge, 9-pellet buckshot shall be used with the shotgun [see **AMMUNITION (WSP OFFICERS)** policy].

**H. SWAT Weapons**

1. Members of the Special Weapons and Tactics Team (SWAT) are authorized to carry other weapons as identified in the *SWAT Team Manual* and approved by the Chief.

**I. Removing Weapons from Vehicles**

1. The vehicle custodian or driver shall remove and secure all weapons from vehicles before they are:
  - a. Left at a non-department facility, such as a repair shop.
  - b. Left parked with the weapon(s) in sight at a residence or department facility or for more than five days, even if the weapons are out of sight.
2. Officers may secure weapons at their residences or at the district/detachment office where appropriate and secure storage is available.

**J. Security of Firearms**

1. Security shall be provided for all department firearms at all times. Secure storage must be provided at the officer's residence.

**K. Firearm Repairs**

1. Repairs, adjustments, or alterations shall be made on department-issued firearms only by authorized employees.
2. Alterations to department-issued firearms require approval from a Training Division firearms specialist and the FOB Headquarters Captain.

**L. Proper Firearm Operation and Condition**

1. Officers shall be held strictly accountable for the proper operation and condition of all firearms issued to or carried by them. Firearms shall be maintained in clean and functional condition at all times. Only a good grade of cleaning/ lubricant/preservative gun oil shall be used.
2. Officers shall not load or unload their weapons in an unsafe manner. Loading and unloading shall only be conducted:
  - a. When ordered for inspection purposes.
  - b. At the range for practice or training.
  - c. When necessary for cleaning, and then only in a safe or designated area.

**NOTE:** Designated clearing barrels should be used for loading and unloading when available.

**M. No Impairment While Armed**

1. At no time shall employees be armed after consuming alcohol or when affected by medication or drugs.

**Applies to:** WSP Officers

**See Also:** WSP Policies **Use of Privately Owned Weapons, Backup Weapons, Ammunition (WSP Officers);** *SWAT Team Manual*, Use of Force; Rifle Inventory; Notice of Receipt or Transfer of Tagged/Tracked Asset(s)

**3.00.020      USE OF PRIVATELY OWNED WEAPONS (CALEA 1.3.9, 1.3.10, 1.3.11)**

**I. POLICY**

**A. Carrying Privately Owned Handgun**

1. On-duty officers in civilian attire may carry a privately owned handgun upon approval of the division/district commander, providing it has been inspected by a department firearms specialist or Supply Section designee and found to satisfy the specifications listed in the policy on **BACKUP WEAPONS**.
2. Officers using an approved privately owned pistol in place of a department-issued pistol must maintain proficiency with the department-issued pistol and holster system. The Supply Section shall maintain a record of approved privately owned firearms indexed by the officer's last name and cross-indexed by weapon serial number. The procedure for obtaining approval shall be as outlined in the Nondepartmental Weapon Authority form.
3. Commercial vehicle enforcement officers and trooper cadets shall not carry privately owned weapons on duty in civilian attire.

**B. Demonstrating Proficiency**

1. Following inspection by the department, officers must demonstrate satisfactory proficiency with their privately owned weapon(s) as required under the policy on **FIREARMS QUALIFICATION** and the Training Division's *Control Tactics and Weapons Manual*.
2. Officers shall have their issued and/or approved privately owned weapons inspected annually according to schedules established by the district firearms specialists. Failure to submit to inspection may mean loss of approval to carry a privately owned weapon.

**Applies to:** WSP Officers

**See Also:** WSP Policies **Backup Weapons; Firearms Qualification;** *Control Tactics and Weapons Manual*

**3.00.030      USE OF BACKUP WEAPONS (CALEA 1.3.9, 1.3.10, 1.3.11)****I.    POLICY**

- A. Officers may carry a backup weapon in addition to their department-issued or approved duty weapon under the following conditions:
  - 1. A request for approval shall be submitted in writing using the Nondepartmental Weapon Authority form through the chain of command to the respective division/district commander.
  - 2. The weapon shall only be inspected and approved by a Training Division firearms specialist or their designee.
- B. Before a backup weapon is carried, the Nondepartmental Weapon Authority form shall be completed. Copies of this form shall be maintained on file at the Supply Section and in each approved officer's performance record book.
- C. Any approved backup weapon shall be inspected annually by a supervisor in accordance with the **INSPECTIONS** policy.
- D. The weapon shall be capable of and is required to use department-approved ammunition.
- E. Officers shall qualify with their backup weapons once a year during the second firearms training period (May - August) and will train with them during the remaining firearms training periods, as directed in the department's policy on **FIREARMS QUALIFICATION** and the Training Division's *Control Tactics and Weapons Manual*. Officers will qualify and train with the weapon from the manner in which it is carried.
- F. Officers who fail to qualify due to neglect shall be required to go through the approval process again before carrying the backup weapon. Officers failing to qualify due to other approved activity shall do so upon return to normal duty status. The Training Division shall maintain the applicable training/qualification records.
- G. Weapons must be carried in a safe and secure manner. Backup handguns may be carried on the officer's person and remain concealed from public view.
- H. Officers shall be responsible for personal backup weapons, including any cost for major repairs. Minor repairs and maintenance may be provided by the department.
- I. Department-issued weapons may be carried for backup. Officers are allowed only one approved personal backup handgun. Officers may carry no more than two handguns on their person at any one time. If an officer wants to change to a different backup weapon, he/she must go through the approval process for the new weapon. Once completed, the officer is no longer authorized to carry the previously approved weapon.
- J. Trooper cadets shall not carry backup weapons.

K. Backup weapons shall meet the following specifications:

**1. Revolvers**

- a. Shall have a legible serial number.
- b. Have a minimum 17/8-inch/maximum 6-inch barrel length.
- c. Shall have double-single action or double-action only capabilities.
- d. Have a swing-out cylinder of five or more chambers.
- e. Shall have fixed or adjustable sights.
- f. Shall be either a .38 Special, .357, 9mm, .44 Special, or .45 ACP caliber weapon.
- g. Shall be maintained in accordance with factory specifications. No weapons with a double-action trigger pull of less than 7.0 pounds will be allowed.
- h. Only factory-authorized modifications will be considered.

**2. Semiautomatic Handguns**

- a. Shall have a legible serial number.
- b. Have a minimum 2-inch/maximum 5-inch barrel length.
- c. Shall have double-action only or double-single action capabilities.
- d. Have a minimum magazine capacity of five rounds.
- e. Shall have fixed or adjustable sights.
- f. Have an external and/or internal safety and/or external decocking system.
- g. Shall be a .380 Auto, 9mm, .357 SIG, 10mm Auto, .40 S&W, .45 GAP, or .45 ACP caliber weapon.
- h. Shall be maintained in accordance with factory specifications. No weapon with a double-action trigger pull of less than 5.0 pounds will be allowed.
- i. Only factory-authorized modifications will be considered.

**3. Semiautomatic Rifles (Authorized Officers Only)**

- a. Shall be a Colt AR-15, Bushmaster XM15-E2S rifle or similar in design, function, and appearance; or a Ruger Mini-14 rifle.
- b. Shall be a .223 or 5.56 NATO caliber weapon.

- c. Shall be maintained in accordance with factory specifications. No target triggers will be allowed.
  - d. Only factory-authorized modifications will be considered.
  - e. Training/qualification ammunition will be supplied for approved rifles. Officers shall carry only department-issued ammunition.
  - f. This weapon shall be carried in the trunk or receptacle designed to hold it in the patrol vehicle and shall not replace the department-issued shotgun.
- L. Before purchasing or modifying a backup weapon, a Training Division firearms specialist should be contacted for assistance in determining if the weapon being considered meets the minimum specifications. Initial inspections of backup weapons shall be done by a Training Division firearms specialist. Weapons determined to be unsatisfactory for use shall be rejected. The firearms specialist's decision to reject an unsatisfactory weapon, if requested, may be reviewed by the Firearms Review Committee. This committee will consist of a representative from the Training Division, the Supply Section, the Crime Laboratory Firearms Section, the Troopers Association, a firearms specialist, and the Technical Services Assistant Chief. The review committee's recommendation will then be forwarded to the Chief for final decision.
- M. Every approved backup weapon shall be subject to an annual inspection by district firearms specialists.

**Applies to:**

WSP Officers

**See Also:**

WSP Policies **Firearms Qualification; Inspections; Control Tactics and Weapons Manual**; Nondepartmental Weapon Authority form

**3.00.040**      **OFF DUTY CARRYING OF DEPARTMENT-ISSUED OR APPROVED FIREARMS (CALEA 1.3.9)**

**I. POLICY****A. Carrying a Firearm Off Duty**

- 1. The carrying of a firearm while off duty within the state by any WSP officer is optional. Officers who carry a department-issued or approved firearm while off duty shall:
  - a. Carry their commission card and badge.
  - b. Conceal the weapon from public view.
  - c. Use only department-issued or approved ammunition.



2. No department firearms shall be taken out of state, except on official business.

#### **B. CVOs, CVEOs, and Trooper Cadets**

1. Commercial vehicle enforcement officers and trooper cadets shall not carry department-owned firearms while off duty, except when in uniform and driving a state vehicle to and from their assigned duty station, or when the firearm is secured in the trunk or other secure case of their personal vehicle and they are off duty and going to and from work or to a firearms qualification.
2. Commercial vehicle enforcement officers and WSP commercial vehicle officers desiring to carry their own weapons off duty may not use their commission authority in lieu of a concealed pistol license.

#### **C. Use of Firearm Off Duty**

1. The use of any firearm off duty, except as provided by law for purposes such as hunting, target shooting, etc., is subject to official inquiry by the department.
2. The inquiry is to determine if the officer involved invoked police authority. If police authority was invoked, then the department shall investigate the firearms use to determine conformity with department regulations and procedures as outlined in the **WEAPONS/FIREARMS** and **USE OF FORCE** policies.

**Applies to:** WSP Officers

**See Also:** WSP Policies **Weapons/Firearms, Use of Force**

#### **3.00.050 AMMUNITION (CALEA 1.3.9)**

### **I. POLICY**

#### **A. Issuing Duty Ammunition**

1. The department shall issue duty ammunition for only those calibers of weapons issued by the department. Officers who have a caliber other than those issued by the department are required to purchase their own approved duty ammunition. The Supply Section will publish a list of approved ammunition for all other approved calibers.
2. Officers shall carry only department-approved ammunition on duty or when carrying approved weapons off duty.
3. Duty ammunition shall not be used for practice unless authorized by a supervisor or the range officer.
4. Duty ammunition shall be used and replaced for all authorized/approved weapons during the qualification shoot.

**B. Issuing Practice Ammunition**

1. Upon request, the department will provide 50 rounds of handgun, 20 rounds of rifle, and 5 rounds of shotgun practice ammunition and a silhouette target each month. Requests for practice ammunition shall be submitted through the detachment or unit supervisor to the Supply Section.
2. Requests for practice ammunition must be made before the 15th of the month using the Monthly Training Ammunition Request form. Empty casings should be forwarded to the Supply Section each trimester.
3. Supervisors shall ensure that no practice ammunition or target is issued to an officer unless accompanied by a Monthly Training Ammunition Request form. Supervisors shall ensure that the request forms are kept for two years. Practice ammunition shall be kept separate from quarterly qualification/training ammunition.
4. The department shall only issue training ammunition for those caliber weapons issued by the department. It is the officer's responsibility to provide ammunition for training for those calibers not issued by the department.
5. Only ammunition that meets or exceeds departmental requirements will be allowed. Reloaded ammunition is not acceptable.

**Applies to:** WSP Officers

**See Also:** --

**3.00.060 FIREARMS QUALIFICATION (CALEA 1.3.10, 1.3.11, 33.1.5, 33.5.1)**

**I. POLICY****A. Training**

1. All officers authorized to carry weapons shall receive training on the department's use of force policies at least annually. Officers shall receive training on all belt weapons and handcuffs each trimester in conjunction with firearms training. The Training Division shall coordinate the training. A Report of Training shall be completed and forwarded to the Training Division.
2. Officers shall participate three times per year in firearms training/qualification, monitored by a certified weapons instructor. The three periods per year are January - April, May - August, and September - December. Procedures and scoring will be in accordance with the Training Division's *Control Tactics and Weapons Manual*. "Firearms" means department-issued and approved weapons. Officers shall qualify and train with their weapons from the manner in which they are carried while on duty.

3. Officers shall maintain a minimum current qualification of "Marksman" with all issued and/or authorized firearms before they may be carried.
4. Officers failing to qualify with an approved personal or backup weapon shall have an additional seven days to qualify. Any officer failing to qualify within the additional days shall have his/her authorization to carry the weapon canceled. When canceled, approval to carry the weapon may be regained only by reapplying under the process outlined in the **USE OF PRIVATELY OWNED WEAPONS** policy.
5. Officers failing to qualify with a duty weapon during any qualification period shall have an additional seven days for successful completion. An officer failing to qualify within the additional days shall be referred to the Training Division for up to seven days of remedial training. At the conclusion of this training, officers who fail to qualify shall be evaluated as to their fitness for duty and/or subject to appropriate administrative procedures.

**Applies to:**

WSP Officers

**See Also:**

WSP Policy **Use of Privately Owned Weapons**; Monthly Training Ammunition Request; *Control Tactics and Weapons Manual*

### **3.00.070 FIREARMS QUALIFICATIONS FOR OUTSIDE AGENCIES**

#### **I. POLICY**

##### **A. Outside Agency Request for Firearms Qualifications**

1. Occasionally, outside agencies request the Washington State Patrol to provide firearms qualifications for one or more of their commissioned or sworn officers. It shall be the policy of the department to provide such services on a non-routine basis when authorized by the district commander and when the following requirements are met:
  - a. A written request, including the names of employees authorized to receive training, must be submitted by the chief or departmental head of the requesting agency.
  - b. The requesting agency shall furnish their own weapons, ammunition, targets, and eye/ear protection.
  - c. Qualification of outside officers may be held in conjunction with regularly scheduled qualification shoots. Qualification of departmental officers shall take first priority. All officers will be required to meet department scoring standards to become qualified.

- d. Officers from outside agencies shall review and abide by all departmental regulations and procedures. Officers shall obey the commands of department range officers. Infractions of these rules shall be reported to the appropriate agency chief by the district commander.
  - e. Requesting agencies shall be advised that the training provided is for requalification only, not basic firearms training.
2. Outside agencies shall maintain their own qualification records. The responsibilities of the department shall be limited to providing a copy of the qualification form to the chief of the outside agency. Failure to qualify shall be documented on the qualification form.

**Applies to:** Outside Agencies

**See Also:** --

### **3.00.080      DEFECTIVE WEAPONS (CALEA 1.3.9)**

#### **I. POLICY**

##### **A. Required Procedures for Defective Weapons**

1. Defective weapons shall be brought to the immediate attention of a supervisor.
2. If a weapon is defective, the district firearms specialist shall be contacted immediately for repair or exchange of the weapon. The defective weapon shall be delivered UNLOADED.
3. Any misfired or expended cartridges sent shall be in a sealed envelope that is labeled to identify the contents. **IF A LIVE CARTRIDGE IS JAMMED IN THE WEAPON, ATTACH A SEPARATE, EASILY-IDENTIFIED WARNING NOTICE AND TRANSPORT WITH EXTREME CAUTION.** The weapon will either be repaired or exchanged as soon as possible.
4. If the problem is beyond the capabilities of the firearms specialist, the weapon shall be sent to the Supply Section. The Supply Section shall send the weapon to the factory.

##### **B. Issuing a Loaner Weapon**

1. A division/district commander may arrange for a loaner weapon to be issued.

**Applies to:** WSP Officers

**See Also:** --

**3.00.090 FIREARMS DISCHARGE (CALEA 1.3.6)****I. POLICY****A. Investigation of Firearms Discharge**

1. When an officer discharges a firearm, except for target practice, qualification shooting, sporting events, or ballistic examinations, the officer shall notify the immediate supervisor. The investigation shall be handled as outlined in the *Administrative Investigation Manual*.
2. If the investigation involves death or serious injury or indicates the need for investigative expertise beyond local level capabilities, the commander shall request the assistance of the Criminal Investigation Division.

**Applies to:** WSP Officers

**See Also:** *Administrative Investigation Manual*

**► SECTION 01: WEAPONS ◀****3.01.010 SIDE HANDLE BATON/RIOT CONTROL BATON (CALEA 1.3.4, 1.3.9)****I. POLICY****A. Use of Side Handle Baton**

1. The use of the side handle baton is authorized only during civil disorder situations.

**B. Side Handle Baton and Riot Control Training**

1. All Field Operations Bureau troopers and sergeants assigned to traffic duties shall receive annual training in riot control techniques and the use of the side handle baton.
2. Troopers and sergeants in assignments other than traffic or assigned to another bureau may receive side handle baton and riot control training upon approval of their supervisor, subject to the availability of training from the Training Division.

**C. Storage and Wearing of Side Handle Baton and Baton Ring**

1. The side handle baton and baton ring shall be stored in the trunk of the patrol vehicle. The baton ring shall be stored inside the riot helmet case.
2. The side handle baton and baton ring shall be worn on the weapon side or reaction side immediately behind the portable radio or holster.

3. The side handle baton, baton ring, and riot helmet shall be available for semi-annual inspections.

#### D. Additional Riot Control Information

1. Officers shall review the Washington State Patrol *Rapid Deployment Force Manual* annually for additional information regarding riot control.

**Applies to:** WSP Officers

**See Also:** *Rapid Deployment Force Manual*

#### **3.01.020 AEROSOL SUBJECT RESTRAINT (OC) (CALEA 1.3.4, 1.3.5, 1.3.9, 1.3.10)**

### I. POLICY

#### A. Issuance of OC

1. Officers and designated cadets are issued Oleoresin Capsicum (OC). It shall be worn on the gun belt or placed in the patrol vehicle.

#### B. Use of OC Procedures

1. When OC is used, the subject should be informed not to rub the eyes, as this can heighten the effect. While incapacitated, handcuff and search the subject. If possible, flush the subject's eyes with cool water. Symptoms should disappear within 30 to 90 minutes. If symptoms persist, seek medical attention.
2. Whenever OC is used, the supervisor shall be notified as soon as possible but in no event any later than the end of the officer's/cadet's shift. If there are no indications or allegations of policy violations and the supervisor believes the use of OC was appropriate, the supervisor shall follow the use of force reporting procedures outlined in the *Administrative Investigation Manual*.
3. If it appears that a policy violation may have occurred, the Use of Force Review and an Internal Incident Report (IIR) shall be submitted through the chain of command. If a policy violation is suspected or alleged, in addition to completing the IIR, the supervisor shall ensure that the division/district commander is notified of the incident and briefed on the facts leading the supervisor to believe a violation has occurred. The division/district commander shall consult with the Office of Professional Standards (OPS) Commander before the IIR is signed and issued. The procedures for conducting a Use of Force investigation are outlined in the **USE OF FORCE – RESPONSIBILITIES – INVESTIGATION** policy and the *Administrative Investigation Manual*.

**C. Requirement to Return Container to Supervisor**

1. When the total weight of the OC container is 2.5 ounces or less, the container shall be returned to the supervisor.
2. The supervisor is responsible for empty OC container disposal. The empty container shall be disposed of in the district. Any partially used OC container should be sent to the Training Academy.

**Applies to:** WSP Officers and Designated Cadets

**See Also:** WSP Policy **Use of Force – Responsibilities – Investigation;**  
*Administrative Investigation Manual; Use of Force Review*

**3.01.030 ASP BATON/FLASHLIGHT (CALEA 1.3.4, 1.3.10, 1.3.11)****I. POLICY****A. ASP Baton Training Requirement**

1. All Field Operations Bureau (FOB) officers assigned to traffic law enforcement and to commercial vehicle enforcement duties shall be trained in the use of the ASP baton and flashlight as impact weapons. Training is optional for FOB lieutenants and above.
2. Upon completion of training, officers may carry the ASP baton during the course of traffic and commercial vehicle enforcement activities. The flashlight may be carried in the vehicle or on the person.
3. Officers not in FOB may receive ASP baton and flashlight training upon approval of their supervisor, subject to the availability of training from the Training Division or district ASP/flashlight instructors.
4. Employees who have been trained with the ASP baton and flashlight currently assigned to traffic, commercial vehicle enforcement duties, or other duties shall participate in ASP/flashlight refresher training, which is held in conjunction with firearms training/qualification.

**B. Carrying the ASP Baton**

1. The ASP baton may be carried on either side of the gun belt. It shall be carried in such a way as to not hamper the drawing of the firearm or other tools. The flashlight, if carried on the gun belt, shall be carried behind the OC or ASP scabbard on the reaction side in an issued flashlight holder.

**C. Investigation of Use of Force**

1. Use of the ASP baton or flashlight, if deployed as an impact weapon/tool, is considered use of force and will be investigated.

The supervisor shall be notified as soon as possible. If there are no indications or allegations of policy violations and the supervisor believes the use of the ASP baton or flashlight was appropriate, the supervisor shall follow the use of force reporting procedures outlined in the *Administrative Investigation Manual*.

2. If it appears that a policy violation may have occurred, the Use of Force Review and an Internal Incident Report (IIR) shall be submitted through the chain of command. If a policy violation is suspected or alleged, in addition to completing the IIR, the supervisor shall ensure that the division/district commander is notified of the incident and briefed on the facts leading the supervisor to believe a violation has occurred. The procedures for conducting a use of force investigation are outlined in the **USE OF FORCE – RESPONSIBILITIES – INVESTIGATION** policy and the *Administrative Investigation Manual*.

**Applies to:** All Officers, Training Division, and the Office of Professional Standards

**See Also:** *Administrative Investigation Manual*; Internal Incident Report; Use of Force Review

**3.01.040      TASER – USE OF (CALEA 1.3.4, 1.3.5, 1.3.6, 1.3.9, 1.3.11)**

**I. POLICY**

**A. Training Requirements**

1. Officers and cadets who are assigned to carry a Taser must complete departmental Taser training as outlined by the Training Division prior to carrying or using the Taser. If the Taser is issued, it shall be worn according to training on the officer's gun belt.
2. All use of the Taser shall be according to departmental training. Deployment of the Taser without firing and/or use of the laser sight only is not a use of force.
3. Employees who have been trained with the Taser currently assigned to traffic duties, commercial vehicle enforcement duties, or other duties shall participate in Taser recertification/refresher training held in conjunction with belt weapons training/qualification.

**B. Taser Deployment**

1. In the event the Taser is deployed and the probes impact the head, groin, or breast (female), they shall only be removed by medical personnel. In all other cases, the officer may remove the probes according to departmental training. Medical treatment—if requested by the subject—will not be refused.

**C. Supervisor Notification**

1. Whenever the Taser is used, the supervisor shall be notified as soon as possible and prior to the end of the employee's shift.
2. If there are no indications or allegations of policy violations and the supervisor believes the use of the Taser was appropriate, the



supervisor shall follow the use of force reporting procedures outlined in the *Administrative Investigation Manual*.

3. If it appears that a policy violation may have occurred, the Use of Force Review and an Internal Incident Report (IIR) shall be submitted through the chain of command. The procedures for conducting a use of force investigation are outlined in the **USE OF FORCE – RESPONSIBILITIES – INVESTIGATION** policy and the *Administrative Investigation Manual*.

#### **D. Maintenance**

1. Taser malfunctions are to be reported to the officer's supervisor prior to the end of shift.
2. Maintenance and repairs of Tasers are to be referred to a Firearms Specialist.
3. All Tasers shall be spark checked, at a minimum, upon the return of duty from any break in service and while in uniform.
4. Officers shall record all spark checks on the daily Time and Activity Report (TAR).
5. Supervisors shall ensure a monthly Taser data download is performed for each assigned Taser. The printed Taser data download shall be reviewed by supervisors for compliance with agency policies and training requirements and then stored in the trooper's monthly packet or officer's supervisor file.
6. All Tasers are to be inspected annually by a Firearms Specialist.

**Applies to:** Employees Trained to Use the Taser  
**See Also:** WSP Policy **Use of Force – Defined**; Use of Force Review; Internal Incident Report; *Administrative Investigation Manual*

### **► SECTION 02: VESTS ◀**

#### **3.02.010     ARMORED VESTS (CALEA 22.2.5, 41.3.5, 41.3.6)**

##### **I. POLICY**

##### **A. Wearing Armored Vests**

1. All officers of this department shall wear armored vests when in uniform performing traffic, commercial vehicle enforcement, or port of entry duties as their principal duties for that tour of duty.
2. All other officers shall wear an armored vest when they are so directed by a supervisory officer, or when they have previous knowledge that they are to be involved in situations which may result in their exposure to dangerous situations. Examples of dangerous situations are service of arrest/search warrants, participation in raids, assistance to other agencies on manhunts, and apprehension of a known armed, dangerous or violent person. Situational preplanning sessions shall include discussions regarding wearing of the vests.

3. All officers shall wear their armored vests while qualifying with their duty weapon(s).
4. The vest will normally be worn in a concealed manner under the regulation shirt, but may also be worn when assigned to duty in civilian dress. The department will issue each officer an armored vest.
5. Officers may wear a vest of their own choosing, purchased at their own expense, that meets or exceeds the specifications of the department-issued vest.
6. A list of approved vests is available from the Supply Section.

#### **B. Exemptions to Wearing Armored Vests**

1. Exemptions to wearing the vest are as follows:
  - a. Medical condition that has been approved through the chain of command by the assistant chief.
  - b. Administrative positions not routinely dealing with the public in a possible enforcement capacity.
  - c. Non-uniformed officers, unless going into a hazardous situation but without compromising an undercover operation.
  - d. Extreme hot weather when an officer's health or ability to perform would be impacted (wearing of only the front panel is an option in hot weather).
  - e. While performing school bus inspections.

#### **C. Accessibility of Armored Vests**

1. When not wearing the armored vest, officers shall carry the vest in their assigned vehicle to be immediately accessible at all times while on duty.
2. Undercover officers shall store their vests, when not worn, in an area to be immediately accessible if it is not practical to carry the vest in their assigned vehicle.

#### **D. Care of the Vest**

1. The carrier may be machine washed in warm water and tumble dried; however, all insert panels shall be removed prior to laundering. The panels may be cleaned by wiping with a damp cloth, but shall not be laundered or dry cleaned.
2. Replacement carriers and panels are available from the Supply Section using the Equipment Request/Return.

**Applies to:** All Officers  
**See Also:** Equipment Request/Return

**3.02.020      HIGH-VISIBILITY VESTS (CALEA 22.2.5, 61.3.2)**

**I. POLICY**

**A. Wearing High Visibility Safety Apparel**

1. All employees shall wear high-visibility safety apparel when directing traffic, investigating collisions, and handling lane closures, obstructed roadways, and disasters within the right of way of any roadway. Upon arrival at a scene, employees shall comply with this directive as soon as practical.
2. Department-issued items meeting this requirement include the orange traffic control vest and the high-visibility yellow reflective raincoat.

**Applies to:** All WSP Employees  
**See Also:** CFR part 634:1-4

## Chapter 4

### VEHICULAR PURSUITS

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#### ► SECTION 00: PURSUIT REQUIREMENTS ◀

#### **4.00.010**     **VEHICULAR PURSUITS – DEFINITIONS AND POLICY (CALEA 41.2.1, 41.2.2, 81.2.4)**

##### **I. DEFINITIONS**

###### **A. Vehicular Pursuit**

1. An attempt by a uniformed WSP officer in an officially marked patrol vehicle to stop a moving vehicle where the officer is signaling the vehicle to stop and the driver is resisting the stop by maintaining or increasing vehicle speed, making evasive maneuvers, or is otherwise ignoring the officer's attempt to stop the vehicle.

###### **B. Officially Marked Patrol Vehicle**

1. An officially marked patrol vehicle is a vehicle issued by the department equipped with emergency lights and siren and operated by a WSP officer.

###### **C. Attempting to Elude** (refer to RCW 46.61.024)

###### **D. Supervising Officer**

1. A supervising officer shall be a sergeant, lieutenant, captain, assistant chief, deputy chief, the Chief, or the officially appointed trooper-in-charge.

###### **E. Primary Unit**

1. The primary unit is the officer who is closest to the fleeing vehicle. An officer in an officially marked patrol vehicle that does not have a roof-mounted light bar should turn over primary unit status upon the arrival of a secondary unit with a roof-mounted light bar.

###### **F. Secondary Unit**

1. The second officer to engage in a pursuit, whether upon the request of the primary officer or supervisor.

###### **G. Tertiary Unit**

1. Requested or assigned third unit.

###### **H. Backup Units**

1. Other patrols in the area that may become directly involved if requested by the primary unit or directed by a supervising officer.

## II. POLICY

### A. Pursuit Guidelines

1. The following guidelines are intended to assist officers in making sound decisions regarding pursuits:
  - a. No more than three patrol units should be committed to a pursuit, unless the primary unit or supervisory officer specifically requests a backup unit(s). Area patrol units shall monitor the progress of pursuits, but shall not engage in a pursuit unless requested by the primary unit or directed by a supervising officer. If a supervisor is unavailable, the duty sergeant shall be notified of the additional units as soon as practical.
  - b. Only officially marked patrol vehicles shall engage in pursuits. Emergency equipment shall be in operation throughout the pursuit.
  - c. Officers involved in pursuits shall use their personnel number with all radio transmissions, whenever possible.
  - d. Officers transporting persons other than fully commissioned officers shall not engage in pursuits. This does not apply to approved observation riders (see **PATROL CAR RIDERS** policy).
  - e. Motorcycle units may participate in pursuits only until relieved by an officially marked patrol vehicle, unless circumstances dictate the motorcycle unit is the more effective pursuit vehicle. Continued motorcycle involvement shall be approved by an on-duty/duty sergeant.
  - f. Special Service Vehicles may participate in pursuits only until relieved by an officially marked, pursuit-rated patrol vehicle. Special Service Vehicles may serve as the secondary unit, if the Special Service Vehicle is the only available unit.
  - g. Vehicles operated by WSP CVEOs/CVOs, exempt, or classified employees shall not engage in pursuits.
  - h. If available, aircraft should be utilized to maintain visual contact with the fleeing vehicle. Pilots should keep involved units apprised of potentially hazardous situations.
  - i. Any involved officer may discontinue his/her involvement at any time during the course of a pursuit.

### B. Primary Unit Responsibilities

1. The primary unit is the officer who is closest to the fleeing vehicle. The primary unit shall advise the Communications Center of the following:
  - a. Officer identification.
  - b. Location, direction of travel, speed, and traffic volume on a continuous basis.

- c. Description of the fleeing vehicle and license number, if known.
- d. Description of the suspect driver, if known.
- e. Reason for the pursuit, including crimes or violation committed.

#### **C. Secondary Unit Responsibilities**

1. The acknowledged or assigned secondary unit, upon joining the pursuit, shall advise the Communications Center of their involvement and should be responsible for primary radio communications.
2. The secondary unit shall replace the primary unit in the event the primary unit cannot continue.

#### **D. Tertiary Unit Responsibilities**

1. The tertiary unit, in the event one is requested or assigned, shall replace either of the first two units in the event that one of them becomes disabled or is otherwise unable to continue the pursuit.
2. Be in a position at the point of pursuit termination to implement a high-risk stop, containment, apprehension of fleeing suspects, or to provide traffic control as necessary.

#### **E. Backup Unit's Responsibilities**

1. Other patrols in the pursuit area shall monitor the progress of the pursuit. They shall not engage in the pursuit unless requested by the primary unit or directed by a supervising officer. 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.
2. Backup units should be available to assist in the apprehension of the suspects at the termination of the pursuit or provide any needed traffic control.

#### **F. Supervising Officer Responsibilities**

1. Upon notification of a pursuit, the on-duty/duty sergeant shall assume supervisory command of the pursuit and will direct or change tactics as needed. Any supervisor who assumes command of the pursuit shall advise Communications. Supervisors engaged in a pursuit may have supervisory command of the pursuit.
2. The supervisor can order the termination of the pursuit. Supervision of pursuits that proceed from one geographic area to another should be transferred to a local on-duty supervisor, if one is available, as soon as practical. An on-duty/duty sergeant or higher ranking officer shall continue supervisory command of a pursuit until it has ended.

**G. Communications Center Responsibilities**

1. Communications shall immediately broadcast available information concerning a pursuit to local patrol units and designate the radio frequency to be used during the pursuit. They shall follow departmental procedures for the use of emergency traffic status and activation of channel marker tones.
2. Communications shall advise the appropriate supervisor or commanding officer of the pursuit. Initiation or any change of supervisory command shall be communicated to all involved units. Through available data information, Communications should attempt to obtain information concerning the identity of the driver and ownership of the vehicle. Other police agencies should be notified as soon as practical.
3. When a pursuit approaches another jurisdiction or autonomous patrol area (APA), Communications shall notify the affected jurisdiction. When a pursuit extends into an adjoining district, the controlling Communications Center shall transfer the pursuit to the newly affected district as soon as practical.

**H. Wrong-Way Pursuits**

1. Officers should not pursue vehicles which proceed the wrong way on a divided highway, freeway, freeway access, or one-way street unless specifically authorized by a supervisor.
2. Officers may attempt to stop the vehicle from legally available lanes of travel.

**I. Pursuits into Another Jurisdiction or District**

1. When a pursuit extends into another jurisdiction or APA, the pursuing officer should turn over the pursuit to a local officer, if available, and advise the Communications Center that their involvement has been terminated. The primary unit may continue with the pursuit only if approved by a supervisor.

**J. Interstate Pursuit**

1. Officers may continue a pursuit of a person into Idaho or Oregon who reasonably is suspected of (1) having committed a felony, or (2) a violation of state law relating to driving under the influence of drugs or alcohol or reckless driving.
2. Officers making a felony arrest in another state shall take the arrestee, without unnecessary delay, before a magistrate of the county in the state in which the arrest is made. Officers shall not pursue vehicles into Canada. Canadian authorities shall be notified of all pursuits approaching the border. The pursuit shall be turned over to Canadian authorities at the border.

**K. Other Agency Pursuits**

1. Officers shall not become involved in pursuits initiated by another agency unless specifically requested to do so by that agency. The appropriate Washington State Patrol supervising officer shall be notified of the engagement as soon as practical.

2. Officers engaged in other agency pursuits shall adhere to Washington State Patrol pursuit policies. District commanders shall advise other local agencies of this policy.

#### **L. Termination of a Pursuit**

1. The decision to terminate a pursuit can be made by the primary officer or ordered by a supervisor at any time during the pursuit. Those making decisions should consider the nature of the offense, the time of day, and evaluation of weather, traffic conditions, geographies, familiarity with the area, types of patrol vehicles involved, and the actions of the fleeing driver. A pursuit should be terminated when:
  - a. The officer or supervisor believes danger to the public outweighs the need for immediate apprehension of the suspect.
  - b. A supervisor orders the pursuit terminated.
  - c. The suspect is known to the officer and the offense involved is a traffic infraction, misdemeanor, or non-violent felony.
  - d. The officer loses visual contact with the fleeing vehicle for an extended period of time.
2. Any time an involved patrol vehicle experiences mechanical breakdown or equipment failure involving lights, siren, radio, and/or brakes, that officer shall terminate his/her involvement.
3. Officers who have terminated a pursuit shall deactivate emergency equipment and drive at routine patrolling speeds. Upon termination, officers may follow the vehicle's predicted route of travel. The termination of a pursuit does not preclude any officer from further attempts to stop the suspect vehicle if the circumstances that lead to the termination no longer exist.

#### **M. Investigation of a Pursuit/PIT**

1. After all pursuits, the involved or detachment supervisor shall complete a Pursuit Review and conduct a review to determine compliance with Washington State Patrol policy and training.
2. If the PIT was executed at 40 miles per hour or higher, a Use of Force Review shall be included.
3. If the pursuit/PIT results in a collision, a supervisor shall respond. If a pursuit/PIT results in a collision involving an injury, a supervisor shall also request that the Criminal Investigation Division respond to handle the collision investigation.
4. If during the review there are no apparent policy violations, the supervisor will complete the Pursuit Review and the investigating supervisor's case log. These documents will be forwarded along with all appropriate documents/reports to the division/district commander (see *Administrative Investigation Manual*).
  - a. The report(s) shall be forwarded to the Office of Professional Standards (OPS) within 10 days of the pursuit/PIT.



5. If there appears to be a policy violation, the sergeant shall immediately notify the division/district commander who shall, in turn, notify the OPS Commander by completing an Internal Incident Report (IIR).
6. The division/district commander shall make a determination within seven business days from the date the employer was made aware of the alleged policy violation to investigate the alleged misconduct.
7. The IIR shall be immediately faxed to OPS to ensure the IIR is accepted by the Standards Officer within contractual timelines.
8. The OPS Commander, in consultation with the division/district commander, shall determine and delegate investigative responsibility for the investigation. An OPS case number shall also be assigned at that time.
9. When an administrative pursuit/PIT investigation is conducted in the district, the completed packet shall be submitted to OPS by the due date indicated on the IIR.
10. OPS will review and track all pursuits/PIT to concur with the division/district commander's findings.
11. In those circumstances where a pursuit/PIT crosses district boundaries, a determination shall be made by the respective district commanders whether joint reporting or single district reporting will be made. In the case of allied agency involvement, a determination will be made by the district commander, in consultation with the OPS Commander, on the proper reporting procedure to be used.
12. The district commander has the option of conducting a critique of any pursuit/PIT for training purposes.
13. District commanders shall review all pursuits/PIT to ensure compliance with regulations. CID, the Training Division, and other appropriate resources shall be utilized to assist with the review in cases of pursuits/PIT that result in death, serious injury, or major property damage.

**Applies to:**

WSP Officers

**See Also:**RCW 46.61.024; WSP Policy **Patrol Car Riders**; Pursuit Review; Use of Force Review; Internal Incident Report**► SECTION 01: FORCIBLE STOP ◀****4.01.010 METHODS OF FORCIBLE STOP (CALEA 41.2.2, 41.2.3)****I. POLICY****A. Four Methods of Forcible Stop**

1. The Washington State Patrol authorizes four (4) methods of forcible stop: intentional intervention, roadblocks, hollow spike strip, and the Pursuit Immobilization Technique (PIT). No other method of forcible stop is authorized or should be used.

**B. Intentional Intervention**

1. Intentional intervention (ramming) of a vehicle is the deliberate act of hitting another vehicle with a patrol vehicle(s) for the purpose of functionally damaging or forcing the other vehicle off the road. Intentional intervention is considered use of lethal force.
2. It shall be used to effect an apprehension only as a last resort and only when the officer knows or has reasonable grounds to believe the occupant(s) has committed or is attempting to commit a crime that poses a threat of death or serious bodily injury. Intentional intervention shall not be used to apprehend a traffic offender, misdemeanor, or fleeing felon whose only felony is attempting to elude a pursuing police vehicle.
3. Officers attempting intentional intervention with a vehicle shall be held to the same standards as are applied to any other use of lethal force.

**C. Roadblocks**

1. A roadblock is a barricade using vehicles or other obstruction (excluding the Hollow Spike Strip) across a roadway set up to stop or prevent the escape of a fleeing vehicle.
2. Roadblocks may be used to apprehend fleeing felons when necessary, provided:
  - a. A description of the suspect(s) and suspect vehicle is available (the description must be adequate for proper identification).
  - b. Supervisory approval is obtained.
  - c. An "escape route" is left available.
  - d. The suspect(s) is wanted for any of the following:
    - (1) Homicide
    - (2) Robbery in the first degree
    - (3) Rape
    - (4) Assault with intent to kill or felonious assault
    - (5) Prison escape (involving a felon)

**D. Hollow Spike Strip**

1. The Hollow Spike Strip will be utilized only after supervisory approval, if a supervisor is available; otherwise, a duty sergeant shall be notified as soon as possible. All officers must have received training in the use of the spike strip before utilization.
  - a. **Communications**
    - (1) All officers involved in the pursuit should be on the same communications frequency. The operator of the spike strip should have a portable radio for ready use.

Pursuing officers shall keep the officer at the site of the spike strip informed of the following:

- (a) Location by milepost
- (b) Direction of travel and speed
- (c) Erratic driving behaviors
- (d) Possible weapons involved
- (e) Any other pertinent data to the chase

**b. Deployment**

- (1) When deploying a Hollow Spike Strip, the following precautions should be considered:
  - (a) The operator deploying the spike strip should do so from a position of safety.
  - (b) Heavy protective gloves should be worn when setting up the device.
  - (c) The spike strip should not be used in locations where specific geographic configurations increase the risk of serious injuries to the operator, violator, or the public (alongside of rivers, embankments, etc.).
  - (d) The spike strip should be readied for deployment in such a manner that the spikes are directed toward the fleeing vehicle.
  - (e) Traffic cones or fusees should be set up, if possible.
  - (f) The spike strip shall not be deployed on two-way roadways, unless oncoming traffic has been stopped some distance from the actual deployment site.
  - (g) As the fleeing vehicle approaches, the officer should pull the spike strip onto the roadway surface and let go of the device in case the device jumps up when the violator's vehicle passes over it.
  - (h) When nearing the spike strip, pursuing officers and the officer deploying the device must maintain communication. The pursuing officers must back off to allow the device to be cleared from the roadway.

- (i) The spike strip should be used to stop fleeing motorcycles only when attempting to stop for homicide, kidnapping, robbery with firearms, rape, assault with intent to kill, or prison escape (involving a felon).
- (2) Every effort should be made to avoid uninvolved motorists running over the spike strip.
- (3) If an uninvolved motorist does run over the strip, the driver should be contacted as soon as possible to explain the situation. They should be assisted in obtaining tires (at state cost).

**c. Investigation**

- (1) Whenever the Hollow Spike Strip is deployed, a Pursuit Review shall be completed and forwarded to the Office of Professional Standards. If the deployment of the Hollow Spike Strip causes a property damage collision (other than damage to tires and wheels) or injury collision, the proper collision investigation shall be conducted.

**E. Pursuit Immobilization Technique (PIT)**

- 1. The Pursuit Immobilization Technique (PIT) is a method to reduce risks in bringing pursuits to a conclusion. PIT is a forced rotational vehicle stop of a non-compliant suspect in an effort to end the suspect's flight.
- 2. Special Service Vehicles shall not be used to employ the PIT.

**3. PIT - Under 40 Miles Per Hour**

- a. PIT maneuvers under 40 miles per hour may be executed at the discretion of a pursuing officer. If executed at less than 40 miles per hour, PIT may be used under the following conditions:
  - (1) PIT shall be used only to apprehend felony offenders whose actions indicate a disregard for the safety of the officer(s) or the public.
  - (2) Eluding can be the only felony present precipitating the need for PIT maneuvers.

**4. PIT - Over 40 Miles Per Hour**

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

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

## 5. Sight Assessment for Use of PIT

- a. Sight 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:
  - (1) Blind curves (PIT works best in curves, but should not be executed when the officer believes that visibility is significantly compromised).
  - (2) Bridge abutments.
  - (3) Major obstacles on road sides.
  - (4) Oncoming traffic.
  - (5) Pedestrians.

## 6. Other Requirements

- a. Officers shall not be disciplined for a decision against executing a PIT maneuver in a pursuit situation. Officers are not authorized to execute PIT maneuvers until successfully completing the Washington State Patrol PIT training program.

**Applies to:** WSP Officers  
**See Also:** Pursuit Review

## Chapter 5

# EMPLOYEE HEALTH AND SAFETY

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### ► SECTION 00: SAFETY ◀

#### **5.00.010**      **WORKPLACE SAFETY**

##### **I. POLICY**

[Click here to view General Order 15-002](#)

- A. This policy will be applied in a manner consistent with the Washington Industrial Safety and Health Act (WISHA) and Occupational Safety and Health Administration (OSHA) and any relevant federal regulations, RCWs, WACs, and collective bargaining agreements and in conjunction with all procedures located in the Human Resource Division *Safety and Wellness Manual*.
1. The Washington State Patrol places a high value on the safety of its employees. The Washington State Patrol is committed to providing a safe workplace for all employees and has developed this program for injury prevention to involve management, supervisors, and employees in identifying and eliminating hazards that may develop during our work process.
  2. Employees are required to comply with all agency safety rules and are encouraged to actively participate in identifying ways to make our agency a safer place to work.
  3. Supervisors are responsible for the safety of their employees and as a part of their daily duties must check the workplace for unsafe conditions, watch employees for unsafe actions, and take prompt action to eliminate any hazards.

**Applies to:**

All WSP Employees

**See Also:**

Washington Industrial Safety and Health Act; Occupational Safety and Health Administration; applicable Collective Bargaining Agreements; Human Resource Division *Safety and Wellness Manual*

#### **5.00.020**      **BLOODBORNE PATHOGENS**

##### **I. POLICY**

[Click here to view General Order 15-002](#)

##### **A. Exposure Control Plan**

1. It is the policy of the Washington State Patrol to eliminate or minimize occupational exposure to bloodborne pathogens by maintaining an Exposure Control Plan, contained within the agency's Accident Prevention Plan, the *Safety and Wellness Manual*.
2. Employees who have occupational exposure to blood or other potentially infectious material (OPIM) must follow the procedures and work practice controls contained in the Exposure Control Plan that is located in the Human Resource Division *Safety and Wellness Manual*.

**B. Exposure Determination**

1. The following employees have occupational exposure to blood or other potentially infectious material (OPIM) and are eligible for HBV vaccinations, issued/access to Quickits, and are provided annual training:
  - a. Commissioned employees
  - b. Commercial vehicle enforcement officers and commercial vehicle officers
  - c. Crime lab personnel
  - d. Toxicology Laboratory personnel
  - e. Property and Evidence Custodians
  - f. Fingerprint Technicians
  - g. Deputy State Fire Marshals - Inspectors
  - h. Vehicle Identification Number Inspectors
  - i. Trooper cadets
  - j. Breath Test Technicians
  - k. Equipment Technicians
  - l. Maintenance Mechanic 1
  - m. Custodian 2
  - n. Property Management employees with field exposure
  - o. Electronic Services Division employees with field exposure
  - p. Information Technology Division employees with field exposure
  - q. Electronic Services Division employees who work on patrol vehicles
  - r. Fire Training Academy Staff

**Applies to:**

All WSP Employees

**See Also:**Applicable Collective Bargaining Agreements; Human Resource Division *Safety and Wellness Manual*

**5.00.030 AIRBORNE DISEASES****I. POLICY** [Click here to view General Order 15-002](#)**A. Exposure Control Plan**

1. It is the policy of the Washington State Patrol to eliminate or minimize occupational exposure to airborne diseases by maintaining an Exposure Control Plan, contained within the agency's Accident Prevention Plan, the *Safety and Wellness Manual*.
2. Employees who have occupational exposure to Tuberculosis (TB) and/or other airborne diseases (i.e., hantavirus) must follow the procedures and work practice controls contained in the Exposure Control Plan that is located in the Human Resource Division *Safety and Wellness Manual*.

**B. Exposure Determination – Tuberculosis**

1. The following job classes are eligible for annual skin testing, issued respirators, and annual training and fit-testing:
  - a. Commissioned employees
  - b. Fingerprint Technicians who respond to autopsies
  - c. Breath Test Technicians
  - d. Deputy State Fire Marshals - Inspectors
  - e. Trooper cadets
  - f. Crime Scene Response Team (CSRT)
  - g. Toxicology Laboratory personnel

**C. Exposure Determination – Other Airborne Diseases**

1. The following job classes with occupational exposure to airborne diseases (other than TB) are eligible for annual training and fit-testing and are issued respirators:
  - a. Commissioned employees
  - b. Commercial vehicle enforcement officers and commercial vehicle officers
  - c. Maintenance Mechanic 1
  - d. Custodian 2



- e. Trooper cadets
- f. Deputy State Fire Marshals - Inspectors
- g. Fingerprint Technicians
- h. Vehicle Identification Number Inspectors
- i. Information Technology Division employees with field exposure
- j. Electronic Services Division employees with field exposure
- k. Property Management employees with field exposure
- l. Crime Scene Response Team (CSRT)
- m. Toxicology Laboratory personnel

**Applies to:** All WSP Employees

**See Also:** Applicable Collective Bargaining Agreements; Human Resource Division *Safety and Wellness Manual*

**5.00.040**      **EMPLOYEES' RIGHT TO KNOW – HAZARDOUS MATERIALS IN THE WORKPLACE**

**I. POLICY**

**A. Hazard Chemical Communication Plan**

1. It is the policy of the Washington State Patrol to eliminate or minimize occupational exposure to hazardous materials in the workplace by maintaining a written Hazard Chemical Communication Plan, contained within the agency's Accident Prevention Plan, the Human Resource Division *Safety and Wellness Manual*.
2. Employees who have occupational exposure to hazardous materials must follow the procedures and work practice controls contained in the Hazard Chemical Communication Plan that is located in the Human Resource Division *Safety and Wellness Manual*.
3. The Hazard Chemical Communication Plan will be maintained by the Human Resource Division's Employee Health and Safety Team with input from the agency Safety Teams.

**Applies to:** All WSP Employees

**See Also:** Applicable Collective Bargaining Agreements; Human Resource Division *Safety and Wellness Manual*

## ► SECTION 01: EMPLOYEE WELLNESS ◀

**5.01.020**     **ERGONOMICS**

NEW POLICY: 5.01.010 WELLNESS PROGRAM  
Click here to view General Order 15-002

**I. POLICY**

[Click here to view General Order 15-002](#)

- A. This policy will be applied in a manner consistent with Washington Wellness initiatives; Healthy Nutrition Guidelines set by the Washington State Department of Health and any relevant federal regulations, RCWs, WACs, and collective bargaining agreements and in conjunction with all procedures located in the Human Resource Division *Safety and Wellness Manual*.

**Applies to:** All WSP Employees

**See Also:** Human Resource Division *Safety and Wellness Manual*

**5.01.030**     **AGENCY FOOD AND BEVERAGE****I. POLICY**

- A. This policy will be applied in a manner consistent with the Washington Wellness initiatives; Healthy Nutrition Guidelines set by the Washington State Department of Health and any relevant federal regulations, RCWs, WACs, and collective bargaining agreements and in conjunction with all procedures located in the Human Resource Division *Safety and Wellness Manual*.
1. The Washington State Patrol supports efforts to create a healthy workplace for employees and guests. This policy ensures that food and beverages we offer or serve meet the Healthy Nutrition Guidelines defined by the Department of Health (guidelines included in the *Safety and Wellness Manual*). The guidelines apply to foods offered and served by and in our vending machines, meetings and events, cafeteria/restaurant, cafes, and on-site retail venues.
  2. The Safety and Wellness Coordinator is the agency lead in implementation and monitoring of these guidelines. S/he is responsible to coordinate any updates or rescission of this policy.

**B. Vending Machines**

1. **VENDING MACHINES** delineates policy regarding contracting for and placement of vending machines in Washington State Patrol facilities. To meet the Healthy Nutrition Guidelines, 50% of vending options must meet the nutrition criteria below:
  - a. **Healthiest:** Foods in this category are naturally nutrient-rich. They are mostly whole foods that contain low or no added sugar and sodium.

- b. **Healthier:** Foods in this category are more processed or refined. They have more added sugar, sodium, or fat. They contain fewer nutrients for the amount of calories they provide.

### C. Meetings and Events

1. Office of Financial Management (OFM) rules prohibit the expenditure of state funds for meals or refreshments unless certain conditions are met. Specifically, the planned expenditure must be reviewed against OFM guidelines. It must be approved in advance and in writing by the agency head or authorized designee. Budget and Fiscal Services (BFS) has been designated as the approving authority of expenditures for meals or refreshments. Specific procedures for gaining approval of meal or refreshment expenditures are contained in the *WSP Fiscal Procedures* published on the BFS web site.
2. To meet the Healthy Nutrition Guidelines for Meetings and Events, choose foods and beverages that meet at least the Healthy standard below:
  - a. Provide food and beverage options that are appropriate for the attendees' dietary and cultural food needs.
  - b. Provide water at breaks and meals—preferably tap water.
  - c. Provide zero- and low-calorie beverage options when you serve beverages other than water.
  - d. Serve fruit or vegetables with all light refreshments and meals.
  - e. Choose foods that are low in fat—especially saturated and trans-fats.

**Applies to:**

All WSP Employees

**See Also:**

Applicable Collective Bargaining Agreements; Office of Financial Management (OFM) *State Administrative and Accounting Manual*; Washington Wellness Initiatives; Healthy Nutrition Guidelines; Human Resource Division *Safety and Wellness Manual*; *WSP Fiscal Procedures*

**NEW POLICY: 5.01.040 SUPPORTING BREASTFEEDING EMPLOYEES AT WORK**  
Click here to view General Order 15-002

## Chapter 6

# DISSEMINATION OF INFORMATION

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### ► SECTION 00: MANUALS ◀

#### **6.00.010**     **EMPLOYEE REGULATION MANUAL** (CALEA 1.3.12, 11.1.1, 12.2.1, 12.2.2)

#### **I. POLICY**

##### **A. Purpose of *Regulation Manual***

1. The *Regulation Manual* contains orders of policy, procedures, and conduct applicable to employees across the department. These shall be observed by all employees, as identified in the "Applies to" heading and, unless superseded by a current bargaining agreement, take precedence in cases of conflict. Only the Chief has the authority to approve department directives.

##### **B. Contents of *Regulation Manual***

1. The instructions contained in the manual are orders of this department, and as such, they are the minimum standards that will be acceptable from any employee. Certain situations will require the employee use common sense and good judgment. Employees are expected to comply with the instructions contained in this manual and demonstrate the use of good judgment on all occasions.
2. The directives outlined in this manual establish a basis for operational standards to assist employees in the exercise of discretion in discharging their responsibility. Policies and procedures may be deviated from when circumstances create sufficient justification to do so. Deviation shall be subject to departmental review and, in the absence of sufficient justification may result in disciplinary action and/or training.

##### **C. Format of the *Regulation Manual***

1. The *Regulation Manual* shall be formatted using an outline style that includes the policy number and title, accreditation standard references, a listing of all employees affected by the policy, and additional reference information (e.g., department manuals, RCWs, WACs, other policies, etc.).

##### **D. Initiating Changes to the *Regulation Manual***

1. Any employee who wishes to propose changes, additions or deletions to directives in the *Regulation Manual* shall submit a draft to his/her immediate supervisor.
2. Upon approval, the supervisor shall forward the draft through the chain of command to his/her respective division/district commander.
3. Upon approval, the division/district commander shall forward the draft to his/her respective assistant chief/bureau director.

4. Upon approval, the assistant chief/bureau director shall forward the draft to the Strategic Planning and Accountability Section.

#### **E. Concurrence Review Process**

1. All department policies shall be reviewed by a concurrence committee composed of members selected by the Chief.
2. During the concurrence process, if the authorizing commander determines the policy needs to be removed for further discussion or clarification, the policy will be taken out and will be required to go through the concurrence process again before being published in the General Order.
3. Exceptions to resubmission through the concurrence process will be made when language submitted for concurrence is removed and negotiated/revised pursuant to a demand to bargain from an exclusive bargaining unit representative.
4. The comments and suggestions offered by the concurrence committee members shall be compiled by the Strategic Planning and Accountability Section for the Chief's review prior to approval.

#### **F. Policy Review Schedule**

1. Each policy in the *Regulation Manual* shall be reviewed by personnel in the originating division/district/section according to the review schedule maintained by the Strategic Planning and Accountability Section.
2. At a minimum, each policy shall be reviewed and/or revised once every three years, in order to ensure the necessity and accuracy of all department policies.

#### **G. Accessing the *Regulation Manual***

1. The *Regulation Manual* may be accessed electronically through the department intranet site. When an updated manual is ready for printing, the Strategic Planning and Accountability Section will survey the department to determine the number of employees who require a hard copy of the manual or who are able to use the intranet link to the manual. An order will be made accordingly and manuals will be issued according to the employee survey requests. Each work location (i.e., district offices, remote detachment offices, etc.) or work unit in a larger building will maintain one hard copy.
2. Employees are responsible for reviewing the contents of the manual. All employees shall sign a Directive Control Sheet upon receipt of the paper or electronic *Regulation Manual* and all subsequent General Orders, either reviewed in hard copy or accessed via the intranet.
3. If transferring, employees who were issued a manual shall take it to their new assignment. When an employee leaves the department the manual shall be returned to the employee's supervisor.

**Applies to:** All WSP Employees  
**See Also:** --

**6.00.020**     **STANDARD OPERATING PROCEDURE MANUALS (CALEA 12.2.1, 12.2.2)**

**I. POLICY**

**A. Purpose**

1. All divisions/districts shall have a Standard Operating Procedure (SOP) manual, unless a waiver by the respective assistant chief/bureau director has been attained.
2. SOP manuals shall also be established for any agency major programs or services, especially those programs or services that impact the majority of employees (e.g., *Time and Activity Reporting System Manual*, *Budget and Fiscal Services Standard Operating Procedures Manual*, *Public Disclosure Manual*, *Human Resource Division Standard Operating Procedures Manual*, etc.)
3. Section SOP manuals may be created at the discretion of the division/district commander.

**B. Format**

1. Procedures shall be maintained in chronological order or by subject heading.
2. Procedures shall be sequentially numbered.
3. All SOP manuals shall be formatted using an outline style, with the exception of technical manuals.
4. A style guide is available on Inside WSP on the "SOP and Other Manuals" page.
5. All SOP manuals shall be assigned an agency control number (see **Deployment** below).

**C. Deployment**

1. All SOP manuals shall be sent to the agency Documents Manager for control number assignment, including subsequent revisions. SOP manuals may be posted to Inside WSP by the Documents Manager after consulting with the business owner, unless confidentiality or other exemptions apply. SOP manuals with directives affecting all agency employees shall be posted on Inside WSP by the Documents Manager (or approved designee).
2. Division/district SOP manuals shall be issued to each affected division/district supervisor and be available to all division/district employees. SOP manuals representing major programs or services shall be issued to all affected supervisors and be available to all affected employees.
3. SOP manuals shall be reviewed by all new employees assigned to the command.
4. All employees shall sign a Directive Control Sheet, acknowledging review of SOP manuals for their division/district/section and for any SOP manual relating to a major program or service in which they participate.

**D. Review**

1. All SOP manuals shall be reviewed annually by the division/district commander or major program manager to determine if revisions are necessary.
2. At a minimum, SOP manuals shall be updated every three years.
3. SOP manuals may be revised on a more frequent basis (e.g., quarterly, semi-annually), if evolving business processes dictate the necessity.

**E. Policy/Procedure Conflict**

1. Procedures in SOP manuals shall not conflict with policies in the *Regulation Manual*.

**Applies to:** All WSP Employees  
**See Also:** --

**► SECTION 01: RECORDS ◀****6.01.010 RECORDS RETENTION (CALEA 42.1.3, 82.1.3, 82.3.5)****I. DEFINITIONS**

- A. Disposition** – Action taken with the records when they are no longer required to be retained by the agency.
- B. Primary Record** – The original record (whether created or received by the agency) that serves as the official record, and must be retained in accordance with retention requirements.
- C. Record** – For retention purposes, a record is defined as: Any paper, correspondence, completed form, bound record book, photograph, film, sound recording, map drawing, machine-readable material, electronic data, compact disc, or other document, regardless of physical form or characteristics, and including such copies thereof, that have been made by or received by any agency of the state of Washington in connection with the transaction of public business.
- D. Records Retention** – The preservation, maintenance, and timely destruction of public records.

**II. POLICY****A. Records Retention**

1. Ultimate authority for records retention lies with the Secretary of State's Office. Pursuant to RCW 40.14.040, the department's Records Officer coordinates all aspects of the records management program for the department. The Public Disclosure Section (PDS), Risk Management Division (RMD), consults with employees responsible for retention of agency primary records and is responsible for the development and maintenance of the Washington State Patrol Unique Records Retention Schedules (Unique Schedule).

2. The Washington State Patrol is authorized to use the Unique Schedule and the State General Records Retention Schedule for retention requirements. Current retention information can be located on the RMD Intranet Web site. Any requested changes or additions to the Unique Schedule shall be submitted to and approved by the Retention Officer located in the PDS.
3. All procedures for records retention and destruction outlined in the *Washington State Patrol Retention Manual* shall be followed.

## **B. Final Disposition**

1. Possible disposition actions include transfer to the Washington State Archives, destruction, and release of records to employee.

**Applies to:** All WSP Employees

**See Also:** RCW 40.14; General Records Retention Schedules;  
*Washington State Patrol Retention Manual*; Records  
Destruction Form

## **6.01.020 ELECTRONIC MAIL RETENTION**

### **I. POLICY**

#### **A. Electronic Mail Retention**

1. Electronic mail (e-mail) is a public record in the same manner that other documents are considered public records under state law. The content of the message and any attachments determine how long the record shall be maintained.
2. The employee who sent the original message must retain the record if it falls under the Retention Schedule requirements. Current retention information can be found on the Risk Management Division Records Retention Intranet site.
3. E-mails should not be retained on the server for longer than six (6) months. If retention requirement is longer than six (6) months, remove from the Exchange server and create a longer-term storage mechanism (.pst files, server, external hard drive).
4. E-mail that is considered to have no administrative, legal, fiscal, or archival requirement for its retention is considered "transitory" and can be deleted when no longer needed. According to the State General Records Retention Schedule, the following e-mail may be retained until no longer needed for agency business, then destroyed:
  - a. Routine Agency Information (GS 50002).
  - b. Special Announcements (GS 50001).
  - c. FYI Notices with no business action needed (GS 50004).
  - d. Courtesy Copies (GS 50005).



- e. Junk/Spam Mail (GS 50004).
- f. Informational only copies or extracts of documents distributed for reference or convenience, such as announcements or bulletins (GS 50003).

**Applies to:** All WSP Employees  
**See Also:** WSP Policies **Attorney General's Records Hold Notice Requirements, Records Retention**

#### **6.01.030 SEALING OR DESTROYING CASE RECORDS (CALEA 42.1.3)**

##### **I. POLICY**

###### **A. Court Order to Seal Records**

1. When required by court order to seal records of a department case file, the division/district commander in charge is required to comply.
2. If the order does not appear reasonable or there are questions, the order should be sent to the Labor and Policy Advisor. After review, the commander shall be notified of the action to take.
3. The case file shall be sealed by:
  - a. Taping the file closed with evidence tape.
  - b. Noting the date and name of the person sealing the file.
  - c. Attaching a copy of the court order to the outside of the file.
4. The sealed file shall be left in its original location, and destroyed after the expiration of the retention period.
5. Contents or existence of the file cannot be given to anyone without court order or other legal process. If there is an inquiry, the response should be the records "are confidential, and no information can be given about the existence or non-existence of records concerning an individual."
6. If a court order indicates destruction of a case file or any of its parts, the order shall be sent to the Labor and Policy Advisor, who shall advise the commander of the procedure to follow. The normal procedure shall be shredding. Response to inquiries about a destroyed file shall be "no such file exists." After destruction, the court order requiring destruction shall be sent to the Labor and Policy Advisor for filing.

**Applies to:** Division/District Commanders; Labor and Policy Advisor  
**See Also:** RCW 13.50.050

#### **6.01.040 CONTACTING THE ATTORNEY GENERAL'S OFFICE REGARDING TORTS, LAWSUITS, OR PUBLIC DISCLOSURE**

##### **I. POLICY**

###### **A. Requesting Information**

1. Initiating contact with the Attorney General's Office (AGO) is limited to division/district command level and above and to those

employees having their commander's approval and whose job duties require them to have direct contact.

2. Other employees shall not initiate unsolicited contact with the AGO (e.g., with questions pertaining to torts, lawsuits, public disclosure, or daily Washington State Patrol business). Employees shall route all questions through the appropriate chain of command as follows:
  - a. Any unsolicited questions pertaining to department torts or lawsuits shall be routed to the Risk Management Division Commander's Office.
  - b. Employees shall route all questions pertaining to public disclosure to their district Public Disclosure Coordinator or the department's Public Records Officer located in the Public Disclosure Section.
3. Employees shall not directly contact an Assistant Attorney General (AAG) regarding daily Washington State Patrol business without permission and/or direction from their division/district commander.
4. When an AAG or tort investigator requests an employee to contact him or her, the employee will receive a notification e-mail from the Risk Management Division Commander's Office. The employee should contact that AAG or investigator directly, but not before first advising his/her supervisor of the contact.

**Applies to:**

All WSP Employees

**See Also:**

WSP Policy **Attorney General's Records Hold Notice Requirements**

**6.01.045 ATTORNEY GENERAL'S RECORDS HOLD NOTICE REQUIREMENTS**

**I. DEFINITIONS**

**A. Tort** – A civil wrong for which a remedy may be obtained.

1. **Lawsuit** – A civil action brought in a court of law in which a plaintiff, a party who claims to have incurred loss as a result of a defendant's actions, demands a legal or equitable remedy. A person may file a lawsuit against the state of Washington 60 days after a claim has been filed (RCW 4.92.110).

**B. Electronically Stored Information (ESI)** – Information created, manipulated, communicated, stored, and best utilized in digital form, requiring the use of computer hardware and software.

**C. Litigation Hold Notice** – AGO communication to an agency with data/records, asking it to immediately identify all possible employees with data/records and to preserve the data/records pending retrieval by a tort investigator.

**D. Records Preservation** – Upon receipt of a litigation hold or other instruction from the Risk Management Division, the employee is responsible for preserving the described records as instructed until notified otherwise.

- E. Records Production** – Upon receipt of a request to find and produce records (for litigation), the employee is responsible for diligently searching for requested records and providing them to the Risk Management Division Commander's Office.

## **II. POLICY**

### **A. Risk Management Division (RMD), Office of the Commander Responsibility**

1. When a lawsuit is filed—or reasonably anticipated—the agency has a duty to take special precautions to prevent the loss of potentially relevant data. RMD develops a preservation plan outlining the immediate steps that need to be taken:
  - a. Identify the operating unit and individuals who might possess relevant information.
  - b. Send a litigation hold notice to the appropriate individuals, and their supervisors and records coordinators, as appropriate.
  - c. Identify a specific person to coordinate questions and responses with the Attorney General's Office.
  - d. Gather a summary of the hardware and software involved.
  - e. Establish a method for following up, which may include sending out reminders, conducting preservation compliance checks, and addressing new questions or issues from agency employees with potential evidence.
2. Issue a litigation hold notice to affected employees. A litigation hold will typically include:
  - a. A general description of the allegations that have been made or are anticipated to be made in the litigation.
  - b. Identification of the categories of information to be preserved.
  - c. A direction to preserve relevant electronic and other pertinent documents.
  - d. A definition of what constitutes a "document."
  - e. General information on how to preserve documents.
  - f. The contact information for the risk management professional associated with the hold notice.
3. Assist the Assistant Attorney General (AAG) with coordinating employee responses associated with the tort.

4. Ending preservation responsibilities:
  - a. When the litigation or threat of litigation that prompted the litigation hold has ended, RMD will inform those who received the notice that they are no longer under any special obligation to preserve the identified categories of materials. At that point, only the agency's normal retention schedules will apply to those records.

#### **B. Employee Responsibility**

1. Receipt of a litigation hold notice means the records and/or evidence that the agency is obligated to preserve may be in the employee's possession or scope of responsibility of that employee. The employee, as an employee of the agency, has a duty to preserve such information effective immediately upon receipt of a litigation hold notice. In particular, the individual shall:
  - a. Cease destruction of relevant documents, to include discontinuing automatic purge functions or personal practices regarding the destruction of records.
  - b. Preserve relevant documents in their original (native) format.
  - c. Preserve ESI to ensure no relevant information is deleted, destroyed, purged, overwritten, or otherwise modified.
  - d. Follow the specific instruction on the litigation hold and make a record of all steps taken to preserve documents.
  - e. Identify all potential sources of ESI.
  - f. Complete the Records Custodian Certification form, confirming the employee has completed the required search and complied with records preservation and records production procedures.
  - g. Consult with the designated contact person regarding any questions involving the litigation hold.

**Applies to:**

All WSP Employees

**See Also:**

RCW 4.92.110; Superior Court Civil Rules 26-37; WSP Policies **Contacting the Attorney General's Office Regarding Torts, Lawsuits, or Public Disclosure; Request for Defense – Civil Actions Involving Department Employees; Deposition Requests; Legal Inquiries; Records Retention;** Records Custodian Certification Form

**6.01.046      LEGAL DEFENSE FILES****I.    DEFINITIONS**

- A. Legal defense files held by the department contain information that may be used in defense of the department, current or former department employees, and the state of Washington in legal proceedings.

**II.   PURPOSE**

- A. Legal defense files are developed to ensure that all material within the possession of the department that may be germane to potential claims or litigation against the department, current or former department employees, and the state of Washington are retained and available to defend against such claims. Legal defense files may relate to individual(s), entity(ies), matter(s), etc.

**III.   POLICY****A.   Supervisor Responsibilities**

1. When a supervisor perceives that events or circumstances may lead to claims or litigation against the department, current or former department employees, or the state of Washington, the supervisor shall immediately notify, through his/her chain of command, the division/district commander, and retain any documents, materials, etc., relevant to the events or circumstances at issue. Examples of circumstances or events that may lead to such claims or litigation include, but are not limited to:
  - a. When an entity or individual(s) indicates an intention to file a claim or lawsuit; or
  - b. When an act or omission by the department or employee(s) of the department is of a sort that has historically precipitated claim(s) or lawsuit(s).

**B.   Division/District Commander Responsibilities**

1. If the division/district commander concurs that the events or circumstances may lead to claims or litigation against the department, current or former department employees, or the state of Washington, then the division/district commander shall immediately notify his/her assistant chief/bureau director and the Risk Management Division (RMD) Commander. If the division/district commander, in consultation with the RMD Commander, determines that the events or circumstances will not likely lead to claims or litigation, then the division/district commander shall so notify his/her assistant chief/bureau director and may instruct the supervisor that the supervisor may retain or destroy the documents or materials according to applicable retention rules.

**C. Legal Defense File Creation and Liability Mitigation**

1. If a division/district commander notifies the RMD Commander of events or circumstances that may lead to claims or litigation pursuant to (B), the RMD Commander shall consult with the Labor and Policy Officer, and possibly the Attorney General's Office (AGO) on whether the department should create a legal defense file or undertake any liability mitigation actions. If it appears that the events or circumstances may lead to claims or litigation, the division/district commander will notify their respective assistant chief/bureau director and recommend that a legal defense file be created. If the assistant chief/bureau director concurs, the assistant chief/bureau director shall instruct the RMD Commander to create a legal defense file.
2. The Chief, Deputy Chief, an assistant chief/bureau director, or AGO attorney representing the Washington State Patrol may direct the RMD Commander to create a legal defense file.

**D. Risk Management Division Responsibilities**

1. When directed to create a legal defense file, the RMD Commander shall collaborate with appropriate division/district commanders to ensure that copies of all relevant materials are electronically furnished to the RMD Commander for safe-keeping and tracking. Once receipt by the RMD Commander has been confirmed, the RMD Commander or designee shall, in consultation with the AGO if necessary, advise the individual(s) furnishing the electronic copies regarding the retention of the original materials. The RMD Commander or designee shall maintain each legal defense file until, in consultation with the AGO, the RMD Commander determines that the potential for claim(s) and/or litigation has passed. The RMD Commander shall note which, if any, of the contents of the legal defense file are privileged materials or otherwise protected from disclosure.
2. The RMD Commander shall periodically brief the Executive Staff regarding newly created legal defense files.

**E. Use and Dissemination of Legal Defense Files**

1. Upon notice that a claim or lawsuit has been initiated, the RMD Commander or designee will furnish a copy of any relevant legal defense file(s) to the AGO attorney, or other legal counsel, assigned to represent the Washington State Patrol or state of Washington. The agency Public Records Officer will log all disclosures/dissemination of a legal defense file to anyone other than the Chief, Deputy Chief, an assistant chief/bureau director, Labor and Policy Advisor, or commander of the Office of Professional Standards.
2. The RMD Commander shall ensure that the contents of a legal defense file are disclosed and/or withheld from disclosure, in accordance with applicable laws and court orders. The agency

Public Records Officer shall coordinate with the AGO, if appropriate, to assert any applicable privilege or basis for withholding or not disclosing materials.

**Applies to:** All WSP Employees  
**See Also:** --

**6.01.050** **PUBLIC RECORDS REQUESTS (CALEA 54.1.1, 54.1.3, 82.1.1, 82.2.4)**

[Click here to view General Order 15-001](#)

**I. DEFINITIONS**

- A. Public Disclosure Request** – Request from outside the department for copy of any public record used in the administration of the department or investigations completed by department personnel. Documents, pamphlets, or other department material published for distribution to the public do not fall under this policy. Department information requested by other law enforcement agencies will be handled on a case-by-case basis.
- B. Subpoena Duces Tecum** – Subpoena for records.
- C. Law Enforcement Agency** – For the purposes of this policy, an enforcement agency that has a legal right to criminal history information (certified criminal justice agency).
- D. Public Record** – Any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

**II. POLICY**

**A. Requesting Records**

- 1. The public has a statutory authority to request to view or receive copies of records produced by the department. There are requirements setting out how requests must be made, how the department must respond, and under what specific situations all or portions of a record may be withheld.
  - a. Employees shall follow public disclosure policies and procedures, as outlined in state statutes, Washington Administrative Code (WAC), this policy, and the *Public Disclosure Manual*. The manual is available on the department Intranet site. All questions should be directed to the department's Public Records Officer in the Risk Management Division (RMD).
  - b. Original documents including audio/videotapes, photographs, negatives, and negative proof sheets shall not be released.
- 2. Requests for information by a union must be forwarded to the Labor and Policy Advisor.

**B. Commander Responsibility**

1. State law directs that the department shall make certain records "promptly available to any person." To streamline this process, the Fire Protection Bureau Director, Forensic Laboratory Services Bureau Director, and each division/district commander shall identify a position to serve as their division/district Public Disclosure Coordinator. The ultimate responsibility for public disclosure rests with the commander. It will be the commander's responsibility to ensure:
  - a. Requests are answered promptly.
  - b. Exempted information is redacted.
  - c. Appropriate training is provided to the identified coordinator(s) regarding this procedure.

**C. Response Time**

1. As required by Chapter 42.56 RCW, the division/district Public Disclosure Coordinator shall respond to a requester within five business days by either:
  - a. Providing the requested material.
  - b. Acknowledging the request by letter and providing a reasonable estimate of time that will be required to respond.
  - c. Denying the public record request, stating the applicable exemption.
  - d. Providing the link to a publicly accessible Web site where the requested information is located.
2. If a record or portion of a record cannot be released, the division/district Public Disclosure Coordinator shall advise the requester by letter, indicating the reason for denial. The appropriate RCW exemption shall be stated.

**D. Public Records Requests Received at Division/District Office**

1. If the records being requested are available in division/district files, the responsive records shall be located, gathered, reviewed for redaction, redacted as needed, and disclosed to the requester within a reasonable period of time.
2. Every public disclosure request and subpoena duces tecum shall be entered into the department's public disclosure database by the division/district Public Disclosure Coordinator who fills the request.
3. A fee, as set by the WAC or Department Cost Recovery study, will be charged for 20 or more paper pages of copy. The requester shall pre-pay before receiving documents.
4. The Public Records Officer in the Risk Management Division (RMD) shall be consulted on any unusual or questionable disclosure request. If a public records request involves more than



one division or district, the Public Records Officer in RMD shall determine who will coordinate the response.

5. Specific procedures for processing records requests are outlined in the *Public Disclosure Manual*.

#### **E. Requests Received at Detachment/Section Office**

1. Requests received at detachment/section offices shall be forwarded immediately to the division/district Public Disclosure Coordinator to be processed.

#### **F. Confidential Information**

1. Employees shall deny release of non-disclosable information by stating the appropriate exemption under Chapter 42.56 RCW in writing. Exemptions are also listed in the *Public Disclosure Manual*. All exempt information contained in a document that is otherwise disclosable shall be redacted. All records are subject to public disclosure, unless a specific statutory exemption applies.

#### **G. Attorney General/Labor and Policy Advisor Requests**

1. All responses to requests for information from the Labor and Policy Advisor or the Attorney General's Office, where the Attorney General's Office is representing the department or its employees, shall be responded to by providing the entire file, including all documents that are normally exempt from public disclosure.

#### **H. Pre-Trial Interviews**

1. It is common practice in the legal field to interview all witnesses prior to trial. Department employees are not required to obtain permission of legal counsel to attend pre-trial interviews if the department, or another state agency, is not a party to civil action (see also I. **Depositions** below).
2. Information given during such pre-trial witness interviews shall be limited to facts regarding the case. Opinions, conclusions, and recommendations shall not be expressed during such interviews. Testimonies of forensic scientists should be excluded. Evidence involving opinions, conclusions, and recommendations are only admissible in court if given by a person who is qualified as an expert in the field.
3. Departmental employees are not allowed to testify as experts, unless the Labor and Policy Advisor approves. Testimonies of forensic scientists should be excluded.
4. A redacted version of the investigation file may be inspected during the interview.
5. Requests for copies of documents inspected at the time of the interview shall be made in accordance with this policy.

**I. Depositions**

1. If an employee is requested to give a deposition, the employee shall contact his/her division/district commander within one business day. The commander shall contact and obtain approval from the department's Assistant Attorney General prior to an employee giving any deposition in cases involving the department or another state agency. If records are needed for the deposition, sufficient time must be allowed to have the records properly redacted, unless pre-arranged with the Public Records Officer.

**J. Subpoena/Interrogatory for Records**

1. Upon receipt of any unusual or questionable subpoena duces tecum, the division/district Public Disclosure Coordinator shall notify the Public Records Officer by e-mail, followed by a telephone call. If the material produced in response to legal subpoenas should be redacted, contact the Public Records Officer for approval. For district courts, a criminal subpoena duces tecum must be signed by a judge.

**K. Release of Employee Information**

1. Employee residential addresses, telephone numbers, and e-mail addresses shall not be released to non-employees, unless approved by the employee, nor transmitted via department radio. Employee duty hours shall not be released to non-employees unless in response to a proper public records request. This shall not preclude the release of such information to the prosecutor's office for official business. Information requests shall be released to family members, with supervisor approval.
2. Employees and former employees may request information contained in their official personnel, medical, payroll, or supervisory desk files without going through public disclosure. However, former employees may be required to pay copy and mailing costs.
3. Employee name, age, sex, and duty station can be released only after the immediate family member has been notified in the case of an on-duty death, injury, or involvement in a collision.

**L. Active Investigations**

1. After the prosecutor has received any records regarding an investigation (to include booking paperwork), records may be available for public disclosure. While the trial is pending, disclosure should be made in coordination with the prosecutor's office. If the prosecutor's office requests that records not be disclosed, consult with the Public Records Officer in the Risk Management Division (RMD) prior to any dissemination.
2. Employees shall keep criminal history record files confidential and secure, except when law requires or allows disclosure.

**M. Requests for Personnel, Training, or Office of Professional Standards Records**

1. Requests for records on department personnel or internal investigations shall be forwarded to the appropriate division/district Public Disclosure Coordinator. If the request is for records from two or more of these divisions, the Public Records Officer in the Risk Management Division (RMD) shall determine who will coordinate the response.
2. The department shall refuse to disclose information in personnel or internal investigation files if that disclosure would violate the employee's right to privacy, as defined under RCW 42.56.050.
  - a. Upon receiving a request for all or part of a personnel or internal investigation file, the affected employee shall be notified and respond in accordance with the applicable collective bargaining agreement or Civil Service Rule. The affected employee may provide any objection to releasing the requested documents. The Assistant Attorney General may be consulted regarding the employee's objections.
  - b. If the department agrees that the employee's right to privacy would be violated, it will not release the document and will provide a defense in court, if necessary. If the department does not agree, it will notify the affected employee.

**Applies to:** All WSP Employees

**See Also:** RCW 42.56; *Public Disclosure Manual*; Department Cost Recovery Study

**6.01.060 CRIMINAL HISTORY RECORD INFORMATION (CALEA 42.2.2, 82.1.1)****I. POLICY**[Click here to view General Order 15-001](#)[Click here to view General Order 15-003](#)**A. Use of Criminal History Record Information (CHRI)**

1. CHRI shall only be requested for criminal justice purposes. All terminals accessing criminal history (WASIS and III) through ensure they include the following information in each request:
  - a. Person's last name, first name, and middle initial
  - b. Date of birth
  - c. Sex
  - d. Race
  - e. Purpose Code ("C" for criminal, "J" for criminal justice employment, "F" for evidence returns of firearms)

- f. Attention Field (the requestor's first initial and last name or employee identification number and case number or specific reason for the request; i.e., DUI, Theft, etc.). Generic reasons such as "Investigation" are not considered specific.
  - (1) If abbreviations are used for the specific reason, the district must maintain the list of appropriate abbreviations for review during audits.
- 2. CHRI information shall only be disseminated to a second party when necessary to further a criminal investigation or to provide amplifying information for prosecution. When a CHRI is included in the Case File Tracking Envelope, employees shall indicate the CHRI's inclusion by checking the appropriate box under the "FILE CONTENTS" heading on the face of the envelope. When a case file is released with the CHRI, employees shall note the name and office of the person receiving the file under the remarks section on the face of the envelope. CHRIs shall be destroyed when no longer of use.

## II. PROCEDURES

### A. Requesting a CHRI Check

- 1. Officers shall request a CHRI check from Communications using the following information:
  - a. Last name, first name, middle initial
  - b. Date of birth
  - c. Sex
  - d. Race
  - e. Specific reason for the inquiry (i.e., DUI, Theft, etc.). Generic reasons such as "Investigation" are not considered specific.
- 2. Include other identifiers, if known:
  - a. Social Security number
  - b. FBI Number
  - c. State Identification number (SID)
- 3. All CHRI obtained is based on descriptors provided. Positive identification can be based ONLY on fingerprint identification.

### B. Methods of Retrieval

- 1. CHRI inquiries will generate a positive or negative automated response:
  - a. A negative response will provide a short automated message noting no records found.

- b. A positive response received by a "QH" or "QWH" inquiry will provide a candidate list of names that are algorithmically closest to the query.
- c. Upon receipt of a negative response, Communications shall advise the requesting officer "(subject's last name), no criminal history record."
- d. Upon receipt of a positive response, Communications shall advise the requesting officer "(subject's last name), response forthcoming." This will indicate to the officer that the subject may have a criminal record.
- e. Upon receipt of CHRI, the inquiry will be identified by the subject's last name. Communications will advise the requesting officer "(subject's last name), prior record."
- f. Upon acknowledgment, the officer will be advised of the CHRI.

### C. Exceptions

- 1. If all known searches produce "No Hits" and there is sufficient reason to believe the subject has a criminal history record, a terminal message requesting assistance may be routed to the Identification and Criminal History Section.
- 2. CHRI may be obtained via telephone on an emergency basis; however, the Identification and Criminal History Section will respond only to telephone numbers listed on the official department directory on a call-back basis.

**Applies to:** All WSP Employees  
**See Also:** --

## 6.01.065 DISCLOSURES TO PROSECUTING ATTORNEYS

### I. POLICY [Click here to view General Order 15-001](#)

#### A. Adverse Findings of Misconduct Related to Dishonesty

- 1. The department shall disclose to the prosecution, as *Brady* material, information regarding any final determination by the appointing authority, with concurrence by the department standards officer, of an adverse finding from an administrative investigation related to an employee's dishonesty or untruthfulness, regardless of whether or not discipline was given. Current policies regarding document retention for administrative internal investigations resulting in adverse findings and disciplinary processes will be followed.

#### B. Unfounded and Exonerated (Non-Adverse) Finding

- 1. Unless directed by judicial order, the department will not provide prosecutors with information concerning internal administrative investigations that resulted in an unfounded or exonerated (non-adverse) finding.

**C. In-Lieu-of Actions/Agreements**

1. Actions/agreements such as resignation, demotion, retirement, or separation from service of an employee/officer in lieu of disciplinary action may be *Brady* information, or otherwise subject to disclosure to prosecuting attorneys, if it is relevant to the case at hand. The Office of Professional Standards (OPS) Commander shall consult with the Attorney General's Office (AGO) in making a determination whether such information is subject to disclosure to prosecuting attorneys.

**D. Current or Ongoing Investigations**

1. 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. Unless directed by judicial order, materials related to such investigations will not be disclosed pursuant to this regulation.

**E. Expert Witnesses**

1. Law enforcement information regarding department employee expert witnesses may be considered *Brady* evidence. Any final agency determination of an adverse finding related to an expert witness's unsatisfactory employment performance that compromises the expert's conclusions or ability to serve as an expert witness, regardless of whether or not discipline was given, must be turned over to the prosecution.

**F. Superior Court Rules, Including (CrR) 4.7, and Criminal Convictions**

1. Certain court rules require prosecutors to disclose criminal conviction data to defendants. The department will furnish to the Assistant Attorney General (AAG) for dissemination to prosecutors pursuant to (II)(A)(5) any criminal conviction data known to the department or discovered by the department pursuant to the annual procedure specified in (II)(A) below.

**II. PROCEDURE**

- A. OPS, in consultation with the Risk Management Division (RMD) and such other divisions/districts as may be appropriate, will identify the applicable completed administrative internal investigations that meet the standard for disclosure under this regulation.
  1. OPS will provide to the Human Resource Division (HRD) the names of employees who meet the standard for disclosure of an administrative internal investigation under this regulation and a brief description of the adverse finding.

2. By November 30 each year, the Criminal Records Division (CRD) will identify those employees whose job duties include carrying a firearm or providing expert testimony who have a criminal conviction and will furnish a list of the names of such employees and the criminal conviction information to HRD.
3. HRD will develop a spreadsheet with both the administrative internal investigation information from OPS and the criminal conviction information from CRD, which has been verified by HRD.
4. By December 31 each year, HRD will provide the spreadsheet to the AAG-responsible for coordinating efforts with criminal matters and county prosecuting attorneys. Prior to providing the spreadsheet to the AAG, HRD will inform each identified employee and the employee's labor union, if any.
5. The AAG will disseminate the provided information to all prosecuting attorneys.
6. HRD will maintain the list assembled and sent to the AAG and prosecutors pursuant to this regulation. In cases where a court determines that the information must be disclosed, HRD should maintain a copy of the court order in the employee's personnel file. If a court determines that the information should not be disclosed, a copy of the court's finding shall be maintained in the employee's personnel file.
7. Whenever an administrative internal investigation results in a final determination of adverse findings that may be subject to disclosure to prosecutors under (I)(A), (C), or (E), OPS shall immediately consult with the Attorney General's Office (AGO) to determine whether the findings are subject to disclosure to prosecuting attorneys. If the findings are subject to disclosure to prosecuting attorneys, OPS shall immediately furnish the findings to HRD.
8. Whenever a commander learns that an employee has been convicted of a crime, the commander shall immediately report the conviction to HRD, and HRD shall verify the criminal conviction.
9. Whenever HRD receives information pursuant to (II)(A)(7) or (8), HRD shall immediately add the finding(s) or conviction(s) to the spreadsheet referenced in (II)(A)(3), provide notice to the employee and the employee's labor union, if any, and then furnish the finding(s) and/or conviction(s) to the AAG for immediate dissemination to all prosecuting attorneys.

**Applies to:** All WSP Employees  
**See Also:** Superior Court Rules (CrR) 4.7

**6.01.070**     **RELEASE OF IDENTITY – PERSONS KILLED OR INJURED**  
**(CALEA 22.2.4, 41.2.4, 55.2.6, 81.2.11)**

**I. POLICY**

**A. Releasing Names of Persons Injured or Killed**

1. When investigated by the department, names of persons injured or killed will be released as follows:
  - a. When positive identification is made, requesting news media shall receive the information. However, when names are released, the media shall be advised if the next of kin has not been notified.
  - b. When requested, employees shall assist the coroner, medical examiner, prosecutor, or any other law enforcement agency in notifying next of kin.
  - c. Supervisors shall ensure the nearest appropriate embassy or consulate is informed of death or incapacitating injury of foreign nationals.
  - d. Each Communications Center shall maintain a current list of consulates.
  - e. When notifying Headquarters regarding fatalities, it shall be noted whether next of kin were notified and by which agency.

**B. Department Employees**

1. If an employee is killed or critically injured as a result of performing official duties or off duty, identification shall not be released outside the department. Inquiries shall be referred to the employee's commander, who shall arrange for notification of the employee's next of kin before releasing the employee's identification. Commanders shall coordinate the release of employee identification with the Office of Government and Media Relations.

**C. Emergency Notification**

1. Upon the death or serious injury of an employee, the spouse and/or next of kin shall be notified immediately. The Emergency Data Card shall be referred to for information. For specific directions on how to deal with the death or serious injury of an officer in the line of duty, refer to the division/district procedures manual located in each division (if applicable)/district office (see the procedure **Line of Duty Death or Serious Injury**). A comprehensive *Trauma Guide* with detailed notification information is available on the department's Intranet.



2. The commanding officer of the deceased employee shall initiate the necessary notification of the next of kin. A death notification shall be made in person by the commander or his designee unless physical conditions make it impractical. If necessary, death notification information may be transmitted by telephone to the detachment in the area nearest the residence of the person to be notified; the detachment supervisor shall then arrange for a personal notification. Supervisors, whenever practical, shall elicit the assistance of a member of the clergy and/or a friend of the family to contact the residence. After notification, the person should not be left alone.
3. The notification of a spouse or next of kin about a serious injury to an employee may be handled by a supervisor or a co-worker. The notification shall be made in person. Telephone notification shall be made only as a last resort. Arrangements should be made for transportation of the spouse or the next of kin to the hospital.
4. Notification of employees about the serious injury of an immediate family member should be handled by the employee's immediate supervisor whenever possible. Bereavement leave and/or other leave shall be granted immediately. The situation shall dictate whether or not the person should be left alone.
5. The provisions of this policy shall apply to notification of the next of kin of retired employees when the department receives timely notification of a serious injury or unexpected death.

**Applies to:**

WSP Officers and Public Information Officers

**See Also:**Division (if applicable)/district procedure **Line of Duty Death or Serious Injury**; Emergency Data Card; *Trauma Guide*

## Chapter 7

### EMPLOYEE RIGHTS/PERSONNEL FILES/ POLYGRAPH EXAMINATIONS

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#### ► SECTION 00: RIGHTS ◀

#### **7.00.010**     **EMPLOYEE RIGHTS (CALEA 52.2.5)**

##### **I. POLICY**

###### **A. Bill of Rights**

1. Service to the people of the state of Washington, the protection of life and property, and the integrity and reputation of the Washington State Patrol depend upon the manner in which employees of this department perform their duties. The performance of these duties involves all employees in their contacts and relationships with the public.
2. Questions may arise from these contacts and relationships concerning the actions of employees. Those questions require prompt investigation by superiors designated by the Chief or other competent authority.
3. To ensure that investigations are conducted in a manner conducive to order and discipline, while observing and protecting the individual rights of each employee, the following rights are established.

###### **B. Right of Appeal**

1. Any employee has the right of due process and appeal as established in applicable law, departmental disciplinary procedures (*Administrative Investigation Manual*), collective bargaining agreement, or Civil Service Rules.

###### **C. Lawful Exercise of Rights**

1. Employees shall not be subjected to punitive action, denied promotion, or be threatened with any such treatment because of the lawful exercise of the rights granted under this Bill of Rights.

**Applies to:** All WSP Employees  
**See Also:** Applicable Collective Bargaining Agreements; WAC 357-40;  
*Administrative Investigation Manual*

#### **7.00.020**     **INVESTIGATIONS AND QUESTIONING (CALEA 52.2.5)**

##### **I. POLICY**

###### **A. Conditions of Questioning**

1. When an employee's actions, or a failure to act, comes under investigation and employees are subjected to questioning by their supervisor or any other member of the department which could lead to punitive action, the questioning shall be conducted under the following conditions:

**NOTE:** For the purpose of this section, punitive action is defined as any action which may lead to dismissal, demotion, suspension with or without pay, loss of annual leave days or holiday credits, or reduction in salary.

- a. Employees under investigation shall be informed of the nature of the investigation prior to any questioning. They may proceed to answer questions or may request time, not to exceed five days (excluding weekends and holidays), to consult with an attorney and/or prepare to participate in the investigation.
- b. The employee under investigation shall be informed of the name of the person in charge of the investigation and the name of questioners and all other persons to be present during the questioning. The employee shall be informed of what investigative section the investigator represents.
- c. The questioning shall be conducted at a reasonable hour, preferably at a time when the employee is on duty or during the normal waking hours for the employee, unless the seriousness of the investigation requires otherwise. If such questioning occurs during off-duty time of the employee being questioned, the employee shall be compensated for such off-duty time in accordance with regular department procedures.
- d. Any questioning session shall be for a reasonable period, taking into consideration the gravity and complexity of the issue being investigated. Persons being questioned shall be allowed to attend to their own personal physical necessities as needed.
- e. If prior to or during any questioning it appears the employee's actions or omissions may amount to a crime, the investigation shall stop and the Chief shall be notified immediately. The Chief shall determine whether to continue the administrative investigation or to conduct a criminal investigation.
- f. In most instances, a criminal investigation of an employee will be conducted by the Investigative Services Bureau. Any attempt to obtain a statement from the suspected employee will be preceded by the giving of and inquiring as to the understanding of the employee's Constitutional Rights. A suspected employee is one for which a criminal investigation has gone past the investigatory stage to the accusatory stage.
- g. Employees are required to comply with the regulation concerning **INTERNAL INVESTIGATIONS**. This regulation requires employees to fully and truthfully answer all questions asked during, and cooperate fully in, any and all administrative investigations. All questions asked and actions taken during such administrative investigations will be specifically, directly, and narrowly related to performance of duties within the scope of employment and fitness to hold the position.

- h. During the course of an administrative investigation, employees may be asked questions which would incriminate them. These questions must be answered or the employee will be subject to disciplinary action, which could include termination of employment with the department. This does not constitute giving up any Constitutional Rights, as any information gained as a result of an employee's answers to such questions cannot and will not be used in any manner against them in any criminal proceeding. This is consistent with law which provides no employee may be directed or required to give up their Fifth Amendment right against self-incrimination.
- i. Employees, at their request and own expense, shall have the right to be represented by a person of their choice who may be present at all times during questioning. The person's representative may not interfere with the investigation and will be subject to the direction of the investigator.
- j. Employees shall not be subjected to any offensive language, nor shall investigators make promises or threats as an inducement to answer questions.
- k. The department shall not cause employees being questioned to be subjected to visits by the press or news media, nor shall their home address be given to the press or news media without their express consent.
- l. The complete questioning of an employee may be recorded. If a tape recording is made of the questioning, the employee shall be entitled to a copy of any tape recording in which they participated. The employee shall be informed at the start of the questioning that the session is being recorded.

#### **B. Not Applicable in Normal Course of Duty**

- 1. This section shall not apply to any routine discussion with an employee in the normal course of duty, nor to counseling, instruction, or informal verbal admonishment by, or other routine contact with, a supervisor or any other employee.

**Applies to:** WSP Officers

**See Also:** Garrity Advisement; WSP Policy **Internal Investigations**

#### **7.00.030      GRIEVANCE PROCEDURE (CALEA 25.1.1, 25.1.2, 25.1.3, 26.1.8)**

### **I. POLICY**

#### **A. Grievance Process for Non-Represented Employees**

- 1. The grievance procedure is established to effectively process grievances of employees in an orderly and timely manner.
- 2. A grievance is any dispute concerning the interpretation of regulations contained in the *Regulation Manual*.

3. The grievance process shall be overseen by the Labor and Policy Advisor, who shall maintain and control grievance records.
4. Employees with a grievance shall attempt to resolve the problem through their immediate supervisor.
5. Employees shall follow the steps outlined below in an attempt to resolve their grievance.

**B. Step 1**

1. Aggrieved employees shall bring grievances to the attention of their immediate supervisor and division, district, or section commander within 15 calendar days of occurrence. The grievance shall be presented in writing on the Grievance Form. The Grievance Form shall contain the following information:
  - a. A statement of the grievance and the facts upon which it is based specifying any regulation violated.
  - b. The specific wrongful act and the harm done.
  - c. The remedy sought.
2. The supervisor shall note the time and date the grievance was received and advise the Labor and Policy Advisor, within 15 calendar days, that a grievance process has been started.
3. The supervisor and division, district, or section commander shall hold a meeting with the aggrieved employee within 15 calendar days of the receipt of the grievance to discuss the problem. The division, district, or section commander shall analyze the facts and render a decision. Within 15 calendar days of the meeting, the division, district, or section commander shall notify the employee in writing of the decision by affirming or denying the grievance and identifying the remedy or adjustments, if any, to be made.

**C. Step 2**

1. If the grievance is not resolved in Step 1, the employee may appeal the Step 1 decision to the Office of the Chief within 15 calendar days of the Step 1 decision. The employee's appeal shall include the grievance, other informational documents, and the Step 1 decision. The Chief and/or designee shall coordinate an investigation and, if necessary, consult or meet with the aggrieved employee within 15 calendar days after receiving the grievance to attempt to reach a solution agreeable to both parties. A written report shall be made by the Chief and/or designee to the employee within 15 calendar days after the completion of the investigation, identifying the remedy or adjustments, if any, to be made.
2. Employees may have a representative of their choice attend grievance meetings when it is determined to be necessary by the employee.

**D. Reporting**

1. If a grievance is settled in any step of the grievance process, all records and reports shall be forwarded to the Labor and Policy Advisor within 30 calendar days. By January 31 of each year, the Labor and Policy Advisor shall submit to the Chief a report on the number and type of grievances filed during the previous calendar year. This report will assist the Chief in identifying any trend that may appear in filed grievances, and enable the Chief to minimize the cause of such grievances in the future.

**Applies to:** Non-Represented Employees  
**See Also:** WAC 357-52; Grievance Form

**► SECTION 01: FILES ◀****7.01.010    OFFICIAL PERSONNEL FILES (CALEA 26.1.8, 35.1.5)****I. POLICY****A. Human Resource Division Responsibilities**

1. Each employee will have an official personnel file maintained by the Human Resource Division (HRD) in accordance with applicable collective bargaining agreements for represented employees or in accordance with applicable Civil Service Rules for non-represented employees. HRD is responsible for the maintenance, disposition, and confidentiality of all official personnel files.

**B. Contents of the Official Personnel Files**

1. Contents of personnel files may include, but are not limited to, the following documents:
  - a. Routine personnel/payroll transactions
  - b. General personnel information
  - c. Job performance
  - d. Job Performance Improvement Plans
  - e. Employee development and training
  - f. Employment status
  - g. Work history
  - h. Work directives and counseling documentation, to include written reprimands

**C. Access to Personnel Files**

1. The department will have access to an employee's personnel file when necessary for departmental operations. Access to the file will be limited to:

- a. Employees with proper identification requesting to examine their own file. Examination will be in the presence of the HRD Commander or designee. Employees will not remove any material from their files; copies may be made for them by the HRD staff.
- b. Executive Staff.
- c. Human Resource Division Staff.
- d. The employee's chain of command.
- e. Prospective Washington State Patrol supervisors.
- f. Individuals whose official duties require access to personnel files (e.g., Personnel Appeals Board, State Human Resource Division, State Auditor, Attorney General's Office, etc.). These individuals will be determined by the HRD Commander or designee.
- g. Employee's representative as authorized by employee.
- h. Washington State Patrol Internal Auditor while conducting an audit on behalf of the Chief.

**Applies to:** All WSP Employees

**See Also:** Applicable Collective Bargaining Agreements

#### **7.01.020 DISTRICT INFORMATION FILES (CALEA 35.1.5)**

#### **I. POLICY**

##### **A. File for Informational Purposes Only**

- 1. The employee's district/section may keep this file for information purposes only. The file may include:
  - a. Employee vital statistic information.
  - b. Data concerning the employee's personal development.
  - c. Data aiding department operations.
  - d. Employee Action Request.

##### **B. Disposition of Information Files**

- 1. District information files shall be disposed of following the provisions of the retention schedule for supervisory files.

**Applies to:** All WSP Employees

**See Also:** Employee Action Request

**7.01.030 SUPERVISORY DESK FILES (CALEA 26.1.8, 35.1.5, 52.1.1)****I. POLICY****A. Contents and Maintenance of Supervisory Desk Files**

1. Supervisory desk files shall contain positive and/or negative supporting documents, counseling, work directives, evaluations, and/or records relating to an employee's job performance throughout the performance period.
2. Supervisory desk files will not contain employee medical, ethnicity, or social security number information.
3. Supervisory desk files for represented employees will be maintained in accordance with collective bargaining agreements.
4. Supervisors will retain supervisory desk files for employees through completion of the employee's annual performance evaluation. Material retained in a supervisor's desk file is considered confidential and will be maintained in a secure area.
5. Employees may review the supervisory desk file at any time.

**B. Civil Service Employees**

1. For civil service employees, once the evaluation has been completed, the file shall be destroyed unless it contains information relevant to a disciplinary action, a discrimination or civil rights complaint, or is part of an ongoing performance issue (such as an improvement plan), public disclosure, tort, or lawsuit.
2. A Records Destruction Authorization must be completed and forwarded to the Retention Officer for signature prior to destroying the file. In addition, once the employee leaves state service (resigns or retires), the file shall be maintained for one year before requesting destruction.

**C. Commissioned Employees**

1. For commissioned employees, once the evaluation has been completed, the file shall be returned to the employee unless it contains information relevant to a disciplinary action, a discrimination or civil rights complaint, or is part of an ongoing performance issue (such as an improvement plan), public disclosure, tort, or lawsuit.
2. A Records Transfer form must be completed and forwarded to the Retention Officer for signature prior to returning the file. In addition, once the employee leaves state service (resigns or retires), a copy of the file shall be maintained by the department for one year before requesting destruction.

**Applies to:** All WSP Commissioned, Represented, Non-Represented, and WMS WSP Employees (excluding exempt employees)

**See Also:** WSP Policy **Records Retention**; Applicable Collective Bargaining Agreements; Records Transfer Form; Records Destruction Authorization



## ► SECTION 02: POLYGRAPH EXAMINATIONS ◀

**7.02.010     POLYGRAPH EXAMINATION (CALEA 32.2.6, 52.2.6)****I.    POLICY****A.   Polygraph Test Requirement**

1. Except as provided by law, a polygraph test will be required as a condition of employment for all persons submitting an application for employment with the department. Current employees of the department who submit an initial application for a fully commissioned position will be required to submit to a polygraph test.

**B.   Voluntary Request of Polygraph**

1. An employee at any time may request a polygraph examination when subjected to an interview or interrogation, except in cases of routine discussion, counseling, instruction, verbal admonishment, or other similar contact with a supervisor or other employee.
2. During any investigation, a polygraph examination can be administered only with the consent of the employee and the authorization of the Chief.

**C.   Use of Polygraph Results**

1. The use of results of voluntary polygraph examinations or other instruments for the detection of deception will not be the single determinant of employment/employee status.

**Applies to:** All WSP Employees

**See Also:** RCW 49.44.120; *Polygraph Procedure Manual*; Applicable Collective Bargaining Agreements

## Chapter 8

### RULES OF CONDUCT

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#### ► SECTION 00: CONDUCT ◀

#### **8.00.010      RULES OF CONDUCT (CALEA 1.1.1, 26.1.1, 52.2.2)**

##### **I. POLICY**

##### **A. Employees Required to Obey Rules of Conduct**

1. The Washington State Patrol Rules of Conduct shall govern the official and unofficial actions of all employees. A violation of the Rules of Conduct may be sufficient cause for disciplinary action.
2. Employees shall obey all laws of the United States, of this state, and of local jurisdictions.
3. Employees shall not commit any acts or omissions which would constitute a violation of any of the rules, regulations, directives, orders, or policies of the state of Washington or the Washington State Patrol. Ignorance shall not be considered justification for any violation.

##### **B. Reporting Violations of Laws, Ordinances, Rules, or Orders**

1. Employees who know of or observe violations of laws, ordinances, rules of conduct, or official orders on the part of other department employees shall proceed as follows:
  - a. Report such incidents at once to their immediate supervisor.
  - b. Employees who believe that they possess information of such gravity that it must be brought to the immediate personal attention of the Chief may do so.
  - c. If on-duty employees are confronted with a public incident involving disorderly conduct of an off-duty employee which cannot be handled in a routine manner, the case shall be brought before an on-duty supervisor or commander for disposition.
2. An employee shall not make a knowingly false complaint against any other employee.

##### **C. Employees Under Criminal Investigation**

1. Any employee who is under criminal investigation, accused of criminal misconduct, or who has been arrested and/or charged with a crime—either on or off duty—shall notify their division/district commander immediately. The matter will be handled in accordance with the provisions of the *Administrative Investigation Manual*.

2. Additionally, any employee who is the subject of a restraining/protection/anti-harassment/no-contact order shall notify their division/district commander immediately and provide a copy of the order for review. The division/district commander will then conduct a review of the facts surrounding the order.

**Applies to:** All WSP Employees  
**See Also:** WSP Policy **Criminal Actions**

**8.00.020      INTERNAL INVESTIGATIONS (CALEA 52.2.6)**

**I. POLICY**

**A. Preparation of Written Statements and Answering Questions as Required**

1. Whenever there is public criticism of the department, or when complaints are received in connection with any police action, investigation, or inquiry indicating misconduct of employees; harassment or intimidation of subjects, individuals, or groups; or dereliction of any nature by the department or employees of the department, all employees engaged in such police action, investigation, hearing, or other inquiry shall prepare written statements as directed, setting forth the facts in order that a record shall be available for future reference. Due to the internal administrative nature of such police action, investigation, hearing, or other inquiry, all employees shall fully answer all questions relating thereto. Procedures in cases that will result in criminal prosecution shall include those rights accorded to all citizens of the state.

**B. Medical Examinations; Tests; Photographs; Lineups**

1. The Chief or the Chief's designee may order employees to submit to lineups, photographs, medical, ballistics, chemical, and other tests (excluding the polygraph, except as specified in RCW 49.44.120) related to a departmental internal investigation.

**Applies to:** All WSP Employees  
**See Also:** RCW 49.44.120

**8.00.030      EMPLOYEE CONDUCT (CALEA 26.1.1, 33.7.1, 61.1.8)**

**I. POLICY**

**A. Unacceptable Conduct**

1. Employees shall not engage in conduct which:
  - a. Impedes the ability of the department to effectively fulfill its responsibilities.
  - b. Causes a lessening of public confidence in the ability of the department to perform its functions.
  - c. Causes an adverse effect on the discipline or efficiency of the department.

- d. Impairs their ability to perform their job.
- e. Constitutes a conflict of interest as prohibited by law or department regulation.
- f. Creates a hostile or discriminatory work environment.
- g. Violates his/her collective bargaining agreement obligations that are specific to a bargaining unit member.

**B. Immoral Conduct**

- 1. Employees shall maintain a level of moral conduct in their personal and business affairs which equates with the high ethical standards expected by the public of law enforcement agencies and which will not constitute unacceptable conduct as described in these rules.

**C. Abuse of Position**

- 1. Employees shall not use their official position, official identification cards, or badges for:
  - a. Personal or financial gain.
  - b. Obtaining privileges not otherwise available to them, except in the performance of duty.
  - c. Avoiding consequences of illegal acts.
  - d. Converting official contacts for social purposes.
- 2. Employees shall not lend to another person their identification cards or badges or permit them to be photographed or reproduced without the approval of the Chief.
- 3. Employees shall not authorize the use of their names, photographs, graphics, video or official titles which identify them as employees in connection with testimonials or to advertise or promote any commodity, commercial enterprise, political endorsement or not-for-profit organization without the approval of the Chief through the Office of Government and Media Relations.

**D. Ethics in Public Service Act, Gifts, and Use of State Resources**

- 1. Employees shall comply with the requirements of Chapter 42.52 RCW, Ethics in Public Service, and Chapter 292-110 WAC. If the provisions of Chapter 42.52 RCW differ from any related provision in this Regulation Manual, then an employee shall comply with the more conservative or restrictive of the two.
- 2. An employee shall use state resources for official purposes only. State resources include, but are not limited to, state employees' on-duty time, state equipment/technology, state facilities, consumables, etc. An employee shall use only department-issued equipment to conduct official state business, unless specific prior authorization is granted in advance by the employee's district or division commander to use other equipment. Before granting such

authorization, the district or division commander shall consider, and properly plan for, the following: use of certain personal equipment (e.g., personal cell phones or computers) may subject that equipment (or records created using such equipment) to record retention requirements, legal discovery, or public disclosure, safety and equipment training considerations, equipment reimbursement costs/liabilities.

3. Employees shall not, either directly or indirectly, solicit or accept any gratuity or any other item of value where there is any connection, however remote, between such offer or solicitation and the employee's position with the department. This prohibition includes:
  - a. Merchandise, meals, beverages, or any other item of value which might tend to influence their or any other employee's actions in any matter of police business, or which may cast an adverse reflection on the department or any of its employees.
  - b. Any discounted services or merchandise whatsoever as a result of their employment with the department, unless such discount is routinely offered to various groups or individuals and not limited to state employees.
  - c. Gifts or gratuities from other employees if such items would adversely affect the actions of the employee in connection with departmental operations.
  - d. Becoming financially or otherwise indebted to any other person, business, or organization to the extent that work performance is affected.
  - e. Receiving any reward for services rendered incident to their position or duty as an employee of the department.
  - f. Free admission to places of amusement for themselves or others, unless such discount is routinely offered to various groups or individuals and not limited to state employees.
4. Under specific circumstances (e.g., Executive Services at special functions), or at commemorating official occasions, employees may accept unsolicited gifts from foreign or domestic dignitaries where custom or etiquette so requires. Such gifts shall be reported to the Chief, who shall direct their appropriate disposition.

#### **E. Endorsements and Referrals**

1. Employees shall not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional service, or commercial service (such as a specific attorney, ambulance service, towing service, bondsman, mortician, etc.).
2. In the case of ambulance or towing service, when such service is necessary and the person needing the service is unable or unwilling to procure it or requests assistance, employees shall proceed in accordance with established department procedures.

**F. Associations with Known Criminals**

1. Employees shall avoid regular or continuous associations or dealings with persons whom they know, or should know, are persons under criminal investigation or indictment, or who have a reputation in the community or the department for present involvement in felonious or criminal behavior or are known to be a convicted felon. Exceptions include those contacts necessary to the performance of official duties or family members.
2. For the purpose of this regulation, a family member shall be defined as parents, spouses, children, blood relatives, or those related through a legal marriage as defined by Washington State law.

**G. Visiting Prohibited Establishments**

1. Employees shall not knowingly visit, enter, or frequent a house of prostitution, gambling house, or establishment wherein the laws of the United States, the state, or the local jurisdiction are regularly violated, except in the performance of duty or while acting under proper and specific orders from a superior officer.

**H. Gambling**

1. Employees shall not engage in any form of illegal gambling at any time, except in the performance of duty and while acting under proper and specific orders from a superior officer.

**I. Use of Tobacco Products/Gum**

1. **Vapor Product:** A non-combustible tobacco-derived product containing nicotine that employs a mechanical heating element, battery or circuit, regardless of shape or size, that can be used to heat a liquid nicotine solution contained in cartridges. Vapor product does not include any product that is regulated by the United States Food and Drug Administration under Chapter V of the Federal Food, Drug, and Cosmetic Act.
2. **Smoking:** The carrying or smoking of any kind of lighted pipe, cigar, cigarette, or any other lighted smoking equipment or any type of vapor product.
3. Employees shall not use any tobacco or vapor products in departmental buildings or state-owned pool vehicles.
4. When smoking, employees shall maintain 25 feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited.
5. Use of tobacco or vapor products is prohibited during meetings. Individuals responsible for conducting meetings shall arrange for breaks at least every two hours for a period of time appropriate to accommodate those individuals who use tobacco or vapor products.

6. Employees shall not use tobacco or vapor products or chew gum while on duty when in contact with the public.

**J. Neglect of Duty**

1. Neglect of duty is established when it is shown that an employee has a duty to his/her employer and that he/she failed to act in a manner consistent with that duty.
2. Employees shall not sleep or engage in any activities or personal business in excess and to a degree that may cause them to neglect or be inattentive to duty. Using electronic devices for written or verbal communication, reading, playing games, or watching television or videos are all examples of activities that when used may be considered neglect or to be inattentive to duty.
3. Employees shall immediately notify their supervisor if they are unable to continue to perform their duties or will be unable to report for duty as scheduled or assigned.

**K. Conducting Private Business While On Duty**

1. Employees shall devote their on-duty time to official matters only. An employee shall not engage in private business while on duty.

**L. Reading On Duty**

1. Employees shall not read a book, magazine, newspaper, electronic reader, or other printed or electronic material while on assigned duty and in the view of the public, except as may be required in the performance of duty.

**M. Fictitious Illness or Injury Reports**

1. Employees shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the department as to the condition of their health.
2. Employees shall not deceive or attempt to deceive any official of the department regarding the reason for requesting or taking any form of sick leave.

**N. Assignments, Seeking Outside Aid**

1. Employees shall not solicit intervention or influence of persons outside the department for personal promotion or advancement and/or change of assignment or duty station, for themselves or any other employee, unless directed or requested to do so by higher authority.

**O. Interference With Legal Processes – Unauthorized Investigations**

1. Employees shall not interfere with cases assigned to others for investigation, nor with any arrest or prosecution brought by other employees, persons, or agencies without authorization of a supervisor.

2. Employees shall not undertake any investigation or other official action outside their regular duties without obtaining permission from their supervisor, except in exigent circumstances.

**P. Civil Actions – Employee-Initiated**

1. Employees shall not interest themselves in any manner in any civil action growing out of their official police knowledge or actions, except by due process of law.
2. Employees who initiate a civil action for damages sustained in the line of duty shall advise their supervisor in writing. Supervisors shall forward all available reports and information to the appropriate assistant chief/bureau director.

**Q. Attendance at Public Functions**

1. Employees are prohibited from attending any of the following functions while on duty without prior approval of their commanding officer, unless their attendance has been requested as part of their official duties:
  - a. Court trials and hearings
  - b. Public hearings, city council, legislature, etc.
  - c. Guild or union meetings
  - d. Public demonstrations
2. This order does not preclude employees from carrying out their normal work assignments, but does prohibit their attendance at the above functions solely as spectators.
3. Employees shall not attend to personal business in any court case, hearing, arbitration, or mediation while in uniform. An officer in civilian clothing armed with a department or personal weapon attending to personal business in any court case, hearing, arbitration, or mediation shall check his/her weapon at court security in the same manner as any citizen with a concealed weapons permit.

**R. Falsification of Employee Application**

1. The integrity and high moral standards of the department must be maintained; therefore, no person shall procure employment in the Washington State Patrol by willfully misrepresenting their qualifications, character, reputation, or physical condition.

**S. Carrying of Unauthorized Articles**

1. Employees shall not carry books, magazines, newspapers, packages, bundles, etc., while on assigned duty, except when necessary in the performance of duty.



**T. Prohibited Action During Suspension**

1. Suspended employees are subject to all of the rules and regulations of this department. They shall not wear any part of the official uniform or act in the capacity of, or represent themselves as, employees of the Washington State Patrol in any manner.

**U. Cheating on Examinations**

1. Employees shall not cheat or tamper in any manner with an official examination either conducted or sponsored by the department by obtaining, furnishing, accepting or attempting to obtain, furnish, or accept answers or questions to such examinations. Furthermore, employees shall not copy, photograph, or otherwise remove examination contents; nor shall they use any misrepresentation or dishonest method while preparing, administering, or participating in such examinations.

**V. Criticism of Orders**

1. Employees shall not publicly criticize or ridicule the department, its policies, or other employees by speech, writing, or other expression where such speech, writing, or other expression is defamatory, obscene, unlawful, undermines the effectiveness of the department, interferes with the maintenance of discipline, or is made with reckless disregard for truth.

**W. Seeking Publicity**

1. Employees shall neither directly nor indirectly seek publicity for themselves through the press, radio, television, or other news media; nor shall they furnish information to same for the purpose of gaining personal recognition.

**Applies to:** All WSP Employees  
**See Also:** RCW 42.52; Chapter 292-110 WAC; Chapter V, Federal Food, Drug, and Cosmetic Act; WSP Policies **Care, Use, and Exchange of Equipment or Property; Undercover WSP Officers – Exemptions**

**8.00.040      EMPLOYEE IDENTIFICATION (CALEA 22.2.7, 61.1.8)****I. POLICY****A. Furnishing Employee Identification**

1. All employees shall furnish their name and job title on request while on duty or representing themselves in an official capacity.

**B. Carrying Badges and Commission Cards**

1. Officers shall carry their badges and commission cards on their persons at all times while armed, except when performing authorized undercover assignments. Officers shall furnish their name and badge number to any person requesting that information when they are on duty or while representing themselves as having an official capacity.

2. When withholding of this information is necessary for the performance of authorized undercover assignments or is authorized by proper authority, the information shall not be furnished.

**Applies to:** All WSP Employees

**See Also:** --

#### **8.00.050 CONDUCT OF UNDERCOVER WSP OFFICERS (CALEA 26.1.1)**

##### **I. POLICY**

###### **A. Lawfully Fulfilling Duties of Undercover Assignments**

1. Obtaining information and evidence regarding criminal activities may necessitate the department utilizing officers working in undercover capacities.
2. While working undercover, officers shall not knowingly and willfully commit any criminal act or omit to perform any duty imposed by law when such omission constitutes a crime, unless approved by the Chief.

###### **B. Undercover Officers Posing as Members of the News Media**

1. The use of a news media cover to obtain intelligence information is not an acceptable form of undercover activity and shall not be employed by officers of this department. Such undercover activity damages the trust which should exist between members of a free society and the news media which serves them, and could expose members of the media to danger.

**Applies to:** Undercover WSP Officers

**See Also:** --

#### **8.00.060 BAIL FOR ACQUAINTANCES**

##### **I. POLICY**

###### **A. Furnishing Bail to Self or Others**

1. Employees may become surety or guarantor, post bond, or furnish bail for themselves and members of their immediate families. They may do so for other persons upon showing reasonable cause and with the approval of their commanding officer or civil service manager.

**Applies to:** All WSP Employees

**See Also:** --

#### **8.00.070 USE OF ALCOHOL OR DRUGS (CALEA 22.2.6, 26.1.1, 33.7.1, 35.1.9)**

##### **I. POLICY**

[Click here to view General Order 15-001](#)

- A. This policy will be used in conjunction with the drug and alcohol testing procedures located in the *Human Resource Division Standard Operating Procedures Manual*.

1. The provisions of this chapter do not preclude personnel from being processed criminally when a commissioned employee establishes probable cause to believe an employee may be in violation of operating or being in physical control of a motor vehicle while under the influence of intoxicating liquor (alcohol) and/or other drugs.
2. The responding supervisor shall ensure timely notification of the alleged criminal violation to the appropriate division/district commander through their proper chain of command.

**B. Alcohol – On Duty**

1. Employees shall not consume any alcohol or intoxicating beverage while wearing any part of the uniform or while on duty, except while acting under proper and specific orders from a supervisor. This shall not apply to off-duty employees wearing the dress uniform (Honor Guard tunic) who are attending an approved function. Employees shall not appear for work nor be on duty while under the influence of alcohol or while having alcohol in their system.

**C. Alcohol – Off Duty**

1. Employees, while off duty, shall refrain from consuming alcohol or intoxicating beverages to the extent that it could constitute unacceptable conduct as described in these rules, or render them unfit to report for their next regular tour of duty.

**D. Alcohol – Use in Department Facilities**

1. Employees shall not possess, use, or store alcoholic beverages in any department facility or vehicle, except those being held as evidence, used for training under the direction of a supervisor, or as provided by law.

**E. Marijuana – Use**

1. It is the intent of the department to abide by federal laws in relation to the use of marijuana. Marijuana is federally classified as a Schedule I controlled substance.
2. Except in otherwise authorized execution of their official duties (i.e., evidentiary handling), employees shall not use, possess, distribute, or be under the influence of marijuana while on duty or off duty, regardless if the employee has a prescription or medical authorization for its use, possession, etc.
3. The department does not grant an exemption to this policy as a form of accommodation.

**F. Drugs, Other Than Marijuana – Use**

1. Employees shall not use or possess, outside of duty requirements, any narcotic, dangerous drug, controlled substance, or prescription

drug, whether on or off duty, except at the direction of a physician, dentist, or other medical authority for medical purposes. Employees who are directed by competent medical authority to use a narcotic, dangerous drug, controlled substance, or prescription drug, including dronabinol, shall not use such medication to the extent that their performance is affected while on duty.

2. Employees directed by a licensed medical authority to use a narcotic, dangerous drug, controlled substance, or prescription drug while on duty shall be responsible for ensuring the drugs do not affect the performance of their job.
3. Employees are responsible for consulting with the medical authority as to any limitations on their ability to perform the duties of their position as a result of taking any legal/over-the-counter or physician-prescribed drugs. Employees shall immediately report any such limitations for taking the prescribed medications to their immediate supervisor or on-duty supervisor or authority before resuming their work duties.
4. The supervisor shall advise the division/district commander of any job limitations placed on the employee by competent medical authority. The supervisor and/or division/district commander shall consult with the Human Resource Division for a determination of appropriate job assignment based on limitations identified by competent medical authority.
5. An employee charged with a drug- or alcohol-related crime shall immediately notify his/her supervisor, in writing. Upon notification of the charge, the supervisor shall, within 24 hours, notify the Office of Professional Standards (OPS) of the facts of the case, through the chain of command. When OPS is notified of an employee's criminal conviction in a drug- or alcohol-related crime, the conviction shall be reported to Budget and Fiscal Services within 24 hours (see **GRANTS**).

#### **G. Suspected Intoxication – Mandatory Testing**

1. Appearing for work when the odor of alcohol or any signs of intoxication are observed or reported by another employee or a member of the public shall be reasonable grounds to constitute being under the influence of intoxicants while on duty.
2. If a supervisor has reasonable grounds to believe that any employee, while on duty, is under the influence of alcohol, drugs, or any impairing substance, the supervisor shall immediately notify their division/district commander through their chain of command. The supervisor shall consult the procedures outlined in the *Human Resource Division Standard Operating Procedures Manual* and immediately require that employee to submit to testing of their breath, blood, and/or urine.
3. In the event that alcohol is suspected, the employee shall immediately be required to submit to a breath alcohol test on a

DataMaster, administered by a department officer at the direction of a supervisor or transported by the department to a collection site. Results of these tests shall be reported in the DUI packet. A DataMaster test result showing a breath alcohol concentration of 0.02g/210L or more shall be considered proof of violation of this policy.

- a. For commissioned personnel, if impairment other than alcohol is suspected, an employee shall be transported to a collection site and shall be required to provide a blood sample in accordance with the procedures outlined in the *Human Resource Division Standard Operating Procedures Manual*.
  - b. For civil service personnel, if impairment other than alcohol is suspected, an employee shall be transported to a collection site and shall be required to submit to a urinalysis test in accordance with the procedures outlined in the *Human Resource Division Standard Operating Procedures Manual*.
4. The time lapse between the initial report of the employee's condition and the breath or blood test shall be accurately recorded. If a period of three hours or more pass before the first observed odor of alcohol or signs of intoxication are reported to a supervisor, the supervisor shall determine if an odor of alcohol or evidence of intoxication exists before implementing a test of blood or breath. The fact that a breath or blood test was not conducted does not mean that there cannot be a violation of this policy.

#### **H. Employees Covered by WFSE, WPEA, Coalition, and Local 17 Collective Bargaining Agreements**

1. Employees covered under the WFSE, WPEA, Coalition, and Local 17 Collective Bargaining Agreements will be subject to drug and alcohol testing procedures as outlined in the *Human Resource Division Standard Operating Procedures Manual*.
2. Employees required to possess a Commercial Drivers License will be subject to random drug and alcohol testing as provided in the procedures contained in the *Human Resource Division Standard Operating Procedures Manual*.

#### **I. Employee Drug and Alcohol Assistance**

1. The department is committed to a drug- and alcohol-free workplace for its employees. Drug and alcohol abuse is harmful to the employee, coworkers, and productivity. The costs associated with abuse include absenteeism, turnover, increased health care costs, and increased likelihood of accidents.
2. The department is committed to an abuse assistance program that encourages employees who recognize they have a problem to seek immediate help. The Department Psychologist, (360) 586-8492, is available to assist and/or make referrals. The Washington State Employee Assistance Program (EAP) is available in Seattle,

(206) 281-6315; Spokane, (509) 482-3686; and Olympia, (360) 753-3260. All are confidential, professional, and free to employees (except outside referrals).

3. The department recognizes that alcohol and substance abuse are addictions requiring medical attention. Supervisors should make every effort to encourage an employee suspected with a drug or alcohol problem to voluntarily seek psychological services. However, if a supervisor has sufficient documentation of substandard performance that has not improved with previous counseling or disciplinary action and the employee refuses to seek help, the concerned supervisor may request, through the chain of command, mandatory participation authorization from the appropriate bureau director or assistant chief. The procedure for such referral is outlined in the **DEPARTMENT CLINICAL PSYCHOLOGIST** policy under **Mandatory Participation**. Nothing in the preceding information should be construed as a waiver of the department's right and/or obligation to take disciplinary action where misconduct has occurred, whether or not that misconduct involved alcohol or substance abuse.

#### J. Entering Liquor or Marijuana Establishments

1. An employee, when in uniform, shall not enter any place in which intoxicating beverages are furnished or sold, or marijuana is distributed, except in the performance of official duty requiring such action.
2. The provisions of this regulation do not apply to uniformed employees entering a restaurant or other food establishment, which serves intoxicating beverages incidental to food services, for the purpose of having a rest break or a meal during their tour of duty.

**Applies to:** All WSP Employees

**See Also:** RCW 69.50.101, 69.51A.010; WAC 246-75-010; WSP Policies **Duty Weapons, Employee Conduct, Grants, Department Clinical Psychologist**; *Human Resource Division Standard Operating Procedures Manual*

#### **8.00.080** **ACCEPTANCE OF LAWFUL RESPONSIBILITIES** (CALEA 26.1.1)

#### I. POLICY

##### A. Officer Responsibilities

1. Officers shall accept the responsibilities imposed upon them by law as to their duties and authority. They shall preserve the public peace, detect and arrest violators of the law, prevent crime, protect life and property, and enforce the criminal laws of the state of Washington.

**B. Deputization of Special Deputies**

1. Employees who are special deputies shall not be deputized by any other law enforcement agency and shall be prohibited from carrying any badge, commission card, or insignia representing any other agency, except when authorized by the Chief.

**Applies to:** WSP Officers

**See Also:** --

**8.00.090      COURTESY (CALEA 61.1.8)****I. POLICY****A. Courtesy Requirement**

1. Employees shall be courteous and tactful to all persons in the performance of their duties, shall control their tempers and exercise the utmost patience and discretion, and shall not engage in argumentative discussions, even in the face of extreme provocation.
2. In the performance of their duties, employees shall not use coarse, violent, profane, or insolent language or gestures, and shall not express any prejudice or bias concerning race, religion, gender, age, politics, national origin, sexual orientation, disability, or similar personal characteristics.

**Applies to:** All WSP Employees

**See Also:** --

**8.00.100      REQUESTS FOR ASSISTANCE (CALEA 26.1.1, 82.2.2)****I. POLICY****A. Obtain All Pertinent Information**

1. When any person requests assistance or advice, or makes complaints or reports, either by telephone or in person, all pertinent information shall be obtained in an official and courteous manner, and shall be properly and judiciously acted upon consistent with established department procedures.

**Applies to:** All WSP Employees

**See Also:** --

**8.00.110      UNSATISFACTORY PERFORMANCE (CALEA 35.1.6)****I. POLICY****A. Unsatisfactory Performance**

1. Employees shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions.

2. Employees shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the department.
3. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws required to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the employee's rank, grade, or position; the failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attention; or absence without leave.
4. In addition to other indicators of unsatisfactory performance, the following shall be considered prima facie evidence of unsatisfactory performance: repeated poor evaluations or a written record of repeated infractions of rules, regulations, directives, or orders of the department.

**Applies to:** All WSP Employees

**See Also:** --

#### **8.00.120      INSUBORDINATION (CALEA 12.1.3)**

##### **I. DEFINITION**

- A. **Insubordination** is a refusal to obey a lawful order given by a supervisor. The elements of insubordination are knowledge of the order and failure to obey that order.
- B. Insubordination is also defined as not submitting to authority, willfully disrespectful or disobedient to authority, and being rebellious.
- C. A Lawful Order is any directive communicated by a Washington State Patrol superior to a subordinate that does not violate state or federal laws.

##### **II. POLICY**

###### **B. Requirement to Obey Orders**

1. Employees shall promptly obey all lawful orders issued by a supervisor or superior officer.
2. Failure to acknowledge the authority of any supervisor by obvious disrespect or by disputing the supervisor's lawful orders shall be deemed insubordination.

**Applies to:** All WSP Employees

**See Also:** --



**8.00.130      CONFLICTING OR ILLEGAL ORDERS (CALEA 12.1.3)****I.    DEFINITION**

- A. A Lawful Order is any directive communicated by a Washington State Patrol superior to a subordinate that does not violate state or federal laws.

**II.   POLICY****A.   Confirm Conflicting Orders**

1. Employees who are given an otherwise lawful order which is in conflict with a previous order, rule, regulation, or directive shall respectfully inform the supervisor or superior officer issuing the order of the conflict.
2. If the superior officer or supervisor issuing the order does not alter or retract the conflicting order, the most recent order shall stand. Under these circumstances, the responsibility for the conflict shall be upon the superior officer or supervisor. Employees shall obey the conflicting order and shall not be held responsible for disobedience of the order, rule, regulation, or directive previously issued.

**B.   Illegal Orders**

1. Employees shall not obey any order which they know or should know would require them to commit any illegal act.
2. If in doubt as to the legality of an order, employees shall request the issuing supervisor to clarify the order or to confer with higher authority.

**Applies to:**        All WSP Employees

**See Also:**         --

**8.00.140      FORWARDING NECESSARY INFORMATION (CALEA 82.2.2)****I.    POLICY**

- A. Each employee is charged with the responsibility of forwarding to the appropriate individual or unit all information regarding serious police matters.
- B. Any employee who comes upon any rumor or information, or who investigates any situation which is, appears to be, or may be related to a civil disturbance or other crimes, shall immediately report the situation to a commanding officer or other appropriate person.

**Applies to:**        All WSP Employees

**See Also:**         --

**8.00.150 TRUTHFULNESS (CALEA 26.1.1)****I. POLICY****A. Providing Information**

1. Employees shall be truthful and forthright when providing information and/or answering questions related to the scope of their employment, the performance of their duties, and the operations of the department.
2. Employees shall be truthful when providing information of any kind.

**Applies to:** All WSP Employees

**See Also:** --

**8.00.160 COURT CASE DISPOSITION – RECOMMENDATION****I. POLICY**

- A. After initial charges are filed, employees below the rank of division/district commander shall not make any recommendation regarding the disposition of a pending felony collision court case investigated by the department to any court or other judiciary agency. Employees shall also refrain from making a recommendation to another agency which might reflect the department's official approval or disapproval of that agency's action.
- B. When Criminal Investigation Division (CID) units are the primary investigators, CID supervisors will keep Field Operations Bureau district commanders apprised of pending felony charges and ensure media and prosecutorial contacts are coordinated with, as necessary.

**Applies to:** WSP Officers

**See Also:** --

**8.00.170 CRITICISM OF THE CRIMINAL JUSTICE SYSTEM****I. POLICY****A. Comments Regarding Criminal Justice System**

1. The department shares responsibility with the judiciary, prosecutors, and other law enforcement agencies in the criminal justice system. Cooperative and harmonious working relationships are essential and may be impaired by unnecessary criticism of others.
2. For that reason, employees should not make comments that may be interpreted as being critical of other law enforcement agencies, prosecuting agencies, or individual members of the judiciary. However, it is not intended that there be any infringement of right to express personal views regarding the criminal justice system. It is most desirable that employees speak in a thoughtful and temperate manner.

**Applies to:** All WSP Employees

**See Also:** --

### **8.00.180 PUBLIC PRONOUNCEMENTS**

#### **I. POLICY**

##### **A. Relating Department Policies/Procedures to Community Groups**

1. While employees are encouraged to participate in community activities, including public speaking events, it must be remembered that the Chief has the ultimate responsibility for formulating and/or interpreting department policies and procedures.
2. Employees, while engaged in community relations activities or public speaking events, shall be responsible for accurately relating department policy and procedure as outlined in the *Regulation Manual*.
3. Employees representing the department who plan to address the public concerning the administrative/functional/operational policies or procedures of the department shall first obtain the approval of their district/section commander, with notification being made to the Headquarters Public Information Officer and Government and Media Relations (GMR).
4. Requests for speakers may be referred to GMR or the District Public Information Officer.

**Applies to:** All WSP Employees

**See Also:** --

### **8.00.190 LABOR ACTIVITY (CALEA 24.1.1)**

#### **I. POLICY**

##### **A. Collective Bargaining**

1. Employees shall have the right to join labor organizations, but nothing shall compel the department to recognize or to engage in collective bargaining with any such labor organizations, except as provided by law.

##### **B. Strikes Prohibited**

1. Employees shall not engage in any strike. "Strike" includes the concerted failure to report for duty, willful absence from one's position, unauthorized holidays, sickness unsubstantiated by a physician's statement, the stoppage of work, or the abstinence in whole or in part from the full, faithful, and proper performance of the duties of employment for the purposes of inducing, influencing, or coercing a change in conditions, compensation, rights, privileges, or obligations of employment.

**Applies to:** All WSP Employees

**See Also:** --

**8.00.200      PAYMENT OF DEBTS (CALEA 26.1.1)****I. POLICY****A. Requirement to Pay Personal Debts**

1. Employees shall pay all personal financial obligations as required by law.
2. Employees shall not co-sign a note for any superior officer or supervisor (unless exigent circumstances exist as approved by the Chief).

**Applies to:** All WSP Employees

**See Also:** --

**8.00.210      VIOLENCE IN THE WORKPLACE (CALEA 26.1.1)****I. POLICY****A. Workplace Violence/Harassment**

1. Workplace violence is abusive behavior that is physical, sexual, and/or psychological. The behavior can range from implied threats to physical assaults. Workplace violence is a serious problem that affects people from all walks of life. It can adversely affect the well-being and productivity of employees who are victims, as well as their co-workers. The department is committed to working with employees who are victims of workplace violence to prevent abuse and harassment from occurring.
2. The department will not tolerate violence in the workplace against any employee or citizen while in state offices, facilities, work sites, vehicles, or while conducting state business. This includes the display of any violent or threatening behavior (verbal or physical) that may result in physical or emotional injury or otherwise places anyone's safety and productivity at risk.
  - a. No employee may threaten, harass, or abuse other employees.
  - b. Employees shall never behave disrespectfully or use threatening or insulting language toward any other employee engaged in the execution of his/her position or duties.
  - c. Employees shall not draw or lift a weapon toward, offer violence against, nor strike or attempt to strike any other employee.
  - d. Any actual or implied threat of violence will be considered a real and serious danger and shall be investigated.
  - e. The department will take all reasonable measures to protect employees who report violent behaviors.
  - f. The department will take all reasonable measures to foster a safe working environment for all employees and clients.

- g. This policy does not apply to role-playing training sponsored by the department.

## **B. Reporting/Initiating Investigations**

1. Employees shall report to any supervisor or to the Human Resource Division (HRD) anyone at the workplace whose behavior is taken as threatening or intimidating, as well as any behavior that might lead to violence, or actual violence. Employees may be reluctant to report threatened or actual violence because of concerns for their safety, embarrassment, or fears that the report will not be taken seriously. All reports shall be handled in a confidential manner. Supervisors must immediately assess any imminent danger and work with HRD to determine what, if any, steps need to be taken to secure the workplace.
2. The Office of Professional Standards (OPS) shall be notified immediately and follow its investigatory procedures.

## **C. Employee Victims**

1. Victims of violence, perpetrators of violence, or employees just concerned about violence may contact Employee Advisory Services (EAS) in Olympia at (360) 753-3260, Seattle (206) 261-6315, or Spokane (509) 456-5000. HRD may be contacted to obtain information about other available services.
2. The department will provide appropriate, confidential support and assistance to employees who are victims of violence. The type of assistance will be based on individual need.

**Applies to:** All WSP Employees  
**See Also:** WSP Policy **Domestic Violence**

## **8.00.220      DISCRIMINATION AND OTHER FORMS OF HARASSMENT** **(CALEA 26.1.3, 33.7.1)**

### **I. DEFINITIONS**

**A. Sexual Harassment** – Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

1. Sexual harassment can occur in a variety of circumstances, including, but not limited to, the following:
  - a. The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.
  - b. The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.

- c. The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- d. The harasser's conduct must be unwelcome.

**B. Harassment** – Unwelcome conduct that is based on a person's age, gender, marital status, sexual orientation, race, creed, color, national origin, honorably discharged veteran or military status, disability, or in retaliation against anyone who reports suspected harassment or who is involved in a harassment investigation.

- 1. Harassment becomes unlawful where:
  - a. Enduring the offensive conduct becomes a condition of continued employment; or
  - b. The conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.
- 2. Anti-discrimination laws also prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws.
- 3. Being held accountable to training, expectations, regulations, and/or work standards is not harassment.
- 4. Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets, or name-calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance.
- 5. Harassment can occur in a variety of circumstances, including, but not limited to, the following:
  - a. The harasser can be the victim's supervisor, a supervisor in another area, an agent of the employer, a co-worker, or a non-employee.
  - b. The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
  - c. Unlawful harassment may occur without economic injury to or discharge of the victim.

**C. Third Party Harassment**

- 1. Unwelcome behavior that:
  - a. Is not directed at an individual but is a part of that individual's work environment;

- b. Is offensive to that individual; and
  - c. Is based on a person's age, gender, marital status, sexual orientation, race, creed, color, national origin, honorably discharged veteran or military status, disability, or in retaliation against anyone who reports suspected harassment or who is involved in a harassment investigation.
- D. Discrimination** – Unwelcome conduct that is based on a person's age, gender, marital status, sexual orientation, race, creed, color, national origin, honorably discharged veteran or military status, disability, or in retaliation against anyone who reports suspected harassment or who is involved in a harassment investigation.
- E. Retaliation** – Retaliation occurs when an employer, employment agency, or labor organization takes an adverse action against a covered individual because he or she engaged in a protected activity.

## II. PURPOSE

- A. The Washington State Patrol is committed to providing an environment free from unsolicited and unwelcome sexual advances and ensures that all agency employees, regardless of rank, understand that any form of harassment or discrimination is inappropriate, unacceptable, and forbidden within the workplace and any location that can be reasonably regarded as an extension of the workplace.
- B. This policy applies to all Washington State Patrol employees regardless of rank and anyone having business with the agency. All employees are responsible for complying with this policy and for reporting any incident of harassment or discrimination as defined in this policy.
- C. Sexual Harassment is an unlawful employment practice prohibited by Title VII of the Civil Rights Act of 1964 and RCW 49.60.

## III. POLICY – COMPLAINTS

### A. Employee Responsibilities

- 1. Employees shall not engage in harassment, sexual harassment, third party harassment, discrimination, or retaliation as defined in this policy.
- 2. All employees are expected to adhere to a standard of conduct in the work environment that is respectful, courteous, non-offensive, and non-discriminatory.
- 3. All employees, regardless of rank, are responsible for creating and maintaining a work environment free from harassment and discrimination. Therefore, anyone that witnesses, or any employee alleging, a violation of this policy shall immediately take action to identify and stop the behavior.

4. If the victim feels comfortable confronting the alleged offender, he/she may let the alleged offender know that the behavior is not appropriate and needs to stop immediately. Often the problem may simply be a misunderstanding or a lack of communication. Employees may be unaware of the fact that their behavior is perceived by others to be insulting, humiliating, harassing, or discriminatory. An informal discussion, in many instances, may resolve the problem. However, there is no actual or implied requirement to contact an alleged offender prior to initiating a formal complaint. Even if handled directly with the alleged offender, the situation may require an administrative investigation upon supervisor notification.
5. If the behavior continues or the victim does not feel comfortable talking to the alleged offender, the victim should immediately report the behavior to management [immediate supervisor or higher, Office of Professional Standards (OPS), or Human Resource Division (HRD)].
6. Reports can be made verbally or in writing and should include the following:
  - a. Date(s) the incident(s) happened
  - b. Specifics of the incident(s)
  - c. Location(s)
  - d. Names of any witnesses

#### **B. Supervisor Responsibilities**

1. It is the responsibility of the supervisor and/or manager to clearly communicate the policy to all employees and review the policy annually when completing the Employee Annual Review Checklist.
2. The supervisor/manager shall notify his/her chain of command of any information regarding discrimination and/or other forms of harassment in a timely manner.
3. When a harassment or discrimination situation becomes evident, supervisors/managers shall respond to all allegations concerning violations of this policy. An order directing the behavior to stop shall be given by the supervisor and an Internal Incident Report (IIR) shall be completed and forwarded to the alleged offender's commander. For guidance on investigating the allegation, contact OPS or HRD.
4. Failure to respond and thoroughly investigate an allegation regarding this policy may be grounds for disciplinary action up to and including termination.
5. Employees who initiate or investigate alleged violations of this policy will respect the confidentiality and privacy of individuals



reporting discrimination or other forms of harassment as protected by law.

- Supervisors/managers receiving information of an allegation shall document it in a case log and complete an IIR. The case log and IIR shall be forwarded through the chain of command immediately.

### C. Other Resources

- In addition to filing a complaint with the agency, an individual has the right to file a complaint with the Washington State Human Rights Commission under RCW 49.60.230 or the Federal Equal Employment Opportunity Commission under Title VII of the Civil Rights Act of 1964.

### D. Outcome

- After an investigation has been completed, the complainant shall be informed of the status and the outcome of the investigation.
- Any employee that is found to have violated this policy will be subject to corrective and/or disciplinary action up to and including termination.
- Anyone found to have retaliated against an individual who reports allegations of harassment or discrimination or who participates in an investigation will be subject to corrective and/or disciplinary action up to and including termination.

### E. Training

- The agency will provide training for all employees and supervisors within the first six months of employment. The training will be repeated every five years for all employees and every three years for supervisors.

**Applies to:** All WSP Employees

**See Also:** RCW 49.60, 43.01; WAC 357-25, 357-34; Title VII of Civil Rights Act of 1964; Governor Executive Order 89-01, 93-07; WSP Policies **Affirmative Action, Reasonable Accommodation, Employee Conduct, Violence in the Workplace**; *Administrative Investigation Manual*; Applicable Collective Bargaining Agreements; Employee Annual Review Checklist; Internal Incident Report

## **8.00.230 POLITICAL ACTIVITY (CALEA 26.1.1)**

### **I. POLICY**

#### **A. Employee Engagement in Political Activity**

- Employees, while off duty and not representing the department, shall have the same political privileges as private citizens except as limited in these rules or by state or federal law. Employees shall not be coerced or required to engage in political activity.

2. Employees shall not hold any other public office when the holding of such office is incompatible with, interferes with, or creates a conflict of interest in the discharge of their official duties with the Washington State Patrol.
3. Employees shall not use or authorize the use of any on-duty employees, or the facilities, supplies, publications, or equipment of a governmental entity, directly or indirectly, for the purpose of assisting a political campaign.
4. No political material shall be posted, stored, carried, or distributed in or on any building, office, facility, or vehicle owned by the state of Washington or any political subdivision.

#### **B. Prohibited Political Activities**

1. No employee, while on duty or representing the department, shall:
  - a. Authorize, permit, or engage in any political activity.
  - b. Solicit or receive any assessment, subscription, or contribution for any political party or purpose.
  - c. Wear political material of any nature.
  - d. Lobby or otherwise attempt to influence the introduction, passage, or defeat of legislation without the authority or direction of the Chief. Employees, in their normal course of employment, shall furnish expert opinion and technical or factual information when requested by proper authority.
  - e. Attempt to influence the candidacy of any person for public office or otherwise attempt to incur favor, promote personal benefits, or advance the personal interests of themselves or any other person.

**Applies to:** All WSP Employees  
**See Also:** RCW 42.52; Hatch Act

### **8.00.240 CODE OF ETHICS – EMPLOYEES (CALEA 1.1.2, 26.1.1, 55.1.3)**

#### **I. POLICY**

##### **A. Ethical Responsibilities**

1. Employees must be fully aware of the ethical responsibilities of their position and must strive constantly to live up to the highest possible standards. An employee acts as an official representative of government who is required and trusted to work within the law. Ethics training will be conducted for all personnel at least biennially.

##### **B. Performance of the Duties**

1. Employees shall perform all duties impartially, without favor or affection or ill will and without regard to marital status, gender, ethnic origin, race, religion, or political belief. All citizens will be treated equally with courtesy, consideration, and dignity.

2. Employees will never allow personal feelings, animosities, or friendships to influence official conduct. In carrying out responsibilities, employees will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such a manner as to inspire confidence and respect for the position of public trust they hold.

### C. Confidentiality

1. Citizens have a right to security and privacy. Any information obtained about anyone must not be improperly divulged.
2. If employees observe or learn of any information that is confidential, the information shall remain confidential, unless the performance of duty or legal provisions require otherwise.

### D. Integrity

1. An employee will not engage in acts of corruption or bribery. The public demands integrity in state employees. Employees must therefore avoid any conduct that might compromise integrity and thus undercut the public confidence in the Washington State Patrol.
2. Employees will refuse to accept any gifts, presents, subscriptions, favors, gratuities, or promises that could be interpreted as seeking to cause the employee to refrain from performing official responsibilities honestly and within the law.
3. Employees must not receive private or special advantage from their official status and shall follow the ethics laws of the state of Washington as contained in RCW 42.52. Respect from the public cannot be bought; it can only be earned and cultivated.
4. Employees will not post or publish items or information that may adversely affect the efficacy, efficiency, morale, confidence, and public respect of the department. This prohibition includes, but is not limited to, publication in print (e.g., in newspapers or handbills); or electronically (e.g., on social networking sites such as Facebook, MySpace, LinkedIn, Internet blogs, message boards, microblogging sites such as Twitter, as well as other Web sites and "chat" forums). This policy shall not be construed to prohibit an employee from posting or publishing truthful items concerning the employee's terms and conditions of employment, provided the employee is otherwise in compliance with applicable laws and Washington State Patrol regulations (see chapter 42.52 RCW and **RULES OF CONDUCT, ELECTRONIC-MESSAGING SYSTEMS, and INTERNET ACCESS**).

### E. Cooperation With Others

1. Employees will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.
2. An employee or agency may be one among many organizations that may provide public safety services to a jurisdiction. It is

imperative that an employee assist colleagues fully and completely with respect and consideration at all times.

#### **F. Personal Professional Capabilities**

1. Employees will be responsible for their own standard of performance and should take every reasonable opportunity to enhance and improve their level of knowledge and competence. The acquisition of knowledge is a never-ending process of personal and professional development that should be pursued constantly.

**Applies to:** All WSP Employees

**See Also:** RCW 42.52; WSP policies **Rules of Conduct, Electronic-Messaging Systems, Internet Access**

#### **8.00.250 CODE OF ETHICS – OFFICERS (CALEA 1.1.2, 1.2.7, 26.1.1, 55.1.3)**

#### **I. POLICY** [Click here to view General Order 15-003](#)

##### **A. Ethical Responsibilities**

1. Officers must be fully aware of the ethical responsibilities of their position and must strive constantly to live up to the highest possible standards of professional policing. Ethics training will be conducted for all personnel at least biennially.
2. The department believes it is important that officers have clear advice and counsel available to assist them in performing their duties consistent with these standards and has adopted the following ethical mandates as guidelines to meet these ends.

##### **B. Primary Responsibilities of an Officer**

1. An officer acts as an official representative of government who is required and trusted to work within the law. The powers and duties of an officer are conferred by statute. The fundamental duties of an officer include serving the community, safeguarding lives and property, protecting the innocent, keeping the peace, and ensuring the rights of all to liberty, equality, and justice.

##### **C. Performance of the Duties of an Officer**

1. Officers shall perform all duties impartially, without favor or affection or ill will and without regard to marital status, gender, race, religion, or political belief. All citizens will be treated equally with courtesy, consideration, and dignity.
2. Officers will never allow personal feelings, animosities, or friendships to influence official conduct. Laws will be enforced appropriately and courteously. In carrying out responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in

such a manner as to inspire confidence and respect for the position of public trust they hold.

**D. Discretion**

1. An officer will responsibly use the discretion vested in the position and exercise it within the law. The principle of reasonableness will guide the officer's determinations. The officer will consider all surrounding circumstances in determining whether any legal action shall be taken.
2. Consistent and wise use of discretion, based on professional policing competence, will do much to preserve good relationships and retain the confidence of the public. There can be difficulty in choosing between conflicting courses of action. It is important to remember that a timely word of advice, rather than an arrest, which may be correct in appropriate circumstances, can be a more effective means of achieving a desired end.

**E. Confidentiality**

1. Citizens have a right to security and privacy. Any information obtained about anyone must not be improperly divulged.
2. If officers observe or learn of any information that is confidential, the information shall remain confidential, unless the performance of duty or legal provisions require otherwise.

**F. Integrity**

1. An officer will not engage in acts of corruption or bribery, nor will an officer condone such acts by other police officers. The public demands that the integrity of officers be above reproach. Officers must therefore avoid any conduct that might compromise integrity and thus undercut the public confidence in a law enforcement agency.
2. Officers will refuse to accept any gifts, presents, subscriptions, favors, gratuities, or promises that could be interpreted as seeking to cause the officer to refrain from performing official responsibilities honestly and within the law.
3. Officers must not receive private or special advantage from their official status and shall follow the ethics laws of the state of Washington as contained in RCW 42.52. Respect from the public cannot be bought; it can only be earned and cultivated.

**G. Cooperation With Other Officers and Agencies**

1. Officers will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.
2. An officer or agency may be one among many organizations that may provide law enforcement services to a jurisdiction. It is

imperative that an officer assist colleagues fully and completely with respect and consideration at all times.

#### H. Personal Professional Capabilities

1. Officers will be responsible for their own standard of professional performance and will take every reasonable opportunity to enhance and improve their level of knowledge and competence.
2. Through study and experience, an officer can acquire the high level of knowledge and competence that is essential for the efficient and effective performance of duty. The acquisition of knowledge is a never-ending process of personal and professional development that should be pursued constantly.

#### I. Application of the Rules of Conduct – Private Life

1. Officers will behave in a manner that does not bring discredit to their agency or to themselves.
2. An officer's character and conduct while off duty must always be exemplary, thus maintaining a position of respect in the community in which he or she lives and serves. The officer's personal behavior must be beyond reproach.
3. Officers will not post or publish items or information that may adversely affect the efficacy, efficiency, morale, confidence, and public respect of the department. This prohibition includes, but is not limited to, publication in print (e.g., in newspapers or handbills); or electronically (e.g., on social networking sites such as Facebook, MySpace, LinkedIn, Internet blogs, message boards, microblogging sites such as Twitter, as well as other Web sites and "chat" forums). This policy shall not be construed to prohibit an officer from posting or publishing truthful items concerning the officer's terms and conditions of employment, provided the officer is otherwise in compliance with applicable laws and Washington State Patrol regulations (see chapter 42.52 RCW and **RULES OF CONDUCT, ELECTRONIC-MESSAGING SYSTEMS, and INTERNET ACCESS**).

**Applies to:**

WSP Officers

**See Also:**

RCW 42.52; WSP policies **Rules of Conduct, Electronic-Messaging Systems, Internet Access**

#### **8.00.260      UNBIASED POLICING (CALEA 1.2.9)**

#### **I. POLICY**

##### **A. Biased-Based Profiling Prohibited**

1. Officers shall not use bias-based profiling to initiate traffic stops, field contacts, asset seizures, or forfeiture efforts. Biased-based

profiling is the selection of individuals based solely upon a common trait of a group, including, but not limited to, race, ethnic background, gender, sexual orientation, religion, economic status, age, or cultural group.

#### **B. Training on Unbiased Policing**

1. All officers shall receive training in issues related to bias-based profiling, including legal updates, if needed.

#### **C. Annual Review of Traffic Stop Data**

1. The Traffic Stop Data Collection Committee shall annually review department practices for evidence of biases, report its findings to the Washington State Legislature pursuant to RCW 43.43.480, and take corrective action, if necessary.
2. The department shall fully investigate all complaints of bias-based profiling to the appropriate disposition.

**Applies to:** WSP Officers  
**See Also:** RCW 43.43.480, 43.43.490

### **8.00.270 OFF-DUTY EMPLOYMENT REGULATIONS (CALEA 22.3.4, 22.3.5)**

#### **I. POLICY**

##### **A. Off-Duty and Volunteer Employment**

1. An employee's primary employment is with the department. Off-duty employment, including self-employment, shall not interfere with performance of department duties.
2. Volunteer work shall not interfere with the performance of departmental duties and shall not be of the same nature as employment prohibited by this regulation.

##### **B. Off-Duty Employment Requirements**

1. Off-duty employment shall comply with the following:
  - a. Employees shall report for duty when scheduled or directed, regardless of off-duty employment situations.
  - b. Department vehicles, uniforms, or equipment shall not be used unless approved by the assistant chief or bureau director.
  - c. Employees shall comply with limitations as required by ethics in public service laws, RCW 42.52.
  - d. Confidential information acquired in an employee's official capacity shall not be used or disclosed in outside employment or for any other purpose not related to the employee's official duties.

**C. Prohibition or Revocation of Off-Duty Employment**

1. Off-duty employment may be prohibited or revoked (if previously approved) when it:
  - a. Impedes the ability of the department to fulfill its responsibilities.
  - b. Decreases public confidence in the department.
  - c. Discredits the department.
  - d. Causes an adverse effect on the discipline or efficiency of the department.
  - e. Creates a conflict of interest with law or department regulation.
  - f. Renders the employee unavailable during an emergency.
  - g. Physically or mentally exhausts the employee to a point that their job performance may be adversely affected.

**D. Prohibited Off-Duty Employment and Volunteer Work**

1. Prohibited off-duty employment includes, but is not limited to:
  - a. Vehicle towing or wrecking.
  - b. Bail bond agencies.
  - c. Manufacture, sale, or distribution of pornographic material.
  - d. Driving an ambulance for pay.
  - e. Investigative work for insurance or collection agencies or attorneys.
  - f. Activities directly regulated by the department.
  - g. Being deputized or acting as an agent or contracting with any other enforcement agency without the Chief's prior approval.
  - h. Employment that constitutes a violation of RCW 42.52, Ethics in Public Service.
  - i. Serving as an expert witness against the state of Washington or accepting paid consultant work for an attorney, entity, or organization engaged in filing tort claims or lawsuits against the state of Washington.
  - j. Off-duty employment performed by an officer, communications officer, commercial vehicle enforcement officer, commercial vehicle officer, or cadet within four (4) hours prior to the beginning of a Washington State Patrol shift. This restriction may be waived for a specific occasion on a case-by-case basis, with prior agreement between the employee and Washington State Patrol management.



**E. Requesting Off-Duty Employment**

1. All employees must request authorization to work off-duty employment, or in the case of employees represented by the Washington Federation of State Employees (WFSE), provide notice of their off-duty employment. The employee must submit the request or notice through the chain of command to the assistant chief/bureau director.
2. Employees are not required to report/request authorization to engage in off-duty volunteer activities that are not otherwise prohibited by this regulation. However, employees must report/request to be a volunteer firefighter due to the department's licensing and certification of the state's fire services.
3. All off-duty employment authorizations/notifications shall expire on December 31. If a continuation or change of off-duty employment is desired, the employee shall submit another request 30 days prior to expiration.

**Applies to:** All WSP Employees

**See Also:** RCW 42.52; Applicable Collective Bargaining Agreements

**8.00.280**      **WSP OFFICER AND CADET OFF-DUTY EMPLOYMENT REGULATIONS (CALEA 22.3.4, 22.3.5)**

**I. DEFINITION**

- A. “Emergency”:** Any violent felony, serious physical injury, or other activity that would constitute serious risk to the health and welfare of a citizen or the officer.

**II. POLICY****A. Off-Duty and Volunteer Work**

1. An officer's primary employment is with the department. Any off-duty employment, including self-employment, requires authorization from the department and shall not interfere with the officer's primary performance responsibility to the Washington State Patrol.
2. Any volunteer work involving law enforcement, security or protective services, or when there can be a reasonable expectation of a use of force or utilization of an employee's police officer authority requires an off-duty authorization from the department. Participation in volunteer work shall not interfere with performance of department duties.

- a. Examples of typical volunteer work requiring authorization:
  - (1) Providing church security
  - (2) Security guard for building/structure
  - (3) Providing police services
  - (4) Investigative work
  - (5) Bodyguard
  - (6) Providing police instructions
- b. Examples of typical volunteer work **not** requiring authorization:
  - (1) Scout leader
  - (2) Coaching children's athletic team
  - (3) Church deacon
  - (4) Servicemen's organizations
  - (5) Community service organizations

#### **B. Off-Duty Employment Criteria**

- 1. Any officer who engages in off-duty employment, not contracted through the Washington State Patrol, whether or not he/she wears the Washington State Patrol uniform and utilizes Washington State Patrol equipment as specified herein, shall comply with the following requirements:
  - a. Follow the parameters for taking enforcement action related to an off-duty employer. Specifically:
    - (1) An officer moves from off-duty status to on-duty status when the officer encounters emergencies where there is a threat to the well being of themselves or others, or there is a felony in progress.
    - (2) For other crimes and incidents, the officer should be a good witness and provide that information to the local jurisdiction. If the local agency is unable to respond, the suspect(s) will be identified and all necessary information for prosecution provided to the off-duty employer.
    - (3) If detention of any person(s) is necessary, assistance will be requested from the local agency with jurisdiction. The decision to detain will be based upon the safety of the officer(s) and citizens.

- (4) The officer will not be paid for call-back or call-out, but will be compensated for the hours worked. The officer should complete the necessary paperwork on his/her next duty shift, if possible. The Washington State Patrol will not pay for any time spent for the criminal follow-up investigation, report writing, or court appearances resulting from enforcement activities performed in the interest of the off-duty employer. All subpoenas resulting from off-duty employment will be turned over to the employee's Washington State Patrol supervisor for scheduling during off-duty time.
  - (5) Activity resulting from off-duty employment in the interest of the off-duty employer shall not be recorded on the Time and Activity Report.
  - (6) As with any action taken by an officer, the decision as to representation by the state is made on a case-by-case basis.
  - (7) An officer shall not follow any direction by an off-duty employer that would require the officer to take enforcement action that exceeds the scope allowed by this regulation.
- b. Provide a Washington State Patrol Off-Duty Employment – Notice of Limitation on Liability form to his/her off-duty employer. The off-duty employer must sign that they have received notice of the limitation on the state of Washington for actions by an off-duty Washington State Patrol officer. Officers responding to these calls for service will notify Communications of the nature of the call and disposition of their official action (i.e., witnessed event, filed report with local jurisdiction, etc.). Communications will immediately notify an on-duty supervisor and division/district commander of the incident, who will respond to the scene, if warranted under the circumstances.
  - c. Provide the off-duty employer with a copy of the Washington State Patrol Off-Duty Employment regulation.
  - d. Limit his/her off-duty employment to no more than 8 hours per work day, not to exceed 24 hours during the work week (excluding days off), with said employment ending at least 4 hours prior to the beginning of a shift.
  - e. Not cancel scheduled court days or training to accommodate his/her off-duty employment.
  - f. Comply with all Washington State Patrol regulations when in or out of uniform.
  - g. Maintain his/her availability for emergency response and emergency call-out for duties with the Washington State Patrol.

- h. Carry his/her portable radio if in uniform, which can only be utilized to report criminal activity or in emergency situations. Officers using the radio in off-duty employment status shall preface their personnel number with "Ocean (number)" (e.g., "Ocean 110"). If in plain clothes, officers must carry a cell phone.
- i. Sign in service with Communications prior to the beginning of each assignment and provide the location and duration of the assignment. Sign out of service upon completion of the assignment. Signing in and out of service must be done via phone to Communications.
- j. Not use his/her patrol vehicle in any way pertaining to his/her off-duty employment, except for those services rendered to other state agencies in accordance with ESHB 1163, Section 208(1), in which case officers must comply with the following:
  - (1) When calling in and out of service, an officer must identify the off-duty employment employer for which he/she is working and provide the name of the state agency requesting third party contracting service.
  - (2) If use of the patrol vehicle is necessary to perform off-duty employment, the officer must also provide the starting mileage to Communications when calling in service and the ending mileage when calling out of service.
  - (3) All off-duty vehicle mileage performed by an officer must be recorded on an Off-Duty Vehicle Mileage Form and must be submitted within seven business days (not including legal holidays) to Budget and Fiscal Services, Attn: General Accounting. Failure to report off-duty vehicle mileage in accordance with this policy can lead to revocation of off-duty employment authorization.
- k. Use only the Washington State Patrol uniform as specified in the **AUTHORIZED UNIFORMS** policy and equipment supplied with the uniform (belt, firearms, ASP, cuff, OC-10) in his/her off-duty employment.
- l. Immediately notify the Washington State Patrol, in addition to the local jurisdiction, of any use of force incident.
- m. Recertify his/her off-duty employment request annually.
- n. Not solicit off-duty employment jobs while on duty.
- o. Reimbursement to the Washington State Patrol for the destruction or loss of state equipment will be the responsibility of the officer or the off-duty employer.

### C. Prohibition or Revocation of Off-Duty Employment

- 1. Off-duty employment may be prohibited or revoked (if previously approved) for any officer when it:

- a. Impedes the ability of the department to fulfill its responsibilities.
- b. Decreases public confidence in the department.
- c. Discredits the department.
- d. Creates adverse effect on discipline or efficiency.
- e. Renders the officer unavailable during an emergency.
- f. Physically or mentally exhausts the officer to a point that his/her job performance may be adversely affected.

#### **D. Prohibited Off-Duty Employment**

- 1. Prohibited off-duty employment for all officers includes, but is not limited to:
  - a. Working at or owning establishments whose principal source of income is the sale of liquor.
  - b. Wholesale distributing or direct sale by the drink of alcoholic beverages.
  - c. Vehicle towing or wrecking.
  - d. Bail bond agencies.
  - e. Manufacture, sale, or distribution of pornographic material.
  - f. Working at or owning establishments where the principal source of entertainment includes nudity (male or female) or the subject matter is of a sexual nature (i.e., X-rated movie theaters and bookstores).
  - g. Investigative work for insurance or collection agencies or attorneys, except as allowed in other parts of these regulations.
  - h. Activities directly regulated by the department.
  - i. Serving as an expert witness against the state of Washington or accepting paid consultant work for an attorney, entity, or organization engaged in filing tort claims or lawsuits against the state of Washington.
  - j. Being deputized by any other enforcement agency without the Chief's prior approval.
  - k. Manufacture, sale, or distribution of marijuana.
- 2. The above is not an exhaustive list but merely designed to provide guidelines to assist the officer in determining what is legitimate off-duty or volunteer employment.

### E. Requests for Off-Duty Employment

1. To request off-duty employment, officers shall complete an Application for Authorization of Off-Duty Employment and submit it through the chain of command to the assistant chief/bureau director. In addition, the officer shall present to the off-duty employer a copy of the Off-Duty Employment form and return the completed form to the Human Resource Division prior to beginning off-duty employment.
2. Officers shall not engage in off-duty employment until their application has been approved.
3. Off-duty employment will be updated annually through the employee annual review process, utilizing the Employee Annual Review Checklist. The Human Resource Division has administrative responsibility to process the requests and to respond with approval or denial.
4. All off-duty employment authorizations shall expire on December 31. If a continuation or change of off-duty employment is desired, the officer shall submit another request 30 days prior to expiration.
5. The Human Resource Division shall be notified in writing (by the officer, through the chain of command) whenever approved employment is terminated.
6. Any request for exceptions to, or changes of, off-duty employment or volunteer activities that would constitute a violation of policy may be submitted to the Chief of the Washington State Patrol for consideration on a case-by-case basis.
7. Please refer to the *Human Resource Division Standard Operating Procedures Manual* for further procedures.

**Applies to:****See Also:**

WSP Officers and Trooper Cadets

RCW 43.43; ESHB 1163, Section 208(1); WSP Policy **Authorized Uniforms**; Application for Authorization of Off-Duty Employment; Off-Duty Employment – Notice of Limitation on Liability; Employee Annual Review Checklist; Off-Duty Vehicle Mileage Form; *Human Resource Division Standard Operating Procedures Manual***8.00.285****ENFORCEMENT AUTHORITY NOT RELATED TO OFF-DUTY EMPLOYER (CALEA 22.3.4, 22.3.5)**

### I. POLICY

- A. The following guidelines apply when taking law enforcement action when off-duty and the criminal activity observed is outside of and not associated with the premises or the scope of the contract between the officer and the off-duty employer:
  1. All felony crimes/arrests will be turned over to the local agency with jurisdiction for investigation.
  2. If the crime is a misdemeanor and the local agency refuses to or fails to respond from the local agency with jurisdiction, the decision to detain will be based upon the safety of the officer(s) and citizens.

3. The officer will not be paid for call-out or call-back, but will be compensated for the actual hours worked in detaining (or citing and releasing) the suspect until the primary enforcement agency responds. If possible, the officer should complete the necessary paperwork on his/her next regular duty shift.
4. Activity resulting from off-duty employment which is not related to the off-duty employer contract may be recorded on the Time and Activity Report.

**Applies to:**

WSP Officers

**See Also:**

RCW 43.43; WSP Policy **Authorized Uniforms**; Application for Authorization of Off-Duty Employment

#### **8.00.290**

#### **COMMISSION OR DEPUTIZATION OF AN EMPLOYEE BY ANOTHER AGENCY**

##### **I. POLICY**

###### **A. Chief's Approval Required for Commissioning/Deputization**

1. A department employee shall not be commissioned or deputized by another agency without the Washington State Patrol Chief's approval.
2. If there is a written agreement with another agency and that agreement contains a specific clause outlining the need for, and parameters of, the commission or deputization of a department employee, the Chief's signature upon the agreement indicates approval. If no such written agreement exists, the requesting employee shall submit an IOC through the chain of command to the Chief that requests approval and outlines all pertinent information, including the name of the agency, reason for and duration of the commission or deputization, and any other special circumstances.
3. Employees deputized or commissioned by another law enforcement agency shall not carry any badge, commission card, or insignia representing any other agency without approval from the Chief of the Washington State Patrol.

**Applies to:**

All WSP Employees

**See Also:**

WSP Policy **Off-Duty Employment Regulations**

#### **8.00.300**

#### **WHISTLEBLOWER – IMPROPER GOVERNMENTAL ACTION**

##### **I. POLICY**

###### **A. Reporting of Improper Governmental Actions**

1. Employees shall be encouraged to report, to the extent not prohibited by law, improper governmental actions.
2. Whistleblower complaints may be submitted anonymously.
3. For an improper governmental action to be investigated, it must be provided to the State Auditor's Office, agency designee, or state

public government official within one year after the occurrence of the action.

4. Improper governmental action is defined as any action by an employee undertaken in the performance of the employee's official duties which:
  - a. Is a gross waste of public funds or resources.
  - b. Is in violation of federal or state law or rule, if the violation is not merely technical or of a minimum nature.
  - c. Is of substantial and specific danger to the public health or safety.
  - d. Is gross mismanagement.
  - e. Prevents dissemination of scientific opinion or alters technical findings.
5. It does not include personnel actions for which other remedies exist, including but not limited to, employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of state civil service law, alleged labor agreement violations, reprimands, claims of discriminatory treatment, or any action taken under Chapters 41.06 RCW, or other disciplinary action except as provided in RCW 42.40.030.
6. A Whistleblower is an employee who, in good faith, reports alleged improper governmental action to the State Auditor's Office, agency designee, or other public official, or who provides information to the State Auditor's Office, agency designee, or other public official in connection with an investigation, or who is believed to have reported alleged improper governmental action to the State Auditor's Office, agency designee, or other public official or provided information in connection with an investigation, but who, in fact, has or has not done so.
7. Employees may not use or attempt to use their official authority or influence to interfere with another's right to disclose information of improper governmental action. Use of official authority or influence includes taking, directing others to take, recommending, processing or approving any personnel action.
8. The Whistleblower and witnesses who provide information during the investigation will be provided confidentiality.
9. Employees will cooperate in the investigations, including the prohibition to destroy any of the evidence during the course of the investigation.
10. The Whistleblower, perceived Whistleblower, and/or witnesses who provide information during the investigation or perceived to be witnesses during the investigation will not be retaliated against.



11. Employees who feel they are being retaliated against can file a complaint at the Human Rights Commission (<http://www.hum.wa.gov/>).

## **B. Notification of Employees**

1. The department shall provide each employee a copy of this policy. New employees must be notified upon entering employment, and all employees must be re-informed annually.

## **II. PROCEDURES**

### **A. Methods of Submitting a Whistleblower Complaint**

1. Whistleblower complaints shall be reported on the State Auditor's Office Whistleblower Form.
2. The following are methods for reporting/submitting a Whistleblower complaint:
  - a. Directly to the agency designee. The agency designee includes the Deputy Chief, Commander of the Office of Professional Standards, and the Commander of the Human Resource Division.
  - b. Directly to the State Auditor's Office at:  
  
Fax: (360) 586-3519  
  
E-mail: [whistleblower@sao.wa.gov](mailto:whistleblower@sao.wa.gov)  
  
Web: <https://www.sao.wa.gov/investigations/Pages/FileWhistleblower.aspx>  
  
Mail: Washington State Auditor's Office  
Attn: State Employee Whistleblower Program  
PO Box 40031  
Olympia, WA 98504-0031
  - c. Directly to any state government "public official" to receive and document Whistleblower complaints. A "public official" is defined as:
    - (1) The director or equivalent in the agency where the employee works.
    - (2) An appropriate number of individuals designated to receive Whistleblower reports by the head of each agency.
    - (3) The Attorney General's designee or designees.
3. Whistleblower complaints received by the Deputy Chief, Office of Professional Standards Commander, or the Human Resource Division Commander shall be forwarded to the State Auditor's Office within 15 days.

4. Additional information can be found on the State Auditor's Web site <https://www.sao.wa.gov/investigations/Pages/FileWhistleblower.aspx>.
5. All employees are expected to complete the online Employee Annual Review Checklist each year. The checklist contains a link to the Washington State Auditor's Office Web site <http://www.sao.wa.gov>.

**Applies to:** All WSP Employees

**See Also:** RCW 41.06, 42.40, 49.60.210; Employee Annual Review Checklist

### **8.00.310     SERVICE DOGS**

#### **I. POLICY**

##### **A. Service Dog Description and Purpose**

1. The Americans with Disabilities Act (ADA) and RCW recognize "service dogs" as having the same access to public use facilities as the person they service. By definition, a service dog is "an animal that is trained for the purposes of assisting or accommodating a disabled person's sensory, mental, or physical disability." Public use facilities include those to which the general public is invited (e.g., motor buses, hotels, offices, hospitals, etc.).
2. Some of the disabled may not have a visible disability (e.g., epilepsy, diabetes, etc.), but the use of a service dog can provide them with a warning device for their health and safety.

##### **B. Service Dog Requirements**

1. Service dog handlers must obey leash laws and vaccine laws. The animal must be under the control of their handler at all times. There is currently no certification or paper proof requirement for a service dog. The animal may be any breed and has been trained to assist the disabled person with his/her specific disability.

##### **C. Encountering a Service Dog**

1. When dealing with a person who has a dog, employees may ask the person if the animal is a service dog to assist the person with a disability, but no other related inquiry into the details of the disability is appropriate. As an invitation to the person to identify their animal as a service dog, the Delta Society recommends that the person be asked the question, "Is this your pet?" In cases of a disoriented person, employees should assume the animal as a service dog until further facts are known.
2. Also, the following apply:
  - a. Speak to the person, not the animal. Often, a well-meaning individual will pet and make comments to the animal, initially ignoring the person.

- b. Do not touch the service dog or the person without asking permission.
- c. Do not feed the service dog without permission.

**Applies to:** All WSP Employees  
**See Also:** Americans With Disabilities Act

**8.00.320**     **DOMESTIC VIOLENCE (CALEA 55.1.1, 55.1.2, 55.1.3, 55.2.1, 55.2.2, 55.2.3, 55.2.4, 55.2.5, 55.2.6, 81.2.6)**

**I. DEFINITIONS**

- A. ***“Domestic violence”*** includes, but is not limited to, any of the following crimes when committed by one family or household member against another under RCW 10.99.020.
- 1. Assault in the first degree (RCW [9A.36.011](#)).
  - 2. Assault in the second degree (RCW [9A.36.021](#)).
  - 3. Assault in the third degree (RCW [9A.36.031](#)).
  - 4. Assault in the fourth degree (RCW [9A.36.041](#)).
  - 5. Drive-by shooting (RCW [9A.36.045](#)).
  - 6. Reckless endangerment (RCW [9A.36.050](#)).
  - 7. Coercion (RCW [9A.36.070](#)).
  - 8. Burglary in the first degree (RCW [9A.52.020](#)).
  - 9. Burglary in the second degree (RCW [9A.52.030](#)).
  - 10. Criminal trespass in the first degree (RCW [9A.52.070](#)).
  - 11. Criminal trespass in the second degree (RCW [9A.52.080](#)).
  - 12. Malicious mischief in the first degree (RCW [9A.48.070](#)).
  - 13. Malicious mischief in the second degree (RCW [9A.48.080](#)).
  - 14. Malicious mischief in the third degree (RCW [9A.48.090](#)).
  - 15. Kidnapping in the first degree (RCW [9A.40.020](#)).
  - 16. Kidnapping in the second degree (RCW [9A.40.030](#)).
  - 17. Unlawful imprisonment (RCW [9A.40.040](#)).
  - 18. Violation of the provisions of a restraining order, no-contact order, or protection order restraining or enjoining the person or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified

distance of a location. (RCW [10.99.040](#), [10.99.050](#), [26.09.300](#), [26.10.220](#), [26.26.138](#), [26.44.063](#), [26.44.150](#), [26.50.060](#), [26.50.070](#), [26.50.130](#), [26.52.070](#), or [74.34.145](#))

19. Rape in the first degree (RCW [9A.44.040](#)).
  20. Rape in the second degree (RCW [9A.44.050](#)).
  21. Residential burglary (RCW [9A.52.025](#)).
  22. Stalking (RCW [9A.46.110](#)).
  23. Interference with the reporting of domestic violence (RCW [9A.36.150](#)).
- B. **“Protective order”** includes anti-harassment orders (Chapter 10.14 RCW), civil protection and out-of-state/tribal orders (Chapters 26.50 and 26.52 RCW), restraining orders (Chapter 26.09 RCW), and criminal no contact orders (Chapter 10.99 RCW).
- C. **“Officer”** means Washington State Patrol commissioned officers and, where applicable, commercial vehicle enforcement officers.
- D. **“Commissioned Supervisor”** is defined as an officer with the rank of RCW Lieutenant or above, or his or her designee, who may, at times, be a Sergeant.

## II. PURPOSE

### A. Purpose of the Domestic Violence Policy

1. To establish procedures for preventing, detecting, investigating, educating employees, and communicating with victims about domestic violence incidents involving Washington State Patrol employees.

## III. POLICY

### A. Policy Statement

1. Where incidents of domestic violence perpetrated by Washington State Patrol employees or law enforcement officers are alleged to have occurred, the Washington State Patrol will act quickly to protect the victim; when appropriate, conduct a criminal investigation; arrest the perpetrator upon establishment of probable cause; and conduct such administrative investigation as deemed necessary. At the same time, the Washington State Patrol will respect the rights of all employees, according to applicable laws and collective bargaining agreements.
2. Officers shall respond to domestic violence incidents as they would to any other crime. The Washington State Patrol will employ established domestic violence investigation policies and training when investigating law enforcement personnel. This policy identifies special considerations for investigators to address as they proceed.
3. The Washington State Patrol commits to education at all phases of an employee's career and to prevent or identify domestic violence

situations early to reduce victimization of the partner and to increase the chances of career stability and success.

4. The department will provide appropriate support and assistance to any Washington State Patrol employee who is a victim of domestic violence or the victim of domestic violence perpetrated by a Washington State Patrol employee.
5. The Washington State Patrol will take measures and precautions to address the safety and security of the victim and other staff in the workplace.

## **B. Criminal and Administrative Investigation Protocols**

### **1. Implications of a Criminal Conviction and Protective Orders**

- a. Crimes of domestic violence and protection, protective orders involving Washington State Patrol employees and their spouses, significant others, and family members can have a serious and significant impact on an employee's terms of employment.
- b. Under certain circumstances, these crimes and orders negatively impact an officer's ability to carry a firearm, and may therefore jeopardize the officer's employment with the department. For non-commissioned employees, these crimes or orders may violate current department regulations regarding on- or off-duty conduct and criminal activity.

### **2. Federal/State Laws**

#### **a. Federal Law**

- (1) Under federal law, an officer is prohibited from possessing a firearm if he or she has been convicted of a qualifying misdemeanor crime of domestic violence. [18 U.S.C. §922(g) (9)]. It does not matter whether or not the crime is actually charged as "domestic violence" or when the crime was committed. For example, if an officer is arrested for domestic violence assault in the fourth degree that results in a conviction of assault in the fourth degree (with no domestic violence characterization), that individual would still be prohibited from possessing a firearm.
- (2) An officer may be prohibited from possessing a firearm while subject to the provisions of a qualifying protection order. [18 U.S.C. §922(g) (8)].

#### **b. State Law**

- (1) Under Washington law, an officer is prohibited from possessing a firearm upon conviction of certain crimes of domestic violence, including assault in the fourth degree and violating a protection, no-contact, or restraining order. [RCW 9.41.040(2) (a) (i)]. Specifically, a person is prohibited from possessing a firearm:

- (a) After having previously been convicted or found not guilty by reason of insanity in this state or elsewhere of any felony not specifically listed as prohibiting firearm possession under (1) of RCW 9.41.040(2)(a)(i), or any of the following crimes when committed by one family or household member against another, committed on or after July 1, 1993: Assault in the fourth degree, coercion, stalking, reckless endangerment, criminal trespass in the first degree, or violation of the provisions of a protection order or no-contact order restraining the person or excluding the person from a residence (RCW 26.50.060, 26.50.070, 26.50.130 or 10.99.040). [See RCW 9.41.040(2) (a) (i)]
- (2) Family or household member is defined as:
  - (a) Spouses, former spouses, persons who have a child in common regardless of whether they have been married or have lived together at any time, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past, persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship, and persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren. [RCW 10.99.020(3)]

### **3. Conviction, Court Order, and Administrative Adverse Finding Impacts on Police Powers**

- a. Any officer who is (1) found guilty of domestic violence as defined in state and federal law through any criminal court in or out of state or (2) violates a qualifying protective order shall be prohibited from possessing a firearm, either by law or in the case of an administrative proven finding, by the Washington State Patrol, and jeopardizes the officer's employment with the department.
- b. If any officer found guilty of a felony will be prohibited from possessing a firearm, the Washington State Patrol shall request the Criminal Justice Training Commission (CJTC) to permanently revoke that officer's police powers under Chapter 43.101 RCW.
- c. Even if the criminal case does not result in a conviction that prohibits the officer from carrying a firearm, the employee is still subject to an administrative investigation.

**C. Mandatory Reporting by Washington State Patrol Employees Subject to Protective Orders or Accused of Domestic Violence**

1. All Washington State Patrol employees will continue to abide by the mandatory reporting requirements of the **RULES OF CONDUCT** policy. Any employee who is alleged to have engaged in domestic violence resulting in a notification of a law enforcement agency, or the subject of or a party to a criminal investigation, a protective order related to domestic violence, regardless of jurisdiction, is required to immediately report that fact to his/her supervisor and provide court dates, times, appearances, and notices of proceedings.
2. Supervisors shall immediately forward a copy of a protective order received from an employee through the chain of command to his or her district or division commander, who shall immediately notify his or her respective assistant chief or bureau director. The assistant chief/bureau director will contact the Investigative Services Bureau Assistant Chief, who will ensure an appropriate review of the order is conducted in accordance with established department protocols.
3. Upon direction from the appropriate assistant chief/bureau director, the division/district commander will ensure compliance with any and all restrictions imposed on the employee by this order.
4. Victims of domestic violence will not face disciplinary action for failure to report that they are a victim.

**D. Incident Response Protocols****1. Seizure of Duty Weapons**

- a. As with any crime, whenever an officer is arrested or accused of domestic violence, the supervisor shall relieve the accused officer of his or her department-issued weapon(s) and equipment. When possible, the victim of domestic violence will be informed of the seizure of duty weapons prior to the seizure taking place; if not, the department will notify the victim as quickly as practicable. If an armed officer from another jurisdiction is arrested, that individual's department will be immediately contacted by the Washington State Patrol supervisor where authorization to seize the individual's department-issued weapon(s) will be requested. Where allowable under federal, state, and local ordinances, all other firearms owned or at the disposal of the accused officer shall be removed to ensure the victim's safety.

**2. WSP Communications Response**

- a. Communications personnel shall follow current procedures in documenting in the Computer Aided Dispatch system and, upon request, preserving evidence of all domestic violence calls. If the call involves a law enforcement employee, Communications shall immediately notify the Duty Lieutenant, who will notify the affected law enforcement agency.

- b. If a domestic violence call involves an officer, Communications personnel will call the affected division/district/section commander.
- c. If a domestic violence call involves a division/district/section commander or assistant chief/bureau director, Communications personnel will call the person next in the chain of command, whether it is an assistant chief, bureau director, or the Chief.
- d. If a domestic violence call involves the Chief, Communications personnel will call the Investigative Services Bureau Assistant Chief, who will then inform the appropriate contact in the Governor's office.
- e. Communications personnel shall have available current lists of domestic violence victim advocacy organizations to provide on-scene commissioned supervisors with such information if requested.

### **3. Patrol Response**

- a. Upon arrival on the scene of a domestic violence call/incident involving any law enforcement personnel or officer as the suspect, the primary unit shall immediately notify Communications and request a commissioned supervisor be sent to the scene. The investigation shall be conducted in the same thorough manner as any other criminal investigation involving violence. Washington State Patrol investigators shall proactively seek out information on existing protective orders and, if found, shall enforce them.
- b. Arrest warrants charging law enforcement officers with domestic assault and protective orders issued at a later time shall be served by no fewer than two officers, with at least one being of senior rank to the officer being served. The victim shall be notified of when the order will be served, unless the department believes that an officer safety issue will be created by such notice.
- c. When responding to a domestic violence complaint involving an employee from a law enforcement agency, all responding Washington State Patrol personnel shall follow the same procedures in this policy. The responding officer shall notify the district duty lieutenant of the situation, who will notify the accused officer's department supervisor, subject to the conditions listed below:
  - (1) In the event that the reported incident involves a chief of police, commissioner, or department head, the responding officer shall immediately notify the Washington State Patrol Duty Lieutenant and command staff, who shall notify the individual in government who has direct oversight of that individual.
  - (2) In responding to domestic violence situations where the victim is a law enforcement department employee,



standard domestic violence response and investigation procedures shall be followed.

- (3) In responding to domestic violence incidents where the parties involved are both law enforcement employees, standard domestic violence response and investigation procedures should be followed.
- (4) In all cases, through a designated liaison, the Washington State Patrol will notify the victim, as quickly as possible, of the investigation process, progress, confidentiality rules, and available resources for assistance.

#### **4. Commissioned Supervisor Response**

- a. A commissioned supervisor shall respond to the scene of all domestic violence calls/incidents involving an officer when notified either by another police agency or the employee. If another jurisdiction has responded to the domestic violence call, that police agency with jurisdiction shall assume command over the incident and the commissioned supervisor should assist that agency in completing the investigation the same as any other call. Response to out-of-state incidents will occur with the approval of the division/district commander.
- b. The commissioned supervisor shall, in a timely manner, debrief all Washington State Patrol personnel who responded to the law enforcement employee domestic violence incident. During the debriefing, the supervisor shall:
  - (1) Reiterate to personnel Washington State Patrol confidentiality guidelines.
  - (2) Reaffirm that information shall only be shared on a need-to-know basis.
  - (3) Ensure that the Washington State Patrol liaison for the victim has been designated as quickly as possible and that the duties of that liaison have been or are in the process of being met. Until the liaison is available, it may be necessary for the commissioned supervisor to begin those duties.

#### **5. Notification to the Victim**

- a. Regardless of who has jurisdiction over the investigation, as quickly as possible, the Washington State Patrol commissioned supervisor will notify the victim of the investigation process to be followed, the agency's mandatory reporting and confidentiality policies, where the investigation is in the process (as known), who the appropriate contact persons are (the Washington State Patrol and, where applicable, other law enforcement agency), and community victim advocacy agency resources to include the Washington State Domestic Violence Hotline at 1-800-562-6025 via TTY.

**E. Post-Incident Criminal and Administrative Investigation Procedures Specific to Domestic Violence**

1. The Washington State Patrol will adhere to and observe all existing investigation procedures to ensure an accused employee's rights are upheld during criminal and administrative investigations. These procedures are found in collective bargaining agreements, the *Criminal Investigation Division Manual*, and the *Administrative Investigation Manual*.
  - a. The Washington State Patrol will establish a liaison to keep the victim apprised of the process and progress of the criminal and administrative investigations. Information on the investigation's progress will be provided to the victim for the duration of the investigations. When the criminal investigation is conducted by another law enforcement agency, the Washington State Patrol will provide whatever information from that agency it has obtained and received permission to provide to the victim.
  - b. This Washington State Patrol liaison will also provide the victim with information on the confidentiality of the victim's personal information at the Washington State Patrol and with agency community victim advocacy resources.

**F. Responsibilities and Procedures****1. Washington State Patrol Responsibilities**

- a. The Washington State Patrol is committed to ensuring a safe, secure working environment for all employees. In this endeavor, the department shall:
  - (1) Take measures to address the safety/security of the victim and other staff in the workplace, at work-related activities, or in state/personal vehicles used to conduct state business.
  - (2) Encourage employees who are victims of domestic violence to seek assistance through Employee Advisory Services, the Department Psychologist, their personal physician, or other community resources available to victims of domestic violence.
  - (3) Post information about domestic violence and available resources in Washington State Patrol work sites and send out annual reminders through the Daily Bulletin or other mass distribution avenues.
  - (4) Take appropriate action to address perpetrators of domestic violence through the administrative investigation process.

**G. Communication with the Victim and Victim Safety****1. WSP-Designated Liaison with Victim**

- a. Working with community resources and victim advocacy agencies, the department shall make available through a designated liaison all necessary and appropriate services to

each victim. For each incident, the district or division commander will designate a liaison, either commissioned or non-commissioned, who will be available to answer the victim's questions regarding community victim advocacy services, make referrals to services, and engage in basic safety planning strategies with the advice of the Human Resource Division.

- b. In addition, the district or division liaison shall:
  - (1) Provide the victim with copies of:
    - (a) The Washington State Patrol's Domestic Violence Policy.
    - (b) Information about public/private domestic violence advocates and services to include the Washington State Domestic Violence Hotline at 1-800-562-6025 via TTY.
    - (c) Contact information and confidentiality policies.
    - (d) Information about law enforcement confidentiality policies relating to the victim's information, including their limitations and where local jurisdictions' policies may differ.
  - (2) When appropriate, facilitate the contact between the victim and victim advocacy agencies.
  - (3) Respond to victim inquiries about the administrative investigation status by contacting the Office of Professional Standards Commander or his/her designee, who will respond in a timely manner with the most information allowed by law.
  - (4) Inquire whether the victim wants any weapons removed from his/her home for safekeeping by the department.
  - (5) Caution the victim to be alert to stalking activities on the part of the abuser and assist in safety planning.

## **2. Employee Responsibilities**

- a. Employees shall cooperate with and follow supervisors' and/or Human Resource Division directions regarding any safety/security measures deemed necessary, which may include keeping victim information confidential.

## **H. Supervisor Responsibilities**

### **1. When a Washington State Patrol employee is accused of a crime of domestic violence:**

- a. If a supervisor becomes aware of an allegation that a Washington State Patrol employee has committed a crime of domestic violence, the following steps shall be taken as appropriate:

- (1) Supervisors shall immediately follow current procedures regarding the reporting of alleged employee misconduct on or off duty.
- (2) Identify and consult with the Washington State Patrol's liaison with the victim for the criminal or administrative investigation (whichever is in progress) and the Washington State Patrol contact regarding victim advocacy services. The goal is to ensure that the victim is kept apprised of the investigation process, progress, and rules of confidentiality and has access to appropriate safety measures and services.
- (3) Make available to any employee, upon request, information about domestic violence perpetrator programs certified by the state under RCW 26.50.150. The Washington State Patrol will not interpret such a request as an admission of wrongdoing.
- (4) Encourage any employee who is a perpetrator of domestic violence to seek assistance.

**2. When a WSP employee is a victim of a crime of domestic violence:**

**a. A supervisor shall:**

- (1) Consult with the Human Resource Division when the employee is a victim of domestic violence and safety/security measures are necessary. This may include ensuring enhanced security measures, notifying other employees in the workplace to be aware of the perpetrator and the potential use of state equipment (computers, vehicles), etc.
- (2) Assist in implementing whatever safety/security measures are deemed necessary with support from the designated liaison.
- (3) Encourage any employee who is a victim of domestic violence to seek resources assistance from the designated Washington State Patrol liaison.
- (4) Adjust the employee's work schedule and/or grant leave (paid or unpaid) to allow the employee to seek assistance. Shared leave may be appropriate under some circumstances.

**I. Employee Responsibilities and Resources**

1. All department personnel shall accept, document in writing, and preserve all calls or reports, including those made anonymously, alleging that a Washington State Patrol employee has engaged in a crime of domestic violence. Personnel with any knowledge of or information about abuse and/or violence perpetrated by a Washington State Patrol employee must report such information to their supervisor immediately. Failure to do so may subject the

employee to investigation and possible disciplinary sanctions. The supervisor shall immediately forward that information through the chain of command to the division/district commander.

2. Wherever an employee suspects witness or victim intimidation/coercion is occurring, he or she shall report the incident immediately through the chain of command.
3. Personnel that engage in threatening, harassing, stalking, surveillance, violating confidentiality directives or safety plans, or other such behavior designed to interfere with domestic violence cases against fellow employees or intimidate witnesses may be subject to investigation and possible disciplinary sanctions.
4. Personnel who fail to cooperate with the investigation of an employee domestic violence case may be subject to investigation and possible disciplinary sanctions.
5. All personnel are encouraged and entitled to seek assistance through the Department Psychologist and other available counseling sources, to prevent a problem from escalating to the level of criminal conduct against an intimate partner or family member. Any employee may request information on domestic violence victim advocacy or state-certified perpetrator programs. The Washington State Patrol will not interpret such a request as an admission of wrongdoing.
6. Nothing in this policy is intended to require punitive measures against an employee victim of domestic violence for failing to report their abuse or to require actions in conflict with collective bargaining agreements or other due process guarantees.

## **J. Prevention, Education, and Training**

### **1. Prevention Through Collaboration**

- a. The Washington State Patrol will collaborate with local domestic violence victim advocacy organizations, the prosecutor's office, Department Psychologist, and department employees specialized in domestic violence issues and training, and the state domestic violence coalition in the development of domestic violence training curricula.
- b. The Washington State Patrol will provide training, where requested, to local domestic violence victim advocacy organizations on the department's domestic violence policy.
- c. All labor unions representing Washington State Patrol employees will be provided a copy of the domestic violence policy.

### **2. Education**

- a. Upon implementation of the policy, the Washington State Patrol will provide employees with copies of and training on the policy. Employee family members will also receive copies

of the policy. New hires will receive this training within six months of hire.

- b. The Regional Training Officers (RTO) will provide statewide training to employees. A review of the domestic violence policy will be included in in-service training and Supervisor's Basic, and conducted annually with employees. Trooper Basic Training and new employee orientation shall include a section on the domestic violence policy. Supervisors who may make employee referrals to the Department Psychologist or other domestic violence advocacy or counseling sources will receive training in the appropriate method of referral and basic safety planning.

### **3. Program Evaluation**

- a. To enhance the effectiveness of the training, the Washington State Patrol should work with internal and external research resources to evaluate the training being provided. This may include, but is not limited to, domestic violence victim advocacy organizations and victim focus groups.

### **4. Early Warning and Investigation**

#### **a. Pre-Hire Screening and Investigation**

- (1) The Washington State Patrol shall conduct thorough background investigations of all trooper cadet applicants to determine if domestic violence issues exist. This investigation will include, where possible, interviews of current and former household members of the candidate.
- (2) All employee candidates shall be asked and given a polygraph about past arrests or convictions for domestic-violence-related incidents and past civil or criminal protective orders.
- (3) Any trooper cadet candidate with a history or conviction of domestic violence shall be eliminated as an employee candidate at that point in the hiring process.

#### **b. Post-Conditional Offer of Employment**

- (1) The Washington State Patrol shall require a psychological examination of all viable candidates to be performed by the Department Psychologist.
- (2) The psychological screening shall focus on indicators of violent or abusive tendencies or behaviors in their background.

#### **c. Ongoing NCIC and Firearm Checks**

- (1) On an annual basis, the Washington State Patrol will conduct National Crime Information Center (NCIC) and firearm checks on all commissioned officers. The

procedure for doing so may be defined by collective bargaining agreement.

**Applies to:**

All WSP Employees

**See Also:**

18 U.S.C. §922(g)(8) and (9); Executive Order 96-05; Title 9A RCW; Chapters 9.41, 10.14, 10.99 RCW; RCWs 26.09.300, 26.10.220, 26.26.138, 26.44.063, 26.44.150; Chapters 26.50, 26.52, 43.101, 74.34 RCW; WAC 357-31-390; WSP Policy

**Rules of Conduct;** Collective Bargaining Agreements; *Criminal Investigation Division Manual*; *Administrative Investigation Manual*

## Chapter 9

### DEPARTMENT AUTHORITY AND ORGANIZATION

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#### ► SECTION 00: APPOINTMENTS ◄

#### **9.00.010**     **CREATION AND AUTHORITY (CALEA 1.2.1)**

##### **I. POLICY**

###### **A. Creation of the Washington State Patrol**

1. Established in 1921, the Washington State Patrol operates under the authority of RCW 43.43.010, which created the department, and RCW 43.43.030, which gives full police powers to Washington State Patrol officers.

###### **B. Required Investigative Services**

1. The Washington State Patrol began formal assistance to other police agencies with the passage of RCW 43.43.500. This statute created the Washington State Crime Information Center. Other statutorily required investigative services include the following:
  - a. The Narcotics Section operates under 43.43.600.
  - b. The state Crime Laboratory serves all police agencies in the state and operates under RCW 43.43.670.
  - c. State Fire Protection Services operates within the Washington State Patrol under RCW 43.43.930.
  - d. The Organized Crime Intelligence Unit was created through RCW 43.43.850.
  - e. The consolidation of criminal justice services was established by RCW 43.43.785.
  - f. The Identification Section was established by RCW 43.43.700 and maintains a central registry of sexual offenders under RCW 72.09.712 (see also 9A.44.130).
  - g. The Commercial Vehicle Division is responsible for commercial vehicle safety requirements, including, but not limited to, terminal safety audits under RCW 46.32.080.
2. RCW 43.43.035 and 43.43.037 mandate the responsibility for the safety of the Governor, the Governor's family, the Lieutenant Governor, and for the security and protection of the legislature.

**Applies to:** All WSP Employees

**See Also:** RCW 9A.44.130, 43.43, 46.32.080, 72.09.712



**9.00.020      APPOINTMENT OF OFFICERS AND SPECIAL DEPUTY APPOINTMENTS (CALEA 1.1.1, 1.2.1, 12.1.1)**

**I. POLICY**

**A. Chief Appoints Special Deputies**

1. The Chief of the Washington State Patrol is appointed by the Governor under RCW 43.43.020. The Chief is empowered to assign sufficient officers to exercise law enforcement powers and enforce traffic rules and regulations.
2. The Chief appoints special deputies and grants police authority as necessary and consistent with their assignment. Special deputy appointments may be withdrawn at the Chief's discretion.

**B. Officers**

1. The Chief determines compensation, defines the rank and duties, makes promotional appointments, and may remove employees for cause. Newly appointed officers shall take the Washington State Patrol oath of office prior to assuming Washington State Patrol officer status.

**C. Commercial Vehicle Enforcement**

1. After successful completion of testing and the Training Division's training requirements, commercial vehicle enforcement officers 1, 2, 3, and 4 and commercial vehicle officers 1, 2, 3, and 4 are appointed by the Chief as special deputies. Commercial vehicle enforcement officers are armed for defensive purposes. The positions have enforcement powers limited to commercial vehicles and school/private carrier buses. These are classified positions and employees may be terminated for cause.

**D. Trooper Cadets**

1. Upon hire, the Chief grants a trooper cadet a limited commission. A trooper cadet retains the limited commission until the Chief grants the trooper cadet a full general authority law enforcement officer commission, or until the Chief dismisses or terminates the trooper cadet's employment, or until the trooper cadet resigns from his or her position. Trooper cadets are exempt positions and the Chief has discretion to terminate a trooper cadet's employment at any time.

**Applies to:** All Enforcement and Exempt Employees  
**See Also:** RCW 43.43.020, 43.43.035

## ► SECTION 01: AGENCY ORGANIZATION ◄

**9.01.010** **OFFICE OF THE CHIEF (CALEA 11.1.1, 11.2.2, 52.1.3)****I. POLICY****A. Chief's Direct Reports**

1. The Office of the Chief is comprised of the Chief and the following organizational units, who report directly to the Chief:
  - a. Department Psychologist
  - b. Labor and Policy Advisor
  - c. Government and Media Relations
  - d. Risk Management Division Commander reports directly to the Chief on audit/inspection duties
2. The Deputy Chief also reports directly to the Chief. The following organizational units report to the Deputy Chief:
  - a. Budget and Fiscal Services
  - b. Field Operations Bureau
  - c. Fire Protection Bureau
  - d. Forensic Laboratory Services Bureau
  - e. Investigative Services Bureau
  - f. Technical Services Bureau

**Applies to:** All WSP Employees

**See Also:** --

**9.01.020** **FIELD OPERATIONS BUREAU (FOB) (CALEA 11.1.1, 11.2.2)****I. POLICY****A. Organizational Units in the Field Operations Bureau**

1. The Field Operations Bureau is headed by a sworn Assistant Chief, who reports directly to the Deputy Chief and commands the following organizational units:
  - a. FOB Headquarters Captain.
  - b. **Eight districts** — Each commanded by a captain; directly accountable to the FOB Assistant Chief. District lieutenants are assistant district commanders.

**Applies to:** All WSP Employees

**See Also:** --

**9.01.030**     **INVESTIGATIVE SERVICES BUREAU (ISB) (CALEA 11.1.1, 11.2.2, 42.2.8, 46.2.6, 52.1.3)**

**I. POLICY**

**A. Organizational Units in the Investigative Services Bureau**

1. The Investigative Services Bureau is headed by a sworn Assistant Chief, who reports directly to the Deputy Chief and commands the following organizational units:
  - a. **Criminal Investigation Division**
    - (1) Vehicle Identification Section
    - (2) Auto Theft Section
    - (3) Collision/Criminal Investigation Section
    - (4) Identity Theft Unit
    - (5) Cooperative Disability Investigations Unit
    - (6) Major Accident Investigation Team (MAIT)
    - (7) Special Investigations Unit
  - b. **Criminal Records Division**
    - (1) ACCESS
    - (2) Identification and Criminal History Section
    - (3) Collision Records Section
  - c. **Investigative Assistance Division**
    - (1) Narcotics Section
    - (2) Special Investigations Section
    - (3) Special Weapons and Tactics (SWAT)
  - d. **Office of Professional Standards (reports directly to the Chief in disciplinary matters)**
    - (1) Internal Affairs Section
  - e. **Special Operations Division**
    - (1) Aviation Section
    - (2) Executive Services Section
  - f. **Homeland Security Division**
    - (1) Vessel and Terminal Security Section
    - (2) Homeland Security Section

- (3) Canine Training Section
- (4) Organized Crime Intelligence Section

**Applies to:** All WSP Employees

**See Also:** --

**9.01.040      TECHNICAL SERVICES BUREAU (TSB) (CALEA 11.1.1, 11.2.2)**

**I.    POLICY**      [Click here to view General Order 15-001](#)

**A.   Organizational Units in the Technical Services Bureau**

1. The Technical Services Bureau is headed by a sworn Assistant Chief, who reports directly to the Deputy Chief and commands the following organizational units:
  - a. **Communications Division**
  - b. **Electronic Services Division**
  - c. **Human Resource Division**
  - d. **Information Technology Division**
  - e. **Property Management Division**
    - (1) Facilities Management Section
    - (2) Fleet Section
    - (3) Supply Section
  - f. **Risk Management Division**
    - (1) Audit Section
    - (2) Public Disclosure Section
    - (3) Strategic Planning and Accountability Section
    - (4) Audit function (reports directly to the Chief)
  - g. **Training Division**

**Applies to:** All WSP Employees

**See Also:** --

**9.01.050      FIRE PROTECTION BUREAU (FPB) (CALEA 11.1.1, 11.2.2, 46.1.1)**

**I.    POLICY**      [Click here to view General Order 15-002](#)

**A.   Organizational Units in the Fire Protection Bureau:**

1. The Fire Protection Bureau is headed by the State Fire Marshal (bureau director), who reports directly to the Deputy Chief and commands the following organizational units:

**a. Prevention Division**

- (1) Licensing (Fireworks, Sprinklers, and Fire Safe Cigarettes)
- (2) Inspections
- (3) Plan Review
- (4) Data Collection
- (5) Novelty Lighters

**b. Preparedness Division**

- (1) Basic Firefighter Training Program
- (2) Standards and Accreditation
- (3) Mobilization
- (4) Hazardous Materials (HazMat)

**Applies to:** All WSP Employees  
**See Also:** --

**9.01.060 FORENSIC LABORATORY SERVICES BUREAU (FLSB) (CALEA 11.1.1, 11.2.2)**

**I. POLICY****A. Organizational Units in the Forensic Laboratory Services Bureau**

1. The Forensic Laboratory Services Bureau is headed by the bureau director, who reports directly to the Deputy Chief and commands the following organizational units:
  - a. **Crime Laboratory Division**
  - b. **Toxicology Laboratory Division**
    - (1) Toxicology Laboratory
    - (2) Impaired Driving Section
      - (a) Breath Test Program
      - (b) Drug Evaluation and Classification Program
      - (c) Ignition Interlock Program
      - (d) Standardized Field Sobriety Test Program
      - (e) Traffic Safety Resource Prosecutor Program
  - c. **Standards and Accountability Section**

**Applies to:** All WSP Employees  
**See Also:** RCW 42.52

**9.01.070      COMMERCIAL VEHICLE ENFORCEMENT BUREAU (CVEB)****I. POLICY****A. Organizational Units in Commercial Vehicle Enforcement Bureau**

1. The Commercial Vehicle Enforcement Bureau is headed by a sworn Assistant Chief, who reports directly to the Deputy Chief and commands the following organizational units:
  - a. Commercial Vehicle Division
  - b. Motor Carrier Safety Division
  - c. Property Management Division
    - (1) Facilities Management Section
    - (2) Fleet Section
    - (3) Supply Section

**Applies to:** All WSP Employees  
**See Also:** --

**► SECTION 02: NOTIFICATION/SUCCESSION ◀****9.02.010      COMMAND SUCCESSION (CALEA 11.1.1, 11.2.2, 12.1.2)****I. POLICY****A. Chain of Command in Absence of Chief**

1. The Chief commands all department employees. If the Chief is absent or incapacitated, the command succession shall be:
  - a. Deputy Chief
  - b. Field Operations Bureau Assistant Chief
  - c. Investigative Services Bureau Assistant Chief
  - d. Technical Services Bureau Assistant Chief
  - e. Commercial Vehicle Enforcement Bureau Assistant Chief
2. In the event of emergency or disaster and the deputy chief and assistant chiefs are absent or unavailable, the position of Chief shall be appointed by the Governor.
3. If the Governor is absent or unavailable due to emergency or disaster, the position of Chief will be filled by the next highest ranking commissioned officer within the Washington State Patrol.
4. If the next ranking individual is not immediately available due to emergency or disaster, then the position of Chief will be filled by geographical availability of district commander in the following order:

- a. District 1 Captain
  - b. District 8 Captain
  - c. District 5 Captain
  - d. District 2 Captain
  - e. District 7 Captain
  - f. District 3 Captain
  - g. District 6 Captain
  - h. District 4 Captain
5. The interim Acting Chief selected from the next geographical location shall fill the position of Chief until the highest ranking commissioned individual is able to take command of the department.
  6. The Acting Chief shall fill each bureau assistant chief or director position with the next ranking person from within each bureau, dependent upon the needs of the department.

**Applies to:** Chief, Deputy Chief, Assistant Chiefs, Captains, Lieutenants  
**See Also:** WSPLA Collective Bargaining Agreement

**9.02.020 CHAIN OF COMMAND (CALEA 11.1.1, 11.2.1, 11.2.2)**

**I. POLICY**

**A. Commissioned Officer Chain of Command**

1. The chain of command continues as follows:
  - a. **Deputy Chief** — Appointed by the Chief, conducts day-to-day operations of the department.
  - b. **Assistant Chief/Bureau Director** — Appointed by the Chief; occupied by an employee in charge of a bureau.
  - c. **Captain** — Appointed by the Chief; commands a district or other command area.
  - d. **Lieutenant** — Appointed on a permanent basis from a promotional list; commands a section, unit, or other command area.
  - e. **Sergeant** — Appointed on a permanent basis from a promotional list; supervises a section, detachment, or unit.
  - f. **Trooper** — A permanent appointment by the Chief upon graduation from the Academy.

**B. Department Line Officers**

1. Officers assigned to traffic duty work traffic enforcement or in direct support of traffic enforcement more than 50 percent of the work time.

2. Such positions include traffic officers, traffic sergeants, traffic support officers, traffic support sergeants, traffic assistance detectives, traffic assistance detective sergeants, and those lieutenants and command staff assigned to the Field Operations Bureau.

**Applies to:** WSP Officers

**See Also:** --

**9.02.030 HEADQUARTERS DUTY OFFICER (CALEA 11.4.5, 41.2.4)**

**I. POLICY**

**A. Availability of Headquarters Duty Officer**

1. The Headquarters Duty Officer shall be available Monday through Friday, 8 a.m. to 5 p.m., at Headquarters.
2. The Headquarters Duty Officer may assist with emergency requests from out-of-state or other state agencies, coordinating emergency transportation details involving two or more districts, and coordinating Headquarters' response during a major incident.
3. Communications centers shall notify the Chief, all assistant chiefs/bureau directors, and the Headquarters Duty Officer of major incidents.
4. The Headquarters Duty Officer shall inform the Chief, affected commanders, and the Government and Media Relations Commander of the progress of the major incident in a timely manner.

**B. Headquarters Notification of Serious Incidents**

1. The Headquarters Duty Officer shall be notified of incidents that may result in questions to the department from the public or the news media.
2. Commanders shall ensure notification is made for:
  - a. Serious traffic problems or road closures.
  - b. Storms or natural disasters, including volcanic eruptions.
  - c. Activation of Emergency Mobilization Plan.
  - d. Correctional facility disturbances or escapes.
  - e. Felony criminal arrests which may be subject to considerable media coverage.
  - f. Serious patrol car collisions and high-speed pursuits (particularly if there were injuries).
  - g. Gun shots fired at or by department employees.
  - h. Arrests which involve injuries to employees or arrestees.



- i. Joint operations or multiple-agency responses to serious traffic or criminal activities.
- j. Incidents involving suspected explosive devices.
- k. School bus injury collisions.
- l. Deaths or serious incidents, etc., involving state-elected officials, sheriffs, or police chiefs.
- m. Emergency transportation of persons, bloods, etc.
- n. Major hazardous materials spills.
- o. Major plane, bus, train, or marine incidents.
- p. Criminal acts in which department affiliation is a factor, including endangerment, threats, injury, or property damage to employees or their families.
- q. Other activities as determined by the officer in charge of resolution which have the potential to be newsworthy or sensitive in nature.

**Applies to:** Headquarters Duty Officer; Commanders  
**See Also:** --

**9.02.040**     **REQUEST FOR ASSISTANCE FROM FEDERAL LAW ENFORCEMENT AND/OR THE NATIONAL GUARD**  
**(CALEA 2.1.4)**

**I. POLICY**

**A. Emergency Assistance**

- 1. Requests for emergency assistance from federal law enforcement agencies must be approved by the Chief or designee.
- 2. The Chief or designee may petition the Governor to activate the National Guard if the need arises.

**Applies to:** All WSP Employees  
**See Also:** --

## Chapter 10

### DEPARTMENT MANAGEMENT

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#### ► SECTION 00: DIRECTIVES/DOCUMENTS ◀

#### 10.00.010 OFFICIAL DEPARTMENT PUBLICATIONS (CALEA 12.2.1, 12.2.2)

##### I. POLICY

###### A. Agency Manuals

1. Manuals that meet the criteria below shall be assigned an agency control number:
  - a. Represent the department as a whole or any major department programs or services.
  - b. Utilized on a statewide basis by department employees, whether printed and/or available on Inside WSP.
  - c. Will or may be distributed externally for use or viewing by the general public.
  - d. Will be made available on the department public Internet site.
2. Control numbers are assigned by the agency Documents Manager in Strategic Planning and Accountability. Refer to the **FORMS AND DOCUMENT MANAGEMENT** policy for further information.

###### B. Manual Accessibility

1. Following the assignment of a control number, manuals that meet the criteria above shall be made available on Inside WSP under “SOP Manuals” by the agency Documents Manager. Exceptions may be granted for manuals containing confidential information.
2. Standard operating procedures manuals at a division or district level also shall be assigned a control number and made available on Inside WSP under “SOP Manuals” by the agency Documents Manager. Exceptions may be granted for manuals containing confidential information.
3. High-level department manuals (e.g., *Time and Activity Reporting*, *Incident Management Handbook*, *Regulation Manual*, etc.) made available on Inside WSP shall also be printed in hard copy format or made available on CD for distribution to employees who do not have Inside WSP access.

###### C. Acknowledgement of Receipt and Updates

1. Supervisors shall ensure each subordinate reads and signs for appropriate orders, directives, and publications when received.

2. Annually, supervisors shall audit and, if needed, update manuals assigned to the office.
3. Employees shall sign a Directive Control Sheet after receiving department publications or orders. Directive Control Sheets shall be maintained at the division/district/section as required by the retention schedules.

#### **D. Manual Format**

1. Policy and procedural manuals shall be formatted in an outline format.

**Applies to:** All WSP Employees

**See Also:** WSP Policy **Forms and Document Management**

### **10.00.020 ORDERS (CALEA 12.1.4, 12.2.1, 12.2.2)**

#### **I. POLICY**

##### **A. General Orders**

1. General Orders define permanent policy and procedural changes pertaining to the department or specific subdivisions. They shall be issued by the Chief, who determines distribution.
  - a. General Orders shall remain in effect until canceled or published in the *Regulation Manual*.
  - b. Signed Directive Control Sheets shall be kept by the district/section until the General Order is published.

##### **B. Special Orders**

1. Special Orders announce procedures concerning a specific circumstance; procedures of a temporary or self-canceling nature; and procedures which involve only specific segments of departmental activities.
2. The Chief, Deputy Chief, assistant chiefs, bureau directors, or division/district commanders may issue Special Orders for distribution within their command. They are distributed to supervisors/commanders, who shall ensure subordinates are advised.

##### **C. Personnel Orders**

1. Personnel Orders announce personnel actions. They may be issued by the Chief, Deputy Chief, assistant chiefs, bureau directors, or the Human Resource Division Commander.

**Applies to:** All WSP Employees

**See Also:** --

## ► SECTION 01: COMMUNICATIONS ◀

**10.01.010 DEPARTMENT CORRESPONDENCE (CALEA 12.1.4, 12.2.1)****I. POLICY****A. Compliance with Correspondence Procedures**

1. Bureau/division/district/section commanders and supervisors shall ensure employees comply with established formats for correspondence outlined in the department *Correspondence Procedures Manual*.

**B. External**

1. Except for that of a local, routine nature, correspondence to other chiefs of police or the department heads of any agency or company shall be signed by the Chief.
2. Correspondence originated by commanders may quote written policy, commit employees to routine emergency situations, and provide for routine expenditures of funds. Any other correspondence committing employees or funds or dealing with policy must be approved and signed by the Chief.
3. Division/district/section commanders may sign correspondence addressed to their counterparts or to the public whenever the subject matter is of a routine business nature. No one below the level of section commander may correspond directly with outside agencies or the public without approval of the appropriate commander.
4. When correspondence is forwarded to the person addressed, the originator shall keep a copy. When forwarded from divisions/districts/sections to Headquarters, a copy shall be kept at the local level. Copies shall be maintained according to the retention schedules.
5. State of Washington stationery shall not be used for personal matters under any circumstances.
6. Letters of recommendation for employees shall be printed on official stationery if the writer is signing within his/her official capacity.
7. Plain Talk principles shall be incorporated into all communications. Plain Talk requires using plain language or writing that the typical customer can understand and act upon after a single reading (refer to Governor's Executive Order 05-03 and the Plain Talk Web site at <http://www.accountability.wa.gov/default.asp> for further information).

**C. Internal**

1. The Interoffice Communication (IOC) is the method utilized to communicate formal requests or for issuing directives. IOCs shall be addressed to the appropriate supervisor, then forwarded through the chain of command to the division/district/section commander, if the issue necessitates consideration at that level. If the issue

cannot be resolved at that level, the commander shall forward the written communication to the next level of authority in the chain of command or the appropriate division/district/section commander for resolution.

2. Supervisors and division/district/section commanders may indicate agreement, disagreement, and/or other appropriate comment on the communication, then sign and date before forwarding. They shall ensure there is no unreasonable delay. A copy of written communications addressed elsewhere but resolved at the local level shall be retained in a district or section file for reference and maintained according to the retention schedules.
3. It is the responsibility of designated recipients of IOCs to acknowledge them within ten days of receipt. The acknowledgment shall be in writing, if appropriate, and—when possible—shall contain a disposition. The acknowledgement shall be addressed to the originator of the written communication, with a copy to the affected division/district/section commander.

**Applies to:** All WSP Employees

**See Also:** Governor's Executive Order 05-03: Plain Talk; *Correspondence Procedures Manual*

#### **10.01.020 MAIL REGULATIONS**

#### **I. POLICY**

##### **A. Incoming and Outgoing Mail**

1. Incoming or outgoing mail within the department shall be governed by the following:
  - a. Employees shall not provide package delivery services with a department address for delivery of non-business-related packages (e.g., Federal Express, United Parcel Service, etc.), nor routinely receive personal mail at the office.
  - b. In those department offices that routinely receive cash, two employees shall be present when opening incoming mail, in accordance with Office of Financial Management regulations and the department's *Budget and Fiscal Services Standard Operating Procedures Manual*.
  - c. Division/district commanders shall establish mail-handling policy to conform to the division/district needs. Confidential mail and sealed mail, including campus mail manila envelopes, addressed to an individual will be forwarded to the addressee.
2. Unnecessary third/fourth class and bulk mail (e.g., training announcements, magazines, etc.) greatly increases the fiscal impact on the department. Division/district/section commanders should direct employees or those individuals authorized to open incoming mail to utilize change of address cards, when necessary,

in an effort to decrease the volume of incoming bulk mail. Change of address cards are available from Consolidated Mail Services, Olympia, at (360) 664-9506 or via their Web site at <http://www.ga.wa.gov/mail/mail.htm>; or from the local post office.

### **B. Consolidated Mail Services**

1. Division/district offices in Western Washington shall utilize the state mail service (Consolidated Mail Services) for their mailing needs.
2. Postage meters shall not be utilized in offices where Consolidated Mail Services provides services to the local area.
3. Consolidated Mail Services shall not be utilized for personal outgoing mail under any circumstances.
4. Requests for new department mail stops should be directed to the Strategic Planning and Accountability Section.
5. Strategic Planning and Accountability should be notified when the need for an department mail stop no longer exists.
6. Questions concerning the use of Consolidated Mail Services should be directed to the Strategic Planning and Accountability Section.

**Applies to:**

All WSP Employees

**See Also:**

RCW 9.73.020; *Budget and Fiscal Services Standard Operating Procedures Manual*

### **10.01.030 DAILY BULLETIN (CALEA 12.1.4)**

#### **I. POLICY**

##### **A. Daily Bulletin Transmission and Contents**

1. The Daily Bulletin is originated and transmitted to all department offices daily via e-mail by the Strategic Planning and Accountability Section. The bulletin contains personnel actions, policy and procedural updates, vital statistics, and other information.

##### **B. Vital Statistics**

1. Death or injury announcements shall be limited to current/retired employees, their spouses, children (including step, foster, and adoptive), parents/parents-in-law, brothers/sisters, brothers-in-law/sisters-in-law, and grandparents.
2. Medical information such as type of illness, injury, surgery, or treatment shall not be publicly disseminated without the express permission of the employee with the injury/condition. It is permissible to identify the hospital or location and the anticipated length of stay or absence.
3. Bulletins announcing deaths or injury announcements of dignitaries, members of other law enforcement agencies, or other individuals will require approval of the appropriate assistant chief, bureau director, Deputy Chief, or the Chief before being published.

4. Birth announcements will be limited to newborn and adoptive children of active employees only.

## II. PROCEDURES

### A. Daily Bulletin Guidelines

1. Commanders are to actively utilize the Daily Bulletin to publish information of interest to department employees. This includes legislative updates, continual updates of major incidents, programs of interest to department employees, policy changes, wages and benefit information, memorandums of understanding, etc.
2. Daily Bulletin messages are to be submitted via e-mail to "Daily Bulletin Submissions."
3. Daily Bulletins are numbered sequentially throughout the month, beginning with number 1 on the first business day of the month.
4. Daily Bulletin messages shall include the name of the approving bureau, division, district, or section commander and the title of the bureau, division, district, or section they represent.
5. Messages that are questionable in content will not be published unless approved by the appropriate assistant chief or bureau director.
6. Commanders are responsible to ensure Daily Bulletin messages do not contain information relating to union activities or links to union-sponsored Web sites, even for fund-raising events; political activities or entities engaged in political activism; or that do not comply with Chapter 42.52 RCW.
7. Messages relating to fund-raising or charity are limited to Combined Fund Drive-sponsored activities.
8. Commanders may authorize employees representing committees or associations to submit Daily Bulletin messages regarding department committee activities in their name (e.g., Memorial Foundation, Athletic Association, etc.).
9. Commanders shall ensure availability of the bulletin to all employees.
10. Commanders shall ensure the required format (available on Inside WSP) for submission of messages is followed. The Daily Bulletin shall contain text-based messages only. Photographs, charts, graphic images, and/or attachments shall not be included in messages.
11. "Special Announcements" shall only be utilized to generate Daily Bulletins containing time-sensitive material that cannot be delayed until 4 p.m. publication. Strategic Planning and Accountability shall be notified when a Special Announcement is submitted per Daily Bulletin Guidelines available on Inside WSP.
12. Messages concerning power, phone, and fax outages should be sent to the "WSP-Everyone" mailbox for distribution and not submitted as a Daily Bulletin Special Announcement.

13. Daily Bulletins are available on Inside WSP.

#### **B. Receiving the Daily Bulletin**

1. Supervisors shall notify Information Technology Division (ITD) Customer Services of new employees who should receive the Daily Bulletin through e-mail.
2. Requests to receive the Daily Bulletins through an Internet mail service shall be directed to the Strategic Planning and Accountability Section.
3. Retiring personnel who wish to continue receiving the Daily Bulletin shall make arrangements with the district or division secretary in the district/division from which they retired. Retiring Headquarters employees should contact District 1 if they wish to receive the Daily Bulletin.

#### **C. Deadlines**

1. In order to ensure messages can be included in the Daily Bulletin, the deadline each day is 3:30 p.m.
2. In the event the 3:30 p.m. deadline cannot be met and the message needs to be published that day, contact the Strategic Planning and Accountability Section.

**Applies to:** All WSP Employees  
**See Also:** RCW 42.52

### **10.01.040 BUSINESS CARDS, LETTERHEAD, AND ENVELOPES.**

#### **I. POLICY**

- A. Business cards, letterhead, and envelopes are ordered through the State Printer's online ordering system (PRT Online). Upon supervisory approval, employees are granted a user ID and password through the Documents Manager in the Strategic Planning and Accountability Section to access PRT Online.
- B. Employees must possess a demonstrated need for business cards (e.g., managers and supervisors, field operations, those who routinely interact with the public or internal/external stakeholders, etc.), which must be approved by a division, district, or section commander.
- C. Requests for pre-stamped envelopes will be coordinated with the Documents Manager and submitted with a WSP Printing Request.
- D. Orders for non-standard business cards that are funded by the Washington State Patrol, in part or in entirety, will be coordinated with the Documents Manager.

**Applies to:** All WSP Employees  
**See Also:** State Printer PRT Online Web site  
(<https://fortress.wa.gov/prt/web/prtonline/>); WSP Printing Request



**10.01.050 MEETINGS WITH COMMANDERS (CALEA 12.1.4)****I. POLICY****A. Improving Communications**

1. To improve communications within the department, commanders should meet with local official representatives of formally organized employee groups or associations. Commanders may structure such meetings to include representatives of one or more groups. Such meetings do not violate the chain of command.
2. The commander shall determine time and place. The employee representative's supervisor shall be notified before the meeting or, if not possible, as soon as possible after the meeting.

**Applies to:** All WSP Employees

**See Also:** RCW 42.52

**10.01.060 STAFF MEETINGS (CALEA 12.1.4)****I. POLICY****A. Information to be Shared at Staff Meetings**

1. Staff meetings should be held periodically to inform employees of:
  - a. New policies and procedures
  - b. Goals and objectives
  - c. Responsibilities and concerns
  - d. Health and safety issues
  - e. Strategies for upcoming events

**B. Meeting Requirements**

1. The immediate supervisor of those in attendance should conduct the meeting, provide an agenda before the meeting, and ensure meeting minutes are taken and distributed to all participants and absent employees. Employees are encouraged to add to the agenda and discuss any additional items after the agenda has been completed.
2. Commanders are encouraged to attend meetings conducted in their areas.

**Applies to:** All WSP Employees

**See Also:** --

**10.01.070 CHIEF'S 1-800 LINE (CALEA 12.1.4)****I. POLICY****A. Purpose of Chief's 1-800 Line**

1. To provide a direct means of communication between the Chief and employees, the normal chain of command may be bypassed when, in the writer's opinion, other means of remedy are not satisfactory.

**B. Submitting a Call or E-Mail to the 1-800 Line**

1. To call, dial 1-800-835-5870. When prompted, enter the company code of WSP (977).
2. For e-mail, go to [www.getintouch.com](http://www.getintouch.com).
  - a. Select "Provide Feedback to your company."
  - b. Select "WSP."
  - c. Enter WSP numeric code 977.
  - d. Be sure to include "WSP" in the subject line.
3. Communications shall be opened only by the Office of the Chief. They may not be individually answered, but may form a basis for subsequent decisions.
4. Information may be referred to an assistant chief/bureau director for research and response.
5. Users of the 1-800 line are encouraged to leave their name and contact information, so appropriate responses and/or questions can be answered.

**Applies to:** All WSP Employees

**See Also:** --

**10.01.080 CONGRESSIONAL AND FEDERAL COMMUNICATIONS****I. POLICY****A. Official Contacts with Congressional Members**

1. All official written correspondence or verbal contacts with members of Congress, their staff, and federal agencies expressing a public policy position or recommendation, or advocating a position on pending federal legislation or regulations, shall be submitted to the Chief's Office for prior approval.
2. Employees who, in an official capacity, have direct contact with members of Congress, their staff, or other federal officials regarding issues that may be of interest to the Office of the Governor shall immediately notify the Chief. The Chief or Office of Government and

Media Relations will follow the Governor's office notification process as required.

**Applies to:** All WSP Employees  
**See Also:** --

## ► SECTION 02: GOVERNMENT AND MEDIA RELATIONS ◀

### 10.02.010 MEDIA AND PUBLIC RELATIONS (CALEA 54.1.1, 54.1.2)

#### I. DEFINITIONS

[Click here to view General Order 15-001](#)

- A. Headquarters Public Information Officer** – Is appointed by the Chief and is assigned to the Office of Government and Media Relations (GMR). The Headquarters Public Information Officer (commander of GMR) is responsible for the coordination and release of information to the print and broadcast media for the entire department and shall act as spokesperson for the Chief, along with the GMR headquarters staff. The Public Information Officers (PIOs) are located in each of the eight geographical districts and bureaus/divisions throughout the state to assist this position.
- B. Public Information Officer** – PIOs are appointed by an assistant chief/bureau director or the division/district commander in consultation with the commander of GMR. They shall coordinate media relations and public information on routine matters in their respective areas. PIOs shall coordinate their activities that impact the department as a whole through the Headquarters PIO to ensure a central point of contact for the Chief and Executive Staff. Information specific to the bureau/division/district shall be the responsibility of the appropriate director or commander.
- C. Public Information** – Information that may be of interest to the general public regarding department policy, procedures, and events or other noteworthy information that is not legally protected. It does not unduly interfere with the mission of the department, infringe upon the rights of any individual, or compromise the legitimate safety and privacy interests of officers, victims, witnesses, or others.
- D. News Media Representatives** – Those individuals who are directly employed by agencies of the electronic or print media such as radio, television, or newspapers. Freelance workers in this field are to be regarded as other members of the general public unless otherwise designated by GMR.

#### II. POLICY

##### A. Cooperative Media Relations

1. The department believes the public has the right to know what the department does in fulfilling its responsibilities. The department recognizes that cooperative media relations are important in obtaining community support and in providing the public with information it is entitled to receive.

2. "News media" includes legitimate news gathering and disseminating agencies. The department recognizes authorized identification from all local, national, and international news organizations. Failure of media personnel to present authorized identification may provide grounds for restricting access to requested information or to incident scenes.

## **B. Public Information and Media Relations Activities**

1. The Chief shall be responsible for the public information and media relations activities of the department.
2. Commanders and PIOs shall make the acquaintance of area media representatives and enlist their confidence and understanding.
3. PIOs shall make the acquaintance of their peers in other government agencies and stakeholder groups in their area.

## **C. Cooperation with the Public and the Media**

1. Employees shall cooperate with the public and the media consistent with department policy. When information must be denied to a media representative, the basis for the denial shall be fully explained and the specific exemption shall be provided to the requestor. Employees shall not comment on personalities, discuss politics, or render opinions on policy.

## **D. Critical and Major Incidents**

1. In any instance of a critical (life-threatening) injury or the loss of life involving members of the department, the affected assistant chief(s)/bureau director(s) involved shall be notified **immediately** by their chain of command.
2. Press inquiries or releases on any event of this type shall be coordinated through GMR before release. The commander of GMR and the bureau director(s) will actively prepare the release and discuss with the Chief before final release.
3. **Any major incident—such as a felony collision, officer-involved shooting, hazardous material spill, or other incident requiring notification to the Chief—also warrants notification of GMR. If the Headquarters PIO (commander of GMR) is on a scheduled absence or out of the area, his/her designee shall be informed.**

**Applies to:**

All WSP Employees

**See Also:**

WSP Policies **Headquarters Public Information Officer, District/Division/Section Public Information Officer; Media Relations Manual**

**10.02.020 COMMUNITY RELATIONS (CALEA 45.2.1, 45.2.2, 45.2.3)****I. POLICY****A. Promoting Community Relations**

1. The department is committed to correcting actions, practices, and attitudes that may contribute to community tensions.
2. District commanders shall promote community relations within the district by:
  - a. Establishing liaison with community organizations (schools, community groups, civic and professional organizations) wherever possible.
  - b. Publicizing department objectives, concerns, and successes.
  - c. Identifying training needs through interviews with citizens.
  - d. Establishing community groups where they are needed.
  - e. Obtaining community input in the development of traffic law enforcement policies.

**B. Monthly Community Relations Review**

1. District commanders shall report monthly to the Field Operations Bureau Assistant Chief during their Strategic Advancement Forum:
  - a. Current community concerns.
  - b. Potential problems for law enforcement.
  - c. Recommended actions that address previously identified concerns and problems.

**Applies to:** All WSP Employees

**See Also:** --

**10.02.030 HEADQUARTERS PUBLIC INFORMATION OFFICER (CALEA 54.1.1, 54.1.2)****I. POLICY****A. Requirements of Headquarters Public Information Officer**

1. The Headquarters Public Information Officer (PIO) shall coordinate media relations and public information on matters pertaining to the entire state and shall act as spokesperson for the Chief.
2. The Headquarters PIO shall:
  - a. Provide the news media with accurate, current releases of information about department programs and other matters of concern to ensure maximum benefit from the efforts of department employees.

- (1) Any press inquiry that requests a department response that is regional or statewide in nature must be coordinated with Government and Media Relations (GMR) before the release. If there is an uncertainty as to the application of this point, GMR shall be contacted for clarification.
- (2) Also, GMR will coordinate any press inquiry that seeks a response from the department as it relates to:
  - (a) The use of deadly force.
  - (b) Employees injured or killed in the line of duty.
  - (c) Agency activities that end in death or serious injury to suspects or uninvolved third parties.
  - (d) Any confidential or internal investigations and/or operations.
- b. Coordinate comments and appearances by other members of the department, as long as the subject matter is applicable to the employee's working knowledge and experience.
- c. At the request of district command, respond to major incidents to assist the district and the news media in reporting the news factually, promptly, and impartially.
- d. Gather information concerning major incidents and coordinate supplying the media with factual information when so requested by bureau, division, district, or section command.
- e. Coordinate with other public service agencies' information officers before releasing information in a mutual effort situation.
- f. Arrange and provide assistance at news conferences.
- g. Develop internal information services.
- h. Advise the Chief and staff on media and community reaction to proposed and active department programs.
- i. Provide the Chief, on an ongoing basis, with a statement of recommended actions to solve any previously identified public concerns.
- j. Annually, provide the Chief with an evaluation of the effectiveness of any public information program.
- k. Meet, train, and coordinate with division/district PIOs.
- l. Oversee the content of the Internet. Maintain and update the media link on the department Internet and Intranet home pages (see **DEPARTMENT INTERNET SITE**).
- m. Act as a liaison with the Governor's Communications staff.

- n. Oversee the development and completion of the department's Mid-Year and Annual Reports and InsideOut newsletter.

**Applies to:**

All WSP Employees

**See Also:**WSP Policies **Headquarters Public Information Officer, District/Division/Section Public Information Officer; Department Internet Site; Media Relations Manual****10.02.040 DISTRICT/DIVISION/SECTION PUBLIC INFORMATION OFFICER (CALEA 41.2.4, 54.1.1)****I. POLICY**[Click here to view General Order 15-001](#)**A. Public Information Officer Duties**

1. District/division/section commanders, in consultation with the commander of the Office of Government and Media Relations (GMR), shall designate primary and backup personnel to perform duties of a district/division/section Public Information Officer (PIO), who shall:
  - a. Coordinate media relations (initiating contacts, responding to inquiries) and public information on routine matters in the district/division/section.
  - b. Develop and disseminate media releases and ensure copies are provided to GMR.
  - c. Develop media strategies and programs to support division and department goals.
  - d. Process requests for public information and speakers in the district/division/section.
  - e. Coordinate and authorize the release of information about victims, witnesses, and suspects in accordance with the policy **VICTIM/WITNESS ASSISTANCE PROGRAM**.
  - f. Function as media liaison at unusual incidents likely to attract significant media attention and supply timely, factual information.
  - g. Notify GMR two days before press events involving the district commander or designee. Notification shall be made before releasing information that may affect other areas of the department.
  - h. Immediately notify and brief GMR of events creating significant media attention. If media coverage of such events is not available via Internet, assist GMR in obtaining copies in appropriate format (hard copy, video, tape recording).
  - i. Assist in emergent situations within the department at the direction of the division/district commander.
  - j. With the concurrence of the district or division commander, maintain an agency presence on approved social media platforms.

- B. Information relating to internal investigation of troopers and officers shall not be released by district/division/section PIOs; these requests shall be directed through GMR.

**Applies to:** All WSP Employees  
**See Also:** WSP Policies **Public Records Requests, Victim/Witness Assistance Program, Headquarters Public Information Officer;** *Media Relations Manual*

#### **10.02.050 LEGISLATIVE LIAISON OFFICER**

##### **I. POLICY**

###### **A. Legislative Liaison Officer Responsibilities**

1. A Legislative Liaison Officer may be appointed by the Chief. The responsibilities of this position are:
  - a. Monitor the status of all bills and resolutions which will affect the department directly.
  - b. Coordinate department awareness, participation, and activities related to both state and federal legislation.
  - c. Maintain contact with the various committees and legislators as they consider these bills.
  - d. Furnish or obtain representation, testimony, exhibits, and statistical or other data for various committee hearings on matters pertaining to official department business.
  - e. Make recommendations, draft proposed legislation, and furnish factual or expert testimony as necessary.
  - f. Advocate the official position or interests of this department to any elected official or officer or employee of any agency.
  - g. Coordinate with the Washington Association of Sheriffs and Police Chiefs on legislation beneficial to or which impacts law enforcement.
  - h. Coordination of department request legislation internally, with stakeholders and legislative representatives.
  - i. Oversee the development and completion of the department's Executive Cabinet-Governor's Transition Team Reports.

**Applies to:** All WSP Employees  
**See Also:** --

#### **10.02.060 EMPLOYEE LEGISLATIVE CONTACTS**

##### **I. POLICY**

###### **A. Reporting Legislative Contacts**

1. All legislative contacts, other than with the Washington State Patrol Legislative Liaison Officer, shall be immediately reported to the employee's supervisor.



2. The supervisor shall forward the information to the division, district, and/or section commander, who shall forward the information to the Legislative Liaison.

### **B. Responding to Legislators' Questions**

1. Employees may respond to legislators' questions regarding their specific duties in the department. Opinions shall not be offered, but factual information may be provided.
2. Any employee contacted for specific information regarding potential or pending legislation shall refer the inquiry to the legislative Liaison Officer for response.
3. Division, district, and/or section commanders are also reminded not to furnish any specific information prior to contacting the Legislative Liaison Officer.

### **C. Maintaining Political Neutrality**

1. All employees, while representing the department, shall remain politically neutral regarding pending legislation or any other legislative matter that may arise.
2. Personal and/or union opinions regarding legislation must be expressed on the employee's own time and expense.

**Applies to:** All WSP Employees  
**See Also:** --

## **10.02.070 AGENCY IMAGE POLICY**

### **I. DEFINITIONS**

- A. Washington State Patrol Logo:** The logo is a registered trademark and shall not be altered. It shall only be utilized in the following formats: black and white (original or inverse) or in color (Pantone blue 275C/RGB 291787 and Pantone gold 7407C/RGB CC9933) (see acceptable examples below):



- B. Washington State Patrol Badge:** The badge shall not be altered. It shall only be utilized in the following formats: black and white (original or inverse) or in color (Pantone gold 7407C/CC9933 or light silver) (see acceptable examples below):



- C. **Washington State Patrol Patch:** The patch shall remain in its original state and shall not be altered (see acceptable examples below):



- D. **Washington State Patrol Flag:** The official Washington State Patrol flag may not be recreated, nor shall other flags representative of the department be created, without previous authorization by Government and Media Relations. The flag shall not be altered in any manner (see acceptable example below):



## II. POLICY

### A. Use of Agency Images

1. No employees shall provide an outside vendor with the Washington State Patrol badge, logo, patch, or any other images depicting any other part of the department to use for any reason, whether it is for the department or otherwise, without previous authorization by Government and Media Relations (GMR), with the exception of public disclosure requests (see **ABUSE OF POSITION**).
2. Employees may use the Washington State Patrol logo, badge, patch, or flag internally for presentations and publications given that no alterations are made (based on specifications above) without previous authorization by GMR. All photographs, negatives, digital images, graphics, and videotapes created or acquired by members of this department during the course of their duties are the property of the department (see **STORAGE OF FATAL/FELONY COLLISION AND INVESTIGATION CASE FILES**).
3. Public information officers may release pictures to the media as long as all other regulations are followed (see **PUBLIC RECORDS REQUESTS**). No departmental photographs, mug shots, videotape, film, or other composites of the subjects in custody will be released

to the media unless authorized by the commander of GMR, who will consult with department legal counsel and the Chief.

4. No video or photographs shall be taken on private property, without the permission of the owner or the owner's representative (see **PUBLIC RECORDS REQUEST** and **MOBILE VIDEO CAMERA EQUIPMENT**).

**Applies to:**

All WSP Employees

**See Also:**

WSP Policies **Public Pronouncements, Abuse of Position, Mobile Video Camera Equipment, Storage of Fatal/Felony Collision and Investigation Case Files, Public Records Requests**; RCW 9.73.030, RCW 9.73.080; *Media Relations Manual*

► **SECTION 03: HUMAN RESOURCE DIVISION** ◀

**10.03.010** **AFFIRMATIVE ACTION** (CALEA 31.1.2, 31.2.1, 31.2.2, 31.2.3, 31.3.1, 34.1.4)

**I. POLICY**

**A. Providing Equal Opportunity**

1. The Washington State Patrol is committed to providing equal employment opportunity for all applicants and employees in accordance with the laws and regulations cited at the end of this policy. The department recognizes that affirmative action is an effective, legal tool for attaining and maintaining equality within the workforce. Therefore, the department will administer hiring, compensation, training, promotions, demotions, transfers, layoffs, recalls, and benefits without regard to race, color, religion, sex, marital status, national origin, creed, age, sexual orientation, honorably discharged veteran or military status, or the presence of any physical, sensory, or mental disability, or the use of a trained dog guide or service animal by a person with a disability. It is the responsibility of the Washington State Patrol to ensure the hiring, compensation, training, promotions, demotions, transfers, layoffs, recalls, and benefits are free from discrimination.
2. The Washington State Patrol will affirmatively provide access to its services and programs in a fair and impartial manner.

**B. Human Resource Division Responsibilities**

1. The Human Resource Division Commander has delegated responsibility of the overall development, communication, implementation, monitoring, auditing, and dissemination of this policy and the Affirmative Action Plan. This includes representing the department in matters related to review of the plan and enforcement of affirmative action by assisting and ensuring that managers are responsible and accountable for the success of the program in their areas of responsibility.

**C. Supervisor and Employee Responsibilities**

1. It is the responsibility of every supervisor and manager to ensure the success of the department's Affirmative Action Program.
2. It is the responsibility of all employees to comply with and promote this policy.
3. This policy will be discussed and provided in employee orientation and appropriate training programs and meetings.

**D. Complaint Filings**

1. Any employee or applicant who believes he or she has been discriminated against has the right to file an internal complaint with the Human Resource Division or the Office of Professional Standards. In addition to an internal complaint, he or she may file an external complaint with either the Human Rights Commission or the Equal Employment Opportunity Commission.

**Applies to:** All WSP Employees and Applicants of the Washington State Patrol

**See Also:** WSP Policies **Reasonable Accommodations, Discrimination and Other Forms of Harassment**; Presidential Executive Order 11246 (as amended); Code of Federal Regulations (CFR) Title 41; Title VII of the Civil Rights Act of 1964; The Vietnam Era Veterans Readjustment Assistance Act of 1974; Americans with Disabilities Act of 1990; Governor Executive Order 93-07; WAC 357-01, 357-25, 446-70; RCW 43.43, 49.60, 49.74; Applicable Collective Bargaining Agreements

**► SECTION 04: BUDGET AND FISCAL SERVICES ◀****10.04.010 BUDGET AND FISCAL SERVICES (CALEA 17.2.1)****I. POLICY****A. Budget and Fiscal Services Responsibilities**

1. The Budget and Fiscal Services (BFS) Division Commander, designated as the agency Chief Financial Officer, shall be responsible for the fiscal management function of the department, to include:
  - a. Annual budget development and execution.
  - b. Oversight of all accounting activities, including receivables, payables, general accounting, and payroll.
  - c. Administration and security for agency financial systems, including the Time and Activity System.
  - d. Oversight and administration of agency contractual agreements.
  - e. Establishment of internal controls for all financial-related processes.

- f. Liaison with other governmental Chief Financial Officers.
- g. Administration of federally funded grants.
- h. Oversight, development, and submission of financial reports.

#### **B. Assigning Agency Organizational Numbers**

- 1. The BFS Commander shall assign all organizational codes.
- 2. Requests for new organization code numbers or changes shall be made by completing the Organization Change Request and sending it to BFS.

**Applies to:** All WSP Employees  
**See Also:** Organization Change Request

### **10.04.020 CREDIT CARDS**

#### **I. POLICY**

##### **A. Credit Cards**

- 1. Department credit cards are issued in accordance with the Department of Enterprise Services (DES), Office of State Procurement (OSP), guidelines.
- 2. Credit cards awarded by OSP shall only be accounted for and used in accordance with *Budget and Fiscal Services (BFS) Agency Fiscal Procedures* ("Credit Cards").
- 3. Universal fleet credit cards awarded by OSP shall only be accounted for and used in accordance with the *Property Management Division Procedures Manual* ("Credit Card").
- 4. No type of credit card and/or debit card other than the state credit card system and the universal fleet credit card program authorized by GA may be used.

##### **B. Accepting Credit Cards for Payment**

- 1. Divisions/district/sections shall not accept credit cards for payment of any services/charges unless the process is approved by the BFS Commander.

**Applies to:** All WSP Employees  
**See Also:** *Budget and Fiscal Services Agency Fiscal Procedures* ("Credit Cards" and "Voyager Card"); *Property Management Division Procedures Manual* ("Credit Card")

**10.04.030 VENDING MACHINES****I. POLICY****A. Placement of Vending Machines**

1. All department offices are business offices and should be maintained in a professional manner. Vending machines shall not be placed within public view in any department office.

**B. Vending Machine Contracts and Profits**

1. All vendors placing vending machines in state facilities must be contracted through the Department of Services for the Blind.
2. Net proceeds from all vending machines in state facilities, whether vendor-operated or state-owned, must be paid to the Department of Services for the Blind (see *Budget and Fiscal Services WSP Fiscal Procedures* ["Vending Machine Profits"]).

**Applies to:** All WSP Employees

**See Also:** RCW 74.18.230; WAC 67-35-160; *Budget and Fiscal Services WSP Fiscal Procedures* ("Vending Machine Profits")

**10.04.040 OBLIGATION AND USE OF DEPARTMENT FUNDS (CALEA 17.4.1)****I. POLICY****A. Use of Department Funds – General**

1. All department funds are considered state of Washington funds whose use is governed by the State Constitution, RCW, Office of Financial Management and other regulations, and annual legislative appropriations bills.
2. Employees shall not obligate department funds without proper authority. The department will pay for all just and proper expenses incurred in the course of official duties, provided the employee adheres to all regulations and policies governing the use of department funds. Use of department funds for personal or unofficial purposes may result in legal and/or disciplinary action up to and including dismissal.

**B. Authority to Obligate or Use Department Funds**

1. Authority to obligate (spend) department funds will be granted on an individual basis by each assistant chief/bureau director and will include a maximum dollar level of authority for each purchase action.
2. The Budget and Fiscal Services (BFS) Commander will maintain and publish a "Purchase Approval List" that identifies all agency employees with authority to obligate department funds along with their dollar level of authority.

3. Employees with Purchase Approval Authority are responsible for ensuring state purchasing and contracting rules are followed for the purchasing actions that they initiate. Prior to initiating purchasing actions, employees with Purchase Approval Authority are responsible for identifying the proper account and/or budget code to be charged and for ensuring that adequate funds are available to support the purchasing action.
4. Employees without Purchase Approval Authority may initiate purchases of goods or services only in bona fide emergencies when an expenditure is necessary for the preservation of peace, health, or safety and time does not allow for obtaining the proper approvals.

### C. Accounting for Department Funds

1. The BFS Commander shall establish and maintain a system of accounts and budget codes in order to manage and account for all department funds. BFS will publish the agency Budget Code Listing on the Intranet and will include the division/district/section commander or program manager responsible for managing each account or budget code.
2. Divisions or sections that conduct centralized purchasing actions or that purchase on behalf of others are responsible for ensuring an individual with proper Purchase Approval Authority has authorized the purchase and a valid budget code is used for the purchase. The purchase file shall include documentation authorizing the purchase approval and use of budget code.

**Applies to:** All WSP Employees

**See Also:** RCW 43.88; *Office of Financial Management, State Administrative and Accounting Manual (SAAM)*, 85.32; *Budget and Fiscal Services Agency Fiscal Procedures* ("Payment," "Purchasing," "Credit Card," and "Travel")

## **10.04.050 CASH RECEIPTS/DEPOSIT OF MONIES/REQUESTS FOR INVOICE**

### **I. POLICY**

#### **A. Securing Cash and Checks**

1. All money (cash and checks), when received, shall be safeguarded by securing in a locked cabinet or drawer until deposited at the Bank of America or forwarded to Budget and Fiscal Services (BFS).
2. All money (cash and checks) received over the counter or in the field is to be documented by issuance of an official pre-numbered cash receipt. It is not necessary to issue cash receipts for monies received through the U.S. mail.
3. All money (cash and checks) shall be deposited in the local Bank of America State Treasurer's Concentration Account or forwarded to BFS within 24 hours of receipt. All money must be deposited as received. The 24-hour deposit rule shall be strictly adhered to unless a written waiver is obtained from the Office of the State Treasurer through BFS.

4. If deposited with the Bank of America, a copy of the deposit receipt shall be faxed to BFS or e-mailed to the Accounts Receivable mailbox no later than 2:30 p.m. on the day of the transaction.
5. If U.S. mail is used to forward money to BFS, only checks or money orders should be accepted and forwarded.

#### **B. Request for Invoice**

1. When services are performed by the department or goods are purchased which will result in a payment to the department as a reimbursement, commanders must comply with *Budget and Fiscal Services (BFS) Agency Fiscal Procedures* ("Requests for Invoice").

**Applies to:** All WSP Employees

**See Also:** RCW 43.01.050; *Office of Financial Management, State Administrative and Accounting Manual (SAAM)*, 85.20 and 85.50; *Budget and Fiscal Services Agency Fiscal Procedures* ("Cash Receipts" and "Requests for Invoice")

### **10.04.060 GRANTS**

#### **I. POLICY**

##### **A. Preparing and Approval of Grant Proposals**

1. Grant proposals are normally prepared by Budget and Fiscal Services (BFS), but may be developed by program staff provided the final document is submitted to BFS for review and concurrence before approval by the Chief. All grant proposals must be approved by the Chief or designee before submittal to the grantor agency.

##### **B. Grant Project Director Responsibilities**

1. Commanders receiving grant funds shall assign a Project Director to oversee and manage the grant.
2. The Project Director shall ensure expenditures conform to the budget and support stated project objectives; and submit progress reports required by the grant agreement through BFS to the grantor agency.
3. The Project Director must ensure expenditures made against grant agreements are allowable according to the terms of the grant agreement and grantor agency regulations. Changes to the grant agreement budget must be coordinated through BFS and approved by the grantor agency prior to taking effect.

##### **C. BFS Responsibilities**

1. BFS has the primary internal and external coordinating responsibilities associated with all department grants, including review and submission of grant proposals, monitoring compliance with award conditions, and assisting Project Directors in resolving program or budget problems. BFS is jointly responsible (with the Project Director) for communications with planning offices or grantor agencies.



2. BFS shall document the expenditures on the grant project, submit timely financial reports to the funding agency, and retain the financial records necessary to meet and satisfy audit requirements.
3. BFS shall notify federal grantor agencies, in writing, of any employee's criminal conviction in a drug-related matter.

**D. Spending Authority for Grants (Unanticipated Receipts)**

1. For grant awards not already included in the department's approved budget, BFS must submit a request for authority to spend the funds from the Office of Financial Management (OFM). This process is known as filing an unanticipated receipt.
2. Unanticipated receipt requests must be approved by OFM before funds can be committed or expended on the grant.

**E. Compliance with Federal Grant Debarment and Suspension Requirements**

1. Washington State Patrol purchasing offices are responsible for ensuring and documenting compliance with federal Executive Order 12549 and 29 CFR Part 98 regarding debarment and suspension of certain vendors and other parties from receiving federal funds.
2. Covered transactions as defined by 29 CFR Part 98, Government Debarment and Suspension (Nonprocurement), include those contracts, purchase orders, or grants-in-aid utilizing federal funds for goods or services with a value equal to or exceeding \$25,000. Any of these transactions to a single vendor exceeding \$25,000 in a state fiscal year are also considered covered transactions.
3. For covered transactions, Washington State Patrol purchasing offices that prepare purchasing contracts and purchase orders must:
  - a. Verify that the vendor receiving the contract award or order is not debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in any contract by any federal department or agency.
    - (1) Purchasing offices may do this by:
      - (a) Checking the federal Excluded Parties List System (EPLS) found at [www.epls.gov](http://www.epls.gov); or
      - (b) Collecting a certification from the vendor stating they are not on the federal EPLS; or
      - (c) Adding a clause or condition to the contract or order that contains this certification.
  - b. Document in their purchasing file that the action in subparagraph b. was performed.
  - c. For contractors or grant subrecipients who may issue subcontracts or subawards, have the vendor certify in writing that it agrees not to enter into any arrangements or other

contracts with any party that is debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in any contract by any federal department or agency.

**Applies to:** All WSP Employees

**See Also:** RCW 43.79.270; federal Executive Order 12549; 29 CFR Part 98

#### **10.04.070    CONTRACTUAL AGREEMENTS (CALEA 3.1.1, 3.1.2)**

### **I.    POLICY**

#### **A.    Authorization of Contracts**

1. All contracts must be authorized and signed by the Chief or designee.
2. Budget and Fiscal Services (BFS) is the central repository for all contracts into which the department has entered and will maintain all master contract files.
3. Affected bureaus, divisions, districts, or sections will be forwarded fully executed copies of their respective contracts and should retain them for management or reference.

#### **B.    Review and Execution of Contracts**

1. All contractual agreements will be routed to BFS for review before presenting to the Chief or designee for execution. BFS shall review contractual terms and conditions for compliance with state law and regulations, then coordinate approval as to form by the Office of the Attorney General as necessary.
2. Prior to presenting a contract to the Chief or designee, assistant chiefs and bureau directors shall review and approve contracts affecting their bureaus when the contract:
  - a. Is over \$25,000.
  - b. Is over 5 years in duration.
  - c. Has no escape (cancellation) clause.
3. Purchase/payable contracts must be submitted or approved by an individual with purchase approval authority for the dollar value of the contract.

#### **C.    Agency Indirect Costs**

1. When negotiating reimbursable grants and contracts, the full department costs for providing services, including indirect costs at the currently approved department indirect rate, shall be charged to the entity contracting for such services.

2. Any waivers or reductions of department indirect costs in contractual agreements must be approved by the Chief or designee.

#### **D. Contracted Law Enforcement Services**

1. Contracts for law enforcement services shall include:
  - a. An assessment of the recipient's needs, problems, capabilities, and alternatives.
  - b. The agreement in writing, clearly identifying the services provided and associated costs.
  - c. Specific language to address salaries and benefits; payments for support services and overhead costs; maintenance of accounting records and reports; time and manner of payment for services; and other costs.
  - d. The records to be maintained by the department.
  - e. Language dealing with duration, modification, and termination of the contracts.
  - f. Specific language for dealing with legal contingencies (e.g., lawsuits).
  - g. The stipulation the department maintains control over its employees.
  - h. Specific arrangements for the use of equipment and facilities.
2. Employees participating in a contracted law enforcement service will have the same opportunities as other employees.

**Applies to:** All WSP Employees

**See Also:** --

#### **10.04.080 CONTRACTOR BACKGROUND CHECKS**

##### **I. POLICY**

[Click here to view General Order 15-001](#)

[Click here to view General Order 15-003](#)

##### **A. Authorization for Access**

1. Criminal history background checks will be conducted on all non-department personnel who have unaccompanied access to department facilities, electronic equipment, computers, data bases, or other sensitive or restricted information. This includes, but is not limited to, janitors/custodians, other public agency employees, computer hardware/software contractors, and information technology (IT) service providers.

**B. Exceptions to Background Requirement**

1. The background check requirement does not include visitors, other agency employees, or vendors/contractors who are accompanied by department personnel. The background check requirement does not include vendors that service vehicles, weapons, equipment, electronic devices, or computers at the vendor's location.
2. Reasonable precautions will be used to ensure security of department equipment while at vendor locations.

**C. Conducting the Background Check**

1. The division or program manager requiring the contract is responsible for initiating the contractor background check.
2. The background checks will be fingerprint-based and conducted through the Washington State Identification System managed by the Criminal Records Division (CRD). CRD will forward the fingerprints to the Federal Bureau of Investigation (FBI) for a national criminal history background check.
3. The background check must be successfully completed before the individual is allowed unaccompanied access to these facilities, equipment, or data.
4. The Budget and Fiscal Services and Property Management Divisions will include the background check requirement in contracts and agreements, as appropriate.
5. Unless otherwise stated in the contract, the vendor or contractor is responsible for paying the costs of the background check. Division/district commanders may authorize the payment of these costs through their division/district budgets if they determine it is in the best interest of the agency to do so.

**Applies to:** All WSP Contractors

**See Also:** Criminal Records Division Contractor Fingerprint Background Checks Procedures; Contractor Qualification form; Contractor Instruction Sheet for Fingerprint Background Checks

**10.04.090     MINORITY AND WOMEN OWNED BUSINESS OPPORTUNITIES PLAN**

**I. DEFINITIONS**

- A. MWBE: Minority and Women Owned Business Enterprises.** Firms certified by OMWBE to be minority and/or women owned businesses.
- B. OMWBE:** The Washington State Office of Minority and Women Owned Business Enterprises; the state agency that certifies minority and women owned businesses for the purpose of reporting MWBE utilization.

**II. STATEMENT OF COMMITMENT**

- A. The Washington State Patrol is committed to full utilization of certified minority, women's, and disadvantaged business enterprises that are able to provide goods and services required for our agency's operations. All agency staff shall comply with this regulation and associated Standard Operating Procedures (SOPs) in pursuit of the agency's overall annual goals for MWBE participation when contracting or purchasing goods and services.

**III. POLICY****A. Purpose**

1. This policy establishes responsibilities for development and implementation of our agency's MWBE Plan required by RCW Chapter 39.19. The agency plan will consist of the policies contained in this regulation along with specific procedures issued and updated at least annually in an MWBE Standard Operating Procedure issued by Budget and Fiscal Services.

**B. Responsibilities for Implementation**

1. Assistant chiefs/bureau directors will review and approve both this regulation and the MWBE Standard Operating Procedure issued by Budget and Fiscal Services, which will be updated at least annually. The annual update will, as a minimum, include updated fiscal year goals for MWBE participation in agency expenditures by class of contract.
2. The Budget and Fiscal Services (BFS) Commander will, in collaboration with OWMBE and agency purchasing section managers, develop and issue a Standard Operating Procedure which:
  - a. Establishes annual fiscal year MWBE goals in contracting, procurement, and other expenditures by class of contract.
  - b. Details specific measures to be taken by agency staff to ensure maximum participation by MWBE firms.
  - c. Assigns responsibilities for communication and training for MWBE policies and procedures.
  - d. Establishes processes for accountability and reporting.
3. The Property Management Division Commander will assist and participate fully in the annual MWBE goal-setting process, particularly for the classes of contracts and procurements under the direct oversight and control of the Supply, Facilities Management, and Fleet sections.

4. Agency staff responsible for contracting and procurement decisions will ensure they are knowledgeable of and compliant with this regulation and the associated MWBE Standard Operating Procedure(s).

**Applies to:** All WSP Employees  
**See Also:** RCW 39.19; WAC 326-40-040

#### **10.04.100    DONATIONS**

### **I.    POLICY**

#### **A.    Authority to Accept Donations**

1. Chapter 43.43 RCW permits the Washington State Patrol to accept donations. Department authority for approving any donations will rest at the assistant chief/bureau director level or above. Factors to be considered in deciding to accept or reject donations will include, but not be limited to:
  - a. State ethics rules regarding donations (see also RCW 42.52);
  - b. Actual or potential conflicts of interest that might result from acceptance; and
  - c. Ensuring the donation is relevant to fulfilling the agency mission(s).
2. Donations of cash/cash equivalents (including bequests, grants, and services) will first be reviewed by Budget and Fiscal Services.
3. Donations of technology items must be approved by the Technical Services Bureau Commander.

#### **B.    Types of Donations**

1. Equipment and property (including conveyance or other things of value) will be coordinated, recorded, and tracked through the Property Management Division.
2. Cash/cash equivalent - Compliance with all agency cash receipt procedures is required.

#### **C.    Prohibited Items**

1. Donations of liquor or tobacco products.
2. Donations from companies/entities that would create an actual or perceived conflict of interest.

**Applies to:** All WSP Employees  
**See Also:** RCW 42.52

## ► SECTION 05: STRATEGIC PLANNING AND ACCOUNTABILITY ◀

**10.05.010 STRATEGIC PLANNING AND ACCOUNTABILITY SECTION**  
(CALEA 12.2.1, 12.2.2, 15.1.1)**I. POLICY****A. Requirements of the Strategic Planning and Accountability Section**

1. The Strategic Planning and Accountability Section provides assistance and support to all employees and organizational components within the department. Strategic Planning and Accountability shall:
  - a. Develop short- and long-range plans for the department.
  - b. Develop and amend policies in the *Regulation Manual*.
  - c. Process research questionnaires and information requests.
  - d. Update and maintain files and coordinate department processes for state and international accreditation, to ensure department compliance with standards.
  - e. Maintain tracking of department reporting system.

**B. Coordination with Strategic Planning and Accountability**

1. Division/district/section commanders or others who are developing policy, proposed legislation, or administrative rules shall coordinate with Strategic Planning and Accountability.

**Applies to:** All WSP Employees

**See Also:** --

**10.05.020 STRATEGIC PLANNING** (CALEA 12.2.1, 15.1.3, 15.2.1, 15.2.2)**I. POLICY****A. Strategic Planning Process**

1. The department engages in an ongoing strategic planning process that focuses on the future direction of the department, assesses the department's current goals, and develops and implements strategies to move forward toward these goals.
2. The plan is supported by the biennial budget process and its progress is monitored through the department's Strategic Advancement Forum process.
3. The Strategic Plan identifies department mission, vision, values, goals, objectives, and performance measures.

**B. Producing the Department's Strategic Plan**

1. Under the sponsorship of the Technical Services Bureau Assistant Chief, the Executive Staff shall initiate the foundation of the strategic planning process no later than March 1 of each year by updating the Washington State Patrol Goals and Priorities.
2. Division and district commanders will receive a list of updated agency goals and priorities by October 1 of each year for guidance when completing the Operational Plans. The Washington State Patrol Goals and Priorities shall be used to steer the development of the written plan for their respective commands. The plans must be submitted to the appropriate assistant chief/bureau director, with a copy submitted to Strategic Planning and Accountability, no later than February 28 of each year.
3. Division and district plans shall include the following:
  - a. Long-term goals – List agency goal(s) applicable to your division/district.
  - b. Objectives – Break down agency goals into smaller, more specific pieces. Describe the measurable results expected to be accomplished within a given time period.
  - c. Strategies – State how objectives will be achieved. These objectives guide the agency to:
    - (1) Focus on the most important strategies.
    - (2) Describe how the strategy will help achieve both agency goals and statewide results.
  - d. Anticipated workload and population trends.
  - e. Anticipated staffing levels.
  - f. Anticipated capital improvements and equipment needs.
  - g. Provisions for review and revision as needed.
4. Commanders shall establish procedures to obtain input from their employees and appropriate stakeholders in the development of each division/district plan.

**C. Monitoring the Department's Strategic Plan**

1. Assistant chiefs/bureau directors shall assess the accomplishments of their respective divisions/districts and report progress to the Chief. Progress toward meeting Strategic Plan objectives shall be reported to the assistant chiefs/bureau directors by the division and district commanders.
2. The Strategic Plan shall be updated under the leadership of the Technical Services Bureau Assistant Chief.



3. The department's yearly accomplishments in meeting department goals shall be published in the department's Annual Report.

**Applies to:** All WSP Employees

**See Also:** --

► **SECTION 06: FORMS, DOCUMENT MANAGEMENT, AND PRINTING** ◀

**10.06.010 FORMS AND DOCUMENT MANAGEMENT (CALEA 11.4.2, 15.1.3, 15.2.1, 15.2.2)**

**I. POLICY**

**A. Role of Strategic Planning and Accountability Section in Forms and Document Management**

1. The Documents Manager in the Strategic Planning and Accountability Section shall be responsible for the agency forms and document management program.

**B. Document Management**

1. Refer to the **OFFICIAL DEPARTMENT PUBLICATIONS** policy for further information.

**C. Forms Management**

1. All proposed revisions to existing forms or requests for new forms, including electronic forms, shall be forwarded to the Documents Manager. These shall be accompanied by recommendations from the division/district/section commander or designee.
2. The Documents Manager shall review the proposal and work with the division/district/section commander or designee to finalize the design. Unless mandated by law or policy changes, revised forms shall be printed only when the existing copies are exhausted.

**D. Assignment of Control Numbers**

1. Forms and documents (*including brochures, posters, stickers, cards, etc.*) shall not be developed, revised, rescinded, or ordered without the approval of the Documents Manager.
2. Only the Documents Manager can assign control numbers. Control numbers shall be assigned to all documents that meet one or more of the following criteria:
  - a. Represents the department as a whole or any major department programs or services (including manuals – see **OFFICIAL DEPARTMENT PUBLICATIONS**).

- b. Utilized on a statewide basis by department employees, whether or not printed and/or available on Inside WSP.
- c. Will or may be distributed externally for use or viewing by the general public.
- d. Will be made available on the department public Internet site.
- e. Will be printed (see **COPYING AND PRINTING SERVICES**).

#### **E. Exemptions**

- 1. Internal division/district/section operational documents (for example, routing slips, retirement flyers, fund drive flyers/documentation) and Strategic Advancement Forum materials, surveys, and Web pages are exempt from this policy.

#### **F. Use of Electronic Forms**

- 1. Electronic forms shall be used when available.

#### **G. Centralized Documents Database**

- 1. The Documents Manager maintains a centralized documents area on Inside WSP (Document Center). This site lists all departmental documents assigned a control number in alphabetical/numerical order and the creation or most recent revision date.
- 2. Documents available in electronic format are linked from this list. Shaded control numbers indicate the document is stocked at the Supply Section.
- 3. Documents with an assigned control number shall be centralized in the Document Center on Inside WSP. They shall not be located on bureau/division/district/section Inside WSP sites; instead, links shall be made to the document located in the Document Center area.

**Applies to:** All WSP Employees

**See Also:** WSP Policies **Official Department Publications; Copying and Printing Services**

### **10.06.020 COPYING AND PRINTING SERVICES**

#### **I. DEFINITIONS**

- A. **“Printing”** is defined as producing material with a printing press for jobs requiring significant quantities or that are technical in nature and cannot be accomplished with a photocopy machine.
- B. **“Copying”** is defined as using a photocopy machine to produce smaller quantities with limited specifications that require faster turnaround time.

**II. POLICY****A. Role of Strategic Planning and Accountability Section in Copying and Printing Services Management**

1. The Documents Manager in the Strategic Planning and Accountability Section shall be responsible for management of the copying and printing requirements of the agency.

**B. State of Washington Printing Requirements**

1. Chapter 43.78 RCW mandates the use of the State Printer, copy centers, or their contracted vendors throughout the state for state government agency copying/printing.
2. Employees shall not contract directly with commercial copying/printing services or vendors for any department needs without the approval of the Documents Manager.

**C. Using the State Printer**

1. State Printer jobs (e.g., highly technical printing jobs that require a press) shall be coordinated by the Documents Manager.
2. Printing requests shall be submitted to the Documents Manager with a WSP Printing Request form.

**D. Using State Copy Centers (Thurston County)**

1. All offices in the Olympia, Lacey, and Tumwater areas shall utilize state copy centers for their copying needs (see [http://www.prt.wa.gov/default.asp?p=cc\\_loc](http://www.prt.wa.gov/default.asp?p=cc_loc) for a list of locations).
2. Employees may utilize the services of state copy centers directly, without submitting through the Documents Manager. Copy center requests requiring the assistance of the Documents Manager shall be submitted with a WSP Printing Request.
3. Copy center requests may be submitted directly to a copy center electronically through "myPRINT" ([myPRINT.wa.gov](http://myPRINT.wa.gov)), an online ordering system for copy center requests. Registration in myPRINT is required.

**E. Using Copying Vendors Outside of Thurston County**

1. For offices located outside the Olympia/Lacey/Tumwater (Thurston County) areas, the State Printer maintains contracts for copying services with various vendors; refer to the State Printer Web site at [http://www.prt.wa.gov/default.asp?p=serv\\_cont](http://www.prt.wa.gov/default.asp?p=serv_cont). Contact the Documents Manager for information concerning these services or to establish an account with these vendors.

2. When a local vendor is utilized and payment for copying is made at the division/district/section level, an informational copy of the invoice shall be sent to the Documents Manager.
3. Copying services from a vendor outside of Thurston County that will exceed \$1,800 require pre-approval of the Documents Manager.
4. Copy center requests may be submitted directly to a copy center electronically through “myPRINT” (myPRINT.wa.gov), an online ordering system for copy center requests. Registration in myPRINT is required.

#### **F. Estimates from the State Printer**

1. Obtaining an estimate prior to copying/printing is a proven method for making an informed decision and minimizing costs.
2. Estimates may be coordinated through the Documents Manager. If an estimate is obtained directly from the State Printer, the estimate shall be forwarded to the Documents Manager with the WSP Printing Request.

#### **G. Copy and Printing Services Web Site**

1. Additional information concerning the document management program and copying/printing is available on Inside WSP under the “Copying and Printing Services” link on the home page.

**Applies to:** All WSP Employees  
**See Also:** RCW 43.78; WSP Printing Request

### **► SECTION 07: RULE MAKING ◀**

#### **10.07.010 RULE MAKING – WASHINGTON ADMINISTRATIVE CODE (WAC)**

##### **I. POLICY**

##### **A. Management Approval for Rule Making**

1. During each phase of rule making, approvals are required through the chain of command to the bureau level for:
  - a. Initial Rule Request form
  - b. Review and Approval for Proposed WSP Rules form
  - c. Approval to move forward with the emergency rule-making order (CR-105, a Code Reviser form) or permanent rule adoption (CR-103), which requires a signed IOC or other form of written approval.
2. Once approved, all forms must be submitted to the Rules Coordinator with the appropriate documentation for signature by the

Chief and filing with the Code Reviser's Office (see the *WSP Rules Writing Manual* for additional procedures).

3. Division commanders must review all of their rules at least every two years to ensure they are needed, authorized, accurate, effective, and clear.

#### **B. Rule Writer Responsibilities for Rule Making**

1. The rule writer will be required to complete all forms and documentation necessary in accordance with the *WSP Rules Writing Manual* for an agency rule change to Washington Administrative Code (WAC) (see the *WSP Rules Writing Manual* or Inside WSP for additional resources).
2. Rule writers must send rule notices with written approvals and required materials to the agency Rules Coordinator at least five business days before the requested filing date.
3. Rule writers must give their reviewers at least five business days to review rule drafts using the Review and Approval for Proposed WSP Rules form. The review time may be longer, depending on the reviewer's time or the rule's length and complexity.
4. The rule writer and/or other program staff must attend the public hearing to answer questions from the public. Rule writers must capture all public comments and their actions on the Concise Explanatory Statement.

#### **C. Rules (WAC) Coordinator Responsibilities for Rule Making**

1. The Rules Coordinator, in the Office of Government and Media Relations (OGMR), will maintain the agency's official rule-making files.
2. The Rules Coordinator will file all rule-making notices, rule text, and, if necessary, Small Business Economic Impact Statement (SBEIS) documents with the Code Reviser for publication into the Washington State Register.
3. Under RCW 34.05.325, the Rules Coordinator in OGMR is designated by the Chief to serve as the presiding officer at public rules hearings. If the Rules Coordinator is unavailable to serve as the presiding officer, the Rules Coordinator's designee may preside at the hearing. Any public comments made in the hearing or otherwise will be summarized in accordance with the *WSP Rules Writing Manual*.
4. The Rules Coordinator will facilitate agency responses to rules being proposed by other agencies as part of the rule-making review process.

**Applies to:**

All WSP Employees

**See Also:**

RCW 34.05.325; *WSP Rules Writing Manual*; *Equipment Standards Section Manual*; Initial Rule Request form; Review and Approval for Proposed WSP Rules form

## ► SECTION 08: DELETED ◀

## ► SECTION 09: TEAMS/UNITS ◀

**10.09.010 SPECIAL WEAPONS AND TACTICS TEAM (SWAT)**  
**(CALEA 12.1.2, 41.1.3, 43.1.5, 46.2.1)****I. POLICY****A. SWAT Responding Circumstances**

1. The SWAT Team responds to clandestine laboratory scenes and/or situations in which serious injury or death is imminent and the team could end such situations. Circumstances include:
  - a. Barricaded persons
  - b. Sniper incidents
  - c. Hostage situations
  - d. Terrorist confrontations
  - e. High-risk arrest situations
  - f. District-level dignitary protection details not covered by the Executive Services Section
  - g. Civil or prison disturbances requiring protection for emergency response employees
  - h. Any other situations determined by the Chief or designee
2. The SWAT Team may be a support to other police agencies in the same situations.

**B. Requests for SWAT Response**

1. All requests for clandestine laboratory services may be referred to the SWAT Team Commander. All other requests for services shall be referred to the Chief or Investigative Services Bureau Assistant Chief.
2. After authorization, the SWAT Team Commander shall contact the requester, learn the specifics, mobilize the team, contact the affected district commander and Communications supervisor, and notify the team, including what the mission is, when and where to report, and uniform and equipment to bring.
3. The team commander shall arrange transport of any additional equipment.

**C. Part-Time Team Members**

1. Part-time team members shall notify their supervisor or the on-duty supervisor when they have been called to a SWAT Team mobilization.

**D. Coordination of Incidents**

1. District commanders shall manage overall operations on incidents in their areas, including strategies and coordination of agency responses.
2. The SWAT Team Commander shall be responsible for tactical operations including determination of the team's abilities or limitations, and deployment.

**Applies to:** All WSP Employees

**See Also:** --

**10.09.020** **CRISIS NEGOTIATION TEAM (CNT)** (CALEA 12.1.2, 41.1.3, 43.1.5, 46.2.1)

**I. POLICY**

[Click here to view General Order 15-001](#)

**A. Crisis Negotiation Team (CNT) Response Situations**

1. CNT is part of the Special Weapons and Tactics (SWAT) Team and is comprised of up to eight team members.
2. CNT members are referred to as negotiators.
3. Negotiators respond to situations involving SWAT response and/or to situations in which someone is threatening to inflict serious injury or death and can potentially be defused through dialogue. When responding, negotiators will:
  - a. Report to the Incident Command Post (ICP) upon arrival and be briefed.
  - b. Confer with the on-scene SWAT Team Commander before being deployed.
  - c. Assess the situation before beginning negotiations or, if already started, assuming them.
  - d. Assign additional negotiators as needed.
  - e. Ensure psychological profiles, time charts, and status charts are prepared and constantly updated.
  - f. Be proficient with electronic equipment used for negotiation purposes.

- g. Ensure vehicle operators and vehicles are available in case the scene moves.
- h. Assign the minimum number of negotiators needed in the inner perimeter.
- i. Have sufficient funds for requested purchases.

#### **B. Requests for SWAT CNT Services**

- 1. Requests for SWAT CNT services shall be referred to the Chief, the Investigative Services Bureau Assistant Chief, or the SWAT Commander.
- 2. After authorization, the SWAT Team Commander shall notify the CNT Negotiator Team Leader (TL) of the situation. The Negotiator TL may contact the requesting person or agency to obtain more details.
- 3. The SWAT Team Commander or the Negotiator TL shall notify the affected district commander and commanding supervisor, then mobilize the SWAT CNT negotiators, advising of the mission particulars and ensuring transportation of needed equipment.

**Applies to:** All WSP Employees

**See Also:** --

#### **10.09.030 RAPID DEPLOYMENT FORCE TEAM (RDF) (CALEA 46.2.1)**

#### **I. POLICY**

##### **A. Composition and Response of Rapid Deployment Force Team**

- 1. The Rapid Deployment Force Team (RDF) is comprised of five regional teams that are located in Tacoma, Bellevue, Spokane, Marysville, and Bremerton. A captain appointed by the Field Operations Bureau Assistant Chief is responsible for the overall administration and the coordination of the five teams (RDF Coordinator).
- 2. RDF provides all hazards response capability for civil disturbances, demonstrations, crowd control, critical infrastructure protection, and other situations to restore law and order as well as to protect life and property.
- 3. RDF may be utilized as support to other police agencies in the same situations.

##### **B. Requests for Services**

- 1. All requests for RDF services shall be referred to the Chief or Field Operations Bureau Assistant Chief.



2. After authorization, the RDF Team Leader shall contact the requester, learn the specifics, and mobilize the identified teams. The Team Leader shall ensure that the affected district commander, Communications station manager, and the RDF Coordinator are notified.
3. The RDF Team Leader will notify the teams of the mission, when and where to report, and the required uniform and equipment.

#### **C. Team Member Notifications**

1. Team members shall notify their supervisor or the on-duty supervisor when they have been called to an RDF mobilization, unless the member's own chain of command directed the employee to the mobilization.

#### **D. Managing Incidents**

1. District commanders shall manage overall operations of incidents in their areas, including strategies.
2. The RDF Coordinator will collaborate with affected district commanders to coordinate cross-jurisdictional RDF responses.
3. The RDF Team Leader shall be responsible for tactical operations, including determination of the team's abilities or limitations and deployment.

**Applies to:** All WSP Employees

**See Also:**

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**10.09.040** **CRIME SCENE RESPONSE TEAM (CSRT)** (CALEA 12.1.2, 46.2.1, 83.2.4)

### **I. POLICY**

#### **A. Services Provided by CSRT**

1. The CSRT provides a comprehensive crime scene investigative capability upon request from law enforcement agencies, including investigations of:
  - a. Deaths.
  - b. Sexual assault cases.
  - c. Kidnappings.
  - d. Assaults/shootings involving a law enforcement officer.
  - e. Other felony crimes as circumstances warrant.
2. Services include those provided by crime laboratory forensic scientists and Criminal Investigation Division (CID) detectives.

3. To obtain services, district commanders shall contact the CSRT coordinator through Tacoma Communications. If the request is for investigation of a crime scene as indicated above:
  - a. Supervisors from those sections shall assign employees, who shall respond to the crime scene or briefing location, assess the scene and/or investigation assistance needs, and call additional resources as needed.
  - b. The CSRT shall critique the operation after conclusion of the investigation.
  - c. Members shall send the investigation reports to the CSRT coordinator.

#### **B. Transporting Evidence**

1. Generally, CSRT members will not transport evidence from the scene, and evidence collected shall remain with the requesting agency in its own system. If circumstances dictate otherwise, evidence shall be handled as the department requires.

**Applies to:** All WSP Employees

**See Also:** --

### **10.09.050 INCIDENT MANAGEMENT PROGRAM (IMP)**

#### **I. POLICY**

##### **A. Incident Management Program Composition**

1. The IMP promotes the safety of department personnel and of the public by effectively and efficiently managing personnel assigned to incidents/events. The IMP is comprised of two components:
  - a. The Incident Management Team (IMT), which is activated during incidents/events.
  - b. The *Incident Management Handbook*, which establishes incident management policies and training provided to department personnel.

##### **B. Responsibilities of the IMT**

1. The IMT is a resource designed to manage the department's involvement in large-scale or complex incidents or events.
2. The IMT is utilized when the scope of an incident or event exceeds the local district's ability to effectively manage the department's involvement. Some examples of when the IMT may be utilized include:

- a. Wildfires
- b. Riots
- c. Planned events
- d. Funerals
- e. Disasters
- f. Terrorist acts

### **C. Operations and Structure of the IMT**

1. The IMT operates under the National Incident Management System (NIMS) model of the Incident Command System (ICS). The IMT utilizes the *Incident Management Handbook* (IMH) as a guide for its standard operating procedures.
2. The organizational makeup of the IMT consists of:
  - a. Command and general staff
  - b. Operations
  - c. Planning
  - d. Logistics
  - e. Finance

### **D. Reporting Relationship of the IMT**

1. The IMT reports to the IMT Incident Commander. The IMT Incident Commander reports directly to the Field Operations Bureau Assistant Chief.

### **E. Activation of the IMT**

1. The IMT is activated upon request of the division/district commander to the Field Operations Bureau Assistant Chief.

### **F. Major Incident Deployment**

1. When a major incident is anticipated (tsunami warning, specific terrorist threat, etc.) or an event is planned that necessitates activation of the IMT, the IMT Incident Commander shall assemble command and general staff sufficient to meet the anticipated need to successfully manage the event.

2. The IMT Incident Commander shall assign specific command and general staff members, which will generally include a minimum of an Operations Section Chief, Planning Section Chief, and Incident Commander.

#### **G. Use of Incident Management Handbook**

1. The *Incident Management Handbook* applies the NIMS Incident Command System (ICS) practices to department operations. It also specifies the contents of After-Action Reports and provides quick-reference checklists for a variety of incidents and situations.

**Applies to:** All WSP Employees

**See Also:** *Incident Management Handbook*

### **10.09.060    DRUG RECOGNITION EXPERTS (DREs) (CALEA 61.1.11)**

#### **I. DEFINITIONS**

- A. “Drug Recognition Experts (DREs)”** are officers trained to recognize the signs and symptoms of intoxication that could result from seven different categories of drugs. A 12-step standardized process is used to identify drug impairment.

#### **B. Requests for Drug Recognition Experts**

1. DREs shall be requested for assistance and respond in the following situations:
  - a. A suspect has a low BAC level (under .08) that is inconsistent with his/her field sobriety test results.
  - b. A suspect has admitted to using medication and/or drugs in the past two hours.
  - c. A suspect is obviously drug-impaired (cannot perform field sobriety tests to the satisfaction of the arresting officer).
  - d. A collision in which the driver has no signs of alcohol impairment, but has some observable signs of intoxication by drugs.
  - e. A traffic stop involving a drug arrest where there is evidence the driver may be under the influence of drugs.
  - f. There is an odor of a controlled substance on the suspect or in the vehicle.
  - g. In any felonious or fatal collision a DRE shall respond to the scene and evaluate the surviving driver(s). Exceptions must be approved by the appropriate district command.
  - h. In any department-involved collision where there is reasonable suspicion that drug impairment could be a factor.

2. Requests for a DRE should be made as soon as possible because the physical indicators of drug impairment diminish as time passes. The requesting officer should be available to the DRE to answer specific questions about the suspect.
3. On-duty DREs shall be utilized when possible. However, supervisors may call out an off-duty DRE when it would reduce response time.
4. If there is not a DRE in service, another agency DRE can be called to assist. If there are no on-duty DREs, the officer will notify his/her supervisor. The supervisor will determine whether sufficient information exists to warrant a DRE call-out.
5. Communications shall maintain a log of certified DREs. Upon receiving authorization from the requesting officer's supervisor, Communications will call out DREs based on the procedure mutually established between Communications Division and DRE Section.

### C. Assistance to Other Agencies

1. Supervisors should allow their on-duty DREs to assist other agencies.

## II. PROCEDURES

### A. Prior to Calling a DRE

1. Prior to calling a DRE, officers should:
  - a. Document the driver or the suspect.
  - b. Document the odor of intoxicants and/or drugs.
  - c. Conduct standardized field sobriety tests.
  - d. Obtain a voluntary breath test.
  - e. Document evidence at the scene (drugs in car/on person, prescription drug bottles, etc.).

**Applies to:** All WSP Employees

**See Also:** --

### 10.09.070 **FACILITY PROTECTION** (CALEA 81.3.1, 82.1.1)

## I. POLICY

### A. Facility Security Precautions

1. The following precautions shall be initiated at all department facilities:

- a. All unoccupied facilities shall be locked at all times, unless authorized employees are directly in attendance.
- b. All occupied facilities shall have only a business entrance open and available to the public and should only be open during regular business hours. All other entrances shall be locked, and keys or lock combinations shall be issued to authorized employees only. The term "business hours" shall be determined by the responsible division/section commander, subject to concurrence by the appropriate assistant chief or bureau director.
- c. On-duty employees, where practical, shall make a visual examination of facilities when arriving at or departing from any facility.
- d. Restrooms located in department facilities shall be off limits to anyone other than department employees during non-business hours.

#### **B. Suspicious Packages**

1. Employees are to be alert for unusual packages, briefcases, etc., left in reception areas or in restrooms.

#### **C. Changing Door Locks or Key Codes**

1. Whenever an employee terminates employment with the department or from a sensitive section, the division/district commander may have the appropriate lock(s) re-keyed or electronic locks reprogrammed.

**Applies to:** All WSP Employees

**See Also:** --

### **10.09.075 USE OF DEPARTMENT FACILITIES**

#### **I. POLICY**

- A. Department offices and meeting facilities are for the conduct of official department business. Use of department offices and meeting facilities by department personnel, contractors, and partner agencies for unofficial purposes is prohibited unless such use conforms to the requirements of chapter 42.52 RCW, other applicable laws, and prior written authorization to use the office or meeting facility is obtained from the appropriate division/district commander.
- B. A division/district commander will not authorize the use of a department office or meeting facility for unofficial purposes pursuant to (A) unless:

1. The office or facility is neither scheduled for department use, nor is likely to be needed for department use, during the period requested for unofficial use;
2. Authorization to use the department office or facility complies with the requirements of chapter 42.52 RCW, and other applicable laws;
3. The requested use is infrequent (e.g., one-time); and
4. The authorization is limited to use of the office or meeting facility and does not include authorization to use other state resources, such as computers, consumables, telephones, etc.

**Applies to:** All WSP Employees

**See Also:** RCW 42.52

**10.09.080    EXPLOSIVES UNIT (CALEA 12.1.2, 46.2.1)**

**I. POLICY**

**A. Response by Explosives Unit**

1. The Explosives Unit responds to bomb threats and disposal and training requests, from both the public and private sector.
2. Requests for the Explosives Unit shall be made through Communications.
3. The Homeland Security Division Commander, in conjunction with the Explosives Unit coordinator, shall approve any unit response to:
  - a. Bomb threats.
  - b. Suspected destructive devices.
  - c. Possible mail or parcel bombs.
  - d. Disposal requests for explosives or chemicals (ether or picric acid only).
  - e. Requests for post-blast investigation.
  - f. Requests for training classes, including letter and parcel bomb recognition, planning for bomb threats, and explosive recognition.
  - g. Requests for security assistance to government agencies.
4. There are four geographic response areas:
  - a. Olympia Explosives Unit — Southwestern counties
  - b. Marysville Explosives Unit — Northwestern counties
  - c. Bremerton Explosives Unit — Northwestern counties on the peninsula

- d. TriCities Explosives Unit — Eastern counties, except Chelan, Okanogan, and western Douglas County.

**Applies to:** WSP Officers

**See Also:** --

## ► SECTION 10: VIN/TOWING ◀

### 10.10.010 VIN INSPECTIONS

#### I. POLICY

##### A. Conducting VIN Inspections

1. Vehicle Identification Number (VIN) Officers and other trained employees shall be familiar with the various techniques used to return stolen vehicles to the marketplace. VIN Officers shall prevent stolen vehicles from passing the certification process. Inspections shall be done so that a vehicle with an altered VIN shall not possibly pass inspection. Mistakes in recording the VIN on the Certificate of Vehicle Inspection form shall also be eliminated.
2. If it is discovered after the Certificate of Vehicle Inspection form has been issued that a vehicle is stolen after the recorded VIN was cleared through WACIC, NCIC, or CPIC (Canadian vehicles); a vehicle has an altered VIN; or the inspection form has an incorrectly recorded VIN, the division commander shall be notified. These inspections will be known as “deficient inspections.”

##### B. Investigating Deficient Inspections

1. The Criminal Investigation Division commander shall arrange for an investigation of the deficient inspection, conducted by the VIN Officer. The investigation shall determine, in part:
  - a. If the investigation was complete. All reports pertaining to the investigation shall be reviewed.
  - b. The employee's experience in performing inspections. The employee's background shall be investigated for previous problems.
  - c. The frequency of inspections performed by the employee daily, weekly, monthly, and yearly shall be reviewed.
  - d. If the employee was adequately trained, length of time since the person attended in-service training in that field, and if the necessary Auto Theft updates were supplied.
  - e. If there were alterations to the VIN, and if so, would another officer have easily noted them, or were they difficult to detect.



- f. If a clearance from the stolen vehicle file was received by the officer.
  - g. If the employee had a working knowledge of VINs on the type of vehicle or major component part inspected.
2. The Criminal Investigation Division Commander shall review the investigation, evaluate performance of the employee(s) in question, and determine training needed for improvement. The division commander shall contact the Office of Professional Standards (OPS) for a file number if evidence indicates the inspection was grossly improper. Further investigation shall be done through OPS.

### **C. Chemical Processing**

1. VIN employees shall wear issued masks and air filters whenever performing chemical processing of metals. Use only the white cartridges during chemical processing.
2. Safety glasses or goggles shall also be worn during any processing procedure.

**Applies to:** All WSP Employees

**See Also:** RCW 46.12.030

## **10.10.020 TOWING SERVICES**

### **I. POLICY**

#### **A. Towing Services**

1. Towing services shall be on a rotational basis. The Commercial Vehicle Division (CVD) shall maintain the tow truck list.
2. Tow truck operators requesting placement on the rotational call list shall complete an application and submit it to the local district commander for approval. Upon approval, the application shall be forwarded to CVD.

#### **B. Tow Zones**

1. District commanders shall determine which areas are designated as tow zones, using factors such as the frequency and severity of collisions and DUI arrests, volume and pattern of traffic, and availability and accessibility of tow services.
2. Suggested tow zone boundary changes under the rotational system shall be submitted to the CVD Commander.

#### **C. Complaints on Registered Tow Truck Operators**

1. Upon receiving complaints on registered tow truck operators, the district tow truck officers shall initiate an investigation and maintain files on each complaint.

2. Copies of complaints shall be forwarded to CVD.
3. Following the investigation, the tow truck officers will complete a Report of Investigation and forward it to the district commander for review.
4. The district commander shall make recommendation to the CVD Commander, who will then determine the appropriate administrative action, up to and including reprimand, suspension, or removal from the tow list.

**Applies to:** All WSP Employees

**See Also:** WAC 204-91A

## ► SECTION 11: HONOR GUARD ◀

### 10.11.010 HONOR GUARD

#### I. POLICY

##### A. Honor Guard Image

1. Selection and training of Honor Guard employees provides a highly professional image of the department to the public and other agencies.

##### B. Availability of Honor Guard

1. When requested and approved by the Chief, the Honor Guard shall be available for funerals of active department members, active officers of other agencies, and other persons designated by the Chief.
2. The Honor Guard shall be available for other functions as the Chief may designate.

##### C. Selection of Honor Guard Members

1. The Honor Guard shall consist of as many as 20 general members, 5 detail officers, 5 specialty members, and 5 retirees. Selection by a review committee shall be based on the following criteria:
  - a. Volunteers
  - b. Appearance in uniform
  - c. Ability to perform ceremonial duties
  - d. Command recommendations
  - e. Last 2 years of the job performance review
  - f. Resume

- g. Office of Professional Standards (OPS) history review
- h. An oral interview and uniform inspection

**D. Appointment of Command Officer**

- 1. The Chief shall designate an Honor Guard Commander to ensure that the Honor Guard is properly staffed, trained, and equipped.

**E. Scheduling of the Honor Guard**

- 1. Scheduling of the Honor Guard shall be coordinated by the affected district commander through the Honor Guard Commander.
- 2. The Honor Guard shall operate under the command of the assigned Honor Guard Detail Officer where events are held.
- 3. The day-to-day operations of the Honor Guard are governed by the *Honor Guard Manual*.

**Applies to:** All WSP Employees  
**See Also:** *Honor Guard Manual*

**► SECTION 12: TRAINING ◀****10.12.010 CAREER DEVELOPMENT (CALEA 33.6.1, 33.8.1, 33.8.3, 35.1.7)****I. POLICY****A. Purpose of Career Development Program (CDP)**

- 1. The CDP purpose is to improve the personal skills, knowledge, and abilities of department employees at all levels so they can successfully perform assigned tasks, increase job satisfaction and improve performance, and prepare for future positions within the department.

**B. Objectives of CDP**

- 1. The Training Division and Human Resource Division Commanders shall prepare objectives for the CDP. The objectives should be stated in quantitative terms and may specify the potential number of employees to use career development services, total number of training hours provided, number of persons assigned to career development services, etc. Affirmative Action goals shall be assessed at this time, and objectives reviewed annually.
- 2. The CDP includes training, in-service training, specialty in-service training, cross-training, career counseling, and formal education.
- 3. Career counseling is voluntary, with the volunteering employee's supervisor/counselor providing guidance to obtain the skills, knowledge, and abilities for positions within the department.

**C. Documenting Effectiveness of the CDP**

1. Volunteering employees and supervisors/counselors conduct joint annual reviews of the employees' training records during the fourth quarter performance appraisal or annual evaluation. Supervisors document the effectiveness of the CDP for each volunteering employee using the appraisal or evaluation form.
2. For officers, attach the Career Development guide to the appraisal form.
3. Activities of Career Development
4. Every manager and supervisor/counselor is trained to conduct career development activities, including:
  - a. Counseling techniques.
  - b. Techniques for assessing employee skills, knowledge, and abilities.
  - c. Department salaries, benefits, and training opportunities.
  - d. Educational opportunities and incentive programs.
  - e. Cultural and ethnic awareness.
  - f. Record keeping techniques.
  - g. Availability of outside resources.

**Applies to:** All WSP Employees

**See Also:** --

**10.12.020 TRAINING DIVISION (CALEA 1.3.13, 33.1.1, 33.1.2, 33.1.3, 33.1.4, 33.1.6, 33.1.7, 33.2.1, 33.4.2)**

**I. POLICY** [Click here to view General Order 15-003](#)

**A. Responsibilities of the Training Division Commander**

1. The following are the Training Division Commander responsibilities:
  - a. Conduct and coordinate Academy and Regional training.
  - b. Conduct and coordinate training for outside agency employees, as requested.
  - c. Administer the training records management system (eTrain) for Washington State Patrol personnel.
  - d. Continuously review, evaluate, update, and implement department training.

- e. Administer the Career Development Program.
- f. Select Academy instructors.
- g. Notify department employees of required Academy and Regional training.
- h. Set guidelines, format, and approval process for Academy and Regional lesson plans, which are required for all courses.
- i. Identify department training goals.
- j. Establish performance objectives for all training programs.
- k. Review of Career Development objectives.

#### **B. Training Committee Requirements**

1. The Training Division Commander shall also serve as a member of the Training Committee, which is chaired by the Technical Services Bureau Assistant Chief or designee.
2. The committee shall also include representatives from the Human Resource Division, Office of Professional Standards, Field Operations Bureau, Investigative Services Bureau, Technical Services Bureau, Fire Protection Bureau, Forensic Laboratory Services Bureau, the Labor and Policy Advisor, and any other person appointed by the Chief.
3. The Training Committee meets at least annually to review and evaluate department training programs and to make recommendations to the Training Division of the training needs of the department.
4. The Training Committee:
  - a. Analyzes, updates, and prioritizes all training needs based on reports from inspections, staff meetings, training needs surveys, training evaluations, field observations, job task analysis, employee interviews, or needs identified by the Chief, Human Resource Division, or Office of Professional Standards.
  - b. Analyzes overall training needs of employees relating to career development.
  - c. Helps identify the department's training goals.

#### **C. Out-of-State Training**

1. For training only available outside the state, employees shall submit a Training/Travel Request with information describing the training attached through the chain of command to the assistant chief or bureau director.
2. If approved, the request shall be forwarded through the assistant chief or bureau director to the Chief to review.

3. All attempts will be made to return the request to the employee within fifteen working days of the initial request.

#### **D. Advanced Training**

1. The following criteria are used to select Washington State Patrol sergeants and lieutenants for advanced training:
  - a. Rank of lieutenant or above (sergeants high on the lieutenant's promotional list may be considered).
  - b. Outstanding leadership potential, based on past performance, education, and individual goals and objectives.
  - c. Recommendation by the Chief, assistant chief or bureau director, and commander.

#### **E. In-State Training Requests**

1. To attend in-state training, an employee shall submit a Training/Travel Request and course description through the chain of command to the division/district commander, who approves or denies the request and returns it within five working days. Additionally:
  - a. For a Criminal Justice Training Commission (CJTC) course, the CJTC registration is sent directly to CJTC, after command approval.
  - b. For a Department of Personnel, Training and Development Services (TDS) course, once the employee receives command approval, they shall have their division/district/section TDS coordinator enroll them in the course.

#### **F. Training Records**

1. The Training Division maintains/administers the training records management system (eTrain). Training transcripts include course title, date of completion, hours, and sponsor.
2. Each employee's transcript is available, upon request, from the local eTrain user or the Training Division.

#### **G. Reporting Training**

1. Employees attending training outside the department will submit a Report of Training (using the Training/Travel Request) to their local eTrain user within ten days of completion. The Report of Training must include a copy of a certificate of completion or, if not available, the signature of the employee's supervisor verifying training was attended. Copies of diplomas or certificates should be sent to the Human Resource Division.
2. Employees instructing or coordinating Washington State Patrol training shall contact the Training Division eTrain Administrator to provide course information and to obtain a course code. Employees

attending these training events shall pre-register with their local eTrain user. At the conclusion of training, the instructors shall submit the initialed rosters to their local eTrain users or to the Training Division eTrain Administrator.

3. All training documentation entered in the division/district shall be maintained at the division/district level until the end of the calendar year, at which time it will be forwarded to the Training Division for retention.

#### **H. Exception Reports**

1. Division/district eTrain users should run quarterly exception reports of required training to verify attendance by division/district personnel. The information should be submitted to the division/district commander for review to ensure personnel attend mandatory training.

#### **I. Department-Sponsored Training**

1. Department-sponsored training sessions are mandatory for all persons or groups for which the specific training is designed. Employees on departmental-approved leave who miss training may:
  - a. Be exempt.
  - b. Attend modified training.
  - c. Attend a subsequent session.
2. Exemptions, modifications, or special sessions are at the discretion of the Chief, employee's commander, Training Division Commander, or Human Resource Division Commander.

#### **J. Training Materials**

1. Training materials (books, manuals, and pamphlets) obtained during a course will not be paid for by the department, unless the training is mandated by the department.

#### **K. Rules and Regulations for Instructors**

1. All Academy training curriculums must be submitted, prior to training, to the Training Division Lesson Plan Coordinator for approval.
2. Coordinators and instructors of non-Academy programs (HazMat, Peer Support, Motors, K-9, etc.) and guest instructors who provide training at the Academy will be responsible for maintaining their outlines for a minimum of seven years for public disclosure purposes. (The Academy does not have custodial responsibility for outlines that are not developed by Academy staff.)

**L. Training Reimbursement**

1. If an employee is a classified employee, then the Civil Service Rules on reimbursement for training and education shall apply if any part of this regulation conflicts with the Civil Service System Rule. (See WAC 357-34-030.)
2. If an employee is not a classified employee and that employee is covered by a collective bargaining agreement, then that bargaining agreement will control if any part of this regulation conflicts with the bargaining agreement.

**Applies to:** All WSP Employees  
**See Also:** WAC 357-34-030; Training/Travel Request

**10.12.030** **IN-SERVICE TRAINING** (CALEA 33.1.2, 33.5.1, 33.6.1, 33.7.2, 33.8.2)

**I. POLICY****A. In-Service Training**

1. In-service training is required of all officers annually.
2. Assistant chiefs and bureau directors may require specialized in-service training for particular divisions or section employees.
3. In-service training ensures employees receive information on new laws, technological improvements, policies, procedures, first aid, etc.
4. Trimester regional training may replace annual in-service training.

**B. Specialized Training**

1. Specialized training is provided by the department to enhance skills, knowledge, and abilities of employees beyond the level taught in recruit or in-service programs. Specialized training shall be provided for all specialty positions and shall include:
  - a. Development/enhancement of skills, knowledge, and abilities particular to the specialization.
  - b. Management, administration, supervision, personnel policies, and support services of the unit.
  - c. Performance standards of the unit.
  - d. Policies, procedures, rules, and regulations specifically related to the unit.
  - e. Supervised on-the-job training.
2. When practical, training should be completed before an employee reports to a specialized position. In all instances, specialized training must begin within 30 days of assignment.



3. Positions requiring specialized training include:

**a. WSP Officers**

- (1) BAC Technicians
- (2) Field Training Officers
- (3) Investigators (Detectives)
- (4) Bomb Technicians
- (5) Executive Services Officers
- (6) Commanders and Sergeants
- (7) Single-Engine Pilot
- (8) Multi-Engine Co-Pilot
- (9) Command Pilot
- (10) Assistant Commander/Command Pilot
- (11) Chief Pilot
- (12) Motorcycle Officer
- (13) SWAT Team
- (14) Regional Academy Instructors
- (15) Collision Specialists
- (16) EVOC Instructors
- (17) Control Tactics and Weapons Instructors
- (18) Canine Handlers

**b. Classified**

- (1) Commercial Vehicle Enforcement Officer
- (2) Communications Officer
- (3) Forensic Scientist/Clandestine
- (4) Vehicle Identification Number Specialist
- (5) Lab Team
- (6) Evidence Custodians

4. Annual in-service training for the above positions shall be provided by the department.

5. Division/section commanders are responsible for assigning necessary training for each specialty position. An outline of assigned training shall be included in the section manuals.
6. Along with in-service training, all employees, before or immediately after promotion, are instructed in the skills and management techniques for the new level.

**Applies to:** All WSP Employees

**See Also:** --

#### **10.12.040 CROSS-TRAINING (CALEA 33.1.2, 33.6.1)**

### **I. POLICY**

#### **A. Temporary Assignment Outside of Assigned Bureau**

1. Officers may be temporarily assigned to another bureau for cross-training to enhance job satisfaction, promote career development, and become familiar with other bureaus' mission and goals.

#### **B. Terms and Conditions of Temporary Assignment**

1. Temporary assignment is two weeks, unless authorized by both division/district commanders.
2. Local division/district commanders determine the number cross-training at any time, in any area. (Need and coverage shall be the determining factors.)
3. Cross-training should take place in-district unless approved by division/district commanders.
4. Travel expenses are not allowed, unless incurred as part of the temporary assignment.
5. Officers shall wear appropriate uniform/civilian clothes as determined by division/district commanders and shall carry the issued duty weapon.
6. The assigned training officer and their supervisor should use a Job Performance Documentation or Interoffice Communication (IOC) form to evaluate cross-training officers. The evaluation shall be placed in the officer's supervisory file. The cross-training shall be noted in the officer's annual Job Performance Appraisal for the period in which the training occurred.

#### **C. Selection Criteria for Temporary Assignment**

1. Officers must have four years of service as a trooper, unless approved by their division/district commander.
2. Eligible officers should submit an IOC, outlining goals and objectives, through the chain of command to the division/district commander for approval.

**Applies to:** All WSP Employees

**See Also:** --

**10.12.060 CONTINUING EDUCATION (CALEA 22.2.2, 33.1.3, 33.8.3)****I. POLICY****A. Continuing Education**

1. Employees who wish to continue their education without taking a leave of absence shall:
  - a. Submit a completed Tuition Reimbursement Application form to their commander.
  - b. Maintain adequate availability.
  - c. Continue working at an acceptable level.
  - d. Not attend classes or do required assignments on state time, in uniform, or using a state vehicle.

**B. Conflicts in Attendance**

1. If several in a detachment or section wish to attend classes, conflicts shall be resolved by:
  - a. Seniority in rank/position, by commissioned time, department time, and total state service time.
  - b. Date of request to attend classes.
  - c. Evaluation of employees' goals.

**C. Education Documentation**

1. Copies of documentation supporting receipt of a degree shall be attached to an Employee Action Request and sent to the Human Resource Division.
2. A completed Tuition Reimbursement Status form shall be sent to Budget and Fiscal Services upon completion of the program.

**D. Reimbursement for Tuition**

1. The department may reimburse a permanent or permanent project status employee for the cost of tuition at an accredited university if:
  - a. To request tuition reimbursement, an employee must submit a completed Tuition Reimbursement Application form through the chain of command to his/her assistant chief/bureau director prior to enrolling in the course(s) of study. If the bureau director finds the request appropriate, he/she will forward the form to the commander of Budget and Fiscal Services for a final decision.
  - b. Tuition costs do not exceed the University of Washington (UW) tuition rates. The department reserves the right to limit any

reimbursement, but in no case will an employee be reimbursed more than an equivalent program at the UW.

- c. Department funds expended for tuition reimbursement will be limited to tuition or registration fees and will not include text books, supplies, or other expenses, unless expressly authorized in the employee's collective bargaining agreement.
  - d. A satisfactory grade of "C" or higher, indication of satisfactory completion or standing, or award of credits is received or maintained.
2. The department will not reimburse more than the tuition of a comparable program at the University of Washington. A matrix designed to crosswalk from the UW program to the employee's program will be used to ensure a fair reimbursement rate per credit within the UW maximum.

#### **E. Reimbursement Exceptions**

1. If an employee is in a classified job classification, then the Civil Service System Rules on reimbursement for training and education shall apply if any part of this regulation conflicts with the Civil Service System Rule. (See WAC 357-34-030)
2. If an employee is in a position that is not a part of the Civil Service System and that employee is covered by a collective bargaining agreement, then that bargaining agreement will control if any part of this regulation conflicts with the bargaining agreement.

#### **F. Submission for Reimbursement**

1. To receive reimbursement, submit the following through the chain of command to Budget and Fiscal Services, within 60 days of receiving final grades, for a course or courses of study:
  - a. A Tuition Reimbursement Voucher form.
  - b. A copy of the approved Tuition Reimbursement Application.
  - c. A transcript indicating a grade of "C" or higher; or, in the case of grading by narrative evaluation, a satisfactory evaluation and granting of credits.
  - d. A copy of the registration or receipt documenting the amount paid.

#### **G. Reimbursement Timeline**

1. Budget and Fiscal Services will process the reimbursement within 60 days of receiving the voucher with complete documentation.

#### **H. Scholarships**

1. If an employee receives a scholarship or grant the total reimbursement, combined with the scholarship or grant shall not

exceed 100 percent of the cost of tuition. Employees shall not receive federal or state education reimbursement exceeding the total cost of tuition for any course(s).

#### **I. Fees and Training Materials**

1. The department pays all fees, including training materials, for courses it directs employees to attend.

**Applies to:** All WSP Employees

**See Also:** WAC 357-34-030; Employee Action Request; Tuition Reimbursement Application; Tuition Reimbursement Status Form; Applicable Collective Bargaining Agreements

### **► SECTION 13: POLICE CHAPLAIN PROGRAM ◀**

#### **10.13.010 POLICE CHAPLAIN PROGRAM**

##### **I. PURPOSE**

[Click here to view General Order 15-001](#)

- A. The Washington State Patrol/Washington Department of Fish and Wildlife (WDFW) Police Chaplain Program is authorized by RCWs 41.22 and 77.15.075 and is established to provide support, counseling, training, and crisis intervention to Department employees, their families, and the public.
- B. The purpose of the program is to create an environment of trust, confidentiality, reliance, and professionalism in which employees and the public can feel comfortable with the support a police Chaplain can provide. It is the mission of this program to provide another option for the mental, physical, and spiritual well-being of employees, and to reach out with comfort, support, and counseling to anyone in need, especially those impacted by tragedy.
- C. The Washington State Patrol/WDFW Police Chaplain Program will herein be referred to as "Program." The WDFW and the Washington State Patrol are herein referred to as "Departments."

##### **II. POLICY**

- A. The Program shall be a non-denominational ministry provided by volunteer clergy without wages and benefits. Chaplains will provide support and counseling regardless of an individual's faith or belief. Chaplains will be sanctioned, supported, and equipped by the Departments.

#### **1. Reporting Structure**

- a. The Chiefs for both Departments, with recommendations from the Chaplain Advisory Board, shall appoint the Senior Chaplain, who will serve as the statewide Chaplain supervisor for the Regional/District Chaplains in the Program.

## **2. Senior Chaplain**

- a. The Senior Chaplain is the lead Chaplain within the Departments and operates as a Chaplain under the duties and operational guidelines. The Senior Chaplain serves at the pleasure of the Department Chiefs and under their direct supervision, or a designee who is a senior member of their executive/command staff.
  - (1) The Senior Chaplain is responsible for recruiting and supervising the Volunteer Chaplain Unit and shall serve as the liaison between the Chaplains and the Department administrations.
  - (2) The Senior Chaplain may arrange meetings or calls for service, maintain records, coordinate activities, and suggest training opportunities to the Chaplains.
  - (3) Additional duties may be outlined in the Senior Chaplain volunteer position description.

## **3. Senior Chaplain Candidate Requirements**

- a. In addition to meeting the same requirements for Chaplain candidates, as outlined in Section II.A.7, Senior Chaplain candidates shall also:
  - (1) Be a member in good standing with the International Conference of Police Chaplains (ICPC); and
  - (2) Be a graduate of an accredited Chaplain Academy.

## **4. Selection Process**

- a. A Senior Chaplain candidate shall complete the following prior to being considered for selection:
  - (1) Submit a Letter of Interest to the Chaplain Advisory Board;
  - (2) Provide a letter of recommendation from his or her church or religious body elders, board, or council;
  - (3) Interview with the Chaplain Advisory Board; and
  - (4) Successfully complete a Washington State Patrol background investigation and polygraph exam, with review and concurrence by both Departments.
- b. After thorough review of the items above, the Chaplain Advisory Board will forward their recommendation for Senior Chaplain to the Department Chiefs. The Chiefs will make the final selection and appointment.

**5. Post-Appointment Requirements**

- a. A Chaplain who is appointed to the Senior Chaplain position shall:
  - (1) Maintain membership with the International Conference of Police Chaplains (ICPC);
  - (2) Complete a Volunteer Worker Registration for both Departments; and
  - (3) Possess and maintain first aid certification.

**6. Regional/District Chaplain**

- a. A Regional/District Chaplain, referred to hereafter as “Chaplain,” is assigned to support Department employees within a specific WDFW region and Washington State Patrol district.
- b. The Chaplain should maintain a good rapport and working relationship with Department staff.
- c. The WDFW regional captain and Washington State Patrol district commander shall communicate with the Senior Chaplain regarding the performance of the Chaplain assigned to their region/district.
- d. The Chaplain may be removed from volunteer service upon mutual agreement between the regional captain, district commander, and Senior Chaplain.

**7. Chaplain Candidate Requirements**

- a. Candidates for the Program shall:
  - (1) Be above reproach, temperate, prudent, respectable, hospitable, and able to teach;
  - (2) Not be contentious, and be free from excessive debt;
  - (3) Manage their household, family, and personal affairs well;
  - (4) Have a good reputation with those outside of the church;
  - (5) Be ecclesiastically certified and/or endorsed, ordained, licensed, or commissioned by a recognized religious body;
  - (6) Have at least three years of successful ministry experience;
  - (7) Be associated with a recognized religious body with their endorsement to serve as a Chaplain;

- (8) Possess a valid driver's license;
- (9) Provide proof of auto insurance;
- (10) Be willing to attend Department training as requested; and
- (11) Be willing to comply with all respective Department's rules, regulations, policies, and procedures.

## **8. Selection Process**

- a. A Chaplain candidate shall complete the following prior to being considered for selection as a Chaplain:
  - (1) Submit a written application to the Senior Chaplain;
  - (2) Provide a letter of recommendation from his or her church or religious body elders, board, or council;
  - (3) Interview with the respective WDFW regional captain, Washington State Patrol district commander, and Senior Chaplain; and
  - (4) Successfully complete a Washington State Patrol background investigation (not to include a polygraph examination), with review and concurrence by both Departments. The Washington State Patrol will make the results available to WDFW. The respective WDFW regional captain, Washington State Patrol district commander, and Senior Chaplain will make the final selections.

## **9. Post-Selection Requirements**

- a. A Chaplain who is selected to participate in the Program shall:
  - (1) Attain membership with the International Conference of Police Chaplains (if not already a member);
  - (2) Graduate from an accredited Chaplain Academy within one year of selection;
  - (3) Complete a Volunteer Worker Registration for both Departments; and
  - (4) Possess and maintain first aid certification.

## **10. Duties and Responsibilities**

- a. A Chaplain's duties include, but are not limited to, the following:
  - (1) Comply with the respective Department's rules, regulations, policies, and procedures;



- (2) Support the Department administrations in all matters that may affect employees or the public;
- (3) Keep a daily notebook to track volunteer hours;
- (4) On a monthly basis, report all volunteer hours on the Volunteer Worker timesheets to the respective Department;
- (5) Assist when requested in making notification to families of Department members who have been seriously injured or killed;
- (6) Upon request, participate in funerals for active or retired members of the Departments;
- (7) Assist personnel with next of kin notifications;
- (8) Be trained in Critical Incident Stress Management (CISM) and able to assist in critical incident stress debriefing or defusing when requested;
- (9) Respond to any critical incident upon request;
- (10) Respond to any other incident where the presence of a Chaplain may aid in the well-being of a Department employee;
- (11) Be available to Department employees to provide counseling regarding personal issues;
- (12) Attend Department ceremonies, social events, and academy graduations, and provide chaplaincy services when requested;
- (13) Assist other agencies when called upon to render chaplaincy services;
- (14) Assist any Department employee in any function of the clergy as requested;
- (15) Facilitate requests for representatives or ministers of other denominations or faiths; and
- (16) Make referrals in cases where specialized assistance/service is needed, or in those cases that are beyond the Chaplain's ability to assist.

## 11. Department Training

- a. When available, Chaplains should participate in Department-sponsored training when requested by the regional captain, district commander, or Senior Chaplain. Although participation is not required, Chaplains are encouraged to attend

regional/district training sessions for their assigned WDFW region or Washington State Patrol district.

## **12. Operational Guidelines**

- a. Chaplains are encouraged to observe Department operations by riding with officers and/or troopers during their regular work shift and visiting with or working alongside other employees at Department installations, offices, and in the field.
- b. A Chaplain should be familiar with the weaponry and equipment inside the patrol vehicle and how to use it.
- c. A Chaplain may only carry a sidearm under the following conditions:
  - (1) If he or she is a current commissioned or retired commissioned law enforcement officer and riding with a WDFW officer;
  - (2) If he or she is a current commissioned law enforcement officer and riding with a Washington State Patrol trooper;
  - (3) The sidearm is concealed, unless the Chaplain is in departmental uniform.
- d. Each Chaplain will have access to current personnel rosters, addresses, telephone numbers, duty assignments, and other information that may assist in their duties. Such information shall be considered confidential and each Chaplain will exercise appropriate security measures to prevent distribution of the information.

## **13. Confidentiality**

- a. All agency and personal information gained by a Chaplain shall be considered privileged and shall remain confidential in accordance with RCW 5.60.060.
- b. Chaplains shall comply with both Departments' Confidentiality Code of Ethics policy and/or regulation. Failure to do so may result in removal from the Program.

## **14. Uniforms and Equipment**

- a. A badge, ID card, and other necessary equipment will be provided to the Chaplains.
- b. A dress uniform similar to that worn by a WDFW officer or Washington State Patrol trooper may be worn by the Senior Chaplain at special functions, including, but not limited to, funerals, Chaplain events, ceremonies, or special Department functions.

- c. A Chaplain may wear uniform items that identify him or her as a professional police Chaplain. The uniform items must be approved by the Senior Chaplain and the Chaplain Advisory Board.

## **15. Financial Compensation**

- a. The Departments shall not compensate a Chaplain in any way that is considered wages or benefits. Nothing in this section shall prohibit the Departments from reimbursing a Chaplain for expenses incurred for lodging, miles, or meals in certain circumstances that may be approved for official Department business.
  - (1) It shall be the responsibility of the individual Chaplain to raise financial support for their specific Chaplain Program.
  - (2) All fundraising shall be done through an appropriate foundation or church organization that is completely separate from the Departments.
  - (3) Department employees may donate to the Chaplain Program through payroll deduction or other appropriate means.
  - (4) Upon request, the Senior Chaplain will provide the Chiefs with a copy of any financial forms filed with the Internal Revenue Service.

## **16. Chaplain Advisory Board**

- a. The Chaplain Advisory Board, herein referred to as “the Board,” is responsible for ensuring that the Program adheres to state statute and established policies, guidelines, and best practices to appropriately meet the needs and expectations of the Departments and their employees. Specifically, the Board will:
  - (1) Assist in the development of policy, procedures, and protocol for the Chaplain Program;
  - (2) Assist the Department Chiefs in the selection of a Senior Chaplain;
  - (3) Assist the Senior Chaplain in the Chaplain selection process;
  - (4) Work with the Senior Chaplain and Chaplains to define long-term goals, objectives, and strategies;
  - (5) Approve Chaplain uniform items;
  - (6) Meet quarterly to discuss the Chaplain Program; and
  - (7) Review/update Chaplain Program policy manual.

- b. The Chaplain Advisory Board is comprised of the following ten members:
  - (1) One command staff from WDFW;
  - (2) One Executive Staff from the Washington State Patrol;
  - (3) Two captains from WDFW;
  - (4) Two captains from the Washington State Patrol;
  - (5) Two at-large employees from WDFW; and
  - (6) Two at-large employees from the Washington State Patrol.

#### **17. Board Selection**

- a. All Department employees are eligible to participate on the Board.
- b. Board positions will be filled on an “as-needed” basis.
- c. Employees interested in serving on the Board shall submit a letter of interest through their chain of command to their respective Chief. The existing Chaplain Advisory Board, in collaboration with the Senior Chaplain and Department Chiefs, will appoint new Board members based upon a review of their letter of interest, command recommendations, and current performance evaluation.

**Applies to:** All WSP Employees  
**See Also:** RCW 5.60.060, 41.22, 77.15.075

### **► SECTION 14: VOLUNTEERS ◀**

#### **10.14.010 VOLUNTEER PROGRAM (CALEA 16.4.1, 16.4.2)**

##### **I. POLICY**

###### **A. Volunteer Usage**

- 1. The use of volunteers shall be encouraged in citizen advisory groups, as direct service providers, and for similar community involvement programs in all areas. The Washington State Patrol extends to all cultural and socio-economic segments of the community those opportunities necessary for involvement that are consistent with the prudent requirement for security and safety.
- 2. Within the limits of available resources, this shall include, but not be limited to, appropriate screening, training, assignment, and supervision.

**B. Goals of a Volunteer Program**

1. A successful volunteer program will achieve the following goals:
  - a. Assist in the achievement of Washington State Patrol goals and objectives.
  - b. Assist in the provision of prudent management of fiscal and human resources.
  - c. Provide individuals with opportunities for self-improvement.

**C. Volunteer Professional Services**

1. Volunteers may provide professional services only when certified or licensed to do so and shall be required to cite their credentials and/or certificate status in their initial application and show proof thereof prior to assignment.

**D. Volunteer Benefits**

1. Labor and Industries coverage for medical expenses due to on-the-job injury or occupational diseases.
2. Documented volunteer experience.
3. Liability protection.
4. Explanation of training opportunities available to or required for volunteers which will improve their competency in the service they provide.
5. Explanation of who will assist in resolving job-related problems.

**E. Proper Use of Volunteers**

1. A volunteer may perform as an aide to provide supplementary functions not normally provided by regular employees.
2. A volunteer may perform as an aide as assigned, but shall not perform the primary functions unless under direct supervision.
3. A volunteer may perform independent activities which would assist an employee in providing services. Volunteers shall not be used to supplant full-time employee positions.
4. Tasks shall not be removed from employee assignment for the purpose of creating assignments to volunteers.
5. Volunteers may be used to temporarily substitute for full-time employees when authorized positions are vacant or for those positions that are being actively recruited.

6. As much as possible, assignment of volunteers should be made in those supplementary activities which serve to meet their personal, emotional, and/or social needs.
7. Volunteers may be provided regular opportunities for participating in the establishment of policy and procedure.

#### **F. Department Volunteers**

1. Department employees may not volunteer for projects within the department in an off-duty capacity. This restriction does not prohibit department employees from participating in, or administering, volunteer projects to which they are assigned as part of their official duties, while on-duty.
2. Relatives or household members of department employees can participate as volunteers for projects approved by the department, but must be pre-approved by the first-line supervisor of the associated department employee.

**Applies to:** All WSP Employees  
**See Also:** Volunteer Application Form

### **10.14.020 VOLUNTEERING WITH THE DEPARTMENT: INTERNSHIPS AND ACADEMIC CREDITS**

#### **I. POLICY**

##### **A. Employee Volunteerism for an Internship or Academic Credit**

1. An employee may not volunteer or donate the employee's time or services to the department. An employee may not perform work for the department in an off-duty capacity.
2. An employee may not perform work, or provide services to, the department in exchange for academic credit or incident to an internship program.

**Applies to:** All WSP Employees  
**See Also:** --

**► SECTION 15: HISTORY, PRESERVING DEPARTMENT ◀****10.15.010 HISTORICAL ADVISORY BOARD****I. POLICY****A. Historical Advisory Board Responsibilities**

1. The Historical Advisory Board is formed to preserve the history of the department.
2. The Board shall be advisory to the Chief; it shall not set policy or administrate programs.
3. The Board is responsible for the care and preservation of all department memorabilia and artifacts entrusted to it.

**B. Membership**

1. Membership is open to past and present employees and interested persons from the community, subject to the bylaws of the Board.
2. The membership will determine the historical value of department items returned for surplus or disposal or no longer of use to the department, in accordance with state statutes.
3. The Assistant Chief of the Technical Services Bureau (TSB) of the Washington State Patrol is responsible for representing the department's interest on the Board.
4. The TSB Assistant Chief may appoint an interested employee to provide administrative staff support to the Board. Responsibilities of the support person include, but are not limited to, preparing and distributing meeting minutes, preparing and distributing meeting agendas, receiving historical donations, preparing correspondence, answering questions, arranging historical displays, and representing the Board. This position would serve at the discretion of the TSB Assistant Chief. The administrative support would be in addition to the employee's other duties within the department. Work assignments would be coordinated with the respective division/district commander and the TSB Assistant Chief. Expenditures must be submitted to the TSB Assistant Chief for approval.

**C. Repository of Historical Items**

1. The Supply Section will be the repository of historical items. The Board will provide the Supply Section secretary with a current listing of committee members every January or when members leave or join the committee.

**Applies to:** All WSP Employees  
**See Also:** --

**10.15.020 HISTORICAL WASHINGTON STATE PATROL ITEMS****I. POLICY****A. Housing and Storage of WSP Historical Items**

1. The department's collection of historical items is housed at the Supply Section in a secure storage facility.
2. Committee members are responsible for maintaining a database of items stored.

**B. Issuing an Item for Use**

1. A current Board member or the staff person of the Historical Advisory Board shall give approval for issuing an item for use.
2. The person receiving the item shall sign a receipt showing the date issued, the item description, and the due-in date.
3. The database shall be updated by committee members.

**C. Pursuing Contributions**

1. The Supply Section and board members will periodically pursue historical contributions to maintain a historical date line of items the department has used.
2. Items of historical value to the department may be donated to the Supply Section. Donations should be marked "For Historical Preservation" and include information describing the item. Supply shall acknowledge the contributions within 7 days.

**Applies to:** All WSP Employees

**See Also:** --

**► SECTION 16: IDENTIFICATION ◀****10.16.010 IDENTIFICATION OF PERSONS IN DEPARTMENT FACILITIES (CALEA 22.2.7)****I. POLICY****A. Wearing Identification Cards – Employees**

1. Employees shall wear their identification card at all times, in all department facilities, unless in uniform.
2. The information on the card must be up to date.
3. The card shall be worn by the employee in such a fashion that it is easily readable by other employees.



**B. Visitors**

1. Visitors to department facilities who are not department employees allowed past the reception area shall be provided with a clip-on visitor's pass and be escorted by an employee.
2. The pass shall be turned in as the visitor leaves the building.

**Applies to:** All WSP Employees

**See Also:** --

**► SECTION 17: ACCESS CONTROL DEVICES ◀****10.17.010 ACCESS CONTROL DEVICES (ACD) ACCOUNTABILITY (CALEA 17.5.2)****I. POLICY**

[Click here to view General Order 15-001](#)

**A. ACD Issuance and Lock Assignments**

1. The ACD accountability system includes issuance and lock assignments to maintain the security of all areas. This includes, but is not limited to, brass keys, proximity cards, etc.
2. District or division commanders shall notify the Facilities Management Section (Property Management Division) immediately if there is a change in ACD custodian.

**B. ACD Logs and Responsibility**

1. The captain or commander shall assign an ACD custodian to be responsible for division/district level access control.
2. The ACD custodian is responsible for:
  - a. Requesting any ACD from the Facilities Management Section.
  - b. Issuing ACDs.
  - c. Ensuring a signature card is completed and returned to the Facilities Management Section.
  - d. Maintaining an ACD accountability log (see Access Control Device Log sample below).
  - e. Submit a copy of the ACD accountability log annually in February to the Facilities Management Section.

## ACCESS CONTROL DEVICE LOG

ACD Custodian:				Division/Detachment:		
ACD #	Type of Device Issued	Date Assigned	Date Turned In	Print Name	Unique ID	ACD Owner's Signature

**C. Exceptions to the ACD Log**

1. Washington State Patrol officers issued department gas pump and weigh station keys (20-2A) are not listed in the log. The Supply Section issues and records these ACDs and Facilities Management Section tracks and retains these records.

**D. Requests for ACDs**

1. Requests for ACDs must be made in writing (either via IOC or e-mail) by the ACD custodian and indicate the purpose of the ACD, access desired, and to whom the ACD will be assigned. This correspondence must be approved by the division/district/section commander. The Facilities Management Section will then issue the ACD. Any ACD marking shall be noted on the request.
2. Persons requesting access to Washington State Patrol facilities from other agencies must contact the Facilities Management Section for ACD issuance. The Facilities Management Section shall notify the requesting agency in writing about ACD issuance policies. All outside agency personnel requesting an ACD must have passed a Washington State Patrol background check, federal background check, and be fingerprinted (see **CONTRACTOR BACKGROUND CHECKS**). Outside agency requests shall be on agency letterhead and shall have an agency manager's signature. The Facilities Management Section requires the return of the ACD(s) if the person it was issued to transfers or separates from the requesting agency.
3. Outside companies requesting access to our facilities must contact the Facilities Management Section for ACD issuance. The Facilities Management Section shall notify the requesting company in writing about ACD issuance policies. All outside personnel requesting an ACD must have passed a Washington State Patrol background check, federal background check, and be fingerprinted (see **CONTRACTOR BACKGROUND CHECKS**). Requests shall be on company letterhead and shall have a manager's signature. The Facilities Management Section requires the return of the ACD(s) if the person it was issued to transfers or separates from the requesting company.

**E. Lost, Stolen or Broken ACDs**

1. Employees shall immediately notify their assigned ACD custodian and supervisor of any lost, stolen, or broken ACDs. The ACD

custodian shall notify the Facilities Management Section and update their annual ACD log.

#### F. Key Boxes

1. Each section, unit, and/or detachment shall possess a locked key box with a set of keys for each vehicle assigned to the area and any other key used on a daily basis. The key box shall be in an area accessible only to Washington State Patrol employees.
2. ACD custodians shall keep a separate secure location (i.e., lock box, locked filing cabinet, or locked desk) for all Washington State Patrol ACDs.

#### G. ACD Turn-In

1. Separating employees shall return all ACDs to their district ACD custodian by their last work day. ACDs to specific district or division areas must be turned in before transfer or promotion.
2. Proximity cards stay with employees until separation from the agency. The Facilities Management Section must be notified of all transfers and promotions.

#### H. Inspections

1. ACD accountability logs shall be reviewed during inspections.

**Applies to:** All WSP Employees

**See Also:** WSP Policy **Contractor Background Checks**; Access Control Device Log

### ► SECTION 18: INFORMATION TECHNOLOGY ◀

#### 10.18.005 INFORMATION TECHNOLOGY DIVISION

#### I. POLICY

##### A. Information Technology Division Responsibilities

1. The Information Technology Division (ITD) Commander, also known as Chief Technology Officer (CTO) by title or Chief Information Officer (CIO) by function, shall be responsible for the department's technical services, products, and infrastructure including:
  - a. Leadership of all information technology (IT) activities.
  - b. Purchasing approval and development of computer systems, computer peripherals, and end-user equipment.
  - c. Oversight of all information technology (IT) activities.

- d. Development and establishment of internal controls for IT systems and infrastructure processes.
  - e. Liaison with other government and private IT officers.
  - f. Oversight and implementation of IT security measures.
2. ITD does not have authority over the data network infrastructure provisioning. This is done by the Electronic Services Division (ESD).

**Applies to:** All WSP Employees

**See Also:** --

**10.18.010     COMPUTER HARDWARE/SOFTWARE ACQUISITION AND USE**  
**(CALEA 11.4.4, 41.3.7)**

**I. DEFINITIONS**

- A. Software piracy is the illegal copying and/or use of copyrighted software programs. Computer software is the set of detailed instructions that tell a computer what to do. "Programs" and "applications" are other generic terms for software. Software can be purchased commercially, built by programmers, and/or customized to meet business needs. Commercially available software includes, but is not limited to, Microsoft Office Suite, Adobe Acrobat, and Microsoft Windows.
- B. Hardware and peripherals are the computer machinery used to operate the software. Desktops, laptops, servers, and personal digital assistants are hardware.
- C. Information Technology (IT) services for this policy include, but are not limited to, software development or modification, programming support, desktop support, printer support, project management support, and training. IT services are the services provided by IT personnel. IT services can be provided by department IT personnel or through personal/purchased services **approved by department IT personnel**.

**II. POLICY**

**A. Standardization of Computer Systems**

1. All computer systems will use standardized hardware and software wherever possible.
2. The Information Technology Division (ITD) reviews and approves IT standards with the goal of providing a formal and fair process for the adoption of technical standards. ITD promotes the use of these standards to ensure compatibility and interoperability of systems and to guide agency decision-makers when investing in information technology decisions.

**B. Acceptable Use**

1. Hardware devices and software programs purchased and provided by the department are to be used only for creating, researching, repairing, operating, maintaining, and processing department-related materials and equipment.

2. Computer games are not allowed on department computers. Games provided by computer vendors as part of installed software shall be removed.

### C. Software

1. Employees shall obtain authorization from ITD before purchasing, installing, upgrading, modifying, or altering any department software.
2. Only authorized software is permitted to be installed and reside on department hardware.
3. Employees requiring software that is not identified in the IT Standards published by ITD must request an exception via the IT Acquisition Procedure. Authorized exceptions to the software standards shall be documented on a list maintained by ITD.
  - a. The following are examples of software that require an exception:
    - (1) Shareware/Freeware (files downloaded from Internet).
    - (2) Personal software.
    - (3) Screen savers/Wallpaper (other than standard Windows software).
    - (4) Internet access software (i.e., AOL, CompuServe, Prodigy, WorldNet, etc.).
    - (5) Demo discs received in the mail or from a vendor.
    - (6) Utilities.
    - (7) Disk compression (i.e., Stacker, DoubleSpace).
    - (8) Mouse enhancement software.
4. Software installed on any department hardware must be designated as registered to the department.

### D. Federal Copyright Law

1. Department employees shall not operate in violation of the federal copyright law. Employees shall not copy, possess, or use illegally copied (pirated) software in any department facility or on any department-owned computer equipment. This policy includes copyrighted computer software purchased by any section, division, or bureau of the department where its usage is restricted to a single site.
2. Employees shall not copy or install department-purchased software on home and personal systems.
3. ITD shall maintain licenses for all authorized software, with the exception of Radio Service Software licenses, which will be maintained by the Electronic Services Division (ESD).

**E. Hardware**

1. Employees shall obtain authorization from ITD before purchasing, installing, upgrading, modifying, moving, or altering any department computer or peripheral.
2. Employees requiring hardware that is not identified in the IT Standards published by ITD must request such hardware via the IT Acquisition Procedure. Each request shall be considered on a case-by-case basis in conjunction with this policy. Authorized exceptions to the software standards shall be documented on a list maintained by ITD.

**F. Procurement of IT Hardware, Software, or Other IT Services**

1. Any business area seeking to procure IT hardware, software, or personal/purchased IT services must initiate a request via the procedure outlined in **PROCEDURE** below.

**III. PROCEDURE****A. IT Acquisition****1. Hardware/Software**

- a. All requests for purchase of commercially available, off-the-shelf hardware or software will be directed to ITD Customer Services via an ITD Purchase Request, which can be found on Inside WSP.
- b. Depending on the scope of the hardware/software being requested, an IT Project Request may be required as outlined below.

**2. IT Projects/IT Services**

- a. All requests for IT projects or IT services will be initiated with ITD via the IT Project Initiation Process outlined in the *Information Technology (IT) Manual*.
- b. IT projects and services can only be approved and procured by first going through this process and receiving the required approval. This includes initiatives funded by grants or legislative action with an IT component.

**Applies to:** All WSP Employees

**See Also:** *Information Technology (IT) Manual*; Information Technology Standards; Information Technology Division Purchase Request Form

**10.18.020     COMPUTER VIRUS (CALEA 11.4.4)****I.    POLICY****A.    Computer Threats**

1. Two common forms of threats to computer systems are the virus and the worm. While the internal characteristics are different, the threats and prevention techniques are similar, so the term “virus” applies to all threats in this section.
2. A computer virus is a computer program or it operates through a macro service and is written to alter the way a computer operates without the permission or knowledge of the user. A computer becomes infected when a virus-infected file is introduced and executed. Once active, the virus spreads by copying and transmitting itself to other computers and possibly damaging the infected computer system.

**B.    Anti-Virus Software**

1. The department provides anti-virus software protection for all department computers. Once installed and activated, the software shall not be disabled or deactivated for extended periods of time without direction from Information Technology Division (ITD) technical personnel.

**C.    Computer Virus**

1. No department employee shall knowingly or maliciously place a computer virus or other computer threat on any computer system.

**D.    Threat Announcements**

1. Computer threats are frequently announced in the news media, FBI bulletins, Washington Department of Information Services bulletins, or other sources. ITD will assess these threats and make appropriate announcements through the Daily Bulletin or similar means.
2. It is not necessary to act until such notice is received from ITD unless there is obvious infection or damage. Do not forward any threat bulletin to ITD or elsewhere, as this ties up other resources and inhibits analysis and reaction.

**E.    Safeguards Against Viruses**

1. Ensure anti-virus software is installed and active. For verification or instruction, contact ITD Customer Services or see the Inside WSP Web site.
2. Back up data regularly.

3. All incoming data should be reviewed by the recipient, regardless of source reputation. Avoid unnecessary retrieving or downloading of information from outside sources. Any retrieval or downloading should be done on a system with active anti-virus software.
4. Files received by electronic mail attachment could carry a virus but are not dangerous, unless the attachment is executed or opened. Some threats use vulnerabilities of software without the user executing or opening a file.
5. Do not open any file, regardless of the file's source, suspected of carrying a virus.
6. Let the anti-virus software run, have it check the system regularly, and keep the software up-to-date.
7. If the computer is disconnected from the network, execute the virus scan before reconnecting. If the computer is disconnected and connected to another network, contact ITD Customer Services before reconnecting to the Washington State Patrol network.

#### **F. Suspected Infection**

1. If it is suspected that a computer has been infected with a virus:
  - a. Stop using the computer.
  - b. Do not turn the computer off.
  - c. Call ITD Customer Services.
2. ITD Customer Services will guide the computer user through a basic set of checking instructions. If a virus is suspected or found, computer technicians will be dispatched to correct the problem. Initial response will be by telephone. On-site response will be prioritized based upon severity and available correction resources.

#### **G. Virus Hoax**

1. Spreading rumors of a virus through electronic mail is another means of creating problems associated with viruses. Do not spread rumors.
2. If you receive or suspect a message is a virus hoax, do not reply or forward it to others through the mail system. Send the message only to ITD Customer Services via e-mail or fax. Close the message and keep it on file for one week should ITD need to trace its origin. Customer Services will verify if the message is a hoax and notify the department via the Daily Bulletin of any real threat.

**Applies to:** All WSP Employees  
**See Also:** --



**10.18.030 COMPUTER SOFTWARE PATCHES****I. DEFINITIONS**

- A. Software Patches** are updates to computer programs. They are also called “Service Packs” or program fixes. Software patches are used by software programs to resolve critical problems that were discovered after the initial release of an application. The most common usage for software patches is to fix security problems in applications, such as Windows, Internet Explorer, or Microsoft Office.

**II. POLICY****A. Computer Software Patches Requirement**

1. All department-owned computers are to operate installed software at approved patch levels.
2. The Information Technology Division (ITD) will provide testing and distribution of software updates and patches for all standard software.

**III. PROCEDURES****A. Distribution of Computer Software Patches**

1. ITD schedules the distribution of software patches and updates needed for the security and proper functionality of department computers at times least busy on any given day. Leaving department computers connected to the department network turned on 24 hours a day, 7 days a week allows this process to occur without causing impacts on most department employees’ productivity.
2. Employees whose computers are **connected to the network** and are not left powered on will receive patch updates the next time the computer starts up. The update process may impact computer performance, causing it to slow down or be unavailable until the patching process is complete.
3. Employees whose computers are **not connected to the network** are responsible to update their computer software on a weekly basis by connecting their computer to the Washington State Patrol network once a week for a minimum of 4 hours. These employees are to contact ITD to work out procedure details so they can receive software patches and updates within a reasonable timeframe.

**Applies to:** All WSP Employees

**See Also:** --

**10.18.040 COMPUTERS LEFT ON DURING OFF-SHIFT HOURS****I. POLICY****A. Computer Power Requirement**

1. All computers connected to the department network are to remain powered on when not in use.
2. Devices connected to the computer may be turned off when not in use.
3. Employees are to log off of computers when going off-shift.

**II. PROCEDURES****A. Purpose for Leaving Department Computers Powered On**

1. Department-owned computers connected to the department network should remain powered on 24 hours a day, 7 days a week. This enables the automated distribution of software patches and updates by the Information Technology Division (ITD) for security and proper functionality of department computers at times least busy on any given day.
2. Leaving department computers connected to the department network turned on 24 hours a day, 7 days a week allows this process to occur without causing impacts on most department employees' productivity.
  - a. Separately powered devices such as monitors and printers associated with the computer can be turned off anytime.
  - b. A user may choose to power a computer off and restart it for other reasons.
3. Turning off computers during off-shift hours may impact employee productivity by causing long start times, from turning the computer on to when it is available, as updates are applied to the system.
4. Exceptions to this policy are computers that are not directly connected to the department's network. These computers include, but are not limited to, computers used by Commercial Vehicle Enforcement Bureau and Field Operations Bureau personnel in department vehicles, laptops used outside of the office, personal digital assistants, Crime and Toxicology Laboratory instruments, and Facilities Management's plasma cutter.

**Applies to:** All WSP Employees

**See Also:** --

## ► SECTION 19: INVENTORY ◀

**10.19.010 ELECTRONIC EQUIPMENT INVENTORY (CALEA 17.5.1)****I. POLICY****A. Inventory of Electronic Equipment**

1. The Electronic Services Division (ESD) is responsible for inventorying all electronic equipment, with the exception of Mobile Office Platform (MOP) equipment, in departmental vehicles. The Information Technology Division (ITD) will be responsible for inventorying all MOP equipment in departmental vehicles.
2. The inventory shall be performed at least once each year by ESD and ITD technicians and updated whenever ESD or ITD technicians repair or perform maintenance testing of electronic equipment.

**Applies to:** All WSP Employees

**See Also:** --

**10.19.020 FIXED ASSET INVENTORIES (CALEA 17.5.1)****I. POLICY****A. Command Accountability and Responsibility of State-Owned Property, Equipment, and Tagged or Serialized Tracked Assets**

1. Bureau/division/district/section/unit commanders shall ensure that state property entrusted to his or her possession, command, or supervision is properly used and cared for, and that proper custody, safekeeping, and disposition are provided. Command responsibility cannot be delegated and includes ensuring:
  - a. The security of all property of the command, whether in use or in storage.
  - b. Subordinates' activities contribute to the proper custody, care, use, safekeeping, transfer documentation, and disposition of all property within the command.
  - c. All security, safety, and accounting requirements are met.

**B. Supervisory Accountability and Responsibility of State-Owned Property, Equipment, and Tagged or Serialized Tracked Assets**

1. Supervisors will ensure all state property issued to or used by his or her subordinates is properly used and cared for and that proper custody, safekeeping, and disposition are provided. This responsibility cannot be delegated and is not contingent upon signed receipts and includes:
  - a. Providing proper guidance and direction to personnel regarding state property.

- b. Ensuring all security, safety, and accounting requirements are met.
- c. Maintaining a work environment that facilitates and ensures the proper care, use, and transfer documentation of state property.

**C. Custodial Accountability and Responsibility of State-Owned Property, Equipment, and Tagged or Serialized Tracked Assets**

- 1. Individuals assigned custodial duties for property in storage awaiting issue or turn-in shall exercise reasonable and prudent actions to ensure proper custody, safekeeping, and disposition of the property. These individuals are to:
  - a. Ensure the security of all property stored within the warehouse, supply room, and storage annexes/areas belonging to or used by the custodian.
  - b. Observe subordinates to ensure their activities contribute to the proper custody, care, safekeeping, transfer documentation, and disposition of all property within the warehouse, supply room, and storage annexes/areas belonging to or used by the custodian.
  - c. Ensure all security, safety, and accounting requirements are met.
  - d. When unable to enforce any of these, report the problem to their immediate supervisor.

**D. Inventory of State-Owned Property, Equipment, and Tagged or Serialized Tracked Assets**

- 1. The physical inventory, or inventory count, should be performed by persons with no direct responsibility (custody and receipt/issue authority) for the inventory. If it is not feasible to use such personnel for any part of the inventory, those parts are, at least, to be tested and verified by a person with no direct responsibility for the stock.
- 2. A physical inventory of all department-owned fixed assets shall be conducted every two years. The Supply Section shall publish an inventory schedule ensuring 100% inventory of the department's assets is conducted within this timeframe. The Supply Section shall forward a tagged/tracked asset inventory list complete with detailed instructions for conducting the inventory to the affected divisions/districts. Inventories must be physically and accurately completed within the allotted time frame as outlined in the instructions. Sections/units will receive their inventory list through the division/district commander.
- 3. Upon each change of command, a joint inventory shall be conducted by the outgoing and incoming commanders. The outgoing commander shall initiate the inventory process by contacting the Supply Section and requesting an up-to-date

tagged/tracked asset inventory listing for his/her organizational unit. In the event the outgoing commander is not available to conduct the inventory, the incoming commander will complete the change of command inventory within 30 days of assuming command.

4. Exceptions to joint inventories between outgoing and incoming commanders will be requested through the chain of command to the Technical Services Bureau Assistant Chief for approval.
5. In the event a biennial tagged/tracked asset inventory has been completed within the last 90 days, the incoming commander need only verify the inventory with a spot check of items not assigned to an individual.
6. If the biennial tagged/tracked asset inventory is scheduled to begin within 30 days after a change of command, a joint inventory is not required. The incoming commander shall take charge of the biennial inventory.

**Applies to:** All WSP Employees

**See Also:** *Office of Financial Management (OFM) State Administrative and Accounting Manual (SAAM) 35.10*

#### **10.19.030**     **MULTI-FUNCTION DEVICE/PRINTER SECURITY REQUIREMENTS**

##### **I. DEFINITIONS**

- A. Multi-Function Device (MFD)** – These devices are often referred to as “copy machines,” as they have options to perform standard copier functions. However, they can also have functions that are beyond copying paper documents, including accepting print jobs from computers and scanning, faxing, and e-mailing of documents. For the purposes of this policy, an MFD is any device that performs any or all of these functions and includes a storage device such as a hard drive, flash memory, etc.

##### **II. POLICY**

###### **A. Purpose**

1. The risk associated with the unauthorized access, disclosure, or destruction of agency data must be managed. MFDs may contain devices that store images of scanned, copied, printed, and/or faxed records.

###### **B. Security Procedures**

1. Whenever a leased or owned MFD with a storage device leaves Washington State Patrol control—whether to return the device at the end of a lease, surplus, or repair—proper care must be taken to ensure any images recorded on the machine’s storage device are erased, destroyed, or otherwise encrypted to prevent unauthorized or unintended access.

2. One of the following steps must be taken whenever an MFD equipped with a non-encrypted storage device leaves Washington State Patrol control:
  - a. The storage device is wiped using the administrative features of the MFD (if equipped). Due to the varying levels of effectiveness of this feature from MFD to MFD, this feature must be approved by the Information Technology Division (ITD) as adequate before using this option.
  - b. The MFD vendor will remove the hard drive from the MFD, replacing it with a new one. The removed hard drive will be sent to ITD for proper disposal. There will be an expense to the business area where the MFD resides for this option.
3. Purchase, rental, or lease contracts for newly installed MFDs equipped with electronic storage devices shall establish the data security option selected to ensure proper handling of recorded data. This security option must ensure the data on the storage device is encrypted in a way that effectively prevents unauthorized access. A list of Multi-Function Device Security Options and expiration dates will be maintained by the Property Management Division.

**Applies to:** All WSP Employees  
**See Also:** --

## ► SECTION 20: ELECTRONIC SERVICES ◀

### **10.20.010 ELECTRONIC SERVICES DIVISION**

#### **I. POLICY**

##### **A. Electronic Services Division Responsibilities**

1. The Electronic Services Division (ESD) Commander shall be responsible for the department's technical services for communication products and infrastructure, including:
  - a. Leadership of all communication infrastructure activities.
  - b. Purchasing approval and development of data and voice communication systems and end user equipment.
  - c. Strategic planning and oversight of all communication infrastructure activities.
  - d. Development and establishment of internal controls for communication systems and infrastructure processes.
  - e. Liaison with other government and private organizations regarding voice and data communication issues.

- f. Implementation and development of security measures for voice and data communications

**Applies to:** All WSP Employees

**See Also:** --

## Chapter 11

### PERSONNEL ISSUES

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#### ► SECTION 00: TRAINING ◄

##### **11.00.010    TRAINING REQUIRED FOR LAW ENFORCEMENT OFFICERS** **(CALEA 32.2.10, 33.4.1)**

#### **I. POLICY**

##### **A. Training Requirements**

1. Employees shall not carry firearms, make arrests, investigate collisions or crimes, or use restraints or defensive weapons without first meeting the Training Division's minimum requirements.
2. Employees shall not perform Washington State Patrol officer/commercial vehicle enforcement officer/cadet duties without completing training as required for those duties and receiving authorization from the Chief.

**Applies to:**            WSP Officers  
**See Also:**            --

#### ► SECTION 01: RECRUITMENT AND ASSESSMENT ◄

##### **11.01.010    RECRUITMENT AND ASSESSMENT (CALEA 32.2.10)**

#### **I. POLICY**

##### **A. Agency Commitment**

1. The department is committed to the recruitment, appointment, development, and retention of highly qualified employees.

##### **B. Supervisor and Manager Accountability**

1. All supervisors and managers are accountable for considering budget, position allocation, position function, staffing level implications, salary, and competencies prior to recruiting for a position.

##### **C. Development of Competency and Proficiency Levels**

1. Competences and proficiency levels must be developed for a position prior to commencement of the recruitment and assessment process.
2. In consultation with supervisors and managers, the Human Resource Division (HRD) will administer the recruitment, assessment, training, and certification procedure that is available in the *Human Resource Division Standard Operating Procedures Manual*. The recruitment, assessment, and certification procedure addresses the elements identified in WAC 357-16 and applicable Collective Bargaining Agreements.



3. The use of application screening methods will be determined by supervisors and managers to ensure a sufficient pool of candidates from which to consider. Screening methods are available in the *Human Resource Division Standard Operating Procedures Manual*.
4. Procedures on pre-employment assessments (examinations) are provided in the *Human Resource Division Standard Operating Procedures Manual*. HRD will provide consultation to supervisors and managers on the pre-employment assessment process.

**Applies to:** All Non-Represented Washington General Service Employees  
**See Also:** WAC 357-16; *Human Resource Division Standard Operating Procedures Manual*; applicable Collective Bargaining Agreements

**11.01.020    SECURING SELECTION/HIRING MATERIAL (CALEA 32.1.7, 34.1.3)**

**I.    POLICY**

**A.    Selection and Hiring Material**

1. **Sergeants and Lieutenants Promotional Examination Files, Trooper Cadet, Civil Service, Washington Management Service (WMS), and Exempt Positions**
  - a. Selection materials are to be maintained and stored in the Human Resource Division's (HRD) locked file room or in secured file cabinets within HRD. These areas will be secured 24 hours a day with limited access to appropriate staff.
2. **Commissioned Detective and Specialty Files**
  - a. Selection materials are to be maintained by the hiring supervisor/manager and stored in a locked file room or in secured file cabinets within the bureau, division, district, or section in which the position was recruited and/or hired for. Selection materials will be secured 24 hours a day with access limited to appropriate staff. Selection material refers to all interview notes, test scores, rating materials, etc.

**B.    Retention**

1. The Records Retention Schedule dictates the retention period of these materials.

**Applies to:** All WSP Employees  
**See Also:** *Human Resource Division Standard Operating Procedures Manual*; WSP Policy **Records Retention**; RCW 40.14; General Records Retention Schedules

**11.01.030 EDUCATION VERIFICATION****I. POLICY**[Click here to view General Order 15-002](#)**A. Human Resource Division Responsibilities**

1. The Washington State Patrol Human Resource Division (HRD) is required to verify education on current and potential employees being considered for positions within the agency. Prior to being provided a job offer, education must be verified for position-required and applicant-specified education as outlined in the education verification procedures in the *Human Resource Division Standard Operating Procedures Manual*.
2. HRD is required to verify education for incentive pay requests for trooper cadets and commissioned personnel as outlined in the education verification procedures.
3. If official transcripts and school accreditation have previously been verified as established by current policy/procedure, there is no need to solicit and/or verify transcripts.
4. The state of Washington recognizes degrees from U.S. colleges and universities whose accreditations are recognized by the U.S. Department of Education (USDE) <http://ope.ed.gov/accreditation/> and/or the Council for Higher Education Accreditation (CHEA) <http://www.chea.org> or <http://www.chea.org/search/default.asp>. HRD solicits and receives official sealed educational transcripts and verifies accreditation as recognized by USDE and/or CHEA or the National Association of Credential Evaluation Services (NACES) which evaluates foreign degree equivalencies as outlined in the education verification procedures.

**Applies to:** All WSP Employees and Applicants of the Washington State Patrol

**See Also:** *Human Resource Division Standard Operating Procedures Manual*

**► SECTION 02: PROBATIONARY AND TRIAL SERVICE ◀****11.02.010 PROBATIONARY AND TRIAL SERVICE (CALEA 32.2.10, 33.1.2, 33.1.5, 34.1.7, 35.1.3)****I. POLICY****A. Non-Represented Washington General Service Employees**

1. Probationary and trial service periods provide the department with an opportunity to observe and evaluate an employee's skills, abilities, working subject knowledge, and future potential during the first months of appointment to a new position.

2. Flexibility in the length of probationary and trial service periods allow for the ability to accommodate various circumstances and to provide additional training or mentoring in order for the employee to meet the performance expectations of the position.
3. Probationary employees will be evaluated quarterly regarding their ability to satisfy the essential functions of the position.
4. Each supervisor and manager will ensure that each person appointed to a new position with a probationary or trial service period is given appropriate training and support to provide the optimum circumstances for success.
5. Supervisors will ensure employees are provided the following, no later than 5 working days in position:
  - a. A comprehensive explanation of the role and responsibility the position holds within the department.
  - b. The competencies required and expectations of the employee to apply the competencies and fulfill the expectations of the position.
  - c. The appropriate tools, information and training needed to successfully complete the probationary or trial service period.
  - d. A clear explanation of the concepts and expectations of the probationary or trial service period and the resulting consequences if the probationary or trial service period is unsuccessful.
  - e. Information regarding how an evaluation of the employee's progress in the probationary or trial service period will be conducted.
  - f. Information regarding timely feedback to the employee as it relates to the progress made and/or suggestions to improve/correct deficiencies identified throughout the probationary or trial service period.

#### **B. Troopers/Sergeants/Lieutenants**

1. In addition to the guidance provided above, the probationary period will last 12 months from the time of commissioning or promotion.
2. The Chief may discharge a probationary trooper or demote a probationary sergeant or lieutenant, in accordance with RCW 43.43 and collective bargaining agreements.

**Applies to:** All Troopers/Sergeants/Lieutenants and Non-Represented Washington General Service Employees

**See Also:** RCW 43.43.060, 43.43.070, 43.43.360; WAC 357-19; *Human Resource Division Standard Operating Procedures Manual*

## ► SECTION 03: PERFORMANCE EVALUATIONS ◀

**11.03.010 EMPLOYEE JOB PERFORMANCE EVALUATIONS (CALEA 26.1.4, 26.1.5, 33.1.5, 35.1.1, 35.1.2, 35.1.3, 35.1.4, 35.1.5, 35.1.6, 35.1.7)****I. POLICY****A. Purpose of Performance Evaluation Process**

1. The performance evaluation process gives supervisors an opportunity to provide performance feedback and overall information regarding performance from the employee. This process provides two-way communication.
2. The employee performance evaluation will:
  - a. Assess and review their performance with regard to those goals and expectations.
  - b. Provide support and help identify future training opportunities as part of the employee's professional development.
  - c. Ensure skills and abilities are sufficient to support department goals and objectives.

**B. Completion of Job Performance Evaluations**

1. Job performance evaluations will be completed in accordance with collective bargaining agreements for represented general service employees using the Performance Development Plan (PDP) and for commissioned employees using the Job Performance Appraisal (JPA) form.
2. Job performance evaluations for non-represented general service employees (excluding exempt employees) will be completed using the PDP according to applicable Civil Service Rules.
3. Probationary evaluations for all employees, excluding Executive Staff, Special Deputies, and Confidential Secretaries, will be conducted quarterly.

**C. Procedures for Completing Job Performance Evaluations**

1. Evaluation procedures for non-represented general service (excluding exempt) employees are contained in the *Human Resource Division Standard Operating Procedures Manual*.
2. Evaluation procedures for troopers, sergeants, and lieutenants are contained in the *Job Performance Appraisal Manuals* posted in the *Human Resource Division Standard Operating Procedures Manual*.

**Applies to:**

All WSP Employees

**See Also:**WAC 357-37; Applicable Collective Bargaining Agreements; *Human Resource Division Standard Operating Procedures Manual*; Civil Service Rules

## ► SECTION 04: PROMOTIONS ◄

**11.04.010 PROMOTION OF TROOPERS/SERGEANTS (CALEA 22.3.1, 34.1.1, 34.1.2, 34.1.3, 34.1.4, 34.1.5, 34.1.6)****I. POLICY****A. Eligibility and Promotional Process**

1. Examinations for troopers and sergeants who are eligible for promotion to the next rank are conducted every two years, or when the current eligibility list is exhausted.
2. Eligibility criteria and testing procedures can be found in the *Human Resource Division Standard Operating Procedures Manual* located on the Human Resources Division Intranet page.
3. Promotions will be made from an eligible list as required in RCW 43.43.340.

**Applies to:** Troopers and Sergeants

**See Also:** RCW 43.43.330, 43.43.340, 43.43.350; *Human Resource Division Standard Operating Procedures Manual*

**11.04.020 PROMOTIONS****I. POLICY****A. Promotional Guidance and Procedures Available**

1. The department recognizes the value, to both the employee and organization, of investing in employees' development and in providing opportunities for career growth within the department.
2. The *Human Resource Division Standard Operating Procedures Manual* provides guidance and procedures for department use in determining who will be considered a promotional candidate, what promotional organizational units will be established, and what the promotional certification procedure to fill vacant positions will be for non-represented Washington General Service employees.

**Applies to:** Non-Represented Washington General Service Employees

**See Also:** WAC 357-16-150; *Human Resource Division Standard Operating Procedures Manual*

## ► SECTION 05: RELATIVES AND/OR HOUSEHOLD MEMBERS ◄

**11.05.010 EMPLOYMENT OF RELATIVES AND/OR HOUSEHOLD MEMBERS****I. POLICY****A. Avoiding Chain of Command for Relatives and Household Members**

1. The department will avoid placing relatives and/or household members in a supervisor/subordinate relationship to include within

the chain of command. Relatives and household members include parents, present or former spouse, child, brother, sister, in-laws, other relatives living together or maintaining a close relationship, and department employees living in the same household.

2. Employees will not supervise, audit the work of, or discipline a relative or household member as specified above. If a conflict does occur, the newly hired relative/household member will be reassigned to eliminate the supervisor/subordinate or chain of command relationship.
3. Any exceptions to this policy must be approved in advance by the Chief, Deputy Chief, assistant chief, or bureau director.

**Applies to:** All WSP Employees

**See Also:** --

## ► SECTION 06: MILITARY RESERVE/NATIONAL GUARD ◀

### **11.06.010   MILITARY RESERVE/NATIONAL GUARD (CALEA 22.2.1)**

#### **I. POLICY**

[Click here to view General Order 15-002](#)

##### **A. Submission of Assignment Information to the Budget and Fiscal Services Payroll Unit**

1. Employees who are members of the military reserve or National Guard will annually submit names, addresses, and telephone numbers of their unit of assignment through the chain of command to the Budget and Fiscal Services (BFS) Payroll Unit on or before September 15 of each calendar year.
2. Upon transfer, promotion, or completion of formal military training programs, copies of certificates or orders will be sent to the Human Resource Division (HRD).

##### **B. Requests for Military Leave**

1. Unless precluded by military necessity, employees will submit scheduled military service or training dates, including annual training, at least 30 days in advance. Requests for military leave may be approved before receiving written orders or the training schedule, but a copy of either will be attached to the leave form when sent to HRD and the BFS Payroll Unit.

**Applies to:** All WSP Employees

**See Also:** --

## ► SECTION 07: RESIDENCY ◀

**11.07.010 RESIDENCE DEFINITION AND REQUIREMENTS****I. POLICY****A. Residency**

1. Residence is defined as: Where an employee physically lives or physically resides as evidenced by the address of the property and the employee's name appearing on the following:
  - a. Vehicle registration
  - b. Voter registration
  - c. Utility and service bills
  - d. Telephone
  - e. Rental or ownership agreement
  - f. Mail
2. This list is not intended to be exclusive or exhaustive but merely indicative of an employee's residence.

**B. Residency Requirements**

1. Employees subject to emergency call-out with no assigned vehicle shall reside within 60 minutes travel time by car of the duty station.
2. Employees with an assigned state take-home vehicle shall reside within 35 miles of their specific workplace or their primary base of operations when working statewide.
3. The division/district/section commander shall determine residence requirements for all new employees consistent with this policy or an existing bargaining contract. The Chief may grant exceptions to this policy if the requirements are not practical. The employee must submit supporting documentation for the commander to forward to the assistant chief or bureau director. Employees considering a move which may conflict with requirements shall first consult with the commander for authorization.
4. Employees shall have 120 days of date of transfer or appointment to comply.

**Applies to:** All WSP Employees Excluding Represented Employees

**See Also:** --

**► SECTION 08: CONTACT REQUIREMENTS ◀****11.08.010 TELEPHONE AND ADDRESS****I. POLICY****A. Telephone and Address Service/Changes**

1. All department employees considered essential to emergency response capabilities will have telephone service at their residences (land line or cellular service).
2. Any change of address or telephone number will be immediately reported to the employee's supervisor, Communications, and the Human Resource Division (HRD).

**Applies to:** All WSP Employees  
**See Also:** Employee Change of Information Form

**11.08.020 EMERGENCY DATA CARD****I. POLICY****A. Emergency Data Card Requirements**

1. Employees shall complete the Emergency Data Card, to be kept on file at the workplace.
2. The card shall be available at all times and the location made known to command staff and supervisory personnel.
3. Cards shall be updated on March 1st of each year or when information changes.
4. Duplicate cards within a district shall be kept at the district office or Communications.
5. Duplicate cards for Headquarters employees shall be on file at Tacoma Communications.

**Applies to:** All WSP Employees  
**See Also:** --

**► SECTION 09: LEAVE ◀****11.09.010 GENERAL LEAVE (CALEA 22.2.1)****I. POLICY****A. Accrual and Use**

1. If an employee is covered by a collective bargaining agreement that contains language prescribing the accrual and/or use of leave, then the department shall follow the applicable language.
2. If an employee is not covered by a collective bargaining agreement, or applicable bargaining agreement does not contain language prescribing the accrual and/or use of leave, then the department shall follow any Civil Service Rules (WAC) regarding



the accrual and/or use of leave as though those Civil Service Rules applied to the employee.

3. Unless required otherwise as a result of section (I)(A)(1) or (2) above:
  - a. All forms of leave must be requested in advance, according to the procedures specified in section (II); and
  - b. Unanticipated leave must be reported at the beginning of the employee's work shift unless unit, office, or division guidelines state otherwise.
4. Employees covered by collective bargaining agreements will conform to the terms of the agreement regarding leave.
5. Leave procedures covered by collective bargaining agreements or Civil Service Rules include: holidays, annual leave, sick leave, leave without pay, military leave, educational, severe inclement weather and natural disaster leave, and miscellaneous paid leaves such as examinations/interviews, Employee Advisory Service, jury duty, witness/subpoena, and life-giving procedures.

#### **B. Leave Request Denial and Changes**

1. Leave requests may be denied due to department operational necessity. Changes in leave requests will be made in writing.

## **II. PROCEDURES**

### **A. Procedures for Completing Time and Activity Reports**

1. Procedures for completing the Time and Activity Report (TAR) are maintained in the *Time and Activity Reporting (TAR) Manual*.

### **B. Use of Leave: Request and Approval**

1. Subject to section (I) and the limitations stated below, an employee shall request use of leave in advance.
  - a. Absent extraordinary circumstances, an employee should not submit, and a supervisor should not approve, a request more than twelve months in advance.
  - b. An employee shall not request, or be authorized to take, planned leave if the employee does not have sufficient balance(s) of applicable accrued leave type(s) to cover the absence.
2. Supervisors shall ensure adequate staffing when reviewing or approving requests for leave. If the supervisor determines coverage and operational needs can be maintained without overtime expenditures, more than one person may be on leave at the same time.

**C. Annual Leave**

1. Annual leave accrual rates are provided in collective bargaining agreements for represented employees and in Civil Service Rules for non-represented, WMS, and exempt employees.
2. Procedures for requesting annual leave or annual leave extensions, changing annual leave to sick leave, and eligibility criteria for annual leave are provided in collective bargaining agreements for represented employees and in the *Human Resource Division Standard Operating Procedures Manual* for non-represented, WMS, and exempt employees.

**D. Holidays/Personal Holidays**

1. Officers on temporary disability leave may carry the personal holiday to the following year, after approval. For approval, employees will submit a statement requesting extension and the reason for request.
2. If a holiday is on a scheduled work day and the officer becomes sick, no holiday credit will be granted, nor sick leave deducted.
3. All other holiday, personal holiday, and personal leave day provisions in the applicable collective bargaining agreements will apply to troopers, sergeants, lieutenants, and captains.
4. Represented and non-represented Civil Service employees will be authorized holidays and personal holidays as indicated in collective bargaining agreements (for represented) and Civil Service Rules (for non-represented).

**E. Sick Leave**

1. Supervisor responsibilities and sick leave procedures are contained in the *Human Resource Division Standard Operating Procedures Manual*. Supervisors are encouraged to consult with assigned Human Resource Consultants on sick leave abuse issues as necessary.
2. When sick leave abuse is suspected, employees may be required to provide a medical statement signed by their physician. The statement will indicate that the employee or his or her relative as defined by Civil Service Rules or the applicable collective bargaining agreement was seen by the employee's or relative's physician for a medical condition.

**F. Leave Without Pay**

1. Employees requesting leave without pay will submit an IOC with the Time and Activity Report to the appointing authority indicating the reason. Represented employees will comply with any collective bargaining agreement provisions.
2. Absences in excess of 15 calendar days will be reported immediately to the Human Resource Division.

- Supervisors will ensure leave without pay of any duration is reported immediately to the Payroll Office to avoid over-payments.
- The Payroll Office will provide employees with a checklist containing information about any impact leave without pay may have on their benefits, seniority, holidays, etc.
- Officers on suspension or leave without pay for more than 15 consecutive calendar days will have their anniversary date and periodic increment dates adjusted, and the time will be deducted from total state service for leave and retirement purposes.

#### **G. Inclement Weather or Natural Disaster**

- Civil Service Rules and collective bargaining agreements (CBAs) indicate the order and types of leave, paid or unpaid, that can be taken under inclement weather conditions.
- For non-represented employees, if the work location is operational, but the employee is unable to report to or remain at work due to inclement weather or natural disasters, then the employee shall take leave in the following order:
  - Any earned compensatory or exchange time
  - Accrued vacation leave
  - Accrued sick leave up to three days in any calendar year
  - Leave without pay
- Although the types of paid time off shall be used in the order listed and each type of paid time off shall be exhausted before the next (in order) is used, employees shall be permitted to use leave without pay rather than paid time off, at their request. If the employee reports to work, but is late, he/she is allowed up to one hour of paid time, with the remainder to be taken as listed above.

#### **H. Testing or Interviewing for State Jobs or Life-Giving Leave**

- Non-represented Civil Service employees may use paid leave to test or interview for state jobs, attend an Employee Advisory Assistance assessment or for life giving leave if approved in advance by the appointing authority. Civil Service Rule provisions will apply.
- Provisions contained in collective bargaining agreements will govern leave used by represented employees to test or interview for state jobs or for life-giving leave.

#### **I. Educational Leave**

- Non-represented Civil Service employees may request educational leave using provisions in the agency's Training and Development Plan.

2. Represented employees may request educational leave if provided by and/or in accordance with collective bargaining agreements.

**Applies to:** All WSP Employees

**See Also:** WSP Policy **Training Division**; Applicable Collective Bargaining Agreements; WAC 357; *Time and Activity Reporting (TAR) Manual*; *Human Resource Division Standard Operating Procedures Manual*

### **11.09.030 ON-DUTY/OFF-DUTY INJURY/EXPOSURE REPORTING**

#### **I. POLICY**

- A. This policy will be used in conjunction with the injury/exposure reporting procedures located in the *Human Resource Division Standard Operating Procedures Manual*.

#### **1. Contact Labor and Industries (L&I) Within 8 Hours of Death or Hospitalization of an Employee**

- a. If an employee dies while working or is not expected to survive, or when an employee is admitted to a hospital as a result of a work-related incident; the chain of command will contact the Safety & Wellness Coordinator in the Human Resource Division (HRD) at (360) 704-2300 during regular business hours. The Safety & Wellness Coordinator will then contact L&I. During non-business hours or when HRD cannot be reached, the Communications Center having jurisdiction over the incident will notify L&I via their specified line at 1-800-423-7233.

**NOTE:** Being transported and released at the hospital emergency room does not require L&I reporting.

#### **2. Injury/Exposure Reporting**

- a. An injury is a sudden event causing personal damage or a condition resulting from repetitive motion, occupational disease, or exposure to communicable disease, toxins, or physical agents while an employee is in work status.
- b. Injured employees or, if incapacitated, their supervisor, will complete an online Injury/Exposure Report within 5 days of the incident.
- c. If an L&I claim is filed by the injured or exposed worker, once notified, the Employee Health & Safety Team (in HRD) will submit an online employer report of accident to L&I.
- d. L&I and the Employee Health & Safety Team (in HRD) will be notified of all status changes (e.g., change of doctors, return to work).

- e. All inquiries from L&I regarding an injured employee will be referred to the Employee Health & Safety Team in HRD.
- f. When on-duty injury causes absence from work, L&I may compensate the employee. With a physician's documentation, L&I issues Time-Loss Compensation payments, in lieu of or in conjunction with regular earnings or leave time used.
- g. If an injury occurs off duty which will affect the ability to work, the employee will immediately notify the supervisor.

**Applies to:** All WSP Employees

**See Also:** Applicable Collective Bargaining Agreements; *Human Resource Division Standard Operating Procedures Manual*; WSP Injury Report

**11.09.040    TEMPORARY DISABILITY LEAVE – WITH PAY (CALEA 22.2.1, 22.2.2)**

**I. DEFINITION**

- A. Line duty is active service which encompasses the traffic law enforcement duties and/or other law enforcement responsibilities of the department. These duties include all enforcement of the laws, collision and criminal investigations, or actions requiring physical exertion or exposure to hazardous elements.
- B. Disability occurring during or as a result of acts or omissions with willful disregard of department rules, regulations, or training, or while committing a crime, may be deemed not occurring on line duty.

**II. POLICY**

**A. Temporary Disability Leave Eligibility**

- 1. An officer disabled while performing line duty activities and who is found by the Chief to be temporarily incapacitated shall be placed on temporary disability leave (TDL). Per RCW 43.43.040, TDL leave shall not exceed 6 calendar months from the date of injury or incapacitation. The officer is eligible for TDL after he/she has been unavailable for duty due to the incapacitation for more than 40 consecutive work hours. During this time, the officer shall receive pay, benefits, insurance, leave, and retirement contributions while in active status, less any Labor and Industries compensation.
- 2. For eligibility to be determined, a TDL request packet must be submitted through the chain of command to the Human Resource Division (HRD) including the Temporary Disability Leave Application form with the following attachments:
  - a. An Injury Report with all details of the disability and chain of command verification.
  - b. A copy of the filed Labor and Industries claim form.
  - c. Medical documentation.

- d. One IOC from the employee or the employee's supervisor (while the employee is incapacitated), through the chain of command, that includes:
  - (1) Detailed description of how the injury occurred (be sure to include all of the details surrounding the situation to include duty status and specific actions performed during the time of injury).
  - (2) A formal request for TDL.
- e. These shall be submitted within 10 days of the injury with the chain of command's recommendation.

#### **B. Additional Information and Investigation**

- 1. The Chief may also require information from the officer's physician, may refer the officer to a specialist for further evaluation, and may request investigation of the incident that led to the disability. Investigations will be coordinated by HRD and an investigation section.
- 2. The officer shall be notified of the Chief's decision within 30 days after the Chief receives the information. If denied, a review may be requested by submitting an IOC and any additional medical information through HRD to the Chief within 20 days.

#### **C. Contact with Supervisor**

- 1. If placed on TDL, the supervisor shall monitor the officer's recovery through weekly calls and monthly personal contacts. Any change in condition or ability to return to limited duty and/or full duty shall be immediately reported by the injured officer to their chain of command and forwarded to HRD.

#### **D. Return to Duty Extension**

- 1. If return to duty after 6 months is unlikely, the officer shall notify HRD and their chain of command at the end of the fifth month and provide supporting medical information. This shall include a physician's statement of limitations and prognosis for recovery. The Chief shall determine whether to return the officer to active status or place on disability, after reviewing the information. This decision may be appealed.
- 2. Officers who exhaust 6 months of approved TDL and have not yet returned to work will be allowed to use their own sick leave until a decision regarding the officer's status can be made by the Chief before either returning to work or being placed on disability status.

**E. Annual Leave Extension While on TDL**

1. Officers can apply for extension of their annual leave because of incurring TDL. Procedures established for requesting an annual leave extension are available through the *Human Resource Division Standard Operating Procedures Manual*.

**F. Release Required for Return to Duty**

1. To return to duty, the officer shall obtain a physician's written release, to include the following:
  - a. Diagnosis of the injury or illness.
  - b. Treatment plan (i.e., surgery, physical therapy, etc.).
  - c. Prognosis for recovery (including anticipated length of time).
  - d. Release to work type (specify limited duty, limited hours, etc.).
  - e. Detailed restrictions (physical limitations).
2. The officer shall work through their chain of command to return to limited and/or full duty. Officers requesting a limited duty assignment will submit an IOC through their chain of command to HRD with attached medical documentation.

**Applies to:**

WSP Officers

**See Also:**

RCW 43.43.040; WAC 446-40; WSP Injury Report; Temporary Disability Leave Application; Labor and Industries Claim Form

**11.09.050 FAMILY AND MEDICAL LEAVE (CALEA 22.2.1)****I. POLICY**

- A. This policy will be used in conjunction with the Family Medical Leave Act (FMLA) federal regulations and any relevant RCWs, WACs, collective bargaining agreements and the FMLA, Washington Family Leave Act (WFLA), and Parental Leave Procedures located in the *Human Resource Division Standard Operating Procedures Manual*.
  1. It is the policy of the Washington State Patrol to abide by all federal and Washington State laws related to Family and Medical Leave (including Parental Leave) and Pregnancy Disability Leave.
  2. The Human Resource Division (HRD) will be responsible for proper designation of leave.

**B. Parental Leave**

1. Parental Leave may encompass Pregnancy Disability Leave, FMLA, and WFLA and may extend up to six months; however,

requests for leave beyond that required by law may be denied by the chain of command due to operational necessity.

### C. Eligibility and Qualifying Events

1. Questions about eligibility, types of leave, and/or qualifying events for leave shall be directed to the Employee Health and Safety Team (HRD) through the chain of command.
2. Determination of eligibility and qualifying events will be determined in accordance with federal and Washington State laws, federal regulations, RCWs, WACs, and any applicable collective bargaining agreements.

**Applies to:** All WSP Employees

**See Also:** United States Department of Labor Family and Medical Leave Act; Related Federal Regulations; Applicable Collective Bargaining Agreements

## **11.09.070    SHARED LEAVE (CALEA 22.2.1, 22.2.3)**

### I. DEFINITIONS

- A. **Employee** means any employee who is entitled to accrue sick leave or vacation leave.
- B. A **relative** is limited to the employee's spouse, child, stepchild, grandchild, grandparent, parent, or stepparent.
- C. **Household members** are those who reside in the same house and have reciprocal duties to, and provide financial support for, one another. This includes foster children and legal wards, even if they do not live in the household. This does not include persons sharing the same house when the living style is primarily that of a dormitory or commune.
- D. **Severe or extraordinary illness, injury, impairment, or physical or mental condition** is defined as serious or extreme and/or life threatening.
- E. **Service in the uniformed service** is the performance of duty on a voluntary or involuntary basis in a uniformed service. This includes active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty (including state-ordered active duty), and absences for the purpose of an examination to determine the fitness of the person to perform any such duty.
- F. **Uniformed services** are the armed forces, the Army National Guard, and the Air National Guard of any state, territory, commonwealth, possession, or district when engaged in active duty for training, inactive duty training, full-time National Guard duty, or state active duty, the commissioned corps of the public health service, the Coast Guard, and



any other category of persons designated by the President of the United States in time of war or national emergency.

## II. POLICY

### A. Eligibility

1. Employees will be eligible to receive shared leave if:
  - a. The Deputy Chief/assistant chief/bureau director determines whether the employee meets the criteria and the amount of donated leave an employee may receive.
  - b. The employee is not eligible for time-loss compensation through the Department of Labor and Industries if the request is due to a severe illness.
  - c. The employee has complied with sick leave or uniform services leave policies.
  - d. The employee has exhausted all other paid leave, due to severe illness, or has exhausted annual leave and paid military leave if called to service in the uniformed services.
  - e. The Deputy Chief/assistant chief/bureau director shall determine the amount of donated leave an employee may receive. The maximum amount of shared leave permitted during total state employment is 522 days.

### B. Donation of Leave

1. The Shared Leave Program allows state employees to donate annual leave, sick leave, and/or all or part of their personal holiday to eligible state employees who must otherwise take leave without pay or terminate due to extraordinary or severe illnesses of themselves, relatives, or household members, or who have been called to service in the uniformed services.
2. The district or division commander determines whether an employee may donate leave in accordance with #3 below.
3. The following donation restrictions apply:
  - a. Employees may donate any amount of annual leave provided 80 hours remain.
  - b. Employees cannot donate excess annual leave they would lose due to an approaching anniversary date because donations may not be processed prior to the employee's anniversary date.
  - c. Employees may donate any amount of sick leave provided 176 hours remain.
  - d. Employees may donate all or part of their personal holiday.

**C. Unused Shared Leave**

1. Normally, unused shared leave shall be returned to the donor(s) upon the recipient's return to full-time duty. However, in cases when the recipient is only able to return to work on a part-time basis, or it is determined that the recipient may need more leave in the near future for the same illness/injury, the division/district commander may permit the unused hours to remain in the shared leave recipient's account until a later date.

**D. Uniformed Services Statewide Shared Leave Program/Statewide Shared Leave Pool**

1. The Uniformed Services Statewide Shared Leave Program, or statewide shared leave pool, is designed to match state employees who wish to donate leave to co-workers and other state employees who have been called to service in any of the uniformed services.

**Applies to:**

All WSP Employees

**See Also:**

RCW 41.04.650, 41.04.655, 41.04.660, 41.04.665, 41.04.670, 51.32; WAC 357-31-390-455, Collective Bargaining Agreements; *Human Resource Division Standard Operating Procedures Manual*; WSP Policy **General Leave**; Uniformed Services Statewide Shared Leave Program

**11.09.080 UNAUTHORIZED LEAVE, JOB ABANDONMENT, AND PRESUMPTION OF RESIGNATION****I. POLICY****A. Duty to Report to Work**

1. An employee shall report to work when and where the employee is scheduled or directed to work for the department. An employee who does not, or cannot, report to work when or where scheduled or directed shall comply with all applicable notice, leave request/authorization, and documentation procedures. Each district or division retains discretion to specify the means (e.g., e-mail, telephone, etc.) and points of contact, for notice procedures.
2. If the employee is represented under a collective bargaining agreement (CBA) that contains provisions regarding unauthorized leave or the presumption of resignation that supersedes this policy, then the department shall comply with any provisions therein. If the employee is not covered by a CBA, or the employee's CBA does not contain language that would supersede the procedure established herein, then the department shall apply the following procedure in the event of unauthorized leave lasting three consecutive work days or more.
3. When an employee has been absent without authorized leave and has failed to contact the employee's supervisor or supervisor's

designee for a period of three consecutive work days, the employee is presumed to have resigned from his or her position.

## II. PROCEDURES

### A. Unauthorized Absence, Presumption of Resignation, and Separation from Employment

1. When an employee has been absent without authorized leave and has failed to contact the employer for a period of three consecutive work days, the employee is presumed to have resigned from his or her position. During the initial three days of unauthorized absence, the employee's supervisor shall:
  - a. Notify the Human Resource Division (HRD) and the employee's chain of command through the assistant chief/bureau director level; and
  - b. Attempt to contact the employee to determine the cause of the absence and document all attempts to contact the employee.
2. When an employee is presumed to have resigned from his or her position, the employee's appointing authority shall promptly separate the employee by sending a separation notice, prepared in consultation with HRD, to the employee by certified mail, return receipt requested, at the address that the employee most recently reported to the department pursuant to the **TELEPHONE AND ADDRESS** policy. A copy of the separation notice and the original return receipt shall be retained by HRD in the employee's personnel file.

### B. Petition for Reinstatement

1. An individual who has received a separation notice may petition the department in writing, by United States mail, to consider reinstatement. The petition must be directed to the commander of HRD, and must be postmarked within seven calendar days after the department (i.e., the appointing authority) deposited the separation notice in the United States mail.
2. Together with the request for reinstatement, the petitioning individual must provide proof that the absence, and failure to comply with applicable notice, leave request/authorization, and documentation procedures, was involuntary or unavoidable.
3. The department retains sole discretion whether to grant any petition for reinstatement. The decision whether to reinstate an individual is not subject to grievance.

**Applies to:**

All WSP Employees

**See Also:**

Applicable Collective Bargaining Agreements; WSP Policies  
**General Leave, Grievance Procedure, Telephone and Address**; *Human Resource Division Standard Operating Procedures Manual*

## ► SECTION 10: RETURN TO WORK ◀

**11.10.010 RETURN TO WORK – COMMISSIONED OFFICERS****I. POLICY**

- A. This policy will be used in conjunction with the Return to Work – Commissioned Employees Procedures located in the *Human Resource Division Standard Operating Procedures Manual*, and relevant collective bargaining agreements, RCWs, and WACs related to industrial injuries.

**B. Commitment to Preserving the Agency Workforce**

1. The Washington State Patrol is committed to preserving the agency work force by maintaining employee productivity and well-being, reducing industrial insurance costs, and successfully returning employees to work as soon as possible.

**Applies to:** WSP Officers

**See Also:** RCW 43.43.020; Applicable Collective Bargaining Agreements; *Human Resource Division Standard Operating Procedures Manual*

**11.10.020 RETURN TO WORK – CIVIL SERVICE EMPLOYEES****I. POLICY**

- A. This policy will be used in conjunction with the Return to Work – Civil Service Employees Procedures located in the *Human Resource Division Standard Operating Procedures Manual*, and relevant collective bargaining agreements, RCWs, and WACs related to industrial injuries.

**B. Commitment to Preserving the Agency Work Force**

1. The Washington State Patrol is committed to preserving the agency workforce by maintaining employee productivity and well-being, reducing industrial insurance costs, and successfully returning employees to work as soon as possible. Civil Service employees injured while on duty or off duty may be allowed to return to a temporary position or their own position with temporary modifications while recovering from their injury.

**C. No Use of Assigned Vehicle for Commuting**

1. If an employee requesting a temporary assignment for a non-job-related injury or illness has an assigned take-home vehicle, the employee will not be allowed to use the assigned vehicle for commuting to and from the work site, nor will the employee take any enforcement action or wear a uniform or weapon during the temporary assignment. The commute from the employee's home to the temporary assignment will be on the employee's own time.

**Applies to:** Civil Service Employees

**See Also:** Applicable Collective Bargaining Agreements; *Human Resource Division Standard Operating Procedures Manual*

## ► SECTION 11: DISABILITY ◄

**11.11.010 DISABILITY OF COMMISSIONED EMPLOYEES (CALEA 22.2.3)****I. POLICY**

- A. This policy will be used in conjunction with the Disability of Commissioned Employees Procedures located in the *Human Resource Division Standard Operating Procedures Manual*, and relevant collective bargaining agreements, RCWs, and WACs.

**B. Administration**

1. The disability status of commissioned employees is administered by the Human Resource Division (HRD) in conjunction with the RCW and collective bargaining agreements. For information, contact the HRD Employee Health and Safety Team.

**C. Recognition**

1. If a commissioned employee is placed on disability status, HRD will advise on the availability of a plaque designating rank or position, commission or hire date, date entering disability status, and issued duty badge or replica badge. The spouse will receive a certificate of appreciation.

**Applies to:** All Commissioned Employees

**See Also:** Applicable Collective Bargaining Agreements; *Human Resource Division Standard Operating Procedures Manual*

## ► SECTION 12: REASONABLE ACCOMMODATIONS ◄

**11.12.010 REASONABLE ACCOMMODATIONS****I. POLICY**

- A. This policy will be applied in a manner consistent with the Americans with Disabilities Act (ADA), the Washington Law Against Discrimination (WLAD) and any relevant federal regulations, RCWs, WACs, and collective bargaining agreements and in conjunction with the Reasonable Accommodation Procedures located in the *Human Resource Division Standard Operating Procedure Manual*.
1. It is the policy of the Washington State Patrol to comply with all federal and Washington State laws related to persons with disabilities, including, but not limited to, providing reasonable accommodations when appropriate.
  2. The Washington State Patrol affirms its commitment to provide equal access to its employment programs, and facilities for persons with disabilities (job applicants and employees), and to ensure against discrimination due to a disability.

**Applies to:** All WSP Employees

**See Also:** Equal Employment Opportunity Commission Guidelines; Applicable Collective Bargaining Agreements; *Human Resource Division Standard Operating Procedures Manual*

## ► SECTION 13: DEATHS AND FUNERALS ◄

**11.13.010 DEATHS AND FUNERALS (CALEA 22.2.3, 61.3.3)****I. POLICY**[Click here to view General Order 15-001](#)**A. Death of WSP Employees**

1. When a retired member of the department dies, the Office of the Chief shall be notified through the chain of command. When an active employee dies in the line of duty, communications centers shall immediately notify the Chief, Deputy Chief, all assistant chiefs/bureau directors, Honor Guard Commander, and Government and Media Relations.
2. Information about the death of a person with other connections to the department shall be relayed to the appropriate assistant chief or bureau director by the local commander.
3. This policy shall be followed for funerals of uniformed officers. Additional information can be found in the *Funeral Protocol Reference Guide for Uniformed Officers*.
4. Any department involvement in funeral arrangements shall be determined in advance through coordination with the family. The wishes of the family will prevail over any of the following procedures.

**B. Death of an Active Department Member – Commander Responsibilities**

1. Along with the Honor Guard Commander or the assigned Honor Guard Detail Officer, make immediate contact with the family or family contact to determine the amount of department involvement that is wanted. The local district commander shall assign a department liaison to the family if one is requested. Depending on the size and scope of the funeral and level of department involvement, the district commander should also consider assigning an Incident Commander under an Incident Command Structure. Keep family informed regarding arrangements.
2. Notify the respective assistant chief/bureau director and Honor Guard Commander of time, location, and funeral details, and request the assistant chief/bureau director advise the Deputy Chief and Chief.
3. Notify the Department Psychologist and coordinate further services.
4. Notify the Human Resource Division and Budget and Fiscal Services.

5. Notify the Memorial Foundation, Spouses Association, and the appropriate labor organization.
6. Coordinate participation by department employees (uniforms, routes, parking.)
7. Arrange for appropriate Washington State Patrol representation.
8. Ensure traffic control and parking arrangements are adequate (motorcycles may be used).
9. Work with the Honor Guard Commander to determine Honor Guard participation and contact the Field Operations Bureau Assistant Chief to obtain the Chief's authorization to use the Honor Guard if requested by the family.
10. Coordinate participation by employees from other agencies.
11. Arrange for transportation of family to and from ceremonies, if necessary.
12. Notify local retired members of all arrangements and schedules.
13. Generate an electronic correspondence for next-day distribution. Include all funeral information, and update as needed.

**C. Human Resource Division Responsibilities**

1. The HRD Commander shall coordinate benefits with family and determine if the family desires a badge marker for the headstone.
2. The Supply Section shall be notified if a marker is desired.

**D. Uniforms**

1. The winter uniform will be worn at funerals, unless designated differently by the Chief. If jackets are worn, they shall be zipped up to the second brass button from the shirt top.
2. The Chief may direct the wearing of black mourning bands on the badges of all uniformed officers. When so ordered, bands will be worn until the day after the funeral.

**E. Attendance**

1. Employees who were personally acquainted with the deceased may be excused from regular duties to attend the funeral, and attendance may be on working time. Car pools are to be used as much as possible.
2. Districts/sections will furnish attendance estimates to the commander of the host district 48 hours before the funeral.

Overtime compensation is not authorized for funeral attendance or travel time, except for employees who are directed to attend by a commanding officer.

#### **F. Funeral Protocol – Uniformed Employees**

1. All uniformed officers should assemble in formation in an area pre-determined by the Honor Guard Detail Officer and family liaison. Officers should fall in at relaxed parade rest and refrain from loud talking. The formation should be organized with the command staff in front by order of rank (left to right). Members of the deceased officer's detachment should assemble to the right of the command staff. All uniformed commissioned officers should assemble behind the front row, followed by all other uniformed officers. An Honor Guard member may be assigned to the formation to provide briefing regarding commands and protocol.
2. All uniformed officers shall respond to verbal commands given by the Honor Guard Detail Officer.
3. The Honor Guard will form two lines for the family to walk through when entering the indoor facility (church, funeral home, etc).
4. The Honor Guard member assigned to the formation will lead the formation into the facility. Personnel are to remove their uniform hats as they enter. The campaign hat shall be held by the strap with the right hand. The hat is held over the heart with the hat badge pointing to the left.
5. Remain standing as a group until signaled to sit by an usher or the Honor Guard Detail Officer. When seated, the hat is placed on the lap with the hat badge facing forward.
6. At the conclusion, officers shall rise, stand as a group when signaled, and file out as directed. If the procession passes the casket while exiting (within an arm's length), officers should touch the casket with their right hand in reverence to the deceased. Protocol dictates that only the right hand be used to touch the casket in this manner. Therefore, officers may need to hold their hats with their LEFT hands while exiting the venue. The Honor Guard Detail Officer will ensure all officers are advised if this will occur prior to entering the facility.
7. When outside, officers are to assemble as directed by the officer in charge. When the casket is brought from the building, officers should be called to attention and shall respond to further commands by the officer in charge.



**G. Processions – Other Services**

1. Motorcycle processions will be authorized only by the Chief or designee. In the event a procession is approved, it should be in the following order:
  - a. Hearse
  - b. Vehicles containing family/relatives
  - c. Detachment patrol vehicles
  - d. Headquarters and district command staff
  - e. All other Washington State Patrol vehicles
  - f. All other agency patrol vehicles
  - g. All other vehicles
2. Patrol vehicles shall travel together with headlights on (including wigwags). All emergency lights (except four-way flashers) should also be activated.
3. After arriving at any other location for services, officers shall park where directed, assemble (with hats on) where designated, stand in formation, and follow any commands given by the officer in charge until dismissed.
4. The local district is responsible for traffic control and parking.

**H. Plaques**

1. The family of a deceased active member of the department may be presented a plaque. The presentation shall be by the appropriate commander. The plaque is of a style approved by the Chief.

**I. Honor Guard Participation**

1. The Honor Guard will be used at funerals only upon the approval of the Chief.
2. Honor Guard participation is planned in accordance with proper protocols and family wishes. The assigned family liaison(s) shall meet with the Honor Guard Commander and/or assigned Detail Officer to coordinate a meeting with the family to explain the Honor Guard's capabilities to the family and discuss the family's wishes for the memorial services.
3. Inside churches and funeral homes, Honor Guard participation is normally limited to casket watches and escort. At gravesite services, the Honor Guard can provide flag-folding, 21-gun salutes, and the playing of Taps.

4. The Honor Guard Detail Officer has complete command and control of the Honor Guard Unit. Honor Guard-related questions and on-site coordination of Honor Guard usage shall be directed to the Honor Guard Detail Officer.

#### J. Other

1. The Chief may require department facilities fly United States and Washington flags at half-mast from the time of death until the day after the funeral.
2. A uniformed member may be buried in uniform with badge. A duty badge may be presented with the memorial plaque. All weapons are returned to the Supply Section.
3. The picture of any member killed on duty will be displayed at each Patrol facility for one year after death.
4. If there are questions regarding authority to make funeral arrangements (e.g., a divorced or widowed member, conflict within family), the Deputy Chief shall be consulted.

#### K. Deaths and Funerals – Retired and Non-Department Employees

1. The district commander shall notify Field Operations Bureau Headquarters of death/funeral arrangements for:
  - a. A family member of an active department employee.
  - b. A retired member of the Patrol.
  - c. An active member of another law enforcement agency.
  - d. State and local dignitaries.
  - e. Persons designated by the Chief.
2. The Chief may order use of the Honor Guard at non-department funerals. Attendance shall be guided on procedures outlined above under **Attendance**. The commander shall provide department representation, if necessary.
3. The Daily Bulletin will include information on funeral arrangements, times, and other information, if necessary.

**Applies to:** All WSP Employees

**See Also:** *Funeral Protocol Reference Guide for Uniformed Officers*

**► SECTION 14: WASHINGTON MANAGEMENT SERVICES (WMS) ◄****11.14.010 WASHINGTON MANAGEMENT SERVICE (WMS) PROGRAM****I. POLICY**

- A. The Washington Management Service (WMS) program is a separate personnel system established for civil service managers within state government consistent with Civil Service Rule (CSR)/Washington Administrative Code (WAC) 357-58. It was created by the 1993 Legislature and is sanctioned in statute under RCW 41.06.500.
- B. Positions included in the program employ managers who are expected to commit to demonstrating excellent leadership and achieve programmatic results. Each manager has the unique and critical responsibility to foster a performance-based culture that will enable ongoing workforce success.
- C. The Washington State Patrol currently administers the Washington Management Service program, consistent with Civil Service Rules, ensuring that flexibility, accountability, ethics, integrity, stewardship, and equal employment opportunity are maintained at the highest standards.
- D. Positions within the Washington State Patrol that are identified for inclusion in Washington Management Service will meet the definition of a manager as established in WAC. This policy will be implemented consistent with WAC/CSR and the Washington State Patrol's WMS procedure located in the *Human Resource Division Standard Operating Procedures Manual*.

**Applies to:** All WMS Employees  
**See Also:** RCW 41.06.500; WAC 357-58; *Human Resource Division Standard Operating Procedures Manual*

**► SECTION 15: AWARDS ◄****11.15.010 DEPARTMENT AWARDS (CALEA 26.1.2)****I. POLICY****A. Awards Program**

- 1. The department rewards and recognizes outstanding service and performance. A formal awards program was created to ensure standardization and uniformity.
- 2. Employees shall not nominate relatives, household members, or supervisors for department awards.
- 3. Any exceptions to policies outlined below shall be approved through the Special Operations Division Commander and/or the Awards Committee.

4. New awards or variations of existing awards shall not be created without first being reviewed by the Awards Committee and approved by the Chief. Questions regarding the appropriate award to present may be directed to the Special Operations Division Commander.

## II. PROCEDURES

### A. Awards Committee Nominations

1. Nominations for the Award of Honor, Medal of Courage, Award of Merit, Mike Buckingham Award, Civilian Medal of Heroism, Life-Saving Award, Chief's Award for Distinguished and Devoted Service, Chief's Award for Professional Excellence, and the Quality Recognition Award must be submitted through the chain of command to the Awards Committee (see **C. AWARDS COMMITTEE**).

### B. Other Award Requests

1. The following awards are requested using an Award Request form (after the appropriate approval process for each award, provided in **F. AWARDS**):
  - a. Commendation Award
  - b. Certificate of Appreciation
  - c. Awards requiring Awards Committee approval may be submitted to the Audit Section on an Awards Request form after approval by the Awards Committee and the Chief (see **C. AWARDS COMMITTEE**).

### C. Awards Committee

1. The Awards Committee shall consist of:
  - a. The Special Operations Division Commander as chairperson.
  - b. The Government and Media Relations Commander.
  - c. Five bureau representatives, one selected by each assistant chief/bureau director.
  - d. A representative from the community.
  - e. Four additional members, determined by the Chief, representing both commissioned and classified employees.
2. Awards shall reflect a majority vote of the Awards Committee, with the Chief having a final vote that may change the award level. Eight-fourteenths of the Awards Committee must concur to present an Award of Honor.

**D. Nominations and Recommendations**

1. Awards requiring approval of the Awards Committee shall be submitted through the chain of command. After verifying the facts surrounding the nomination, the division/district commander will sign and forward the nomination to the appropriate assistant chief/bureau director, who will forward it to the Awards Committee.
2. The nomination, as received by the Awards Committee, shall not specify the type of award to be given. In the process of forwarding the nomination, division/district commanders shall not make a recommendation as to the merit of the nomination, specify the type of award, or evaluate whether the award should be given.
3. For those awards relating to a specific project, investigation, or exceptional job performance, the following information is required upon submission to the Awards Committee:
  - a. Specific action meriting an award, in detail.
  - b. Impact of the action on the department and/or others.
  - c. Whether the actions were required by the individual's position.
  - d. Whether this type of performance is consistent, and if so, how long the individual has been performing at this level.
  - e. Training the individual has received to perform the action(s).
  - f. Names of others involved in the project/investigation.
  - g. Length of time spent on the project/investigation.
4. For those awards relating to life-saving or life-threatening incidents, the following information is required upon submission to the Awards Committee:
  - a. What direct action was taken to save a life, in detail.
  - b. Any danger that existed in attempting the action.
  - c. Any injuries sustained by the person attempting the action.
  - d. Date and location of incident.
  - e. Names and statements of parties involved and/or witnesses.
5. Additional documentation (e.g., IOC's, letters of recommendation, newspaper articles, photographs) shall be attached to the nomination.
6. After review of the documentation, the Awards Committee shall submit recommendations to the Chief for final approval.

**E. Notification and Responsibility**

1. The Special Operations Division Commander shall notify the appropriate division/district commander of award decisions and the need for the division/district to make awards ceremony arrangements. The division/district commander shall make arrangements for awards presentations and send notifications for awards ceremonies to the participants.
2. The Special Operations Division Commander shall ensure documentation for the employee's personnel file is sent to the Human Resource Division (HRD).
3. The Awards Committee will provide the Governor's Office with information pertaining to Award of Honor recipients.
4. The Chief or designee shall determine if the media/press will be notified for attendance at the award ceremonies and/or a press release announcing the award(s) shall be distributed.

**F. Awards****1. Award of Honor**

- a. The Award of Honor, the highest award presented, recognizes an outstanding act of valor in which employees perform a hazardous act at extraordinary risk to their lives.
- b. The Award of Honor consists of a medal mounted inside a hinged, two-part, wooden book, a description of what the award signifies, and a pin to wear on uniform or civilian attire.

**2. Medal of Courage**

- a. The Medal of Courage is the second highest award for heroism presented to an enforcement member who, while performing in the line of duty, is confronted with or involved in an extremely hazardous event in order to accomplish a legitimate police objective. The officer must have acted rationally and logically in determining his/her course of action, acted above and beyond the level of duty normally expected, and acted in accordance with the highest ideals of professional police service (e.g., lethal force, confrontations, serious injury collisions).
- b. The award consists of a medal mounted inside a hinged, two-part, wooden book, a description of what the award signifies, and a silver pin to wear above the badge on the uniform or on civilian attire.

**3. Mike Buckingham Award**

- a. The Mike Buckingham Award celebrates the survival of Washington State Patrol employees who have been involved

in a critical incident and suffered significant physical injuries while performing official duties. To be eligible for this award, the injury must involve significant medical treatment, a prolonged disability, or severe or prolonged pain.

- b. The Mike Buckingham Award consists of a medal mounted inside a hinged, two part, wooden book, description of what the award signifies, and a pin to wear above the badge on the uniform or on civilian attire. The Chief may present this award privately.

#### **4. Civilian Medal of Heroism**

- a. The Civilian Medal of Heroism is the highest award presented to a community member for an outstanding act of heroism, who acted to assist another community member or law enforcement officer during a lethal force or serious injury confrontation or endangered themselves attempting a life-saving action.
- b. The award consists of a medal mounted inside a hinged, two-part, wooden book and a description of what the award signifies.

#### **5. Award of Merit, Life-Saving Award, Chief's Award for Distinguished and Devoted Service, Chief's Award for Professional Excellence, Chief's Specialty Plaque, and Quality Recognition Award**

- a. The following awards shall consist of a laser-engraved wood plaque with an inset metal plate engraved with the recipient's name and describing the individual's/unit's performance, signed by the Chief:

##### **(1) Award of Merit**

- (a) The Award of Merit shall be presented to employees for an act endangering themselves in attempting a life-saving action, preventing a serious crime, or effecting the arrest of a dangerous felon.
- (b) This award is differentiated from the Award of Honor by the degree to which the employee's life is endangered or the potential consequences of the actions taken.
- (c) The Award of Merit may also be awarded to other law enforcement officers or citizens who risk their own safety to assist department personnel in the performance of a hazardous act.

##### **(2) Life-Saving Award**

- (a) The Life-Saving Award is the highest award presented to any community member who

endangered themselves in a life-saving action to save the life of another person while assisting the Washington State Patrol in its duty to protect the people of the state of Washington and/or other member(s) of the community in the performance of a hazardous act.

- (b) This award is differentiated from the Award of Merit to recognize members of the community who endanger themselves, regardless of the consequences of actions taken.

(3) **Chief's Award for Distinguished and Devoted Service**

- (a) The Chief's Award for Distinguished and Devoted Service shall be presented to employees who consistently perform at an exemplary level over several years. It is awarded for general performance rather than for a specific act.

(4) **Chief's Award for Professional Excellence**

- (a) The Chief's Award for Professional Excellence shall be presented to employees who perform specific or sustained acts of outstanding service. It generally recognizes distinct instances of high-level performance.

(5) **Chief's Specialty Plaque**

- (a) The Chief's Specialty Plaque is awarded to dignitaries, law enforcement officials, etc., upon their retirement or for recognition by the Chief for exceptional special assistance/support of the department.

(6) **Quality Recognition Award**

- (a) The Quality Recognition Award shall be presented to Washington State Patrol employees and partners who create a significant, objectively verifiable, sustainable improvement from the perspectives of public benefit and value, customer service, financial results, internal process management, and organizational or employee learning and growth. The project may take on many forms, including problem-solving, process improvement, or the development of an innovative idea.
- (b) Nominations for the Quality Recognition Award are accepted from anyone with knowledge of a process improvement made by any team or work unit.



**6. Commendation Award**

- a. The Commendation Award commends an employee or unit of the Washington State Patrol or a person or person(s) outside the department for superior performance in advancing the department's mission.
- b. The commendation must be signed and awarded by bureau/division/district/section commanders or above.
- c. The Commendation Award consists of a certificate with the recipient's name, a description of the achievement or action being commended, and the date of the achievement/action or the date of presentation.
- d. This award is presented in an awards folder. When approved by an assistant chief/bureau director or above on the Awards Request form, plaque-mounting is an option.
- e. The division/district commander of the award recipient shall ensure documentation is included in the recipient's personnel file regarding their receipt of this award.

**7. Certificate of Appreciation**

- a. The Certificate of Appreciation commends employees or person(s) outside of the department for service to the department.
- b. The Certificate of Appreciation consists of a certificate with the recipient's name, a description of the achievement being recognized, and the date of achievement or presentation. It is signed by the division/district/section commander or above.
- c. The Certificate of Appreciation is also used to recognize employees who are recipients of the Employee Suggestion award, which commends employees for successful suggestions submitted through the State Productivity Board Employee Suggestion program. It shall be presented to the employee in conjunction with any monetary award. The Certificate of Appreciation shall be signed by the Chief and presented by the employee's commander or designee.
- d. This award is presented in an awards folder. When approved by an assistant chief/bureau director or above on the Awards Request form, plaque-mounting is an option for Certificates of Appreciation when awarded to an external business or group or an employee group in the Washington State Patrol for display purposes.
- e. The supervisor of the award recipient shall ensure documentation is included in the recipient's personnel file regarding their receipt of this award.

**8. Chief's Coin****a. Issuance of the Chief's Coin**

- (1) The issuing of the Chief's Coin is a symbol of recognition for a specific act or prolonged service that exceeds the expectations attributed to routine duties. Actions that impact the accomplishment of strategic goals, strengthen public trust in the department, utilize the Problem Oriented Public Safety (POPS) or Lean philosophies with a significant outcome, show an exceptional improvement in quality, improve department morale, or exemplify the spirit of public service are all examples of what may merit the Chief's Coin award.
- (2) As with any award, the Chief's Coin should be given for accomplishments that rise above routine daily work or regular duties.

**b. Requests and Presentation**

- (1) Assistant chiefs/bureau directors shall approve/deny all IOC requests for the issuing of the Chief's Coin prior to submission to the Office of the Chief.
- (2) The Chief will retain final decision-making authority for the issuing of all coins.

**9. Service Pins**

- a. Washington State service pins shall be presented to employees who complete 5, 10, 15, 20, 25, 30, 35, 40, and 45 years of state service.
- b. The Washington State Patrol years of service pin is awarded for 5 through 50 years of service at intervals of five years; it may be worn on the uniform, centrally placed  $\frac{1}{2}$  inch above the marksmanship pin or  $\frac{1}{2}$  inch above the name tag if the employee does not wear a marksmanship pin.
- c. The Human Resource Division shall provide the Supply Section with the names of all employees, by bureau/division/district/section, entitled to service pins. The Supply Section shall send the pins and names to the employees' commanders/bureau director, who shall present the pins.

**10. Perpetual Awards**

- a. The department encourages division/district commanders to recognize outstanding service from its employees on an ongoing basis. The very best employees in any given year are recognized by the department through employee of the year awards.

- b. A perpetual award usually consists of a plaque with small, engraveable plates to display yearly recipients of "Trooper of the Year," "Communications Officer of the Year," "Certified Technical Specialist of the Year," "Auto Theft Trooper of the Year," "Commercial Vehicle Enforcement Officer/Commercial Vehicle Officer of the Year," "Commercial Vehicle Division Trooper of the Year," "Detective of the Year," "Detachment of the Year," "VIN Specialist of the Year," "Civil Service Employee of the Year," "Chief's Volunteer of the Year," and "Excellence in Safety of the Year" award recipients.
  - c. Each year, a new name is added to the plaque under each category. These plaques shall be displayed in the lobby of each division/district office.
- G. Other information regarding plaques distributed by the department can be found under **DEATHS AND FUNERALS**.

**Applies to:** All WSP Employees

**See Also:** WSP Policy **Deaths and Funerals**; Award Request Form

## ► SECTION 16: RESIGNATION PROCESS ◀

### **11.16.010 RESIGNATIONS**

#### **I. POLICY**

##### **A. Resignation Process**

1. Employees resigning or retiring will submit their notice in writing at least 15 calendar days prior to their last day of employment unless there is a mutual agreement for a shorter notice period.
2. Resignations may be rescinded at any time prior to the effective date at the discretion of the appointing authority.
3. Guidance for supervisors and employees can be found in the *Human Resource Division Standard Operating Procedures Manual*.

##### **B. Exit Survey**

1. Exit surveys shall be provided for any permanent full-time employees when it is discovered by the employee's supervisor or the Human Resource Division (HRD) of a separation from the agency. The employee will be contacted either by an HRD Human Resource Consultant or by his/her supervisor regarding completion of the exit survey.
2. The survey shall be offered as soon as possible before the departure date of the employee. The supervisor will make every effort to encourage the employee to complete an exit survey.

3. The employee shall be offered the opportunity to review his/her personnel file and have the chance to refute, in writing, any information in the file. After completion, the employee shall initial the file to indicate acknowledgment of the contents. If desired by the employee, the personnel file review request shall be forwarded to HRD no later than 7 working days from the planned departure date.

### **C. Tenure of Office Rights for Officers**

1. Resigning officers shall be informed of their Tenure of Office Rights and sign a written acknowledgment of this in front of a witness.

**Applies to:** All WSP Employees

**See Also:** RCW 43.43.050; WAC 357-46-150, 357-46-155; *Human Resource Division Standard Operating Procedures Manual*

## **► SECTION 17: REHIRING ◀**

### **11.17.010 REHIRING OF WSP OFFICERS**

#### **I. POLICY**

##### **A. Rehiring of WSP Officers**

1. If a former officer of the department applies for recommissioning, the request will be referred to the Human Resource Division (HRD) Commander.
2. Procedures for rehiring an officer are contained in the *Human Resource Division Standard Operating Procedures Manual*.

**Applies to:** WSP Officers

**See Also:** *Human Resource Division Standard Operating Procedures Manual*

### **11.17.020 POST-RETIREE REHIRE ELIGIBILITY**

#### **I. POLICY**

##### **A. General**

1. The Washington State Patrol may employ retirees. This policy references the eligibility requirements and responsibilities specific, but not limited to, former Teachers Retirement System (TRS) 1 or Public Employees Retirement System (PERS) 1 retirees seeking employment with the Washington State Patrol.

##### **B. Retiree Responsibility**

1. Upon an offer of employment with the department, a retiree must inform the agency of his/her retirement date and the system from which he/she retired.

2. A retiree shall be familiar with the waiting period restrictions and working limitations before reentering the workforce after retirement.

**C. Approval to Hire Retiree**

1. Hiring actions shall include documentation justifying the need to hire and appoint a retiree to a position and shall be approved at the appointing authority level prior to an offer of employment.

**D. Record Keeping**

1. The Human Resource Division shall identify if a position is eligible under PERS prior to employing the retiree. A retiree is required to know his/her limitations in order to avoid benefit interruption; therefore, a retiree shall receive this information in determining their acceptance of employment.
2. After acquiring employment with the department, Budget and Fiscal Services shall report the number of hours the retiree works per month to the Department of Retirement Systems (DRS).

**Applies to:** Retirees Returning to Work

**See Also:** SHB 1262; DRS Employer Handbook; WAC 415-108-710

**► SECTION 18: TELEWORK ◀**

**11.18.010 TELEWORKING/FLEXIBLE WORK SCHEDULES**

**I. DEFINITION**

- A. *Teleworking* involves the use of telecommunications and/or computer technologies which allow employees to perform a portion of their assigned duties at an alternate worksite, such as the employee's home, a satellite office, or a teleworking work center.
- B. Flexible work hours include both the compressed workweek and flextime.
- C. Compressed workweek means an alternative work schedule that regularly allows a full-time employee to eliminate at least one work day every two weeks by working longer hours during the remaining days, resulting in fewer commute trips by the employee.
- D. Flextime means a fixed work schedule whereby an employee is permitted some flexibility in choosing his or her starting and ending time outside the agency's normal work hours.

**II. POLICY**

**A. Opportunity to Telework or Work Flexible Hours**

1. The Washington State Patrol supports the Washington State Telework and Flexible Work Hours Program.

2. Management shall consider an employee's request to telework or to work flexible hours in relation to the Washington State Patrol's operating, business, and customer needs.
3. Management may offer employees the opportunity to telework or work flexible hours within the procedures established by the agency.
4. The goals and objectives of any approved teleworking agreement program must be clearly communicated by all supervisors to ensure that teleworking does not affect the level of service provided to the public or does not interfere with the mission and goals of the bureau/division/section.
5. This policy does not intend to alter any existing collective bargaining agreements. Procedures are outlined in the *Human Resource Division Standard Operating Procedures Manual*.

**Applies to:** All WSP Employees

**See Also:** *Human Resource Division Standard Operating Procedures Manual*

## ► SECTION 19: STAFFING ◀

### **11.19.010** **ALLOCATION AND DISTRIBUTION OF WSP OFFICERS (CALEA 16.1.1, 16.1.2, 41.1.1)**

#### **I. DEFINITIONS**

- A.** *Autonomous Patrol Area (APA)* is an area within a district where specific detachments patrol and respond to calls for service.

#### **II. POLICY**

##### **A. Allocation and Distribution of WSP Officers**

1. District commanders will be responsible for the allocation and distribution of officers based on service needs within their district's APA.
2. District commanders will continuously assess the distribution of officers between APAs and allocate them to the area of greatest need.

#### **III. PROCEDURES**

##### **A. Boundary Changes**

1. Before changing any detachment boundaries, the district commander will obtain approval from the Field Operations Bureau Assistant Chief.
2. The Budget and Fiscal Services Commander will be notified in writing of boundary changes before implementation.

**Applies to:** WSP Officers

**See Also:** 16.1.1, 16.1.2, 41.1.2

**11.19.020     HARDSHIP TRANSFERS****I. DEFINITION**

- A. A *hardship* is an unexpected medical, financial, marital, or safety-threatening situation causing specific loss or suffering to an employee or the employee's spouse, children, parents, or spouse's parents.

**II. POLICY****A. Requesting a Hardship Transfer**

1. Employees who have a hardship that involves the immediate family may request a hardship transfer. Before such transfers are granted, the department must determine an actual hardship exists. When such transfers are granted, the department will advise those on the regular transfer list that another employee has been selected due to a hardship.

**B. Hardship Transfer Procedures**

1. Hardship transfers for represented employees will be in accordance with the collective bargaining agreement.
2. Procedures for non-represented civil service and Washington Management Services (WMS) employees are contained in the *Human Resource Division Standard Operating Procedures Manual*.

**Applies to:**

All WSP Employees

**See Also:**Applicable Collective Bargaining Agreements; *Human Resource Division Standard Operating Procedures Manual***► SECTION 20: MOVING ◀****11.20.010     MOVING EXPENSES****I. POLICY****A. Payment of Moving Expenses**

1. The department shall pay moving costs for employees upon initial assignment from the Academy and when the employee is transferred or reassigned at the department's direction. The department may pay expenses for new hires, transfers, or for other situations allowed by OFM Travel Regulations or collective bargaining agreements and shall include this when advertising for the position. Moving expenses shall not be paid for routine employee-requested transfers or re-commissioning/return to employment.

**Applies to:**

All WSP Employees

**See Also:**Relocation Authorization form; Applicable Collective Bargaining Agreements; OFM Travel Regulations; *Human Resource Division Standard Operating Procedures Manual*

**► SECTION 21: REDUCTION IN FORCE ◄****11.21.010 LAYOFFS****I. POLICY****A. Processing Workforce Layoffs**

1. The department will process any layoff in a manner that complies with Human Resource Division Standard Operating Procedures.

**B. Layoffs Conducted According to Collective Bargaining Agreements and Civil Service Rules**

1. Layoffs for represented employees covered by collective bargaining agreements will be conducted in accordance with applicable collective bargaining agreements.
2. Layoffs for Washington Management Services (WMS) and non-represented employees will be conducted in accordance with applicable Civil Services Rules and the department's layoff procedure maintained in the *Human Resource Division Standard Operating Procedures Manual*.

**Applies to:**

All WSP Employees

**See Also:***Human Resource Division Standard Operating Procedures Manual*; Collective Bargaining Agreement; Civil Service Rules**► SECTION 22: SALARY ◄****11.22.010 COMPENSATION FOR EMPLOYEE-IN-CHARGE (CALEA 22.1.1)****I. POLICY**[Click here to view General Order 15-001](#)**A. Compensation for Employee-In-Charge**

1. This policy covers non-represented, Washington Management Service (WMS), and exempt employees. These employees may be compensated for the performance of higher level supervisory duties as specified in this policy while temporarily assuming the full scope of duties and responsibilities of a supervisory position.
2. Those positions that are covered under a Collective Bargaining Agreement (CBA) may be compensated per their CBA.

**B. Conditions for Receiving Compensation for Employee-In-Charge**

1. To be compensated for temporarily assuming the duties of a supervisory position, as specified above, the supervisor must be gone for 40 or more consecutive hours. If more than one employee is appointed to work in the supervisor's position, each employee will be compensated for the actual time worked, provided each employee has worked at least 8 consecutive non-overtime hours in the position.



2. Employees will not be compensated at the higher level for time not worked while on any paid leave or while attending court in overtime status. If a holiday occurs during the appointed time period that qualifies for in-charge pay, the employee may be compensated at the higher level for the holiday.

**Applies to:** All Non-Represented, Exempt, and WMS Employees  
**See Also:** Applicable Collective Bargaining Agreements

#### **11.22.020 SALARY DETERMINATION (CALEA 22.1.1)**

### **I. POLICY**

#### **A. Setting and Administering Salaries**

1. The department will follow the Washington State Compensation Plan as set forth by the Office of Financial Management in determining employee salaries as referenced in WAC 357-28.
2. Appointing authorities will be responsible for administering salaries in accordance with applicable WACs and the department's Salary Determination Procedures.

### **II. PROCEDURES**

#### **A. Setting Salaries for New Employees (Initial Appointment)**

1. The appropriate appointing authority will assign a base salary for initial appointments within the salary range in the Washington State Compensation Plan assigned to that position classification, unless performance management allows otherwise. The initial base salary offered would not be less than the minimum or generally greater than the maximum dollar amount within the salary range assigned to the position classification.
2. Factors to consider in setting the salary include, but are not limited to recruitment difficulty; the individual's expected contributions toward the objectives of the department; educational background, related work experience, geographic location of position as it relates to recruitment or retention difficulty, etc.
3. Guidance for setting salaries for new employees is available in the *Human Resource Division Standard Operating Procedures Manual*.

#### **B. Setting Salaries or Providing Lump Sum Premiums for Employees Above the Maximum of the Range; To Address Recruitment, Retention, Equity, Alignment, Geographic, and Competitive Market Issues**

1. The appointing authority may adjust salaries within a pay range or may set salaries above the maximum of a pay range for employees to address recruitment, retention or equity issues. These situations

will be considered on a case-by-case basis using criteria contained in WAC 357-28, following salary compensation procedures contained in the *Human Resource Division Standard Operating Procedures Manual* and in consultation with the Human Resource Division (HRD). Director of Department of Personnel approval may be required for specific increases.

2. The appointing authority must ensure consistent and fair salary determinations and must take into account overall budget, department mission and purpose, number of staff, types of classifications and other factors to make sound business practice decisions.
3. Salary compensation is computed for employees who have been promoted, reverted, temporarily assigned, transferred/reassigned, demoted, reallocated, or impacted by a layoff made in accordance with applicable WAC criteria as outlined in the *Human Resource Division Standard Operating Procedures Manual*.

**Applies to:** Non-Represented Washington General Service Employees  
**See Also:** WAC 357-28; *Human Resource Division Standard Operating Procedures Manual*; Salary Determination Procedures

#### **11.22.030 OVERTIME (CALEA 22.1.1)**

##### **I. POLICY** [Click here to view General Order 15-001](#)

###### **A. Authorization for Overtime**

1. Overtime is defined by collective bargaining agreements or applicable Civil Service Rule or law. Any overtime eligible employee may receive overtime with the prior approval of a supervisor, in accordance with a collective bargaining agreement, applicable Civil Service Rule, or law.
2. Any employee, with prior authorization from the Chief, may receive overtime on a weekly (over 40 hours) rather than a daily basis.

###### **B. Minimal Accrual of Overtime**

1. All supervisors will ensure that accrual of overtime is kept to a minimum.

###### **C. Reporting Overtime**

1. Overtime will be reported on the Time and Activity Report in accordance with the *Time and Activity Reporting (TAR) Manual*.

**Applies to:** All WSP Employees  
**See Also:** Applicable Collective Bargaining Agreements; *Time and Activity Reporting Manual*

**11.22.040 COMPENSATORY TIME (CALEA 22.1.1)****I. POLICY****A. Accumulation of Compensatory Time**

1. Non-represented overtime eligible employees may accumulate compensatory time to a maximum of 40 hours. Compensatory time accrued in excess of 40 hours will become paid overtime.
2. Represented employees may accumulate compensatory time in accordance with their collective bargaining agreement. Compensatory time accrued in excess of the maximum allowable amount as outlined in the employee's collective bargaining agreement will become paid overtime.
  - a. All compensatory time must be used by the date as outlined in the employee's collective bargaining agreement.
  - b. Compensatory time balance will be cashed out as indicated in the employee's collective bargaining agreement.
3. It will be the responsibility of the individual and his or her supervisor to monitor accrued compensatory time and to make mutually agreeable arrangements for its utilization.

**Applies to:** All WSP Officers, All Represented and Non-Represented Overtime Eligible Employees

**See Also:** WAC 357-31-230; Applicable Collective Bargaining Agreements

**11.22.050 EXCHANGE TIME****I. POLICY****A. Exchange Time Eligibility**

1. Any employee eligible for exchange time shall be limited to the accrual of 40 hours on the record at any time.

**B. Earning Exchange Time**

1. Exchange time may be earned only while physically responding to an unplanned and unscheduled event from off-duty status.
2. Exchange time shall not be earned for activities undertaken during a commute, for planned activities, or for any other routine events without the prior approval of the appropriate assistant chief or bureau director. Any unapproved time worked in excess of the 40-hour work week shall not be credited to the exchange time record.

**C. Using Accumulated Exchange Time**

1. Employees will be allowed to use accumulated exchange time as they deem appropriate while being expected to perform their regular duties.

**D. Policy Modifications**

1. The assistant chief/bureau director or designee has authority to approve individual modifications to this policy for their subordinates to meet the operational needs of the department, with the exception of the limit to exchange time hours, 40 hours on the record.

**Applies to:** All Non-Represented Employees  
**See Also:** --

**► SECTION 23: SPECIALTY POSITIONS ◀****11.23.010    SELECTION FOR SPECIALTY POSITIONS (CALEA 16.2.2, 22.1.1)****I. POLICY**

[Click here to view General Order 15-001](#)

**A. Specialty Positions**

1. All specialty positions are considered staff or technical appointments and, as such, are governed by RCW 43.43.370.
2. There are many specialty positions in the department that can be a benefit to an officer's career. A specialty assignment may be an opportunity to a different career path. Specialty positions include technical, administrative, or investigative positions.
3. Selection to a specialty position is treated as a reassignment or transfer and is not considered a promotion. Officers selected to fill a specialty position do not have property rights to any benefits associated with that position. Because it is in the department's interest to select the best qualified candidate, minimum qualifications may be established for specialty positions.

**B. Advertising**

1. Specialty position openings will be advertised in the Daily Bulletin at least 5 business days prior to the start of the selection process. The advertisement shall include the number of openings to be filled in the specialty assignment, a brief job description, minimum qualifications, and a description of the testing procedure to be used. Supervisors shall ensure that each officer eligible is notified.

**C. Application/Requirements**

1. Specialty position announcements shall have specific application and selection requirements.

**D. Exceptions**

1. Specialty positions should not normally be filled on a temporary basis for longer than six months. Appointments made to positions under exigent circumstances are exempt from the selection procedure described above.

2. At the conclusion of the temporary assignment or when the exigent circumstances no longer prevail, the position(s) shall be advertised as required in this policy.

#### **E. Supplemental Compensation**

1. Any officer in an assignment for which staff and technical officer supplemental compensation is authorized shall receive such compensation during the officer's tenure in the position. Supplemental compensation will be paid only while the officer is actually working in the designated position for which the supplemental compensation is authorized. If the officer leaves the supplemental compensation position, the officer will no longer receive the compensation. Staff and technical officer compensation is an appurtenance of the position, not of the person who holds the position.
2. Officers placed in temporary assignments for which specialty pay is normally authorized shall not receive supplemental compensation if the assignment is expected to be 180 days or less in duration. Should such an assignment extend beyond 180 calendar days, supplemental compensation shall be authorized retroactively to the first day of the temporary assignment on the 181st day of the temporary assignment. The effective date of the assignment shall be counted as the first day.

#### **F. Review of Specialized Assignments**

1. It shall be the responsibility of the appropriate assistant chief/bureau director to ensure specialized assignments are reviewed on an annual basis. The purpose of the review is to avoid overspecialization and ensure the effective operation of department specialization.

**Applies to:** All WSP Employees  
**See Also:** RCW 43.43.370

### **► SECTION 24: DEPARTMENT PROPERTY ◀**

#### **11.24.010 SEARCH OF DEPARTMENT PROPERTY**

##### **I. POLICY**

##### **A. No Expectation of Privacy**

1. Employees shall not have an expectation of privacy when using department property such as evidence lockers, vehicles, desks, or other space for storage. These are subject to search at any time deemed necessary by the Chief or other competent authority.

2. Storage space provided for the clothing and/or personal effects of employees and marked "personal property" by the Property Management Division shall only be inspected after 24-hour notice to the employee or with a search warrant.

#### **B. Inspection of Confidential Files**

1. Personnel files of employees, files containing confidential investigative material, medical/affirmative action, polygraph, background investigation files, and files in the possession of the department's Labor and Policy Advisor or Psychologist which contain material of a confidential nature or involving personal privacy shall be subject to inspection only by order of the Chief.

**Applies to:** All WSP Employees

**See Also:** --

### **11.24.020 RECORDINGS AND MEDIA USE AND DISTRIBUTION**

#### **I. POLICY** [Click here to view General Order 15-001](#)

##### **A. Property of the Department**

1. Photographs, audio and video recordings, and other media, whether in hard copy, electronic, or other format, that are captured using agency equipment, are the property of the agency.

##### **B. Acquiring Devices**

1. Photographs, audio and video recordings, and other media, whether in hard copy, electronic, or other format, that are captured using personal equipment, may be subject to public disclosure or legal discovery requests, and shall be furnished to the agency if:
  - a. Captured by on-duty personnel; or
  - b. Captured by off-duty personnel while in uniform.

##### **C. Storage on Department Servers**

1. Photographs, audio and video recordings, and other media that are captured using personal equipment shall be copied to agency equipment according to normal protocols.

##### **D. Restrictions Regarding Use or Distribution**

1. Use and distribution of any photograph, audio or video recording, or other medium that was captured while on duty, or by off-duty personnel in uniform, is restricted. An employee may use or distribute such material for a purpose other than official department business, including use or distribution in publications or social networking Web sites, only if it is requested and obtained in compliance with subsection (D)(2) or other applicable laws and

policies (see **PUBLIC RECORDS REQUESTS** and chapter 42.56 RCW).

2. An employee may request permission to use or distribute materials governed by this policy from the commander of the Risk Management Division or designee. The request must be accompanied by a copy of the material(s) to be used or distributed, an explanation of the intended use or distribution, and an explanation of the contents of the material and/or circumstance under which the material was captured. An employee does not violate this policy if the employee transmits a photograph, audio or video recording, or other medium to another employee for the sole purpose of either employee requesting permission from the commander of the Risk Management Division or designee pursuant to this subsection.

#### **E. Collective Bargaining Agreements**

1. Nothing in this policy shall be construed to preclude an employee from a communication or transmission of materials that the employee is specifically authorized to make under an applicable collective bargaining agreement.

**Applies to:**

All WSP Employees

**See Also:**

RCW 42.56; WSP Policy **Public Records Requests**;  
Applicable Collective Bargaining Agreements

### **► SECTION 25: CIVIL ACTIONS ◀**

#### **11.25.010 CIVIL ACTIONS INVOLVING DEPARTMENT EMPLOYEES (CALEA 22.2.2)**

#### **I. POLICY**

##### **A. Civil Lawsuits**

1. Employees served with a summons and complaint (lawsuit) in a civil action must notify their immediate supervisor as soon as possible.
2. Within 24 hours, the supervisor must send a scanned copy of the summons and complaint to the division/district commander and the Risk Management Division (RMD) Commander's Office.

**NOTE:** Even those summons and complaints sent directly from the Attorney General's Office to an employee must be forwarded to RMD.

##### **B. Tort Claims Against the Department**

1. If restitution for damages is sought from the Washington State Patrol, a tort claim form must be completed and submitted to

Department of Enterprise Services Risk Management. The form can be found in the tort claim packet, which may be obtained directly from the following web link:  
<http://www.des.wa.gov/SiteCollectionDocuments/RiskManagement/allforms.pdf>.

### **C. Commander Responsibility**

1. It shall be the division/district commander's responsibility to ensure that all pertinent information is forwarded to the RMD Commander's Office and that the respective assistant chief/bureau director is kept informed throughout the process.

### **D. Request for Defense**

1. Pursuant to RCW 4.92.070, the Attorney General's Office (AGO) will represent employees or volunteers when it is determined that the employee's or volunteer's acts or omissions were, or were purported to be, in good faith and within the scope of that person's official duties. A Request for Individual Defense (RFD) is only filled out when an employee is named as a defendant.
  - a. An employee or volunteer may retain a private attorney to represent the employee or volunteer in the litigation. The state of Washington will not pay or provide reimbursement to the employee for the services of a private attorney. If a judgment is entered against the employee who elected to have a private attorney represent his or her interests in the litigation, the state of Washington will not indemnify the employee.
2. Upon receipt of a summons and complaint, RMD will send the employee(s) named as a defendant(s) an RFD packet (that includes a copy of the summons and complaint, an RFD form, and supporting documentation). RFD forms cannot be processed and approved unless they have the summons/complaint and the incident summary (ROI/IOC/etc.) included in the RFD packet. The original form with the employee and supervisor's signature must be returned to RMD with the RFD form.
3. The employee must complete the RFD form within 3 business days and forward the RFD packet through the chain of command.
4. The division/district commander will review the RFD packet to determine whether the RFD should be approved. If the division/district commander recommends approval, he/she must initial the RFD form and forward the RFD packet to RMD.
5. Upon receipt of the above documents, the RMD Commander will inform the respective assistant chief/bureau director and forward the RFD packet to the Office of the Chief for final agency approval.



6. After review and approval by the Chief, RMD will forward the RFD packet to the AGO for final approval.

**NOTE:** TIMING IS IMPORTANT, as the AGO must respond to the summons and complaint within 20 days.

### E. Court Scheduling

1. Civil appearances and related proceedings should be conducted while the employee is on duty. When practical, supervisors should ensure that contacts with traffic officers are made during non-peak traffic hours. Departmental overtime and shift change notification procedures shall apply.

**Applies to:**

All WSP Employees

**See Also:**

RCW 4.92.070; WSP Policies **Attorney General's Records Hold Notice Requirements; Contacting the Attorney General's Office Regarding Torts, Lawsuits, or Public Disclosure; Deposition Requests; Legal Inquires**; Tort Claim Form (SF 210); Vehicle Accident Tort Claim Form (SF 138)

## ► SECTION 26: CRIMINAL ACTIONS ◀

### 11.26.010 **CRIMINAL ACTIONS (CALEA 22.2.2)**

#### I. POLICY

##### A. Employees Criminally Charged

1. Employees who are charged with criminal misconduct while either on or off official duty shall immediately notify their commander, who shall notify the Office of Professional Standards (OPS) through the chain of command.
2. The original complaint and all investigative reports shall be forwarded by the supervisor to the Risk Management Division (RMD) Commander within five days. The supervisor shall also forward copies of the complaint and investigative reports to the commander of OPS.
3. Requests for Individual Defense shall be submitted by IOC to the RMD Commander within five days of the service of the complaint, along with copies of police reports and all other relevant information. If the Washington State Patrol finds, and the Attorney General concurs, that the employee's conduct was in accordance with established policy and the act performed was within the scope of employment, then the request shall be granted (RCW 10.01.150).

**B. Criminal Case Testimony**

1. Employees appearing in court for the prosecution shall not discuss the case with other attorneys or investigators without first notifying the prosecution or the department's RMD Commander.
2. Employees subpoenaed by the defense in a criminal action shall contact the prosecuting attorney handling the case prior to the trial.
3. If local courts permit the use of written reports, sworn affidavits, or complaints at preliminary court proceedings, arraignments, or infraction hearings, in lieu of an officer's presence, detachment supervisors shall take steps to ensure their subordinates use the system by providing these documents rather than appearing in court.

**C. Criminal Subpoena**

1. All subpoenas served in connection with a criminal prosecution shall be honored. Requests for changes as to the date and time, scope, etc., of the subpoena shall be addressed to the prosecutor by the supervisor.

**Applies to:** All WSP Employees  
**See Also:** RCW 10.01.150

**► SECTION 27: CIVIL SUBPOENAS AND WITNESS FEES ◀****11.27.010 CIVIL SUBPOENAS AND WITNESS FEES (CALEA 22.2.2)****I. POLICY****A. Civil Subpoenas**

1. All employees who receive a job-related subpoena specifically naming them shall accept service of the subpoena and appear as directed. Subpoenas naming another employee shall not be accepted on behalf of the other employee without approval of the district/section commander.
2. If fees are not tendered with the subpoena, the employee shall request reimbursement at the time of service. When signing the receipt of service, note "appropriate fee demanded." The reimbursement demand shall be documented for future reference.
3. A copy of the subpoena noting the request for reimbursement shall be forwarded immediately through the supervisor to the district/section commander so that a Civil Subpoena and Witness Fees - Agreement Letter may be sent.

4. Requests for changes as to the conditions of the subpoena shall be made by the supervisor.
5. Following civil appearance, the employee shall submit an IOC to the district/section commander outlining the actual time spent and actual expenses incurred.

**B. Reimbursement for Meal and Lodging Costs**

1. To claim meal and lodging costs during an out-of-county appearance, employees must qualify for expense reimbursement in accordance with RCW 5.56.010.
2. An expense voucher shall be attached to the time and expense IOC when payment for meal and lodging costs are being requested.

**C. District/Section Commander's Responsibility**

1. The district/section commander of the employee served with a civil subpoena shall ensure that a Civil Subpoena and Witness Fees - Agreement Letter is sent to the attorney requesting reimbursement.

**D. Fees for Civil Proceedings**

1. Fees for civil proceedings, including depositions taking place within the county of residence and within 20 miles of the residence of the witness, shall consist of mileage at the court rate.
2. In addition to mileage, the cost of meals and lodging costs may be included when civil proceedings take place outside the county or more than 20 miles from the place of residence of the witness.
3. The department is entitled to the appropriate witness fees.
4. A request may be made of the court during or following the trial to establish such additional amounts for meals, lodging, and travel, as the court may deem reasonable.
5. The Civil Subpoena and Witness Fees - Agreement Letter shall be completed in triplicate. The original and duplicate copy of the Civil Subpoena and Witness Fees - Agreement Letter and a photocopy of the subpoena shall be forwarded to the requesting party, with instructions to sign and return one copy of the Civil Subpoena and Witness Fees - Agreement Letter. The original of the subpoena and a file copy of the Civil Subpoena and Witness Fees - Agreement Letter shall be retained at the district/section.

**E. Reimbursement**

1. Every attempt shall be made to request proper reimbursement by a Civil Subpoena and Witness Fees - Agreement Letter or telephone from the attorney prior to the civil appearance or deposition.
2. While the department is statutorily entitled to witness fees, mileage and, in certain cases, lodging and meals, no such entitlement exists for wage-loss compensation.
3. If the subpoena is properly served, the employee must appear, even though no agreement has been reached concerning wage-loss compensation. Questions about proper service shall be addressed to the Risk Management Division Commander.
4. Following completion of the testimony and expenses incurred, the district/section commander shall, when appropriate, ensure that a Request for Invoice is submitted to Budget and Fiscal Services along with a photocopy of the subpoena and a signed copy of the Civil Subpoena and Witness Fees – Agreement Letter. The Request for Invoice shall include witness fees, mileage, and, if appropriate, meals and lodging.
5. Reimbursement shall not be requested from the Attorney General or prosecuting attorney for appearance at any civil or criminal trial.
6. When the requesting party has tendered witness fees and mileage and has refused to sign the Civil Subpoena and Witness Fees - Agreement Letter, a Request for Invoice shall not be sent to Budget and Fiscal Services.
7. Fees paid to employees for testifying in civil proceedings shall be tendered by check and made payable to the Washington State Patrol. Checks shall be sent by the attorney directly to the following:

Washington State Patrol Fiscal Officer  
Attention: Accounts Receivable  
PO Box 42602  
Olympia Washington 98504-2602
8. All billings and related correspondence shall include an invoice number.
9. In all cases when the requesting party has refused to sign the Civil Subpoena and Witness Fees – Agreement Letter, the subpoena and other supporting documentation shall be forwarded to the Risk Management Division Commander.

10. If the requesting party fails to reimburse statutory witness fees, mileage, and applicable lodging and meal costs, the commander shall advise the court, during or immediately after trial, that reimbursement is requested.

**Applies to:** All WSP Employees

**See Also:** RCW 5.56.010

## ► SECTION 28: DEPOSITIONS ◀

### 11.28.010 DEPOSITION REQUESTS

#### I. POLICY

##### A. Advising the Department's Assistant Attorney General

1. Prior to honoring any deposition request regarding departmental investigations, operations, duties, etc., employees shall advise the department's Assistant Attorney General of the following:
  - a. The time, date, and location for the deposition.
  - b. The names of the parties involved in the action.
  - c. If the case is criminal or civil.
  - d. On whose behalf the employee is testifying.
  - e. If the Washington State Patrol is a defendant in the action.

**Applies to:** All WSP Employees

**See Also:** --

## ► SECTION 29: LEGAL INQUIRIES ◀

### 11.29.010 LEGAL INQUIRIES

#### I. POLICY

##### A. Refer Legal Inquiries to the Office of the Attorney General or Risk Management Division Commander

1. Persons making inquiries relating to any Washington State Patrol matter in which administrative or legal actions or claims are pending shall be referred to the Office of the Attorney General, the specific Assistant Attorney General assigned to the case (if known), or to the Risk Management Division Commander.

2. If the Office of the Attorney General requests that employees divulge the information requested, it shall be sent to the Attorney General for transmittal. In no event shall department employees send information directly to the person(s) making the request.

**Applies to:** All WSP Employees  
**See Also:** --

► **SECTION 30: PSYCHOLOGICAL SERVICES** ◀

**11.30.010 PSYCHOLOGICAL SERVICES – USE OF FORCE (CALEA 1.3.8, 22.2.4)**

**I. POLICY**

**A. Critical Incident Intervention**

1. In all cases where any person has been seriously injured or killed as a result of the use of deadly force by an officer, all involved officers shall be required to undergo a critical incident intervention with the Department Psychologist within 24 to 48 hours after the conclusion of the incident. The purpose of this intervention will be to allow officer(s) to express feelings and to deal with the moral/ethical and/or psychological after-effects of the incident. The intervention shall not be related to any department investigation of the incident.
2. These interventions will not be made available to the department and shall be privileged. The only information released shall pertain to readiness to return to work and recommendations to facilitate adjustment and shall only be given to the appropriate assistant chief or bureau director. In the event of an officer-involved shooting or serious injury, it shall be the responsibility of the district commander to notify the Department Psychologist as soon as possible through the local or Tacoma Communications Center (see **CRITICAL INCIDENT STRESS MANAGEMENT TEAM**). A supervisor at the Tacoma Communications Center should be advised to assist in the location effort.
3. When notified, it shall be the responsibility of the Department Psychologist, with help from the division/district commander, to schedule the intervention.

**Applies to:** All WSP Employees  
**See Also:** --

**11.30.020 DEPARTMENT CLINICAL PSYCHOLOGIST (CALEA 1.3.8, 22.2.3, 22.2.4, 22.2.6, 32.2.9, 35.1.9)**

**I. POLICY**

**A. Availability of Department Clinical Psychologist**

1. The Department Clinical Psychologist is available to employees and their families to provide assistance when their well being is threatened by vocational stress.
2. The Psychologist does not become involved in long-term counseling.
3. Once the Psychologist determines the needed aid, rehabilitation program, or the need for long-term counseling, the employee will be responsible for the treatment costs of a health care provider.

**B. Department Psychologist's Role in Critical Incidents**

1. The primary responsibility of the Psychologist is to counsel employees after involvement in traumatic critical incidents. A critical incident is any incident in which the circumstances are so unusual or the sights, sounds, and smells so distressing as to have the potential of producing a high level of immediate or delayed emotional reaction that surpass the normal coping mechanisms of the employee.
2. This type of critical incident can be, but is not limited to, the following:
  - a. The use of force that results in serious injury or death.
  - b. Serious injury or death of a fellow employee resulting from emergency operations.
  - c. Any situation which is charged with profound emotion under particularly tragic circumstances.
  - d. Any situation which attracts extremely unusual attention from the news media.
  - e. A loss of life which follows extraordinary and prolonged expenditure of physical and emotional energy in the rescue.
3. It is important that the Psychologist be notified immediately when a critical incident occurs so that a critical incident stress management intervention (CISM) can be done. All employees involved in a critical incident should undergo a CISM intervention by the Psychologist. The district commander is responsible to notify the Psychologist through the local or Tacoma Communications Center (see **CRITICAL INCIDENT STRESS MANAGEMENT TEAM**).

**C. Other Responsibilities**

1. The Psychologist is also available for counseling in normal stress-related problems and any other problems that threaten the mental well-being of employees or their immediate family members. This type of counseling will be considered voluntary participation if initiated by the employee (see below).
2. The Psychologist is involved in increasing the knowledge of all employees concerning improving mental health as it relates to social interactions. The Psychologist is also responsible for the study of stress, its effects, and the use of stress reduction techniques by employees.
3. The Psychologist is available to provide consultation regarding human behavior in areas of hostage negotiation, suspect profile development, death notification, and handling of emotionally disturbed or mentally ill individuals.
4. The Psychologist maintains strict standards of privacy and privilege. Privileged communication does have legal limitations and cannot be maintained in cases involving danger to the client or others and/or child or vulnerable adult abuse.

**D. Counseling Services Provided**

1. The method of counseling/assistance selected is based upon the needs of the individual and professional judgment of the Psychologist.
2. The following are the types of situations in which department employees, co-workers, and/or supervisors are encouraged to contact the Psychologist:
  - a. Vocational or work-related situations include:
    - (1) Work-related stress or "burn-out"
    - (2) Unsatisfactory relationships with co-workers or with supervisors
    - (3) Complaints from citizens
    - (4) Low work output (burn-out)
    - (5) Taking unusual amounts of sick leave
    - (6) Unsatisfactory work habits
    - (7) Traumatic reactions resulting from critical incidents



- b. Individual or personal situations include:
  - (1) Unusual feelings of depression, feeling hopeless
  - (2) Unusual feelings of anxiety or apprehension
  - (3) Alcohol or drug dependence
  - (4) Unusually pronounced feelings of vagueness or feelings of apathy or indifference
  - (5) Anger or hostile acts toward others
  - (6) Unusual complaints of bodily aches or pains (e.g., headaches, migraines, intestinal upset, high blood pressure, low back pain, dizziness, sleeping difficulties, or eating problems)
- c. Social or marital and family situations include:
  - (1) Poor communication
  - (2) Sex-related problems
  - (3) Continual fighting or inability to get along
  - (4) Financial problems
  - (5) Child-rearing difficulties
  - (6) Separation or divorce
  - (7) Death of a family member
  - (8) Serious injury, illness, or accident to family member
- 3. A major goal of the services provided by the Psychologist is to be PREVENTIVE. Preventive services are designed to identify and treat symptoms before individuals experience significant dysfunction that will have long-term consequences both in their professional and personal lives. However, the Psychologist will also provide short-term counseling to deal with job stress, family problems, and personal problems on a privileged basis. Services are available 24 hours a day to provide immediate crisis intervention after professional and personal stressful incidents.

#### **E. Referral and Participation**

- 1. There are three ways to obtain assistance from the Psychologist. They are:
  - a. **Self-referral** — Departmental employees or their immediate family members may call for an appointment.

- b. **Department referral** — Subordinates may be referred through the chain of command.
- c. **Employee group/section referral** — A supervisor or group of employees can request training or consultation from the Psychologist for their group or section.

#### F. Voluntary Participation

- 1. A department employee who voluntarily approaches the Psychologist for aid shall become a "client of record," and information about such contacts can only be released to persons inside or outside of the department by completing an Authorization for Disclosure of Information form signed by the client.
- 2. The department shall not request or require the Psychologist to furnish information which results from voluntary participation in the program. The only exception to privilege is when the employee exhibits a clear and present danger to the client or others and/or child or vulnerable adult abuse.

#### G. Mandatory Participation

- 1. Mandatory participation occurs when, in the opinion of the supervisor, actions of the employee indicate that counseling assistance is needed from the program. Supervisors should make every effort to encourage the employee to voluntarily seek psychological services. If the employee refuses or if a serious performance problem is evident, the concerned supervisor may request, through the chain of command, mandatory participation authorization from the appropriate assistant chief or bureau director.
- 2. When mandatory participation is deemed appropriate, the employee's assistant chief or bureau director shall advise the employee of the circumstances that prompted the action and notify the employee in writing of the appointment date, time, and location of counseling during working hours.
- 3. A department employee who is directed to contact the Psychologist for mandatory counseling shall be considered a "client of record." The only information that will be released is whether the employee made and kept an appointment, whether more services are needed, and eventually, when treatment ends. Further information will only be released with an Authorization for Disclosure of Information. The only exception to this is when there is a clear and present danger to the client or others and/or child or vulnerable adult abuse. The information will only be released to the assistant chief, bureau director or appropriate authorities in a confidential manner. The employee will be advised of any information that is released.

4. A mandatory intervention is required for all cases of "deadly force use" by an officer. These interventions will not be made available to the department and shall be considered privileged.
5. The only information given to the department shall pertain to readiness to return to work and recommendations to facilitate adjustment. In the event of an officer-involved shooting, it will be the responsibility of the Headquarters Duty Officer or appropriate commander to notify the Psychologist as soon as possible. A supervisor at Tacoma Communications should be advised to assist in the location effort.

#### **H. Mandatory Psychological Fitness-for-Duty Evaluation**

1. The "client of record" for a mandatory psychological evaluation is the Washington State Patrol and not the department employee.
2. Mandatory psychological evaluations will be conducted by a licensed clinical psychologist outside of the Washington State Patrol and not by the Psychologist. Using an outside psychologist for mandatory evaluations avoids the conflict of interest of the Psychologist playing a dual role of confidential resource with privileged communication and an evaluator who can release information to the appropriate assistant chief or bureau director.
3. The Psychologist can consult with department management on the appropriateness of mandatory psychological examinations and on referral issues to be addressed.

#### **I. Confidentiality of Records**

1. Confidential communications between a client and a psychologist shall be privileged (see RCW 18.83.110; RCW 5.60.060).

#### **J. Reports and Records**

1. The Psychologist shall submit to the Chief such statistical reports deemed necessary for evaluation purposes.
2. The reports shall not violate confidentiality or contain personal identifiers or other information to make individual identification possible.
3. The Office of the Department Psychologist shall be the custodian of all psychiatric or psychological reports forwarded to the department, in order that such reports be interpreted properly and be afforded legal and professional control.

### **II. PROCEDURES**

#### **A. Arranging to Meet With the Department Psychologist**

1. To arrange a meeting with the Psychologist, the following procedure should be used:

- a. **Non-emergency situations** — Monday through Friday between 8 a.m. and 5 p.m., call (360) 586-8492.
- b. **Emergency situations** — During regular hours, call (360) 586-8492 and ask for the Psychologist. Washington State Patrol Communications in Tacoma will assist you on evenings, weekends, and/or holidays by calling (253) 538-3240 (choose option to connect with a 911 dispatcher). The Psychologist can also be reached by cell phone at (360) 561-0254. REMEMBER TO TELL THE PERSON ANSWERING YOUR CALL THAT THIS IS A CRISIS OR EMERGENCY SITUATION AND THAT YOU ARE REQUESTING A RETURN CALL IMMEDIATELY.
- c. **Scheduling** — Sick and vacation leave can be used for contact with the Psychologist. In both cases, appropriate notification should be given to the employee's supervisor. In some circumstances, contact with the Psychologist can be authorized for on-duty time with the approval of the employee's supervisor or at the Psychologist's request.
- d. **Fees for services** — There shall be no cost for departmental psychological services to departmental employees and their families. The costs of all mental health services outside of the department shall be borne by the employee involved unless paid by the employee's insurance.
- e. **Meetings with the Department Psychologist** — Each individual and group requesting assistance is unique. The time, location, and frequency of contact is based upon these considerations. There are, however, some general rules that apply to all requests for assistance:
  - (1) The Psychologist will meet with you in person to review your situation. This meeting will be the basis for the type and duration of departmental assistance.
  - (2) If the Psychologist determines that your needs can best be met with the help of a medical doctor, you will be referred to either your own physician, or you will be assisted in finding a physician.
  - (3) If your need can be resolved by meeting on a short-term basis with the Psychologist, these meetings will be arranged. In the event that it is mutually determined that more in-depth and longer assistance is needed, the Psychologist will assist you in finding the appropriate resource.

2. One of the major roles played by the Psychologist is that of a RESOURCE GUIDE. Many of the reasons that individuals and employee groups contact the Psychologist can best be resolved through resources in their own community.

**Applies to:** All WSP Employees

**See Also:** WSP Policy **Critical Incident Stress Management Team**;  
RCW 18.83.110, RCW 5.60.060

**► SECTION 31: CRITICAL INCIDENT STRESS  
MANAGEMENT TEAM (CISM) ◀**

**11.31.010 CRITICAL INCIDENT STRESS MANAGEMENT TEAM (CISM)**  
**(CALEA 22.2.3, 22.2.6)**

**I. POLICY**

**A. Role of Critical Incident Stress Management Team**

1. The department's Critical Incident Stress Management (CISM) Team provides interventions following critical incidents to department employees or others requesting assistance. CISM is not a critique of operations and performance, but provides a group format in which personnel can discuss their feelings and reactions, thus reducing the stress that results from exposure to critical incidents. All employees involved in a critical incident should undergo a CISM intervention by the Department Psychologist (see DEPARTMENT CLINICAL PSYCHOLOGIST).
2. The objective of the Critical Incident Stress Management Program is to provide professional intervention immediately after major incidents, in order to minimize stress-related injury to law enforcement personnel. The focus of this service is to minimize the harmful effects of crisis or emergency situations. As such, the highest priorities for the CISM Team are to maintain confidentiality and to respect the feelings of the individuals involved. The integrity of the CISM Team is critical to its success.
3. It is not the function of the CISM Team to replace ongoing professional counseling, but to provide immediate crisis intervention. In a critical incident debriefing, the focus is on a group of individuals who has experienced a single traumatic occurrence. If only one individual experienced the incident, the Psychologist will determine the appropriate intervention for that individual.
4. On-scene or near-scene interventions may occur with some extended incidents. Usually, a formal CISM is conducted within 72 hours of the incident. Follow-up intervention(s) may be conducted weeks or months after the incident.

**B. Coordination of CISM Program**

1. The Office of the Department Psychologist shall coordinate the CISM Program. A CISM Advisory Committee shall act as the policy-setting board for the program's operation and future direction, subject to review and approval by the Chief. The Psychologist is the program chairman for the CISM Team and acts as the primary liaison between the peer debriefers, CISM Advisory Committee, outside professional resources, and the department.
2. The CISM Team shall be composed of the Department Psychologist, team administrative coordinator, team coordinator(s), and peer debriefers.

**Applies to:** All WSP Employees

**See Also:** WSP Policy **Department Clinical Psychologist**

**► SECTION 32: PEER SUPPORT TEAM ◀****11.32.010 PEER SUPPORT TEAM (CALEA 22.2.3, 22.2.6, 35.1.9)****I. POLICY****A. Peer Support Team Responsibilities**

1. The Washington State Patrol Peer Support Team is an objective and non-judgmental resource from which employees may voluntarily request support and assistance in working through personal and occupational problems. The Peer Support Team is designed to complement the services provided by the Department Psychologist; the team is not a replacement for professional care. Peer support provides a way for employees to "talk-out" problems on a one-to-one basis with specially trained coworkers who understand and want to help.
2. The team provides a readily accessible network of employees who are trained and willing to be of service to their fellow employees and family members in need of assistance or support.
3. Peer supporters will respect an employee's confidentiality. Failure to respect confidentiality will result in removal from the Peer Support Team.

**B. Confidentiality of Peer Support Participation**

1. Knowledge of an employee's participation will be restricted to the peer supporter and the Psychologist. The department will not have access to peer support contact information, unless the employee requests such a disclosure.
2. State statutes require that confidential information must be released by team members under certain circumstances. In all cases where confidential information is required to be released, the Psychologist shall be notified immediately for further guidance.

**C. References to Peer Support Team**

1. Individuals may refer themselves or a supervisor may suggest the employee contact a Peer Support Team member.
2. A current list of Peer Support Team members is available from the Office of the Department Psychologist, the area coordinators, and department Communications Centers and on the department Intranet site.
3. Employees may contact team members directly or through their local Communications Center.
4. Requests for peer support from anyone other than the employee must be referred by the Psychologist. If the Psychologist is not available, another member of the Peer Support Advisory Committee may clear requests.

**D. Peer Support Advisory Committee**

1. The Peer Support Advisory Committee acts as the policy-setting board for the program's operation and future direction, subject to review and approval by the Chief.
2. The Peer Support Advisory Committee will be composed of:
  - a. The Department Psychologist, acting as committee and program chairman.
  - b. The Department Psychologist's secretary, acting as administrative coordinator of the program.
  - c. Area coordinators, located throughout the state.
3. The Peer Support Advisory Committee selects members for the Peer Support Team and coordinates training of the team. The Department Psychologist is the program chairman for the Peer Support Team and acts as the primary liaison between the peer supporters, Peer Support Advisory Committee, outside professional resources, and the department.

**E. Overtime for Peer Support Team Members**

1. Any member of the Peer Support Team who is required, asked, or authorized to perform his/her peer support duties by a supervisor or above shall be paid overtime, compensatory time, or exchange time if the time involved in the Peer Support Team duties is outside of his/her regular duty hours (provided the Peer Support Team member's job class is eligible for overtime), and such payment does not conflict with overtime eligibility provisions of a collective bargaining agreement.

**Applies to:** All WSP Employees  
**See Also:** WSP Policy **Department Clinical Psychologist**; Applicable Collective Bargaining Agreements

## Chapter 12

# COMPLAINT AND DISCIPLINARY PROCEDURES

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### ► SECTION 00: COMPLAINTS ◀

#### **12.00.010 AGENCY ACCOUNTABILITY (CALEA 52.1.1, 52.1.5)**

##### **I. POLICY**

###### **A. Employee Accountability**

1. Like all public service agencies, the Washington State Patrol is accountable for the acts and omissions of all its employees. To ensure and exercise this accountability, the department utilizes an internal review system to examine official acts and omissions. This review may be initiated by any department employee, citizen, or third party. The goal of this system is the assurance that any policies, procedures, or individual employee actions meet the test of fairness; and, if not, that corrective measures are taken.

###### **B. Relationship Between Employees and the Public**

1. A relationship of trust and confidence between employees and the community they serve is essential to effective law enforcement. Police officers must be free to exercise their best judgment and to initiate law enforcement action in a reasonable, lawful, and impartial manner, without fear of reprisal. In addition, enforcers of the law are obligated to respect the rights of all people.
2. Public confidence in the ability of the department to investigate and properly adjudicate all complaints against its employees must be maintained. The department has the responsibility to seek out and discipline those whose conduct discredits the department or impairs its effective operation. The rights of the public, as well as those of the employee, must be protected. In this application, discipline is viewed as a positive process in which the main purpose is to train or develop by instruction.

###### **C. Investigation of Complaints**

1. The purpose of these procedures is to provide a prompt, just, and open disposition of complaints regarding the conduct of employees. The department welcomes constructive and valid criticism of department procedures and complaints against its employees from concerned citizens. The department considers all complaints against the agency and any employees and fully investigates all such complaints.
2. The department shall take no action that would cause a violation of the Fair Labor Standards Act (29 USC § 201 et seq.).

**Applies to:** All WSP Employees  
**See Also:** Fair Labor Standards Act (29 USC § 201 et seq.)



**12.00.020 COMPLAINTS (CALEA 1.2.9, 26.1.1, 26.1.5, 26.1.8, 31.2.1, 52.1.1, 52.1.2, 52.1.4, 52.1.5, 52.2.2, 52.2.7, 52.2.8, 82.1.5, 82.2.2)****I. DEFINITIONS**

A. A **complaint** is defined as:

1. An allegation of circumstance(s) amounting to a specific act or omission which, if proven true, would amount to employee misconduct.
2. An expression of dissatisfaction with a policy, procedure, practice, philosophy, service level, or legal standard of the agency.
  - a. A disagreement over the validity of a traffic infraction or criminal citation is not a complaint. The complaining person should be advised to contact the proper court having jurisdiction in the matter.

B. **Misconduct** is an act or omission by an employee which, if proven true, would normally result in some form of discipline or sanction. This would include:

1. Commission of an unlawful act.
2. Violation of any department policy, procedure, rule, regulation, or training procedure.
3. Conduct which may reflect unfavorably upon the employee or agency.

**II. POLICY****A. Accepting Complaints**

1. The department considers all complaints against the agency and any of its employees and fully investigates all such complaints as appropriate. A complaint can come from either an external or internal source and can be accepted from:
  - a. Aggrieved person.
  - b. Third party.
  - c. Any employee.
  - d. Employing agency.
  - e. Notice of civil claim.
  - f. Governmental agency.
  - g. Human rights complaint.
  - h. Anonymous person.

2. A complaint may be given to the agency in person, telephone, e-mail, or by letter. No employee shall attempt to discourage, interfere, or delay an individual from making a complaint. Employees accepting complaints shall be responsive and courteous.

#### **B. Complaint Process**

1. Supervisory and command employees shall initiate a local investigation when the alleged misconduct is reported or is a part of the routine supervisory/ management discipline process. Local investigations shall follow the procedures outlined in the *Administrative Investigation Manual*.
2. Employees who receive complaints, including anonymous complaints, shall report the information, irrespective of the chain of command, to the appropriate supervisor.
3. If the complaint alleged is against a member of the Office of Professional Standards (OPS), employees shall report the complaint directly to the Chief. The Chief shall determine if the complaint requires the investigative expertise of Internal Affairs.
4. Upon completion of the investigation, the commander shall make a finding regarding the incident as outlined in the *Administrative Investigation Manual*.

#### **C. Temporary Relief From Duty – Complaint**

1. If, by nature of the complaint, the accused employee should be relieved from duty, the individual shall be relieved by any supervisory officer and the appropriate assistant chief or bureau director shall be advised. Temporary relief from duty with pay shall not exceed 48 hours, unless authorized by the Chief, and shall require that:
  - a. The employee not exercise police authority.
  - b. The employee remain available from 8 a.m. to 12 p.m. and 1 p.m. to 5 p.m. to return to duty. During that time, the employee shall call his/her respective division/district twice each work day and be available to respond to the office within one hour.
  - c. Temporary relief from duty may require an employee to surrender department-issued items. Employees responsible for securing department-issued items from relieved employees should attempt to do so with respect and dignity when at all possible.

#### **D. Suspension Without Pay**

1. If a complaint is regarding a criminal offense, which calls for the discharge of the employee, the Chief may immediately suspend the employee without pay pending a Trial Board hearing.

2. The board shall be convened no later than 45 days from the date of suspension. However, this does not preclude the granting of a mutually-agreed-upon extension; in such cases, the employee shall remain on suspension without pay.

#### **E. Notification to Accused Employee of Complaint Status**

1. The accused employee, upon request, shall be advised by the departmental unit conducting the complaint investigation of its status during the course of an investigation.
2. The accused employee shall be notified as soon as practical by the Office of Professional Standards of the final disposition of the matter.

#### **F. Citizen Complaints**

1. Employees shall courteously and promptly record in writing any complaint made by a citizen against any employee or the department. Employees may attempt to resolve the complaint, but shall never attempt to dissuade any citizen from lodging a complaint. Employees shall follow established department procedures for processing complaints.

#### **G. Interference with Discipline**

1. From the time a complaint is received until the case is completely adjudicated, employees shall not influence, or attempt to influence, any of the participants in a departmental disciplinary procedure, except as expressly provided by regulation. Employees shall not ridicule, embarrass, or threaten witnesses for having given evidence in a disciplinary matter.

#### **H. Storage and Security**

1. All copies of the completed case file shall be stored in OPS CITE. No duplicate files shall be kept at any location for any reason. Access to administrative investigation case files is limited to OPS personnel, unless authorized by the Chief.

**Applies to:** WSP Officers

**See Also:** Equal Employment Opportunity Commission; *Administrative Investigation Manual*

### **12.00.030 ADJUDICATION OF ADMINISTRATIVE INVESTIGATIONS**

#### **I. POLICY**

##### **A. Components of Adjudication**

1. Adjudication of completed administrative investigations shall be as outlined in the *Administrative Investigation Manual*. Adjudication includes:

- a. Commander's contemplated findings.
  - b. Elements of Just Cause.
  - c. Standards Officer concurrence.
  - d. Pre-determination process.
  - e. Commanders Final Determination.
  - f. Standards Officer concurrence of Final Determination.
  - g. Disciplinary settlement (when applicable).
2. The Office of Professional Standards is tasked with assisting commanders throughout the adjudication process.
  3. An accused officer may waive a hearing and accept the proposed discipline by written notice to the Chief.

**Applies to:** WSP Officers

**See Also:** *Administrative Investigation Manual*

**12.00.040    EARLY IDENTIFICATION SYSTEM (CALEA 26.1.4, 26.1.5, 33.1.5, 35.1.9)**

**I.    POLICY**

**A.    Identifying Work Performance Issues**

1. The department is committed to providing a positive approach to identifying and assisting employees whose work performance suggests job stress or other job-related problems.
2. The department's Early Identification System is designed to detect patterns of behavior that may warrant a timely, non-punitive intervention, emphasizing training and reaffirmation of department regulations. The essential ingredient in this system is non-punitive, but rather a timely intervention, emphasizing training and reaffirmation of department regulations. The Early Identification System has established methods to resolve performance and/or behavioral issues at the earliest stage.

**B.    Operation and Maintenance of Early Identification System**

1. The Office of Professional Standards operates and maintains the Early Identification System. This system is not intended to produce conclusions regarding an employee's performance. It is a tool for supervisors and managers to identify problems at an early stage and ensure that reasonable assistance, tailored to the employee, can be provided to correct unacceptable behavior.

2. The Early Identification System shall be followed as outlined in the *Administrative Investigation Manual*.

**Applies to:** WSP Officers

**See Also:** *Administrative Investigation Manual*

## Chapter 13

### TRIAL BOARDS/WSP TROOPERS

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#### ► SECTION 00: TRIAL BOARDS ◀

#### **13.00.010**    **POLICY STATEMENT (CALEA 26.1.4)**

##### **I. POLICY**

[Click here to view General Order 15-003](#)

##### **A. Implementing Discipline**

1. Discipline is essential when it has been determined that an officer has acted contrary to law, rule, regulation, policy, procedure, or training.

##### **B. Trial Board**

1. A Trial Board hearing is conducted under administrative law. Administrative hearings are fact-finding hearings to appraise all of the information accumulated concerning a given situation.
2. The Trial Board also reaches factual conclusions without interference from unduly restrictive legal provisions and recommends a penalty to the Chief.

**Applies to:**        WSP Officers

**See Also:**        --

#### **13.00.020**    **BOARD MEMBERS**

##### **I. POLICY**

[Click here to view General Order 15-003](#)

##### **A. Board Membership**

1. The board shall consist of two captains and a peer of the accused drawn. An administrative law judge shall preside over the hearing, rule on evidentiary questions, give oaths to witnesses, and open and close the proceedings.
2. All board members shall be present during the actual hearing while testimony is given.

**Applies to:**        WSP Officers

**See Also:**        --

#### **13.00.030**    **DUTIES OF THE TRIAL BOARD MEMBERS**

##### **I. POLICY**

[Click here to view General Order 15-003](#)

##### **A. Board Member Responsibilities**

1. The purpose of the Trial Board is to determine all relevant facts. Board members may question witnesses after direct and cross-

examination by counsel. Such questions are subject to evidentiary rulings by the administrative law judge, upon the proper motions by the parties.

2. Board members may also request additional investigation of the allegations if, at the conclusion of the presentation of evidence by both parties, issues remain unresolved. Such requests are subject to evidentiary rulings by the administrative law judge.
3. Only board members, excluding the administrative law judge, shall deliberate and vote on the findings of fact and recommended penalty.
4. Each member shall sign the findings or indicate his/her dissent and state the reasons for such dissent.

**Applies to:** WSP Officers

**See Also:** --

#### **13.00.040 HUMAN RESOURCE DIVISION COMMANDER**

##### **I. POLICY** [Click here to view General Order 15-003](#)

###### **A. Arrangements for Hearing**

1. The Commander of the Human Resource Division (HRD) shall make all necessary arrangements for the hearing.
2. The Commander of HRD is not a member of the board and does not vote, assist, or engage in deliberations.

###### **B. Duties**

1. The duties of the Commander of HRD include the following:
  - a. Assist in the Trial Board drawing.
  - b. Arrange for a hearing room through the Office of Administrative Hearings.
  - c. Arrange for a court reporter.

**Applies to:** WSP Officers

**See Also:** HRD Commander

#### **13.00.050 DEFENSE ADVOCATE**

##### **I. POLICY** [Click here to view General Order 15-003](#)

###### **A. Choosing a Defense Advocate**

1. The accused has the right to select any officer of the department, except the Labor and Policy Advisor, to act as Defense Advocate once formal written charges have been served. If such officer agrees and is reasonably available, the Chief shall assign the requested officer to act as Defense Advocate. If the selected officer does not agree or is not reasonably available, the accused shall be

so advised and may select another officer. The assigned officer shall assist the accused throughout the Trial Board process. If the accused is represented by counsel, all rules of professional conduct shall apply.

2. The assigned officer and appropriate commander shall be notified in writing of the appointment of the Defense Advocate. The officer assigned as Defense Advocate shall remain responsible to the commander for the conduct of regularly assigned duties. The officer is expected to perform such duties, whenever possible, while acting as Defense Advocate.
3. Unless previous permission has been granted, the Defense Advocate shall report for work as normally scheduled.

#### **B. Responsibilities of the Defense Advocate**

1. The Defense Advocate shall be directly responsible to the assistant chief in charge of the Investigative Services Bureau or designee with respect to all activities involving performance of duties as Defense Advocate.
2. All travel, overtime, and any expenses incurred as a result of being a Defense Advocate shall be pre-approved by the assistant chief or designee.
3. All Defense Advocate tasks that are of a clerical nature shall normally be performed at the Washington State Patrol facility to which the Defense Advocate is assigned. If there is substantial reason for tasks to be performed elsewhere, prior approval shall be obtained from the assistant chief/bureau director or designee.
4. The Defense Advocate shall account for time away from normally scheduled duty in a chronological log showing the time spent working on the defense of the case and a general description of activities. The log is to be made available to the Investigative Services Bureau Assistant Chief upon request.

#### **C. Duties**

1. The duties of the Defense Advocate include the following:
  - a. Understand and assist the accused with board procedures and applicable RCW, WAC, and *Regulation Manual* provisions.
  - b. May be present during the selection of members of the board.
  - c. Assist in interviewing witnesses prior to the Trial Board, prepare evidence for use in the Trial Board, and assist counsel for the accused as requested. PROVIDED: the request does not conflict with department regulations, constitute a violation of state or federal laws, or conflict with the attorney's rules of professional conduct.
  - d. If the accused is represented by counsel, all discovery requests should be made through counsel consistent with the rules governing discovery.



**Applies to:** WSP Officers  
**See Also:** --

### **13.00.060 TRIAL BOARD DRAWING**

#### **I. POLICY** [Click here to view General Order 15-003](#)

##### **A. Conducting the Drawing**

1. The drawing will be conducted at Headquarters in Olympia, Washington. The Commander of the Human Resource Division (HRD) will conduct the drawing and provide a neutral officer to draw, by lot, the two captains and a peer and alternatives to sit on the board, should the accused or designee not attend.
2. There will be an alternate captain and an alternate peer drawn, but not disclosed until required, for the Trial Board.
3. The accused and the department shall have one pre-emptory challenge per Trial Board. The accused shall exercise his/her pre-emptory challenge first. This pre-emptory challenge must be made on the day of (or, if not present, as soon as he/she can be contacted after) the Trial Board drawing. If a pre-emptory challenge is exercised, the alternate then becomes the board member. At this time, another alternate is chosen by lot. Any member may be challenged for cause at any time and subsequently replaced by the alternate. If needed, an additional drawing may be held. A challenge for cause shall be made by motion and ruled upon by the administrative law judge.
4. The Commander of HRD shall immediately contact prospective board members drawn to determine their availability to serve on the board. In the event that a prospective member is unavailable, the alternate shall serve in the unavailable member's place. A second alternate must then be selected by drawing.
5. At the drawing of the Trial Board, the date the Trial Board shall convene shall be determined. The board shall not convene any earlier than at least 30 days after the Trial Board drawing.

**Applies to:** WSP Officers  
**See Also:** --

### **13.00.070 TRIAL BOARD HEARING (CALEA 26.1.6)**

#### **I. POLICY** [Click here to view General Order 15-003](#)

##### **A. Trial Board Members**

1. The hearing shall be held before an administrative law judge, appointed under RCW 43.43.090.
2. The board shall consist of two captains and a peer of the accused.

**B. Trial Board Location**

1. The Trial Board shall convene in the district where the accused was employed during the time the incident alleged in the charges arose.
2. The venue can be changed upon a motion, if supported for good cause, and submitted to the administrative law judge.

**C. Trial Board Conduct**

1. The conduct of the Trial Board shall be governed by department policy and other state regulations and laws.

**D. Appeals**

1. All appeals of the final order of the Chief in matters heard by the Trial Board shall be in accordance with RCW 43.43.100 or RCW 34.05.

**Applies to:** WSP Officers  
**See Also:** RCW 34.05, 43.43.090, 43.43.100

**13.00.080 TRIAL BOARD PROCEDURES (CALEA 26.1.6)****I. POLICY** [Click here to view General Order 15-003](#)**A. Open Hearing**

1. RCW 43.43.070 affords the accused the right to a public hearing.
2. The administrative law judge may rule upon motion from either the accused or the department to exclude any and all witnesses from the hearing prior to testifying, in accordance with WAC 10-08-190.

**B. Convening the Board**

1. The administrative law judge shall determine if the hearing is ready to proceed and ascertain if the witnesses are present.

**C. Record of Proceedings**

1. The proceedings shall be recorded by a certified court reporter.

**D. Opening Statements**

1. The department may present an opening statement. The accused or retained counsel may present an opening statement.

**E. Order of Presentation of Evidence**

1. As the party with the burden of proof, department witnesses shall be heard first.
2. The accused employee's witnesses are presented after the department rests its case.

3. The department may call rebuttal witnesses at the conclusion of the accused employee's case. The same procedures for witnesses shall be followed in examining the rebuttal witnesses as set forth in **Order of Examination** below.
4. The accused may also call rebuttal witnesses, with the same procedures for witnesses following in examining them as set forth in **Order of Examination** below.

#### **F. Order of Examination**

1. Direct examination by the party calling the witness.
2. Cross-examination by the adverse party.
3. The party calling the witness may conduct redirect examination, and if done, the adverse party may conduct recross-examination of the witness.
4. Each board member may ask additional questions of the witness after direct, cross, redirect, and recross-examination.
5. The parties may not ask additional questions of the witness after the question(s) from the board members.
6. Witnesses may then be excused by the administrative law judge if no longer required by the board or not reserved by a party.

#### **G. Motions by the Defense**

1. When the department has presented all the evidence and had all witnesses testify on behalf of the department, the accused may at this time make any motions relevant to any or all charges.
2. The members of the Trial Board may grant, deny, or dismiss any motion under consideration. They shall evaluate all the facts and laws applicable to the motion and reach a majority decision as to whether or not the motion shall be granted or denied.
3. When the voting members of the Trial Board take a motion to dismiss under consideration, they shall deliberate alone, without parties to the hearing present nor any members of the public or the administrative law judge.
4. Questions regarding the legal aspects involved in the motion shall be directed to the administrative law judge.

#### **H. Two-Phase Trial Board**

1. The Trial Board serves to determine the facts and to recommend penalties to the Chief. The process has two purposes:
  - a. **Fact-Finding**
    - (1) Fact-finding is the first part of the Trial Board where the investigation facts are presented, both by the department and the accused, through various witnesses with

knowledge of the allegations set forth in the charges served on the accused.

**b. Penalty**

- (1) The penalty is the second part of the Trial Board where the parties present evidence which shows the disciplinary history of prior actions, both of the accused and/or other employees whose conduct was sustained for the same or similar actions.
  - (2) The accused may also present evidence in mitigation of the recommended penalty.
2. These two purposes are to occur consecutively, without initial deliberation on the fact-finding part of the process.

**I. Closing Arguments**

1. Upon completion of all testimony, the department may present a closing argument. If waived, the department retains the right to make rebuttal argument if the accused makes a closing argument.
2. The accused or retained counsel may present a closing argument.
3. The department, since it has the burden of proof, may provide a rebuttal closing argument. The accused is not allowed to make any additional closing remarks.

**Applies to:** WSP Officers  
**See Also:** RCW 43.43.070; WAC 10-08-190

**13.00.090 DELIBERATIONS OF BOARD (CALEA 26.1.6)**

**I. POLICY** [Click here to view General Order 15-003](#)

**A. Participants in Deliberations**

1. The administrative law judge shall not participate in deliberations nor vote on findings of the Trial Board.
2. The senior ranking member of the board shall act as chairperson during deliberations.

**B. Rules During Deliberations**

1. The acting chairperson shall ensure that the room is clear of all persons except board members during the deliberation on the findings.
2. The deliberation shall not be recorded.
3. Deliberations shall be conducted as soon as possible after closing arguments.
4. A majority vote of the board members must agree to a finding of whether the charges are sustained or unfounded, based upon the

evidence provided. The vote need not be unanimous; however, the dissenting member shall attach a minority report.

### C. Finding of Fact

1. Written findings of fact and a recommended penalty shall be prepared and submitted to the Chief for final action.

**Applies to:** WSP Officers

**See Also:** RCW 42.52

## **13.00.110 RESIGNATION OR RETIREMENT OF ACCUSED BEFORE COMPLETION OF HEARING**

### I. POLICY

[Click here to view General Order 15-003](#)

#### A. Resignation or Retirement of Accused Prior to Completion of Hearing

1. In the event an officer submits a resignation or retires after convening the board, but prior to the completion of the board hearing on the charges, the Chief shall notify the board members in writing of the termination of the officer's employment and instruct the board to close the file and adjourn.
2. The case will neither be dismissed nor a finding made, but the board will adjourn and the file will merely be closed.

**Applies to:** WSP Officers

**See Also:** --

## **13.00.120 GENERAL REGULATIONS – BOARD HEARING**

### I. POLICY

[Click here to view General Order 15-003](#)

#### A. Joint Board Hearing

1. Accused officers may have a joint board hearing if the Chief determines it is in the interest of justice.

#### B. Single Board Hearing

1. Single board may be drawn to hear the charges against more than one officer arising out of the same circumstances.
2. The board shall be selected, except that each accused officer shall be entitled to the same number of challenges as if they were tried alone.

**C. Failing to Appear**

1. In the event the accused officer fails to appear before a board properly empanelled, the Chief shall enter an order of default against the accused and shall impose the discipline which constitutes the final action of the department.

**Applies to:** WSP Officers

**See Also:** --

**13.00.130 CONTINUANCES****I. POLICY**

[Click here to view General Order 15-003](#)

**A. Granting Continuances**

1. An administrative law judge, once assigned the case, shall determine if continuances may be granted.
2. Continuances may be requested by board members, the department, or the accused.
3. Continuances may be granted for good cause.

**B. Consecutive Daily Sessions**

1. When it is estimated that a hearing will require three or more days to complete, consideration may be given to limiting consecutive daily sessions to a maximum of three days.

**C. Delays in Hearing**

1. If a board member becomes unable to continue, thus causing an extended or unreasonable delay of the hearing, another entire Trial Board shall be selected and the entire matter shall be heard from the beginning.

**Applies to:** WSP Officers

**See Also:** --

**13.00.140 AMENDING COMPLAINTS****I. POLICY**

[Click here to view General Order 15-003](#)

**A. Amending Original Charges**

1. If, during the course of a hearing, evidence is disclosed in proof of any offense relative to the original charges but not included therein, or if it is determined that a material fact has been improperly stated

on the original charge, the department shall request the board to amend such charges so as to include specifications embodying such offense, which shall then become a part of the original charges.

2. The accused shall be allowed reasonable opportunity, if needed, to prepare a defense for such amended charges, and the hearing shall be continued for that purpose.
3. If, during the course of a hearing, evidence is disclosed against the accused in proof of any offense not associated to the original charges in type or time and place, the board shall not grant amendment of the charges. A separate investigation shall be conducted, and if warranted, new charges shall be prepared by the assistant attorney general on the new offense(s).

**Applies to:** WSP Officers

**See Also:** --

### **13.00.150 EVIDENCE**

#### **I. POLICY**

[Click here to view General Order 15-003](#)

##### **A. Admitting Relevant Evidence**

1. The hearing need not be conducted according to technical rules relating to evidence. Relevant evidence shall be admitted if it is information on which responsible persons are accustomed to relying on in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which may limit the admission of such evidence over objection in civil or criminal actions. Evidence is relevant when it has a tendency in reason to prove or disprove any disputed fact that is of consequence to the determination of the action. Hearsay evidence shall be admissible, but shall be given the weight deemed appropriate by the Trial Board.
2. Witnesses shall be allowed to refresh their memories respecting a fact, by anything they have written or which was written at their direction when the fact was fresh in their memory and was known to them to be correctly stated in writing.
3. Admissions against interest made by the accused to another person who testifies at a board hearing are admissible. A board may accept any evidence which tends to prove a pattern of conduct or is connected with the charges. Evidence of the character or work performance of the accused shall not be heard by the board, unless it is an issue or relevant to an issue.

4. A Trial Board may take official notice of any generally accepted technical or scientific matter within its special field, and of any fact which may be judicially noticed by the courts of this state. The parties shall be informed of matters so noticed, given a reasonable opportunity to refute the officially-noticed matters, and such matters shall be noted in the record.
5. A finding that the violation was committed by the accused shall be supported by a preponderance of the evidence before the board. A preponderance of the evidence means that, more likely than not, an issue in contest occurred. The department, as the party with the burden of proof, shall demonstrate that the evidence presented shows that, by a preponderance, the accused did the acts or omissions alleged in the charges. Physical evidence shall remain in the custody of the board, or as directed by it, during the hearing.
6. Upon final completion of the hearing and disposition of court appeals, physical evidence received shall be released by the department to the owner. An appropriate and sufficient description of such evidence shall be read by the administrative law judge into the record during the hearing.

#### **B. Witness Testimony**

1. Witnesses who are to testify as expert witnesses shall first qualify as experts in the considered opinion of a majority of the board, unless a stipulation has been entered.

**Applies to:** WSP Officers

**See Also:** --

### **13.00.160 DISCOVERY**

#### **I. POLICY** [Click here to view General Order 15-003](#)

##### **A. Discovery Procedures**

1. Discovery procedures shall be in accord with WAC 446-08-230 et seq.
2. The accused may be provided a copy of the investigation including addenda, which resulted in the charges against the accused. The Office of Professional Standards Commander shall make this material available at the time the members of the Trial Board are selected.

**Applies to:** WSP Officers

**See Also:** WAC 446-08-230 et seq.



**13.00.170 EFFECT OF CRIMINAL PROCEEDINGS****I. POLICY**[Click here to view General Order 15-003](#)**A. Criminal Proceedings**

1. The purpose of criminal proceedings is the adjudication of crime, and the purpose of a board hearing is the adjudication of rule and regulation violations, maintenance of the morale and efficiency of the department, and its good reputation in the community. Therefore, the fact that a jury has acquitted an officer of a criminal charge does not relieve the accused from any departmental charge arising out of the same matter.
2. Criminal proceedings and a board hearing out of the same charge are entirely independent of each other. A board hearing need not be restricted to the evidence given in the criminal proceedings. The criminal court trial transcript may be used by the board.

**Applies to:** WSP Officers  
**See Also:** --

## Chapter 14

### SUPERVISION AND COMMAND

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#### ► SECTION 00: COMMUNICATION/SUPERVISION ◀

#### **14.00.010**    **COMMAND PROTOCOL** (CALEA 11.2.2, 12.1.2)

##### **I. POLICY**

##### **A. Chain of Command in Emergency Circumstances**

1. The chain of command describes the department's authority structure under routine circumstances. In the following emergency situations, this structure may be temporarily abandoned:
  - a. An unusual occurrence.
  - b. The use of special tactical units (e.g., Statewide Incident Response Team, Crisis Negotiation Team).
  - c. The on-scene investigation of a vehicle collision involving possible felony charges.
2. In some situations, the ranking officer may temporarily grant command authority to employees with special skills or knowledge to resolve the situation; but may, at any time, rescind such authority and restore normal command protocol.
3. If authority over an incident is in dispute among officers of equal rank, authority shall be vested in the officer with the longest time in grade.

**Applies to:**            WSP Officers

**See Also:**            --

#### **14.00.020**    **SUPERVISION AND COMMAND** (CALEA 11.3.1, 11.3.2, 26.1.5)

##### **I. POLICY**

##### **A. Necessity of Supervision**

1. The level of efficiency at which employees perform will be largely determined by the caliber of their supervisors. Supervision gives coherence to the police task and directs the energies of a law enforcement agency into an organized effort.
2. Proper supervision is essential to maintain a professional level of competence in law enforcement operations.

##### **B. Three Tasks of Supervision**

1. Supervision in its broadest sense consists of three main tasks: to organize, to delegate, and to oversee.

- a. To organize means planning the work of the department and of the employees in an orderly manner.
- b. To delegate means giving someone else the responsibility and authority to do something which the supervisor does not have the time or ability to do efficiently.
- c. Responsibility should always be accompanied with commensurate authority. Supervisors may confer upon subordinates the same authority and responsibility they possess; however, it is the final responsibility of the supervisor to ensure that the work is done.

### C. Accountability for Delegated Authority

1. Persons who assume a delegated responsibility should realize they will be held responsible for the results. Employees shall be fully accountable for the use of delegated authority, as well as for the failure to use it.

**Applies to:** All WSP Employees

**See Also:** *Human Resource Division Standard Operating Procedures Manual*

### **14.00.030 COMMAND RESPONSIBILITIES (CALEA 11.2.1, 11.3.1, 11.3.2, 26.1.5)**

## I. POLICY

### A. Responsibility and Accountability of Commanders

1. A commanding officer/director/manager has responsibility and accountability for every aspect of the command function. Commensurately, within policy guidelines and legal constraints, the commanding officer has the authority to coordinate and direct assigned employees and other allocated resources in achieving organizational objectives. They must perform the full range of administrative functions, relying upon policy, direction, training, and personal initiative to guide other supervisory employees in achieving the highest level of performance possible.
2. All supervisors and commanders are fully responsible and accountable for the acts and omissions of their subordinates. Any failure on the part of a subordinate may be assumed to be failure in supervision and/or command. Upon assuming a new assignment and continually thereafter, a commanding officer should critically evaluate and review existing policies, procedures, and programs to determine if the need for which they were enacted remains unchanged. Existing budget requests should be reviewed to ensure that any changes made or contemplated have not rendered the requests obsolete.

**B. Change of Command**

1. Upon a change of command, the commanding officer/director/manager being replaced has a duty to lend full assistance in making the command transition as smoothly and orderly as possible. Orientation of a new commanding officer/director/manager should include information concerning unique problems of the command and assistance in continuing community and professional contacts relative to the command.
2. The nature of command is such that there must be a coexisting loyalty to the management of the department and to subordinates. The resolution of those loyalties, in a manner which benefits both the department and the individual, and which avoids conflicts between the two interests, requires the exercise of leadership. An interest in employees and their welfare is a responsibility of command, which may extend beyond morale problems and their effect upon an individual's performance. It includes a concern for the personal problems, desires, and interests of employees and positive assistance in resolving those problems or in achieving their goals. However, commanding officers/directors/managers should be cautious to avoid interfering where assistance is not required or desired.

**C. Maintaining Professional and Community Contacts**

1. Commanding officers/directors/managers have a responsibility to maintain professional and community contacts as they relate to their command. These contacts enable the department to exchange information which improves its efficiency, as well as allowing for communication of its needs and concerns. The following provides a minimum guideline of contacts to ensure this exchange:
  - a. Prosecuting attorneys
  - b. Other law enforcement agencies
  - c. Courts—adult and juvenile
  - d. Other state and local agencies (e.g., Department of Transportation, Department of Ecology, Department of Health, medical examiner's office, etc.)
  - e. Correctional agencies
  - f. Probation and parole agencies
  - g. Fire department officials
  - h. Community leaders, civic groups

- i. Civil defense authorities.
  - j. Emergency medical services
  - k. Tribal entities
2. At least annually, commanders (or designees) should meet with contacts for coordinating purposes.

#### **D. Command at Police Situations**

1. Command of department resources at a police situation rests with the district commander or the assigned senior officer. Such person has the authority to direct the operation and is responsible for its outcome.
2. Senior command officers may make suggestions; however, they shall not actively direct the operation unless they have properly relieved the subordinate of command.
3. Senior command officers at an emergency scene who do not choose to take command may be held accountable for unfavorable developments which could have been prevented by their assuming control.

**Applies to:** All Commanders

**See Also:** *Human Resource Division Standard Operating Procedures Manual*

### **14.00.040 SUPERVISOR RESPONSIBILITIES (CALEA 11.2.1, 11.3.2, 26.1.5)**

#### **I. POLICY**

##### **A. Supervisor Responsibilities**

1. Supervisors have the primary responsibility to guide, direct, train, and motivate subordinates towards professional growth that supports the department's strategic plans.
2. Supervisors are expected to have the knowledge, skills, and attributes of effective supervision and apply them in their supervisory tasks. Therefore, supervisors must engage in continuous learning to ensure effective supervision.
3. All levels of supervisors also have the responsibility to familiarize selected subordinates with their supervisory responsibilities so that these employees are prepared to perform acting supervisor duties during the supervisor's absence from the work site.
4. Traffic sergeants generally shall not supervise more than ten traffic officers.

**Applies to:** All WSP Employees

**See Also:** --

**14.00.050 FIELD SUPERVISION (CALEA 11.2.1, 11.3.2, 12.1.2, 42.1.2, 61.2.3)****I. POLICY****A. Supervisor Response to Serious Incidents**

1. Whenever it becomes apparent to an officer that a serious non-traffic gross misdemeanor or felony arrest is about to be or has been made, a supervisor shall be contacted. The supervisor shall determine if the arrest is appropriate and if additional investigative services are needed.
2. A supervisor shall respond to all situations involving foreign diplomats, use of force, an assault on an employee, a fatality or felony collision, or resistance to arrest.

**II. PROCEDURES****A. Procedural Steps**

1. The necessity for command and control exists at all levels. For this reason, the following procedural minimums are set forth:
  - a. In all field situations where more than two officers are present, the senior officer at the scene shall be in charge. This officer shall remain in charge until officially relieved.
  - b. The presence of a ranking officer or supervisor at a scene shall not indicate assumption of command unless that officer specifically assumes command. Otherwise, their presence shall remain in an advisory or evaluation capacity.
  - c. If the situation warrants, a sergeant should be called to the scene to assume command.
  - d. In normal field situations, command need not go higher than a sergeant. The sergeant may, at any time, request the assistance of a ranking officer.

**Applies to:** WSP Officers

**See Also:** --

**14.00.060 AUDITS, INSPECTIONS, AND RISK ASSESSMENT (CALEA 17.5.3, 26.1.5, 53.1.1, 53.2.1)****I. POLICY****A. Purpose**

1. Internal audits and inspections assess compliance with state and department policies, procedures, and rules, and test the adequacy of internal controls. They provide a confirmation that department resources are adequate, properly cared for, and utilized.

**B. Management's Role**

1. It is management's responsibility to ensure proper performance of assigned employees and the most efficient use of assigned equipment, material, and facilities. Management's responsibility includes proactively developing, implementing, and monitoring appropriate internal controls and taking immediate action to correct identified weaknesses. It also includes identifying potential risks, developing and implementing risk management, and mitigating strategies and procedures.

**C. The Risk Management Division**

1. The Risk Management Division (RMD) shall conduct audits and inspections throughout the department in accordance with the Standards for the Professional Practice of Internal Auditing, as set forth by The Institute of Internal Auditing (IIA), and in conformance with Generally Accepted Government Auditing Standards as published by the Comptroller General of the United States.
2. RMD shall validate the use of proper business procedures and practices as defined by state laws, best business practices, department regulations, and accreditation standards. If any current procedure and/or practice is found not to be at a desired level of conformance, RMD shall offer consultative services to strengthen the procedure and/or practice, utilizing the collective resources of the department.
3. RMD shall have the responsibility and authority to conduct audits and inspections of all divisions/districts, sections, detachments, units, offices, and other places and activities of the department. It shall offer an independent opinion on whether:
  - a. Activities and programs being implemented have been authorized by the Chief, state law or applicable federal law or regulations.
  - b. Activities and programs are being conducted and funds expended in compliance with applicable laws and regulations.
  - c. Revenues are being properly collected, deposited, and accounted for and safeguarded.
  - d. Resources, including funds, property, and personnel are adequately safeguarded, controlled, and used in a lawful, effective, and efficient manner.
  - e. Adequate operating and administrative procedures and practices, systems of accounting, and internal controls have been established to accomplish objectives defined by the department's Strategic Plan.
  - f. Activities and programs are being carried out in a manner conducive to accomplishing the objectives of the department.

- g. Implementing divisions have determined that respective activities or programs effectively serve the purposes intended by the Chief, state law or applicable federal regulation.
4. It shall be the responsibility of RMD to ensure standards requiring independence and objectivity throughout the audit process be achieved and maintained.

#### **D. Annual Self-Assessment and Risk Analysis**

1. Each division/district commander shall ensure that his/her respective division/district annually conducts a self-assessment and risk analysis to, in part, determine compliance with state and federal laws, department policies and procedures, and issued directives.
2. The assessment shall be conducted annually (by October 31 for the Field Operations Bureau and June 1 for divisions) and shall follow guidelines established by the department.
3. Each division/district commander shall submit a written report of their assessment through their chain of command to the RMD Commander, with a copy to the Deputy Chief, by June 1.
4. RMD shall prepare a department risk analysis summary report for the Chief based upon these statements.

**Applies to:**

All WSP Employees

**See Also:**

RCW 43.88.160; *State Administrative Accounting Manual*, Chapter 20; *Risk Management Division Standard Operating Procedures Manual (SAAM)*

### **14.00.070    ACTIVITY FILES – OFFICERS (CALEA 53.2.1)**

#### **I. POLICY**

##### **A. Requirement to Keep Files Current**

1. Activity files serve to reliably document officer activity as each shift occurs. All officers (commissioned/commercial vehicle enforcement officers/commercial vehicle officers) shall keep and maintain an up-to-date activity file. These files can be originals or verified scanned copies of original in electronic format. These files may be audited or reviewed at any time by the supervising personnel outlined in the **EIGHTY-WORK-HOUR AUDIT – OFFICER'S** policy.

##### **B. Required Documentation in File**

1. At a minimum, the activity file shall contain hard (paper) copies or verified scanned original copies of the following:
  - a. NOIs/NOCCs. (Not required for officers using Statewide Electronic Collision and Ticket Online Records [SECTOR]. Supervisors may access these documents through the SECTOR back office database.)



- b. Uniform Driver/Vehicle Inspection Reports with violator's signature. (Not required for officers using ASPEN.)
  - c. Collision Investigation reports. (Not required for officers using SECTOR. Supervisors may access these documents through the SECTOR back office database.)
  - d. Impound forms.
  - e. Case Reports (unless original is stored in case file).
  - f. Compliance copy of Correction Notice.
2. Officers shall not retain Field Information Reports in their activity file, but shall submit them in a timely fashion as required in the policy on **FIELD INFORMATION REPORTS**.
3. Each day's copies of the forms listed above should be attached to a copy of the officer's time card if overtime was accrued for that day. At the end of each month, that month's activity shall be placed in an envelope and submitted to the officer's supervisor for review. After review, the supervisor shall initial the packet and return it to the officer.

#### **C. Retention of Activity Files**

1. Officers must retain the signed packets of activity files in a drop file or storage locker at their primary office for one year, after which they will be submitted to the district Public Disclosure Officer for retention. Electronic stored files will be retained on the server for the required retention period.
2. Upon transfer or promotion, officers shall submit their activity file packets to the Public Disclosure Officer for their current duty station prior to leaving. The records will be retained in the district or division where they were created. Copies may be kept by the officer for upcoming court proceedings.

**Applies to:**

WSP Officers

**See Also:**

WSP Policies **Field Information Reports; Eighty-Work-Hour Audit – Officer's**

#### **14.00.080 EIGHTY-WORK-HOUR AUDIT – OFFICER'S**

#### **I. POLICY**

##### **A. Conducting the Audit**

1. All Field Operations Bureau/Commercial Vehicle Enforcement Bureau (CVEB) sergeants and all commercial vehicle

enforcement officers/commercial vehicle officer supervisors shall conduct semi-annual audits of officer activity files. An eighty-work-hour audit shall be conducted during each six-month cycle as follows: one by April 30 and the second by October 31. During each audit period, sergeants/supervisors shall audit the activity files of one-half of the officers in the work unit. In the event of an odd number of officers in the detachment, the sergeants/supervisors shall round upward to ensure more than half are audited each audit period. The sergeants/supervisors shall select officers for audit based upon recent performance issues and shall pay additional audit attention to those areas. One perceived high performer shall be audited each audit period as well. When exceptional performance is confirmed, that performance shall be documented, the officer congratulated in a manner deemed appropriate by the sergeant/supervisor, and the officer's performance and subsequent recognition included in the audit report. All officers shall be subject to at least one audit annually. This audit will include an eighty-work-hour audit of an officer's time and activity using TAR reports, CAD entries, issued NOIs/NOCCs, collision reports, Uniform Driver/Vehicle Inspection Reports, written case reports, verification of compliance with the **PRISONERS** policy (**Transportation of Prisoners**), review of in-car video (if available), review of case files (CITE), and any other necessary reports for the position audited. The sergeant/supervisor conducting the audit shall verify any overtime occurring in the selected time period. The audit shall not replace regular and timely supervisory reviews of officers' daily paperwork.

2. The sergeant/supervisor conducting the audit shall ensure that all reports in an officer's activity file are complete and thorough. The sergeant/supervisor shall also verify that all reports in an officer's activity file are forwarded to the appropriate entity in a timely manner. The audit shall consist of a time period when the officer was working and not on any form of leave.

#### **B. Reporting Audit Results**

1. Sergeants/supervisors shall report the results of the file audit on an IOC to the appropriate district commander by the first day of the following month. The lieutenant shall review the audit reports for adequacy and thoroughness, as well as the decisions made by the sergeants/supervisors relative to who was selected for the audit and why.
2. When a sergeant/supervisor finds discrepancies (including clerical errors), a follow-up to verify compliance and/or error correction shall be completed within 10 days; or, if necessary, a follow-up five-day audit shall be conducted within 10 days. The results of both the audit(s) and/or compliance shall then be forwarded to the appropriate commander. Upon finding any discrepancies, the commander shall return them to the sergeant/supervisor for correction or a follow-up compliance verification or audit of the

officer's performance record. Gross errors (i.e., inaccurate reporting of overtime or enforcement activity) shall be immediately reported to the auditor's supervisor and division/district commander. Repeated or serious discrepancies may result in disciplinary action.

**Applies to:** WSP Officers

**See Also:** --

#### **14.00.090 DEPARTMENT RELAYS**

##### **I. POLICY**

###### **A. Conducting Department Relays**

1. Department relays of persons and/or commodities shall be authorized by the district commander or designee.
2. If a relay involves other districts, the initiating district shall coordinate with all districts involved. Commercial transportation shall be used whenever possible.

###### **B. Emergency Medical Relays**

1. The department shall assist the medical community in the expeditious movement of blood, medication, organs, surgical instruments, or other lifesaving supplies in situations when alternate transportation is unavailable or inappropriate.
2. The district commander, assistant district commander, or designee shall screen requests to determine the validity and urgency of the relay before authorization is granted.
3. The following information shall be obtained from the requestor:
  - a. Name and telephone number of the requestor.
  - b. Name of the physician under whose authority the request is being made.
  - c. Type of commodity to be relayed.
  - d. Time frame for usage.
4. Transporting officers shall be advised of the degree of urgency. If a request is determined not to be an emergency, the requesting person is to be advised and assisted, if necessary, in arranging alternative transportation.

5. The person approving the request shall notify all districts involved. If the district commander, assistant district commander, or designee cannot be contacted, the request may be screened by the sergeant in the originating area.

**Applies to:** WSP Officers

**See Also:** --

#### **14.00.100 REQUESTS FOR DEPARTMENT EMPLOYEES**

##### **I. POLICY**

###### **A. Requests for Services**

1. Requests for services of department employees shall be referred to the appropriate assistant chief or bureau director.
2. This does not preclude routine requests for speaking engagements, assistance to other departments or groups, and/or other matters that fall within the normal responsibilities of the department.
3. This policy primarily concerns matters of training provided to other departments, requests for expert testimony to be given at court appearances with which the department is not directly concerned, and other non-routine requests.

**Applies to:** All WSP Employees

**See Also:** --

#### **14.00.110 AVAILABILITY, ALERT PROCEDURES (CALEA 41.1.1)**

##### **I. POLICY**

###### **A. Availability**

1. The need for occasional response from residence to handle emergency situations necessitates knowing the availability of employees. The following employees shall keep Communications or their supervisors advised of their availability status at all times or be able to be contacted on a telephone paging system:
  - a. Special Weapons and Tactics Team (SWAT) members.
  - b. Employees designated as being "on call" for their area of responsibility.
2. Division/district commanders may require additional availability for individuals or areas if a particular need exists.

**B. White Alert – Availability Check**

1. When notified, commanders shall determine the availability of all employees within their own chains of command, using the standard reporting formats in the *Incident Management Handbook*, and shall advise Tacoma Communications by the specified date and time. [NOTE: This may be a Full (all employees) or Partial (selected employees, districts, and/or divisions) Availability Check.]
2. The report shall include assigned personnel, on-duty available, off-duty available, unavailable, and total available.

**C. Green Alert – Possible Call-Up**

1. Employees shall advise the department of their location at all times.
2. Employees on green alert shall not be out of possible contact for more than a four-hour period.

**D. Yellow Alert**

1. Employees shall be immediately available at all times for direct communication with the department and prepared for immediate call-up.
2. Uniforms and personal articles, including a sleeping bag, pillow, toiletries, towels, and off-duty clothing, sufficient for a one-week stay shall be placed in the patrol vehicles at this time. Food and water sufficient to maintain personal subsistence for 24 hours shall also be placed in the vehicles. Officers on duty shall then resume their normal tour of duty.

**E. Red Alert – Immediate Call Up**

1. All involved employees shall be contacted and given their assignments. Patrol vehicles shall be driven to the assigned destination at the legal speed and without the use of emergency equipment, unless otherwise directed. Employees not immediately required for the mission shall be returned to either yellow or green alert status.

**Applies to:**

All WSP Employees

**See Also:***Incident Management Handbook: Emergency Notification Procedures, Alert Forms, Alert Final Report*

**14.00.120 UNIT ACTIVITY AND STATUS****I. POLICY**[Click here to view General Order 15-003](#)**A. Use of the Computer Aided Dispatch (CAD) System to Track and Report Status**

1. Communications officers shall use the CAD system to track the current status of field personnel.
2. CAD time card reports and unit activity reports shall be used by supervisors to monitor performance of duty. This shall include, but not be limited to, time in and out of the car, services provided, beat coverage, and breaks.
3. CAD reports are maintained on the server at the Information Technology Division (ITD) and kept as required by the Communications Division retention schedule.

**Applies to:** Field Supervisors and All Communications Employees  
**See Also:** --

**14.00.130 SHIFT SCHEDULING – TRAFFIC OFFICERS (CALEA 41.1.1)****I. POLICY****A. Commanders' Scheduling Responsibilities**

1. District commanders are responsible for scheduling officers for traffic duty. Commanders shall ensure that, within their geographic area of responsibility, traffic officers are assigned to patrol shifts that will provide effective coverage.
2. District commanders are encouraged to solicit input from traffic officers in developing schedules. Rotation and length of shifts may vary according to the district's or detachment's needs and the needs of the officers.

**Applies to:** WSP Officers  
**See Also:** --

**14.00.140 CRIMINAL JUSTICE AND SOCIAL SERVICES REFERRALS (CALEA 1.1.3, 55.1.3, 55.2.1)****I. POLICY****A. Criminal Justice and Social Services Referrals**

1. Due to the various degrees and abilities of social and health services throughout the state, each district shall:

- a. Provide officers with a reasonable means of ascertaining who can best be served by another agency and by which agency. The district procedure manual may be used to list local services and/or special qualifications to obtain services.
  - b. Provide Communications Centers with the names, addresses, and phone numbers of criminal justice agencies or social services agencies for people in need of help.
2. Each district shall work with local prosecutors, courts, other law enforcement agencies, etc., and local social services agencies to assist them in any diversion programs.

**Applies to:** WSP Officers

**See Also:** WSP Policy **District Procedure Manual**

## Chapter 15

### COMMUNICATION SYSTEMS

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#### ► SECTION 00: COMMUNICATIONS ◀

##### **15.00.010**   **COMMUNICATION SERVICES (CALEA 41.2.1)**

#### **I. POLICY**

##### **A. Standardization of Communication Systems**

1. Radio systems provide one of the most essential departmental services: communications. Without an effective communications system, the capability of this department to accomplish its mission is seriously restricted.
2. For this reason, communications systems and procedures must be streamlined, efficient, and standardized.

##### **B. Communications Operations**

1. The process of screening and prioritizing calls for assistance and service, dispatching units, and coordinating a situation through its conclusion should be a smooth-flowing operation.
2. The success and speed of the operation remain primary objectives. This involves delegation of responsibility, accountability, and coordination of departmental and outside resources.

##### **C. Communications are For Official Business Only**

1. All communications—including radio, telephone, mail, and electronic mail—are reserved for official business, or as allowed by a collective bargaining agreement, and are not for personal use.

**Applies to:** All WSP Employees

**See Also:** Applicable Collective Bargaining Agreements

##### **15.00.020**   **COMMUNICATIONS DIVISION (CALEA 81.2.5)**

#### **I. POLICY**

##### **A. Communications Coordination**

1. The Communications Division is responsible to expedite communications between mobile and base stations, and between mobile units, as well as the department and other governmental agencies, and the general public. The regional communication centers operate 24 hours a day to ensure timely response and availability for calls for service.



2. Authority and responsibility for the overall coordination of resources on an immediate basis rests with the communications officer.

**B. Authority and Responsibility of Communications Officers**

1. In all matters of deployment of field units, the communications officer speaks as the voice of, and with the authority of the Chief, as delegated through the division/district commander.
2. A supervisor or commander who overrides a communications officer's allocation of available resources assumes responsibility for proper response to all incidents within the affected area until control reverts to the communications officer.
3. Reciprocal cooperation shall be maintained between the communications officer and all units, regardless of rank.

**Applies to:** All Communications Division Employees

**See Also:** --

**15.00.030** **COMMUNICATIONS PROCEDURES (CALEA 41.2.1, 41.2.4, 61.1.7, 81.1.2, 81.2.3, 81.3.1, 82.2.2)**

**I. POLICY****A. Communications Information**

1. The department's communications system has been licensed and developed for the broadcasting of emergency information to mobile units.
2. The department shall strictly adhere to all laws, rules, and regulations of the Federal Communications Commission (FCC).
3. Radio communications shall be conducted in a businesslike manner, using proper language and correct radio procedures.
4. Arguments shall not occur on the radio.
5. All employees authorized to use the department communications system shall be thoroughly knowledgeable and comply with the emergency radio procedures.
6. Communications rooms are restricted to authorized employees on official business. Conversations shall be kept at a low level and shall cease entirely when the station is on the air.
7. Supervisors shall ensure that all complaints and violations of radio procedure are processed properly.

**II. PROCEDURES****A. Personnel Numbers**

1. Personnel numbers assigned to mobile operators shall be utilized in all radio transmissions.

**B. Officer Responsibilities**

1. Officers shall respond to calls for service from Communications or requests for assistance from another officer with their personnel number, location, and direction of travel.
2. The first officer to arrive at a scene shall assess the situation and advise Communications if or how much additional assistance is needed. If the incident appears to be of a serious nature, officers shall maintain availability to respond, if needed.
3. Officers shall advise Communications via their mobile radio system when they initiate any contact, including violators, disabled vehicles, calls for service, vehicle inspections, etc. Officers shall advise Communications of their location, the type of contact, and the license number or other descriptors of the vehicle or persons being contacted. During times of high mobile radio traffic volume that precludes officers from using their mobile radio system and/or when priority traffic procedures are in effect, officers may utilize the mobile computer network (Premier Mobile Data Computer, or PMDC) to advise Communications of a contact (see **MOBILE COMPUTER AIDED DISPATCH OPERATION**).
4. During emphasis patrols, the emphasis supervisor, or designee, shall advise Communications of the location the emphasis patrol is occurring and the personnel numbers of the officers involved. Communications shall start an emphasis patrol Computer Aided Dispatch (CAD) log. As officers stop violators, they shall advise Communications of the violator's license number only. PMDC-equipped officers may self-dispatch their stops during these coordinated emphasis efforts.
5. When operational necessity dictates a reduction in radio traffic, calling all stops may be suspended in accordance with communication priority traffic only procedures.
6. Traffic officers shall maintain access to radio communications with either the portable radio or the radio in the patrol vehicle. Whenever an officer is to be out of radio contact for any reason, the Communications Center shall be notified in advance by the officer of the location or phone number.

**C. Communications Responsibility**

1. Communications shall broadcast information, and if no unit advises en route, then Communications will assign the closest unit(s).
2. Communications shall advise an on-duty supervisor of situations requiring additional resources that are not immediately available. If the duty supervisor is unavailable, the officer's immediate supervisor shall be contacted. The supervisor shall determine how many officers are needed based on the circumstances of each incident and shall advise Communications to assign officers as appropriate.

**D. Emergency Response**

1. Circumstances requiring emergency response include, but are not limited to, the following:
  - a. Assault of an officer
  - b. On-scene arrest for a felony or violent misdemeanor
  - c. Resistance to arrest
  - d. Use of force
  - e. A crime in progress
  - f. A fleeing suspect
2. If an officer needs an emergency response and Communications determines there are no other officers in a position to help, Communications shall contact the local police agency or sheriff's office to request assistance.
3. Officers shall advise Communications when responding to information received or monitored from other sources.

**E. Status Checks**

1. Officers shall advise Communications of their status at least once every hour during their shift, or within five minutes of signing out with a violator. Failure to do so shall initiate a "status check" by Communications.
2. A status check shall be done by the Communications Center five minutes after an officer signs out with a traffic stop. A status shall be done every five minutes thereafter, until either the officer completes the stop or advises that status checks are no longer necessary.
3. Hourly status checks shall be answered with the location and direction of travel (if applicable). No response to a status check shall result in a search being initiated.

**Applies to:****See Also:**

All WSP Officers and Communications Officers  
WSP Policy **Mobile Computer Aided Dispatch Operation**;  
*Communications Manual*; Applicable Federal Communications  
Commission Regulations

**► SECTION 01: TELEPHONES ◀****15.01.010 TELEPHONE COMMUNICATIONS****I. POLICY**[Click here to view General Order 15-002A](#)[Click here to view General Order 15-003](#)**A. Handling Telephone Calls**

1. All employees shall answer calls promptly, courteously, and in a businesslike manner, identifying the department (or subdivision) and themselves.

2. Every reasonable attempt shall be made to supply callers with requested information, assistance, or proper referrals.
3. Return calls should be made within 24 hours, unless circumstances require a longer time.
4. Communications officers shall follow their section procedures for answering calls.
5. Employees shall remain attentive to those people they contact in performance of their duties. Cellular telephones should not be used and Bluetooth earpieces should not be worn while in contact with violators or the public, except in extenuating circumstances.

#### **B. Use of SCAN System, Calling Cards, and Micro Lines**

1. The State-Controlled Area Network (SCAN) is the state of Washington's system consisting of leased lines providing low-cost telephone services for business calls. Employees shall use the SCAN system whenever possible to place business-related long-distance calls from the office.
2. Departmental employees may be issued calling cards for making calls while away from the office.
3. Employees shall use department microwave phones (Micro) whenever possible for intra-departmental long-distance calls. Microwave phone lines should also be used to call local numbers in the Olympia/Lacey/Tumwater area from outside of the area, saving SCAN charges. Personal long-distance calls shall be charged to the employee's home telephone or personal credit card.

#### **C. Use of Local Telephone Service**

1. Occasional use of the department's telephone service is permissible when deemed not to cost the state time or money (e.g., local call on a break).

#### **D. Personal Calls**

1. Cellular telephones, telephone credit cards, and the SCAN system are for official state business only. It is not permissible to make personal telephone calls on these systems or to receive personal calls on department cellular telephones. The only exception is that brief calls to home regarding an emergency, a change in travel plans, or a change in duty hours are allowed. All other personal calls shall be made at the employee's expense on public or personal equipment.
2. Personal cellular service shall not be installed on department cellular telephones.

#### **E. Control of SCAN Number**

1. Employees shall maintain strict control of their seven-digit SCAN access and long-distance calling card number and will be held accountable for their use. Lost or stolen seven-digit SCAN access or calling card numbers shall be promptly reported to the immediate supervisor.

2. Supervisors shall review all telephone records, printouts, and bills on a monthly basis to ensure compliance with departmental communications and telephone usage guidelines. Telephone printouts shall be given to the employee to be reviewed, signed, dated, and returned to the supervisor. All telephone calls in excess of 10 minutes shall require a written explanation.
3. Occasionally, additional explanation of an individual call may be needed. If this happens, the supervisor shall highlight the telephone number in question and return the printout to the employee for a brief written explanation. The supervisor may file all printouts in a location separate from the employee's performance records.

#### **F. Toll-Free Numbers and Foreign Exchange Lines**

1. Toll-free 800 numbers and foreign exchange lines answered by Communications are for reporting emergencies or for out-of-area callers. Toll-free 800 numbers available for employee use begin with the number 1-800-777-xxxx. These numbers are for business use only. Calls on the toll-free 800 line ring into the Inter-Tel Telephone Direct Inward System Access (DISA) system.

**Applies to:** All WSP Employees

**See Also:** --

### **15.01.020 RECORDED TELEPHONE INSTRUMENTS**

#### **I. POLICY**

##### **A. Non-Emergency Telephone Calls**

1. State law prohibits recording non-emergency telephone calls and restricts the use of telephones that record incoming and outgoing calls in emergency communications centers to official business calls. Business calls must be relevant to the functions and responsibilities of the center.
2. The functions and responsibilities of the Washington State Patrol Communications Centers meet the legal definition of an "emergency services communication system."
3. Personal and non-emergency telephone calls shall be made from telephone instruments that do not record telephone calls. Telephone instruments that record calls shall display a sticker advising the call will be recorded.
4. Business calls are frequently forwarded to Communications, where the caller has no expectation the call will be recorded. To ensure all callers realize their call will be recorded, the voicemail system shall provide an announcement to the caller prior to the transfer being made.
5. In addition, a tone feature shall be activated on all telephones in the centers that record telephone calls.

**Applies to:** All WSP Employees

**See Also:** RCW 9.73.030 through 9.73.090, RCW 82.14B.020

## ► SECTION 02: ELECTRONIC-MESSAGING ◀

**15.02.010 ELECTRONIC-MESSAGING SYSTEMS (CALEA 12.1.4, 33.5.2, 41.1.2)****I. DEFINITION**

- A. Electronic-messaging systems are an aid in person-to-person communication. This includes any electronic system that stores, displays, and transmits typed communication, voice messages, and other electronically stored data. Examples of these systems are electronic mail (e-mail), voice-messaging systems, pagers, Blackberry devices, cellular telephones, smart phone devices, and the mobile computer network.

**II. POLICY****A. Facilitating Communication**

1. Electronic-messaging systems are designed to facilitate better communications throughout the department. For example, e-mail and voice-messaging should be used in lieu of paper for non-urgent communications whenever practical to save time and resources.

**B. Ownership of Electronic Messages**

1. All electronic messages are the property of the department. Employees shall not have any expectation of privacy.

**C. Communicating Vital Information**

1. Electronic-messaging systems cannot guarantee that the information will be received immediately by the recipient of the information. The sender should use other means to communicate time-sensitive information.

**D. Communicating to Higher Authority**

1. Employees shall contact their immediate supervisor before communicating with higher authority.
2. Supervisors may give permission to employees to directly e-mail upper-level managers.

**E. Corresponding Outside the Department**

1. All correspondence by e-mail outside of the department shall follow the policies outlined in the *Regulation Manual* under **DEPARTMENT CORRESPONDENCE**. Requests for public disclosure shall be handled as outlined in the policy on **PUBLIC RECORDS**.

**F. Uses for Electronic Messages**

1. Electronic messages are for official department business and shall be professional in content.
2. Electronic mail signature blocks shall be limited to name, title, address, and other contact information (phone, fax, e-mail, etc.)

and the agency's motto and division vision statement. Any type font provided by Microsoft Office is acceptable, but font size will not exceed 12 point. A disclaimer statement relating to confidentiality, distribution, disclosure, and/or privileged information may be included only if approved by the division/district commander.

3. Electronic mail signature blocks shall not contain graphics, logos, animation, streaming text, quotations, pictures, images, background colors, or other items of a similar nature.
4. Backgrounds, images, and colors shall not be permitted unless they are related to/required by the specific e-mail. This does not preclude e-mailing photographs and other graphic materials specific to a business need.
5. Employees may use these systems to conduct other business that is within the scope of their employment (i.e., research, public service work, or maintaining contact with organizations of which the employee is a member through a work association).
6. E-mail may be used as part of employee dissemination of information concerning social and public service events, such as:
  - a. "Adopt-a-Family" fund raisers, Combined Fund Drives, and blood drives.
  - b. Workgroup gatherings (group lunches, birthdays, receptions).
  - c. Department-wide notifications which are used for communicating good will among employees (holiday greetings, congratulatory messages).

#### **G. Personal Use of E-mail**

1. This policy shall not prevent employees from occasional personal use of e-mail if the use does not interfere with the performance of the employee's official duties, and there is no actual cost to the state, or the cost to the state is insignificant.

#### **H. Prohibited Use of Electronic-Messaging Systems**

1. Electronic mail shall not be used for transmission of information that suggests any of the following:
  - a. Discrimination on the basis of age, gender, marital status, race, creed, color, sensory, mental, or physical disability, national origin, or sexual preference.
  - b. Sexual harassment or sexual misconduct.
  - c. Copyright infringement.
  - d. Transmitting obscene materials.
  - e. Personal political beliefs or political campaign activities.
  - f. Personal business interests.
  - g. Dissemination of chain letters.
  - h. Any unlawful activity.

2. Employees shall not send messages under another person's name without that employee's authorization.
3. Employees shall not submit public disclosure requests made as a private citizen to any public agency (including the Washington State Patrol) using their Washington State Patrol e-mail account.

#### **I. Access to Message Systems**

1. Employees shall take precautions to prevent unauthorized use of their electronic messaging capabilities:
  - a. Do not leave messages fully displayed if the computer is unattended.
  - b. Log out of the system before leaving the office or activate a screen saver with password protection when the computer is not in use.
  - c. Passwords shall not be disclosed to others.
2. Department management may access messages and data in an employee's department-issued account when necessary to carry out normal business functions. E-mail is an example of a department-issued account. For retention on e-mail records, refer to the policy on **ELECTRONIC MAIL RETENTION**.

#### **J. Review Requirement**

1. This policy shall be reviewed annually by all employees.

**Applies to:** All WSP Employees  
**See Also:** RCW 42.52; WSP Policies **Records Retention, Electronic Mail Retention, Public Records, Department Correspondence**

### **15.02.020 EMPLOYEE ACCESS TO ELECTRONIC INFORMATION (CALEA 41.3.7, 82.1.6)**

#### **I. POLICY**

##### **A. Logon IDs and Passwords**

1. Information technology systems and applications used by department employees may require logon identification (logon ID) and passwords to protect information important to the department. Logon IDs grant individuals access to information or restrict individual access based on need.
2. Employees are responsible for the use of their logon ID and password and shall take precautions to prevent unauthorized use. When leaving a computer unattended, employees shall ensure they are either logged off or the computer is locked in a way that requires the re-entry of a user name and password to regain access.
3. Generic logon IDs and passwords are not to be used on a regular basis to access networks and applications, except as reviewed and approved by the Information Technology Division (ITD) Commander or designee.



**B. Smart Cards and Two Factor Authentication Devices**

1. Employees shall be responsible for the security and use of any smart cards/two factor authentication devices issued to them. Employees shall not share their PIN or allow others to use the smart card/two factor authentication device issued to them. The smart cards/two factor authentication devices shall be kept secure to prevent unauthorized use.
2. Employees issued smart cards/two factor authentication devices shall ensure that the smart card is removed from the computer/mobile device whenever the computer/mobile device is outside their span of control. Generally the computer/ mobile device is considered in the span of control when it is in visual range of the employee.
3. In the event of a lost or stolen smart card/two factor authentication device, the employee shall notify their supervisor and ITD immediately upon discovery. ITD will ensure the access is cancelled as quickly as possible to prevent unauthorized access to the Washington State Patrol network and resources.

**C. Password Requirements**

1. All passwords shall be a minimum of eight characters in length and should not be obvious or common words and names. It is required that passwords be a combination of letters (upper and lower case), numbers, and symbols.
2. Passwords shall not be disclosed to other individuals, except for situations with urgent business needs. Once the situation has passed, employees who have shared their password with others shall change their password immediately.
3. If an employee believes that an unauthorized person knows his/her password, the employee shall change the password immediately and notify his/her supervisor.
4. Passwords must be changed a minimum of every 60 days. Regularly changing passwords reduces the possibility of unauthorized use.
5. Computers will not be set up to automatically enter passwords.

**D. Logon ID Requirements**

1. Employees shall not access the network or any application under another employee's name unless authorized by either the employee whose access is being used, or by their supervisor. Such need may include computer maintenance or repair.
2. Each employee will have his/her own logon ID to the network and applications appropriate to his/her job function and approved by the division/district commander.

3. Logon IDs for new employees are issued by Information Technology Division (ITD) Customer Services upon request of the new employee's division/district commander or designee. Requests can be made by an IOC or e-mail specifying the following:
  - a. New employee's name
  - b. Location of duty station
  - c. Applications needing a logon ID
  - d. Start date of service
  - e. Supervisor's name and telephone number
4. ITD may request additional identification information for some applications.

#### **E. Employee Separating From the Agency**

1. When an employee separates from the department, the division/district commander will notify ITD Customer Services immediately and provide the date of departure.
2. Upon notification, ITD will disable the employee's logon ID after the departure date. ITD shall perform this function prior to any employee returning to work in another capacity who needs a new logon ID.

#### **F. Issuing Logon IDs and Passwords for Non-Agency Personnel**

1. Logon IDs and passwords can be issued to contractual non-agency personnel. The requesting division/district commander or designee will send an IOC/e-mail to ITD specifying the following:
  - a. Person's name
  - b. Company
  - c. Applications needing access
  - d. Start date of service
  - e. Planned end date of service
  - f. Department contact/supervisor name and telephone number
2. ITD Customer Services will create the logon ID by the start date and will disable the logon ID after the end date, unless notified otherwise by the division/district commander.

**Applies to:** All WSP Employees

**See Also:** RCW 43.105.041

### **15.02.030 ELECTRONIC RECORDS STORAGE**

#### **II. DEFINITIONS**

[Click here to view General Order 15-003](#)

- A. **Electronic Media** – The device or medium that computer records or files are stored on.
- B. **Records** – Electronic records are subject to the Public Records Act, 42.56 RCW. These records may include writings, drawings, graphs, charts, photographs, video, audio recordings, metadata, etc., as defined in RCW 40.14.010, RCW 42.56.010(2), RCW 42.56.070, WAC 434-662, case law and any other RCW or WAC that defines “public records.”

#### **III. POLICY**

##### **A. Summary of Responsibilities**

- 1. It shall be the responsibility of each division/district commander or their appointed designee to monitor electronic records storage. The Information Technology Division shall provide reports and recommendations to the respective commanders periodically and upon request.
- 2. Each division/district shall have a current electronic media storage procedure in their division/district Standard Operating Procedures Manual.
- 3. Each division/district shall be responsible for identifying and monitoring which employees have department-issued equipment with camera functionality.
  - a. This includes, but is not limited to, cell phones, BlackBerrys, Smartphones, and Personal Digital Assistants (PDA).

**Applies to:** All WSP Employees

**See Also:** RCW 40.14.010, 42.56.010(2), 42.56.070; WAC 434-662

### **15.02.040 MOBILE COMPUTER AIDED DISPATCH OPERATION**

#### **I. DEFINITION**

- A. **Premier Mobile Data Computer (PMDC)** – An in-vehicle Computer Aided Dispatch application that provides secure communication with dispatch and other department vehicles, as well as direct access to national and local law enforcement databases and other electronic information services.

#### **II. POLICY**

- A. Officers shall announce via their mobile radio system when they are in and/or out of service. (Example: “300 Tacoma in-service PMDC.”)
- B. Officers will log into and out of PMDC at the start and end of each shift.

- C. Officers shall ensure their PMDC status is current while they are in service and on duty.
- D. In the event officers are unable to make contact with Communications via their mobile radio system using standard communications procedures, officers shall utilize PMDC to advise Communications.
- E. When an officer receives a possible “Hit” response via PMDC, Communications will be notified by the officer via their mobile radio system to confirm the “Hit.” After the “Hit” is verified, Communications’ Emergency Procedures shall be followed.
- F. Mobile communications, data queries, and car-to-car messaging functions are recorded within PMDC and therefore shall be business-related and professional in nature. These communications and logs are considered public records and are therefore subject to the provisions of the Public Records Act, found within RCW 42.56. Additionally, an employee’s records of PMDC use may be reviewed by their supervisor, his or her command, or their designee at any time without prior notification.
- G. In the event an officer experiences problems with PMDC, the officer shall immediately notify Communications of the issue, document the issue in the “Comments” box of their daily Time and Activity Report (TAR), and notify Information Technology Division (ITD) Customer Services prior to signing out of service.

**Applies to:**

All WSP Employees

**See Also:**

RCW 42.56; WSP Policies **Public Records Request; Electronic Messaging Systems; Employee Access to Electronic Information; Internet Access; Remote Access; ACCESS/WACIC/NCIC Certification Requirements; Communications Procedures; Vehicle Operation**

**► SECTION 03: INTERNET ◀****15.03.010 INTERNET ACCESS (CALEA 12.1.4)****I. POLICY****A. Use of the Internet**

1. The department encourages employees to use the Internet to obtain information for performing their duties. The use of department time and resources to access the Internet must serve a public purpose. This use is consistent with the department’s Strategic Plan and open communication policy.
2. Employee access to the Internet is a privilege that must be balanced with department goals and priorities. Internet access is granted to all employees but may be revoked if abused or misused. Employees

should not have any expectation of privacy when using the Internet. The department retains the absolute right to review all Web sites that are accessed and any files transferred from the Internet.

3. The Internet shall only be used for department business or correspondence in direct performance of duties or tasks. Access to Web sites, news groups, electronic bulletin boards, blogs, chat programs, or social network sites (Facebook, Myspace, Twitter, etc.) is restricted to official business purposes.
4. The accessing of streaming video or radio/audio shall only be used for department business in direct performance of duties or tasks. These applications can consume communication network resources to the point of disrupting other department operations. Live video and audio are continuous data streams. The availability of this media cannot be blocked centrally nor prohibited by technology procedure due to valid job-related reasons, such as Television Washington (TVW) video and radio broadcasts of governmental activities, Web conferencing, and training directed by the department.

#### **B. Access Restrictions**

1. The Internet shall not be used to access and view or download material that is illegal or that contravenes department regulations and state or federal law.
2. The department will use technology to track each employee's use and restrict access to certain Internet resources.

#### **C. Function Restrictions**

1. Functions and systems may be restricted from use to prevent threats to department and state computer systems.

#### **D. Review Requirement**

1. This policy and related procedures shall be reviewed annually by all employees.

### **II. PROCEDURES**

#### **A. Restrictions for Internet Access**

1. Internet access is a state resource. The Internet shall not be used to access and view or download material containing any of the following or similar material:
  - a. Obscene or pornographic materials.
  - b. Information that denotes discrimination of age, gender, race, creed, color, religion, sensory, mental, or physical disability, national origin, or sexual preference.

- c. Sexual harassment or sexual misconduct.
  - d. Personal political beliefs or political campaign activities.
  - e. Personal business interests.
  - f. Any unlawful activity, including copyright and trademark infringement.
2. These examples of prohibited access are not intended to be exhaustive, merely illustrative of prohibited activities. Whenever an employee has inadvertently accessed an unauthorized site or a site blocked by departmental Internet software, the employee shall immediately report this information to their supervisor (in writing, IOC, e-mail, or verbal notice), unless the employee has received an authorized exemption through the **Internet Access Exemption to Restricted Sites** section of this policy.

#### **B. Restrictions of Specific Activities**

1. Because of the threat to department and state computer systems, certain activities are not permitted unless an exception is reviewed and approved by the Information Technology Division (ITD) Commander:
- a. Only the department-authorized Internet Service Provider (ISP) shall be used at department facilities.
  - b. Connection to any other ISP through a modem (telephone or wireless) is not permitted at department facilities.
  - c. External e-mail accounts such as Hotmail, Yahoo, and AOL shall not be accessed from department equipment or department networks.
  - d. Chat programs or groups shall not be accessed from department equipment or department networks. Chat programs available as a support option on a manufacturer's/supplier's Web site can be used, as the access is restricted to those support personnel.
  - e. Instant messaging programs shall not be used, except where needed for compliance with the Americans with Disabilities Act (ADA). Instant messaging available as a support option on a manufacturer's/supplier's Web site can be used, as the access is restricted to those support personnel.
2. Personnel may receive authorized exceptions to these restrictions and authorized access to restricted Web sites through the **Internet Access Exemption to Restricted Sites** section of this policy.

**C. Internet Access Exemption to Restricted Sites**

1. Employees may be granted an authorized exemption to gain access to restricted Internet resources based on an accepted business case presented by the division/district commander. The business case can be presented by either IOC or e-mail to the Risk Management Division Commander.
2. The business case is evaluated, approved, and routed in the following order:
  - a. Risk Management Division Commander (verifies relevance to agency function).
  - b. Risk Management Division Internet Monitoring Specialist (verifies employee's Internet record).
  - c. Information Technology Division Commander (evaluates risk to department computer resources).
  - d. Electronic Services Division (ESD) Commander or designee (evaluates capability to meet request and risk to department's network). If approved by all of the above, ESD will change the network permissions and ITD will install any client software needed to implement the request.
3. The approved/denied request will be returned to the initiating division/district commander with an explanation. A denied request can be returned to the initiating division/district commander at any point in the process.

**Applies to:** All WSP Employees

**See Also:** WAC 292-110-010; Department Strategic Plan; Americans with Disability Act (ADA)

**► SECTION 04: REMOTE ACCESS ◀****15.04.010 NETWORK USE AND REMOTE ACCESS****I. POLICY****A. Remote Access**

1. "Network" is the physical assets and capability used to connect to electronic information resources. "WiFi," "wireless network," "broadband," "wired network," and "Ethernet" are sometimes used to describe various technologies used to build the network. For this policy, all of these different terms are included in the term "Network."

2. "Remote Access" refers to technologies implemented by the department to enable authorized employees access to appropriate applications and services through locations and networks not owned or controlled by the department. The terms "virtual private network," "VPN," and "remote network access" are sometimes used in other contexts, but are considered equivalent in this policy and will be referred to as "Remote Access."
3. "Users" include Washington State Patrol employees and non-Washington State Patrol employees (such as contractors, vendors, etc.).

#### **B. Use of Network and Remote Access**

1. Remote network access gives employees who are working from a temporary work location the ability to connect to the department's network resources by using public and/or private networks.
2. Users shall ensure use of the network and Remote Access is for official state business.
3. Activity for Remote Access accounts will be monitored. No expectation of privacy.
4. Users may only use equipment approved by the Information Technology Division (ITD) to access the department network whether directly or through remote access.
5. Personally owned devices are not allowed.
6. The department network is a secure environment and current users are not to assist or allow any unauthorized users to access it.
7. Employee use of Remote Access must have prior permission from their division/district commander.

#### **C. Authorization to Use Remote Access**

1. If software is not present on the computer, the employee, who has obtained permission from their division/district commander, can request by e-mail to have it installed by ITD. E-mail requests are to be addressed both to the [ITDHelpdesk@wsp.wa.gov](mailto:ITDHelpdesk@wsp.wa.gov) and the employee's supervisor.
2. Non-Washington State Patrol personnel, contractors, and vendors must be approved by the Electronic Services Division (ESD) and ITD prior to receiving or using Remote Access. This is to ensure network security is maintained while working for the agency.

#### **D. Remote Access Restrictions**

1. Contractor and vendor accounts:



- a. Expire annually by the end of January and will require renewal.
  - b. Remote Access accounts will be limited to only the network resources needed to perform their work.
  - c. Contracts that end mid-year or changes in contractor/vendor personnel must be communicated to ITD and ESD.
2. All computers using Remote Access will be current with operating system patches prior to accessing network resources. Computers not current will be forced to download and install patches before being allowed access to resources. Any exceptions to this requirement must be approved by ESD and ITD.

#### **E. Risks of Remote Access**

1. In order to minimize the risk to valuable information, the department requires usage of password requirements, authentication schemes, anti-virus software, software patching, and other measures. Procedures in **COMPUTER SOFTWARE PATCHES** achieve this goal.
2. Each employee using Remote Access shall reduce risks by keeping the computer and software in their care current, storing the computer in a secure location, and ensuring only needed information is on the computer.
3. Employees need to be aware of their surroundings when using Remote Access and take precautions to minimize other people's ability to "shoulder surf" or view information from behind them.

**Applies to:** All WSP Employees

**See Also:** RCW 43.105.041; WSP Policy **Computer Software Patches**

### **► SECTION 05: DEPARTMENT WEB SITES ◀**

#### **15.05.010 DEPARTMENT INTERNET SITE**

##### **I. DEFINITIONS**

[Click here to view General Order 15-003](#)

- A. Government and Media Relations** – Coordinates agency legislation with legislators, committees, and other state agencies, as well as managing the statewide media relations on behalf of the Chief.
- B. Information Technology Division Customer Services** – ITD support unit that responds to requests for technical assistance supporting Internet use, including troubleshooting, feature questions, installation services, driver downloads, inventory, and surplus as they relate to department desktop and laptop computers, software, applications, and peripherals.

- C. **ITD Web Support** – Web development team that is responsible for the technical support, maintenance, enhancement, design, and construction of the department Web sites.
- D. **Internet** – The worldwide collection of computers, networks, and gateways used to communicate with one another through high-speed data communication lines.
- E. **Web Site** – A home page and its associated pages, graphics, documents, multimedia, and other files that are stored on a Web server or a computer's hard drive.
- F. **Web Page** – A single document in a Web site written in hypertext markup language (HTML) or a combination of HTML and server-side scripting code (such as JavaScript or PHP).
- G. **Publish** – The process of making Web content public on the World Wide Web or an intranet by copying Web pages and files to the Web server connected to the Internet or the local area network.

## II. POLICY

### A. Distributing Information on the Internet Web site

1. The Internet Web site is designed and focused at providing information about the agency to the public. Information published on the Web site must be for general public viewing that originates from within the agency and pertains to agency business. This site cannot be used for disclosing personal information, or publishing information from other organizations as the agency does not own the information.
2. The Internet Web site is not an open public forum, and external content provided on any Web page operated by the department will only be permitted at the discretion of the Chief.

### B. Accuracy and Appropriateness of Information

1. Each section, division, district, and bureau is accountable for the accuracy and appropriateness of the information submitted and will be responsible for providing periodic reviews and updates for their Web content.
2. The Office of Government and Media Relations has business oversight of the department's Internet Web site.

## III. PROCEDURES

### A. Updates and Enhancements

1. Updates and enhancements must be approved at the delegated level of authority before being submitted to ITD Web Support for processing.

2. The requestor will generate a work order for requests to update the Internet Web site.
3. Approved updates will be completed and published to the Internet Web server by ITD Web Support.

#### **B. Web Site Development Approval**

1. Requests for new Web site development or major enhancements must be reviewed and approved as a function of the IT Project Initiation Process. ITD will consult with Government and Media Relations on all new Web site development to ensure department guidelines, standards, and business requirements are met.

#### **C. Critical or Emergency Situations**

1. To provide all department employees instructions during a critical event or emergency situation, a special page may be placed on the department Internet Web site with appropriate instructions for employees. An example would be instructions for office employees informing them when to report to work during or after storms, fires, earthquakes, or any other serious disasters.

**Applies to:**

All WSP Employees

**See Also:**

WSP Policies **Agency Image Policy, Department Intranet Site**; *WSP Internet Guidelines* (contact "ITD Web Support" via e-mail); Project Initiation Process

### **15.05.020**

### **DEPARTMENT INTRANET SITE**

#### **I. DEFINITIONS**

[Click here to view General Order 15-003](#)

- A. Intranet** – A network created within an organization that is accessible only to members of that organization and designed for information sharing and processing within the organization or company using many of the same technologies available on the Internet.
- B. Intranet site or Intranet Web site** – A Web site created within an organization and placed on the organization's Intranet. The Web site is only accessible to members of the organization.
- C. Inside WSP** – The name of the department's Intranet site, which is also referred to as iWSP.

#### **II. POLICY**

##### **A. Information on the Intranet Site**

1. Information provided on the department Intranet site shall be directed to the needs of the Washington State Patrol audience with the interest of disseminating and sharing information internally between the various divisions and staff.

2. All information published on the Intranet site shall be accessible by Washington State Patrol employees only and shall be permitted at the discretion of the Chief.

#### **B. Accuracy and Appropriateness of Information**

1. Each section, division, district, and bureau is accountable for the accuracy and appropriateness of the information they provide and will be responsible for periodically reviewing and updating their content on Inside WSP.

**Applies to:** All WSP Employees

**See Also:** WSP Policies **Agency Image Policy, Department Internet Site;** *On Inside WSP, see Internal WSP Intranet Guidelines ([http://iwspsp/sites/TSB/ITD/Shared%20Documents/Manuals%20and%20Reports/Web\\_Guidelines\\_v2.doc](http://iwspsp/sites/TSB/ITD/Shared%20Documents/Manuals%20and%20Reports/Web_Guidelines_v2.doc)); and Web Author List ([http://helpme/SP\\_Help/Lists/IWSP%20Web%20Authors/AllItems.aspx](http://helpme/SP_Help/Lists/IWSP%20Web%20Authors/AllItems.aspx))*

### **► SECTION 06: COMMUNICATIONS PROCEDURES ◄ (DELETED)**

### **► SECTION 07: RADIO FREQUENCIES ◄**

#### **15.07.010 RADIO FREQUENCY USE APPROVAL (CALEA 81.2.4)**

##### **I. POLICY**

##### **A. Authorizing Use of Radio Frequencies**

1. In order to meet the requirements of the Federal Communications Commission (FCC), all requests by outside agencies to use Washington State Patrol-licensed radio frequencies shall be submitted to the Electronic Services Division Commander using the Radio Frequency Use Authorization Request Form. The form will be available in electronic version on the department Intranet site.

##### **B. Requesting Use of Outside Agency Radio Frequencies**

1. The same procedure for authorizing use of Washington State Patrol frequencies shall be used for obtaining use of an outside agency's frequency(ies).

##### **C. Radio Frequency Information Maintenance**

1. Information regarding the use of Washington State Patrol radio frequencies by outside agencies and department use of other frequencies shall be maintained in the Electronic Services Division (ESD).

2. ESD and the Communications Division shall work with Budget and Fiscal Services to ensure the information is accurate, paperwork is complete, and relevant contracts are noted with the frequency use request paperwork.

**Applies to:** All WSP Employees

**See Also:** Code of Federal Regulations Title 47, Part 90; Radio Frequency Use Authorization Request Form

## ► SECTION 08: RADIOS ◀

### **15.08.010 PORTABLE RADIOS (CALEA 22.2.5, 81.3.4)**

#### **I. POLICY**

[Click here to view General Order 15-002](#)

##### **A. Officers With Portable Radios**

1. Uniformed officers issued a portable radio and radio case shall maintain access to radio communication. Officers shall notify Communications of their location when leaving the vehicle for extended periods and when the portable radio is the only means of communication.
2. When the portable is monitored in a public establishment, the volume should not be offensive or disturbing to others. Only one portable radio should be turned on.
3. Portable radios shall not be worn for formal occasions (funerals, ceremonies, etc.) or when directed by the Chief.

##### **B. Transfers**

1. When an officer transfers, the portable radio transfers with him/her, except when the radio was purchased with dedicated funding and cannot be transferred. In these cases, the portable radio shall be turned in to the Electronic Services Division (ESD) for reissue. The officer transferring will be issued another portable radio by ESD. In accordance with **RETURN OF ISSUED EQUIPMENT**, a Notice of Receipt or Transfer of Tagged/Tracked Asset(s) will be completed for each portable radio turned in or issued.

##### **C. Radio Maintenance**

1. All employees with an assigned portable radio shall have the radio checked for proper operation by an ESD technician every twelve months. The employee shall schedule this annual maintenance with the local technician. Supervisors shall inspect the Preventative Maintenance Inspection (PMI) tag on the portable radio at the annual equipment inspection and note the last PMI date on the inspection form. The last PMI tag date shall not be

more than thirteen months old. This allows for a 30-calendar-day grace period to accomplish the PMI.

2. Division/district commanders are responsible to ensure their employees comply with this policy.

**Applies to:** WSP Officers

**See Also:** WSP Policy **Return of Issued Equipment**; Notice of Receipt or Transfer of Tagged/Tracked Asset(s)

## ► SECTION 09: COLLISION BROADCASTS ◀

### 15.09.010 **COLLISION BROADCASTS DURING NATURAL EMERGENCIES**

#### **I. POLICY**

##### **A. Broadcasting of Collisions During Severe Weather Conditions**

1. During severe driving conditions caused by natural disasters or snow/ice emergencies which are adversely impacting calls for service, the district commander or designee may, at his/her discretion, direct the Communications Center to discontinue the broadcast of collisions being reported which are non-injury and not blocking the roadway.
2. Communications Centers shall direct the parties (if available) to exchange collision information.

**Applies to:** All WSP Employees

**See Also:** --

## ► SECTION 10: EMERGENCY RESPONSE ◀

### 15.10.010 **EMERGENCY RESPONSE** (CALEA 12.1.2, 61.2.1, 61.2.2, 61.2.3, 61.2.4)

#### **I. POLICY**

##### **A. Emergency Response Plans**

1. Emergency response plans for anticipated disasters and disturbances that may require a department response are maintained at local and district levels within the department. Basic procedures are found in the *Incident Management Handbook* and the Washington State Comprehensive Emergency Management Plan.

**B. Responding to an Emergency**

1. Employees responding to an emergency shall contact the appropriate location assigned by command/Communications. Employees shall follow the appropriate emergency response procedure as outlined in the department's *Incident Management Handbook* and/or district/unit manual.

**C. Hazardous Material Responses**

1. Hazardous materials incident command has been established by the governing bodies throughout the state in accordance with RCW 70.136.030. District commanders shall be aware of those areas within their district of which the department is the designated incident command agency (i.e., along state and interstate highway corridors, the Washington State Patrol shall be the designated incident command agency, unless, by mutual agreement, that role has been assumed by another designated incident command agency).
2. District commanders shall also be familiar with the command responsibilities of other governmental bodies within their district.

**D. Training for Emergency Responses**

1. The department trains employees for specific emergency responses. Only those employees trained for specialized duty (e.g., clandestine laboratory clean-up) shall directly participate in that activity.

**Applies to:**

All WSP Employees

**See Also:**RCW 70.136.030; WAC 296-824; WAC 296-843; *Incident Management Handbook*; Washington State Comprehensive Emergency Management Plan**► SECTION 11: LAW ENFORCEMENT RADIO NETWORK (LERN) ◀****15.11.010    LAW ENFORCEMENT RADIO NETWORK (LERN) (CALEA 81.2.4, 81.3.4)****I. POLICY****A. Participation in LERN**

1. The Washington Law Enforcement Radio Network (LERN) is a common police radio frequency for use by state and local law enforcement agencies. Participation in the system is open to all Washington law enforcement agencies eligible to operate on radio frequencies authorized by the FCC for police radio service. The LERN Committee has established three priorities for the use of the LERN network:

- a. Priority I – Emergency operations of law enforcement agencies; primarily mutual aid and incident response activities.
- b. Priority II – Emergency or urgent operations of above, involving a single agency.
- c. Priority III – Special event control activities, generally of a pre-planned nature and generally involving joint participation of two or more public safety agencies, or two or more police divisions (Washington State Patrol detachments, etc.). Drills, rehearsals, command post exercises, and like activities shall be considered as Priority III activities.

## **B. Notification of Emergency or Exercise**

1. Jurisdictions utilizing the LERN network shall notify all other system users within the immediate geographical area of an emergency or exercise requiring cessation of lower priority traffic. When the frequency is to be used for Priority 3 activities, other users shall be advised of the nature of the exercise to preclude falsely alarming them. This notification shall be made by ACCESS whenever possible.

## **C. Mobile Unit Identifiers**

1. When transmitting on LERN, the mobile shall identify itself by the following designator:
  - a. Washington State Patrol will use "State" followed by their personnel number.

**Example:** "State 811"

2. The following are examples of mobile unit traffic for mobile-to-mobile and for mobile-to-base station:
  - a. **Mobile-to-Mobile:** State 811" - "Lincoln County 23"  
"State 811" - "Kelso 3"  
"State 811" - "Spokane 31"
  - b. **Mobile-to-Base Station:** "State 811" - "Lincoln County"  
"State 811" - "Kelso"  
"State 811" - "Spokane"

## **D. Base Station Identifiers**

1. When transmitting on LERN, the base station shall identify itself by the following designator:
  - a. Washington State Patrol will use "City Name" followed by the word "State."

**Example:** "Spokane State"



2. The following are examples of base station traffic to mobiles and to other base stations:
  - a. **Base Station to Mobile:** "Spokane State" - "Lincoln County 23"  
"Kelso State" - "Kelso 3"  
"Bellingham State" - "Whatcom County 17"
  - b. **Base Station to Base Station:** "Spokane State" - "Lincoln County"  
"Kelso State" - "Kelso"  
"Bellingham State" -  
"Whatcom County"

**Applies to:** All WSP Employees  
**See Also:** --

## ► SECTION 12: CALLS FOR SERVICE ◀

### 15.12.010 CALLS FOR SERVICE (CALEA 61.2.2, 61.4.1)

#### I. POLICY

##### A. Services Provided by the Department

1. The public relies upon the department for assistance and information in the many routine and emergency situations which develop in an urban society. Aiding the injured, assisting motorists, enforcing traffic laws, directing traffic, and providing for many other miscellaneous needs are basic services provided by the department.

**Applies to:** All WSP Employees  
**See Also:** --

## ► SECTION 13: MENTAL ILLNESS ◀

### 15.13.010 MENTAL ILLNESS – NOTIFICATION OF POSSIBLE VICTIMS (CALEA 81.2.11)

#### I. POLICY

##### A. Disclosure of Information by Mental Health Agency or Professional

1. RCW 71.05.390 provides for disclosure of otherwise confidential information by a mental health agency or professional "to appropriate law enforcement agencies and/or a person, when the person's identity is known to the mental health agency, whose health and safety has been threatened or who is known to have been repeatedly harassed by a mental patient."

##### B. Threat Notification

1. When notification is received from a mental health agency or professional that a patient has threatened an individual, the receiving employee shall:

- a. Advise the law enforcement agency having jurisdiction.
- b. Advise the intended victim(s).
- c. Once notification is made, advise the district commander.
- d. Complete the Mental Illness - Notification of Possible Victim(s) form and forward to the district for filing.
- e. In the case of a release or escape, the appropriate local agency shall immediately be notified by telephone, and the employee shall maintain periodic communications with the involved local agency until the intended victim has been advised.

**Applies to:** All WSP Employees

**See Also:** RCW 71.05.390; Mental Illness - Notification of Possible Victim(s) Form

**15.13.020     DEALING WITH EMOTIONALLY DISTURBED (MENTALLY ILL) PERSONS (CALEA 41.2.7)**

**I.    DEFINITIONS**

- A. **Mental Illness:** A subject may suffer from mental illness if he or she displays an inability to think rationally, exercise adequate control over behavior or impulses (e.g. aggressive, suicidal, homicidal, sexual), and/or take reasonable care of his or her welfare with regard to basic provisions for clothing, food, shelter, or safety.

**II.   POLICY**

**A.   Maintaining Safety When Dealing With Mentally Ill Individuals**

1. Dealing with individuals in enforcement and related contexts who are known or suspected to be mentally ill carries the potential for violence, requires an officer to make difficult judgments about the mental state and intent of the individual, and requires special police skills and abilities to effectively and legally deal with the person so as to avoid unnecessary violence and potential civil litigation.
2. Given the unpredictable and sometimes violent nature of the mentally ill, officers should never compromise or jeopardize their safety or the safety of others when dealing with individuals displaying symptoms of mental illness.
3. In the context of enforcement and related activities, officers shall be guided by RCW 71.05.150 regarding the detention of the mentally ill. Officers shall use this policy to assist in defining whether a person's behavior is indicative of mental illness and in order to deal with the mentally ill in a constructive and humane manner.

### III. PROCEDURES

#### A. Recognizing Abnormal Behavior

1. Officers are not expected to make judgments of mental or emotional disturbance but rather to recognize behavior that is potentially destructive and/or dangerous to self or others. The following are generalized signs and symptoms of behavior that may suggest mental illness although officers should not rule out other potential causes such as reactions to drugs and/or alcohol and/or temporary emotional disturbances that are situationally motivated.
2. Officers should evaluate the following and related symptomatic behavior in the total context of the situation when making judgments about an individual's mental state and need for intervention absent the commission of a crime:
  - a. **Degree of Reactions:** Mentally ill persons may show signs of strong and unrelenting fear of persons, places, or things. The fear of people or crowds, for example, may make the individual extremely reclusive or aggressive without apparent provocation.
  - b. **Appropriateness of Behavior:** An individual who demonstrates extremely inappropriate behavior for a given context may be emotionally ill. For example, a motorist who vents his frustration in a traffic jam by physically attacking another motorist may be emotionally unstable.
  - c. **Extreme Rigidity or Inflexibility:** Emotionally ill persons may be easily frustrated in new or unforeseen circumstances and may demonstrate inappropriate or aggressive behavior in dealing with the situation.
  - d. In addition to the above, a mentally ill person may exhibit one or more of the following characteristics:
    - (1) Abnormal memory loss related to such common facts as name, home address (although these may be signs of other physical ailments such as injury or Alzheimer's disease).
    - (2) Delusions: The belief in thoughts or ideas that are false, such as delusions of grandeur or paranoid delusions.
    - (3) Hallucinations of any of the five senses (e.g. hearing voices commanding the person to act, feeling one's skin crawl, smelling strange odors, etc.).

- (4) The belief that one suffers from extraordinary physical maladies that are not possible, such as persons who are convinced that their heart has stopped beating for an extended period of time.
- (5) Extreme fright or depression.

### **B. Accessing Community Mental Health Resources**

- 1. Division/district commanders are responsible for locating facilities and resources within their area of responsibility capable of handling mentally disturbed individuals and providing this information to their employees.

### **C. Interacting with Mentally Ill Individuals**

- 1. Should the officer determine that an individual may be mentally ill and a potential threat to him/herself, the officer, or others, or may otherwise require law enforcement intervention for humanitarian reasons as prescribed by statute, the following responses may be taken:
  - a. Take steps to calm the situation. Where possible, eliminate emergency lights and sirens, disperse crowds, and assume a quiet non-threatening manner when approaching or conversing with the individual. Where violence or destructive acts have not occurred, avoid physical contact, and take time to assess the situation.
  - b. Move slowly and do not excite the disturbed person. Provide reassurance that the police are there to help and that he/she will be provided with appropriate care.
  - c. Communicate with the individual in an attempt to determine what is bothering him/her. Relate your concern for the individual's feelings and allow him/her to express his/her feelings. Where possible, gather information on the subject from acquaintances or family members and/or request professional assistance if available and appropriate to assist in communicating with and calming the person.
  - d. Do not threaten the individual with arrest or in any other manner as this will create additional fright, stress, and potential aggression.
  - e. Avoid topics that may agitate the person and guide the conversation toward subjects that help bring the individual back to reality.
  - f. Always attempt to be truthful with a mentally ill individual. If the subject becomes aware of a deception, he may withdraw

from the contact in distrust and may become hypersensitive or retaliate in anger.

2. Make mental health referrals when, in the best judgment of the officer, the circumstances do not indicate that the individual must be taken into custody for his own protection or the protection of others. Take mentally-disturbed persons to the emergency room of the nearest hospital for evaluation.

#### **D. Training Requirements**

1. All departmental personnel shall be trained upon employment and receive refresher training every three years.

**Applies to:** All WSP Employees

**See Also:** Chapter 71.05 RCW; RCW 43.101.227

### **► SECTION 14: FOREIGN LANGUAGE ◀**

#### **15.14.010 ACCESS TO FOREIGN LANGUAGE RESOURCES**

##### **I. POLICY**

##### **A. Immediate Access to Foreign Language Resources**

1. Department Communications Centers shall maintain or have immediate access to a list of foreign language resources available in their area.

**Applies to:** All WSP Employees

**See Also:** --

### **► SECTION 15: ACCESS/WACIC/NCIC ◀**

#### **15.15.010 ACCESS/WACIC/NCIC CERTIFICATION REQUIREMENTS (CALEA 41.3.7)**

##### **I. POLICY**

[Click here to view General Order 15-001](#)

[Click here to view General Order 15-003](#)

##### **A. Use of ACCESS System**

1. 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 administers all operating phases of the ACCESS system.
2. The ACCESS communications network shall only be used for official law enforcement business. The following rules and policies

ensure proper and efficient use of the ACCESS communications system. All users will conform to these policies and rules. Any questions regarding these policies should be referred to the ACCESS Section Manager.

### **B. Terminal Agency Coordinator (TAC)**

1. District commanders shall designate a TAC for each district and/or Communications Center and/or detachment or site where an ACCESS terminal is located. The individual designated to function as a TAC shall be responsible to ensure compliance with state and federal policies and regulations, including validation requirements. TACs must maintain ACCESS Level II and TAC certifications. Additionally, the TAC shall participate in and ensure that all appropriate records be available during the triennial audit, which is conducted by the ACCESS/NCIC Audit Staff. Responsibility for proper system usage, user certification, validations, and maintaining proper procedures belongs to the TAC.
2. All terminal users, including PMDC users, must be certified at their appropriate level every two years. The training for both Level I and Level II is a two-year certification. Users must recertify prior to their certification expiration date. This can be accomplished by recertifying online or attending a class.
3. All supervisors of ACCESS users and that are not ACCESS certified must view the Upper Management and Administrative Overview Training once during their career. They must sign a log indicating they viewed the training. The log must be kept with the TAC and be available for review at the audit.
4. All personnel that have physical access to Criminal Justice Information (CJI) that are not ACCESS certified must view the baseline Security Awareness Training once every two years. They must sign a log indicating they viewed the training. The log must be kept with the TAC and be available for review at the audit. This includes janitorial staff, all supervisors of ACCESS users that are not ACCESS certified, and all personnel that have access to the terminal areas that are not ACCESS certified.
5. All personnel that have physical and logical access to CJI that are not ACCESS certified must view in addition to the baseline Security Awareness Training, the level two Security Awareness Training once every two years. They must sign a log indicating they viewed the training. The log must be kept with the TAC or IT point of contact and be available for review at the audit. This includes IT personnel and vendors.

### **C. Information Access and Dissemination**

1. Each user must observe any restrictions placed on the use or dissemination of information from the source agency. Policies contained within the ACCESS Operations Manual or other related manuals must be adhered to. Some records may be public information; however, if the information is obtained over the ACCESS system it must be used in the administration of criminal justice.

2. Law enforcement may provide vehicle records to tow operators as specified by Washington State law.

**D. Terminal Security**

1. Security of the terminal site and information received on the terminal is the responsibility of the division/district operating the terminal. Terminal locations must be secure from unauthorized access, and all employees authorized to use the system shall be instructed on the proper use of equipment and the dissemination of information received. Federal and state laws governing the secrecy of communications apply to all messages transmitted over this system.

**E. System Misuse**

1. Persons shall not use any information obtained through the ACCESS system, including all Department of Licensing (DOL) information, for private business or personal reasons or furnish any information so obtained to any other person for such use. Road, weather, and pass information may be disseminated to the general public, as a public service, without restriction.
2. Violations of the rules, regulations, policies, or procedures developed by NCIC and adopted by the Washington State Patrol or any other misuse or abuse of the system may result in disciplinary measures and/or criminal prosecution. Disciplinary measures may include revocation of individual certification, discontinuance of system access to the department, purging of agency record entries, or criminal prosecution.
3. Upon receipt of a concluded misuse investigation, the division/district commander or designee must notify the ACCESS Section of the following information pertaining to system misuse:
  - a. Employee name
  - b. Allegation
  - c. Founded or unfounded
4. The Criminal Records Division Commander, ACCESS Section Manager, and the division/district commander or designee will make a final decision regarding the future status of the employee's ACCESS certification and/or whether additional training should be scheduled.

**F. Visitor Control and Access to Criminal Justice Information**

1. Only authorized personnel will have access to physically secure non-public locations. All physical access points into Washington State Patrol secure areas will be authorized before granting access.
2. All physical access to secure locations shall ensure visitors are escorted at all times and monitor visitor activity. Agencies, district

offices, and divisions must maintain visitor access records to the physically secure location that include:

- a. Name and agency of the visitor
  - b. Form of identification
  - c. Date of access
  - d. Time of entry and departure
  - e. Purpose of visit
    - (1) Name and agency of person visited
3. Visitor access records shall be maintained for a minimum of one year. Designated officials within the agency shall review the visitor access records for accuracy and completeness.
  4. All criminal justice information obtained via ACCESS, in electronic format or paper, must be disposed of when no longer required. Appropriate means of destruction include shredding or incineration. All destruction must be witnessed or carried out by authorized personnel. Electronic media shall be destroyed by the Information Technology Division.

**Applies to:** All WSP Employees  
**See Also:** --

## ► SECTION 16: LAW ENFORCEMENT INFORMATION EXCHANGE (LInX) ◀

### 15.16.010 LAW ENFORCEMENT INFORMATION EXCHANGE (LInX)

#### I. POLICY [Click here to view General Order 15-003](#)

##### A. LInX Users

1. All LInX users must review LInX training.

##### B. Security

1. Security of the computer site and information received on the computer is the responsibility of the division/district/operator using the computer.
2. Computer locations must be secure from unauthorized access, and all employees authorized to use the system shall be instructed on the proper use of equipment and the dissemination of information received.



3. All LInX users must ensure confidentiality of the information received through this program. Because LInX is an Internet-based program, authorized LInX users must acknowledge that all use of the LInX database will be in a secure environment (i.e., police squad room, a secure office, police vehicle with obscured vision of the computer screen by the public). Unsecured areas would include, but are not limited to, the employee's residence, coffee shops, restaurants, or fire departments.

### **C. Use of Information**

1. Information obtained from the LInX system shall only be used for the administration of criminal justice. LInX can provide information if a person or vehicle is named in a police report as a victim, suspect, witness, complainant, or has been arrested or issued a citation.
2. Information that is obtained from the LInX system may be printed, but shall NOT be used in an investigation case file.
3. Positive results from LInX shall not be referred to in case reports or affidavits without first contacting the originating law enforcement agency and obtaining the information.
4. Persons shall not use any information obtained through the LInX database for private business or personal reasons or furnish any information so obtained to any other person for such use.
5. Sanctions apply for system misuse of LInX information. Violations of the rules, regulations, policies, or procedures developed by LInX and adopted by the Washington State Patrol or any other misuse or abuse of the system may result in disciplinary measures.

### **D. Point of Contact (POC)**

1. Each division/district has its own administrators for LInX. One administrator is named at each location as the point of contact (POC) for the annual LInX audit administered by the A Central Computerized Enforcement Service System (ACCESS) audit team.
2. The POC must fulfill the tasks as outlined in the Duty Requirements (provided by the ACCESS Section).

**Applies to:** All WSP Employees

**See Also:** --

**15.16.020 REGIONAL INFORMATION SHARING SYSTEMS PROGRAM AND NETWORK (RISSNET)****I. DEFINITIONS**[Click here to view General Order 15-002A](#)

- A. Deconfliction** – The process or system used to determine whether multiple law enforcement agencies are investigating the same person, place, or crime that provides notification to each agency involved of the shared interest in the case, as well as providing contact information. This is an information- and intelligence-sharing process that seeks to minimize conflicts between agencies and maximize the effectiveness of an investigation to help ensure officer safety and the effective use of resources.
- B. RISSNET** – The Regional Information Sharing Systems (RISS): A law enforcement information-sharing system managed by RISS. RISSNET is a secure, sensitive, but unclassified law enforcement information-sharing cloud provider.
- C. RISSafe** – The deconfliction system within RISSNET utilizing the 24-hour HIDTA/RISS Watch Center.
- D. RISSafe Mobile** – Officers can access RISSafe from an approved mobile device, enter events, and receive immediate notification of conflicts.
- E. RISSIntel** – The system utilized within the RISSNET system by law enforcement to enter information into the RISSNET database.

**II. PURPOSE**

- A.** The Washington State Patrol recognizes the importance of deconfliction during investigations and the sharing of information between law enforcement agencies. The utilization of case deconfliction and information sharing about the case will enhance officer safety and efficiency during criminal investigations. RISSNET procedures will be adhered to when executing a planned operation or conducting all felony-level criminal investigations.

**III. POLICY****A. RISSNET Users**

- 1. All RISSNET users must attend RISSNET training.
  - a. Training and Access:** All detectives, officers, and administrative staff assignments that could require them to perform case activation or deconfliction should receive RISS training, enabling them to navigate through the computer program as well as obtain security access to the system within RISS policy. Detectives, officers, or administrative staff who do not have WSIN training and/or security access to the

RISS system will partner with a detective/officer who does have training and access to comply with the case activation or deconfliction requirements of this procedure.

- b. Officers can also accomplish case activation by calling their RISS Watch Center at 800-952-5258 or NW HIDTA at 888-388-3784.

## **B. Security**

1. Security of the computer site and information received on the computer is the responsibility of the operator using the computer.
2. Computer locations must be secure from unauthorized access, and all employees authorized to use the system shall be instructed on the proper use of equipment and the dissemination of information received. RISSNET shall only be installed on work-assigned computer systems, tablets, and cellular devices.
3. All RISSNET users must ensure confidentiality of the information received through this program. Because RISSNET is an Internet-based program, authorized RISSNET users must acknowledge that all use of the RISSNET database will be in a secure environment (i.e., police squad room, a secure office, police vehicle with obscured vision of the computer screen by the public). Unsecured areas would include, but are not limited to, the employee's residence, coffee shops, restaurants, or fire departments.
4. The RISSNET user's immediate supervisor should have final review and approval prior to data being sent to RISSNET. Supervisors will receive approval notification by the Washington State Patrol CITE system.

## **C. Use of Information**

1. Information obtained from the RISSNET system shall only be used for the administration of criminal justice, except as otherwise required by law.
2. RISSNET information is to enhance officer safety by notifying a central location (RISSNET) of a planned event prior to its execution. User inquiries will receive information from stored RISSNET law enforcement intelligence to prevent the compromise of other related investigations.
3. Dissemination:
  - a. Information that is obtained from the RISSNET system may be printed, but shall not be included in an investigative case file and shall be purged from such file.

- b. The RISSIntel database has three levels of confidentiality: full release, limited release, and no release (restricted). Officers making entries may select either full or limited release. Before an entry is labeled as no release or restricted, it must first be reviewed and approved by a supervisor. As noted above, any exemptions to the case activation procedure must be reviewed on an individual basis and approved by the Chief of the Washington State Patrol or designee.
  - c. The information submitted to the RISSIntel database remains the property of the submitting agency, which controls the input and dissemination of its information in accordance with current laws and the agency's disclosure policies.
- 4. Positive results from RISSNET shall not be referred to in case reports or affidavits without first contacting the originating law enforcement agency and obtaining their express permission and the verification of the original information.
  - 5. Persons shall not use any information obtained through the RISSNET database for private business or personal reasons or furnish any information so obtained to any other person for such use except as otherwise required by law.
  - 6. Sanctions apply for system misuse of RISSNET information. Violations of the rules, regulations, policies, or procedures developed by RISSNET and adopted by the Washington State Patrol or any other misuse or abuse of the system may result in disciplinary measures.

#### **D. Deconfliction Procedure (RISSafe)**

- 1. Anytime an officer contacts a suspect address, the assigned detective or officer shall report all planned operations to the WSIN Watch Center at 800-952-5258 or NW HIDTA at 888-388-3784 or their local Washington State Patrol Communications Center. Event information can be transmitted electronically using RISSafe or RISSafe Mobile. When completing online submissions, officers should print a copy of the RISSafe submission and attach it to the safety plan. In either case, deconfliction should occur at least two hours prior to the planned operation to allow sufficient time for the Watch Center staff to identify potential conflicts and/or case overlaps and make notification, except when exigent circumstances exist.
- 2. The case officer will provide the following information at a minimum to the Watch Center:
  - a. Date and time of planned operation.
  - b. Nature of operation.

- c. Location of operation, including any staging areas.
  - d. Information about the suspect(s), including full names, aliases, or street names, physical descriptors, vehicle information, phone numbers, contraband to be purchased, and amount of money involved.
  - e. Lead and participating agency names and officer.
  - f. Name and office of the assigned detective, including cellular telephone number, along with a secondary point of contact for operation.
- 3. The case officer should request to be notified of any other planned law enforcement activities occurring within the radius they specify, of the planned operation. Should the Watch Center detect other law enforcement activity occurring within the designated area, the Watch Center will notify both agencies and encourage contact with one another to de-conflict. Any Washington State Patrol personnel receiving positive event conflict information from the Watch Center will immediately notify the case officer and a supervisor.
  - 4. If the event will occur in another jurisdiction, prior notice will be given to the Communications Center of that agency. If it occurs in the service area of another task force, notice should be given to any law enforcement officer from that task force.
  - 5. All deconfliction efforts will be documented on the safety plan, to include name, title, and agency personnel notified, and the time and date of the notification.
  - 6. Deconfliction (RISSafe) process and Washington State Patrol Safety Plan requirements should be guided by, but not limited to, the following types of cases:
    - a. Prior to the service of search/arrest warrants.
    - b. Prior to the planned arrest of a person immediately after criminal activities.
    - c. Hit-and-run investigations where officers need to contact suspect, suspect vehicle, and suspect residence.
    - d. All contraband investigations involving buy-bust, buy-walks, and knock and talks.
    - e. Officer contact of a non-custodial suspect who is suspected of criminal activity.
    - f. Prior to any surveillance, whether stationary or mobile, particularly occurring in jurisdictions of a non-participating law enforcement agency or outside task force service area.

- g. Covert activity that could initiate a response from citizens or local law enforcement who may reasonably believe that a crime is in progress.
- h. Consideration for any residence, business, or suspect contacts.

**NOTE:** A Washington State Patrol Safety Plan is required for any event described in a through h.

#### E. Case Activation Procedure

1. **For trained, certified RISS Users:** Upon the assignment of an active felony investigation on a named suspect, officers shall run all suspects thorough the RISSIntel database along with consideration of other state and regional intelligence databases to search for other investigations that may be underway.
2. **Non Trained-Resource:** Upon the assignment of an active felony investigation on a named suspect, officers should partner with detectives or fellow trained officers to run all suspects through the RISSIntel database.
3. In cases meeting the criteria listed below, officers should enter the suspect and all associated suspects and case identifiers into the RISSIntel database. This information shall take place by either entering the information directly into the CITE database or by completing the appropriate departmental Field Information Report (FIR) and checking the RISSNET notification box.
4. Entry into the FIR/RISSIntel database should be guided by, but not necessarily limited to, the following types of cases:
  - a. Suspects in all UCR Part 1 crimes (*murder and non-negligent homicide, forcible rape, robbery, aggravated assault, burglary, motor vehicle theft, larceny-theft, and arson*).
  - b. Suspects or groups engaged in ongoing criminal activities involving serial property crimes such as auto theft rings, financial crime rings, burglary rings, and organized retail theft;
  - c. Subjects involved in drug trafficking, weapons trafficking, human trafficking, manufacturing of controlled substances.
  - d. Subjects belonging to or associated with criminal gangs.
    - (1) Criminal Gangs are defined in RCW 9.94A.030 and summarized as follows: "Criminal street gang" means any ongoing organization, association, or group of three or more persons, whether formal or informal, having a common name or common identifying sign or symbol,

having as one of its primary activities the commission of criminal acts, and whose members or associates individually or collectively engage in or have engaged in a pattern of criminal street gang activity. This definition does not apply to employees engaged in concerted activities for their mutual aid and protection, or to the activities of labor and bona fide nonprofit organizations or their members or agents.

- (2) "Criminal street gang associate or member" means any person who actively participates in any criminal street gang and who intentionally promotes, furthers, or assists in any criminal act by the criminal street gang.
- e. Any other time an officer has reasonable suspicion of criminal activity and would like to share and connect intelligence reference that activity with law enforcement at all levels of government, nationally.

**NOTE:** This list is not designed to be all-inclusive. Officers shall consult with their immediate supervisor if there is any doubt over whether or not to make an entry.

#### **F. WSIN Agency Representative**

1. Each division and district shall select one WSIN representative who will be the WSIN point of contact (POC). The representative shall contact WSIN or the WSIN Law Enforcement Coordinator of any changes to the division/district WSIN Roster. The selected WSIN representative will also be the POC for required WSIN Agency Audits.

**Applies to:** WSP Officers  
**See Also:** RCW 9.94A.030

## Chapter 16

### UNIFORMS AND APPEARANCE

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#### ► SECTION 00: UNIFORMS ◀

#### **16.00.010** **UNIFORM APPROVAL** (CALEA 22.2.5, 41.3.4)

##### **I. POLICY**

###### **A. Uniform Approvals**

1. The Chief shall approve all uniform items worn by employees. Uniform policies apply to all uniformed employees, unless noted.
2. Recommendations concerning the style and functional suitability of uniform apparel items shall be made by the individual bargaining units whose members wear a distinct Washington State Patrol uniform to department management through the Labor Relations Advisory Committee or union/management committee process.
3. The Chief or designee shall determine and set all technical and design specifications for uniform items. Employees may direct inquiries regarding uniform items to their bargaining unit leadership or to the Uniform Advisory Committee of the Washington State Patrol. Final approval, in all cases, is reserved for the Chief. Only insignia and articles approved by the Chief may be worn on or with the uniform.
4. Uniformed employees may forward suggestions for uniform changes or improvements through their chain of command to the Uniform Advisory Committee.

**Applies to:** All Uniformed Employees

**See Also:** --

#### **16.00.020** **AUTHORIZED UNIFORMS** (CALEA 22.2.5, 41.3.4)

##### **I. POLICY**

[Click here to view General Order 15-001](#)

###### **A. Authorized Uniforms**

1. The department has authorized the following uniforms for troopers and mansion cadets:
  - a. **Winter Uniform**
    - (1) The winter uniform consists of issued pants; long-sleeve shirt; black bow tie or issued navy blue dickey or the same navy color/dickey design long-sleeve turtleneck shirt (divorced of any brand markings); felt campaign hat; black socks; black belt; name plate; badge; marksmanship pin; and black shoes or black boots.
    - (2) The long-sleeve shirt shall be worn with either a bow tie or issued dickey or the same navy color/dickey design long-sleeve turtleneck shirt (divorced of any brand markings). The top button of the shirt shall remain unbuttoned when the dickey is worn. Officers have the option of wearing the winter uniform year-round.



**b. Summer Uniform**

- (1) The summer uniform consists of issued pants; short-sleeve shirt; white round-neck T-shirt; straw or felt hat (troopers); black socks; black belt; name plate; badge; marksmanship pin; and black shoes or black boots. Officers have the option of wearing the summer uniform year-round; however, the straw hat may only be worn from April 1 to October 31.

**c. Formal Uniform**

- (1) The formal uniform is the winter uniform. Straw campaign hats, dickeys, and boots are not part of the formal uniform and shall not be worn when the formal uniform is required. The formal uniform shall be worn for superior court appearances, funerals, public speaking engagements, legislative duty, and when directed by the Chief.

**d. Dress Uniform**

- (1) The dress uniform shall consist of the tunic coat, issued pants with blue stripes and gold piping, gun, and gun belt.
- (2) The following accessories shall be on the dress uniform:
  - (a) The Washington State Patrol insignia shall be centered on the blue collar (right side) of the tunic coat one-half inch from the opening.
  - (b) Insignia of rank (TPR for troopers) shall be centered on the blue collar (left side) of the tunic coat one-half inch from the opening.
  - (c) Department-issued badge (left front in badge holder).
  - (d) Gold name plate (right front, aligned with center of badge).
  - (e) Black dress belt with brass Washington State Patrol buckle.
  - (f) Felt campaign hat.
  - (g) Black stockings without design.
  - (h) Black issued shoes.
  - (i) No other accessories shall be worn on the tunic.  
**Exception:** Honor Guard members shall wear the issued gold Honor Guard badge, white shoulder braid, white gloves, and white belt with brass buckle.

- (3) The dress uniform may be worn to funerals of active or retired department members or active officers of other agencies within the state. The dress uniform may also be worn to formal or semi-formal functions, with prior approval from the appropriate district/section commander (e.g., Governor's Inaugural Ball, Washington State Patrol Memorial Foundation dinner, a formal policeman's ball).

**e. Tactical Uniform**

- (1) The tactical uniform consists of the nylon jump suit, approved baseball cap, issued shoes or boots, badge, firearm, and gun belt with accessories. The tactical uniform shall be worn by officers during training exercises and unusual occurrences, or as directed by the district commander.
- (2) Personal athletic shoes may be added to the tactical uniform only during training in a gymnasium. During unusual occurrences, leather gloves, riot helmet, PR 24 ring, PR 24, and gas mask may be added to the tactical uniform.

**f. Motorcycle Uniform**

- (1) The motorcycle uniform consists of the officers' uniform of the day plus the following issued items:
  - (a) Motorcycle helmet
  - (b) Traffic whistle with chain
  - (c) Motorcycle boots or rocky boots
  - (d) Blue long-sleeve turtleneck sweater or dickey
  - (e) Breeches
  - (f) Motorcycle qualification pin worn above pistol qualification pin
  - (g) Motorcycle rain gear
  - (h) Aerostich jacket and pants
  - (i) Summer or winter riding gloves

**g. Commercial Vehicle Division Uniform**

- (1) WSP commercial vehicle officers (CVEO, CVO) shall wear uniforms specifically designed for the Commercial Vehicle Division.
- (2) Officers shall be issued summer and winter uniforms. The uniforms shall be tailored and worn as outlined in this chapter.
- (3) Style requirements and list of accessories are on file at the Supply Section.

**h. VIN Specialist/Inspector Clothing**

- (1) VIN specialists/inspectors shall wear clothing designed for the VIN program.
- (2) Officers shall be given a choice between wearing a cotton jump suit or two-piece wash-and-wear clothing as outlined in their bargaining agreement.
- (3) Requirements and a list of accessories are on file with the Supply Section.

**i. Communications Officer Uniform**

- (1) Communications officers shall wear uniforms specifically designed for the Communications Division.
- (2) The uniform style requirements and list of accessories are on file with the Supply Section.

**j. Cadet Training Uniform**

- (1) Cadets who have not yet completed arming training and those cadets currently in the Academy shall wear a uniform specifically for cadets. The uniform shall include navy blue long- and short-sleeve shirts, navy blue pants with black clarino belt, black clarino shoes or boots, baseball cap, and dickie or bow tie.
- (2) The long-sleeve shirt shall be worn with either a bow tie or issued dickey. The top button of the shirt shall remain unbuttoned when the dickey is worn. The short-sleeve shirt shall be worn open-collared with a white round-neck T-shirt. Boots shall only be worn during inclement weather (i.e., snow and ice).

**Applies to:** All Uniformed Employees

**See Also:** --

**16.00.030 WEARING THE UNIFORM (CALEA 22.2.5, 26.1.1, 41.3.4)****I. POLICY****A. Appearance Standards**

1. The department's image is reflected in the appearance of its employees. Uniform policies and appearance standards apply equally to all employees who wear a uniform.
2. Uniformed employees issued a summer and winter uniform have the year-round option of wearing either uniform.
3. Uniforms shall be kept neat, clean, in good repair, and well-pressed at all times. There shall be no alteration of design. While wearing the uniform, officers shall maintain a military bearing.
4. The uniform shall be worn in its entirety when on duty, unless otherwise directed. The issued gun belt, holster, magazine pouch, handcuff case, Taser or ASP baton or OC-10, and firearm shall be worn with the uniform by those officers authorized to be armed. Uniforms shall be worn completely buttoned, including the sleeves of shirts. Cuffs of long-sleeves shirts shall not be turned back, pinned, or stapled. Pens, pencils, combs, etc., shall not protrude from uniform pockets.
5. Uniforms shall not be worn while off duty, except directly to and from residence, appearance in court, or for department-approved functions (e.g., Chief for a Day and pre-approved speaking engagements and Special Olympics activities). The uniform shall not be worn while on leave, vacation, suspension, or off duty without approval of a commanding officer. **NOTE:** The communications officer uniform may be worn off duty, consistent with their bargaining agreement.

**Applies to:** All Uniformed Employees

**See Also:** WSP Policies **Employee Conduct** and **Code of Ethics – Officers**

**16.00.040 SPECIAL UNIFORM (CALEA 22.2.5, 41.3.4)****I. POLICY****A. Authorization of Special Uniform**

1. The Chief, Deputy Chief, assistant chiefs, or bureau directors may authorize the wearing of a special uniform, uniform item, or combination of uniform items when the need arises.

**Applies to:** All Uniformed Employees

**See Also:** --

**16.00.050 ACADEMY UNIFORM (CALEA 22.2.5, 41.3.4)****I. POLICY****A. Uniform Wearing During Training**

1. Uniformed employees traveling to and from the Academy shall wear their uniform of the day. If the training session to be attended is of one-day duration, the uniform of the day shall be worn during the training. If the training session extends beyond a one-day period, or if the person in attendance is residing at the Academy, the acceptable attire shall be the uniform of the day without gun belt and tie. The uniform short-sleeve shirt is optional year-round.
2. These regulations may be relaxed at the discretion of the Training Division Commander.

**Applies to:** All Uniformed Employees

**See Also:** --

**16.00.060 UNIFORM AVAILABLE FOR EMERGENCIES (CALEA 22.2.5, 41.3.4)****I. POLICY****A. Emergency Uniform Requirements**

1. In case of emergency, every officer shall be prepared to report for duty attired in uniform when required.

**Applies to:** All Uniformed Employees

**See Also:** --

**16.00.070 CLEANING OF UNIFORMS (CALEA 41.3.4)****I. POLICY****A. Maintenance of Uniform**

1. The cost of maintenance shall be borne by the employee whenever the uniform becomes soiled during ordinary duty wear, unless otherwise outlined in a bargaining unit agreement. If a uniform or any part of it becomes ruined, the cost of repair or replacement shall be paid by the department.

**Applies to:** All Uniformed Employees

**See Also:** RCW 42.52

**16.00.080 UNIFORM ISSUE, REPLACEMENT, OR REPAIR (CALEA 17.5.2, 22.2.5, 41.3.4)****I. POLICY**

[Click here to view General Order 15-001](#)

**A. Issuance of Uniforms**

1. The Supply Section shall be responsible for the issue of all uniform and uniform-related items.

**B. Replacement of Uniforms**

1. Requests for uniform replacement shall be directed to the immediate supervisor using an Equipment Request/Return form for items requested. The supervisor shall inspect the used item and, if approved, forward the request through the district/section commander to the Supply Section.
2. Except as noted below, supervisors shall ensure all uniform items that are no longer serviceable are destroyed and disposed of properly. Uniforms shall have all markings removed prior to disposal. All patches shall be returned to the Supply Section. Items shall be cut up before disposal.
3. When requesting replacement for hats, jackets, rocky boots, and any leather item, the Equipment Request/Return form shall be attached to the item and sent to the Supply Section.

**Applies to:** All Uniformed Employees  
**See Also:** Equipment Request/Return Form

**16.00.090     UNIFORM SPECIFICATIONS – PANTS/SHIRTS/SKIRTS**  
**(CALEA 41.3.4)**

**I. POLICY****A. Uniform Specifications**

1. Issued uniform pants shall be tailored and worn 2 ½ to 3 inches above the floor at the back press line, and cut on the bias ½ to ¾ of an inch shorter at the front press line. Uniform skirt length shall be dictated by the current adult style.
2. The issued uniform shirts shall have shoulder patches on each shoulder, ½ below the shoulder seam, centered with the shoulder strap. The shirts shall be pressed in military style, with two creases in front from the shoulder strap to the tail, and three creases in the back.
3. These specifications will not necessarily apply to the new wash-and-wear uniforms for communications and VIN officers, when designed and approved.

**Applies to:** All Uniformed Employees  
**See Also:** --

**16.00.100     JUMP SUITS (CALEA 22.2.5, 41.3.4)**

**I. POLICY****A. Issuance of Jump Suits**

1. The department issues the following jump suits according to assignment to officers to reduce soiling of the uniform and to insulate them in inclement weather:
  - a. The cotton (non-insulated) jump suit.

- b. The cotton (insulated) jump suit.
- c. The nylon (all-weather) jump suit.

### **B. Wearing Jump Suits**

1. District commanders may allow officers to wear jump suits during adverse weather conditions, specifying the type of jump suit to be worn.
2. Jump suits may also be authorized for wear in the following situations:
  - a. As part of the tactical uniform.
  - b. During vehicle inspections when that is the officer's primary duty.
  - c. During training exercises.
  - d. While traveling to and from troopers' meetings when off duty.
  - e. While transporting department vehicles.
3. Jump suits shall not be worn:
  - a. During routine traffic activities, except as allowed during adverse weather.
  - b. As courtroom attire.
  - c. As office attire.
4. Officers shall affix their badge, name plate, and rank insignia to the jump suit. The items shall be worn in the same locations as on the uniform jacket.
5. The name plate shall not be worn during disturbances, physical training, firearms qualification, or such times that it may be broken, dislodged, or lost.
6. Marksmanship pins and/or special duty/unit pins shall not be worn.
7. During routine activities, the department-issued baseball cap shall be worn with the jump suit.

### **C. Cloth Name Plates, Badges, Rank Insignia**

1. Cloth name plates, badges, and rank insignia for the cotton jump suit are available through the Supply Section. Officers shall be responsible for affixing these cloth items.
2. Cloth name plates, badges, and rank insignia shall be affixed only to the cotton jump suit in the same locations as on the uniform jacket. The cotton name plates, badge, and rank insignia shall not be affixed to the nylon jump suit or jacket.
3. Cloth name plates, badges, and rank insignia shall be affixed using a matching thread and a hidden stitch. These items shall be

removed from unserviceable jump suits and reattached to replacement jump suits.

4. Replacement cloth name plates, badges, and rank insignia are available through the Supply Section.

**Applies to:** All Uniformed Employees  
**See Also:** --

### ► SECTION 01: INSIGNIA OF RANK ◀

#### **16.01.010 INSIGNIA OF RANK (CALEA 22.2.5, 41.3.4)**

##### **I. POLICY**

###### **A. Insignia Placement**

1. Insignia of rank shall be worn on all uniforms. Only department-issued insignia of rank shall be worn.
2. Washington State Patrol lieutenants, captains, assistant chiefs, the Deputy Chief, and the Chief shall wear their rank insignia centered on the sewn "X" on the epaulets of the uniform shirt and jacket being worn. See the photo examples that follow.

###### **B. Insignia Identified**

1. The insignia for each rank is as follows:
  - a. Chief—Four metal gold-colored stars.
  - b. Deputy Chief—Three metal gold-colored stars.
  - c. Assistant Chief—Two metal gold-colored stars.
  - d. Captain—Two metal gold-colored bars.
  - e. Lieutenant—One metal gold-colored bar.
  - f. Sergeant—A chevron consisting of three gold cloth stripes, which shall be worn on each sleeve of the uniform shirt(s) only. The point of the chevron shall be pointed at the shoulder. Metal silver-colored chevrons shall be worn on the collar of the duty jacket, jump suit, and BDU/PDU. Metal black-colored chevrons will be worn on the collar of the Rapid Deployment Force (RDF) BDU.



**Applies to:** All WSP Sergeants, Lieutenants, Captains, Assistant Chiefs, the Deputy Chief, and the Chief  
**See Also:** --



**► SECTION 02: NON-UNIFORM ATTIRE ◀****16.02.010    NON-UNIFORM ATTIRE FOR EMPLOYEES (CALEA 22.2.5, 41.3.4)****I.    POLICY****A.    Suitable Workplace Attire**

1. It is department policy to present a neat and professional image to the public. Moderation and common sense should be used in selecting a wardrobe suitable for the workplace. Personal appearance should reflect the generally accepted business standards for assigned job duties and work locations.
2. Examples of appropriate attire for employees who make court appearances, attend meetings outside of the workplace, or perform other public functions would include:
  - a. Suits, sport coats, slacks, collared shirts and ties, and non-athletic footwear for men.
  - b. Suits, jackets, blouses, sweaters, skirts, slacks, dresses, and non-athletic footwear for women.
3. These examples apply to employees whose job duties require regular interaction with the general public. Division-issued clothing and uniforms shall be considered appropriate workplace attire.
4. Whenever an employee is attending training, the attire shall conform to the advertised/ appropriate level dress for the class/conference/banquet. Training at the Academy (fire and police) shall be business casual attire for non-uniformed employees. Employees should confer with their supervisor if they are unsure of the appropriate dress.
5. Casual clothing, such as jogging or aerobic apparel or revealing clothing, is not considered appropriate workplace attire. While athletic footwear and denim jeans are not normally considered appropriate workplace attire, it is recognized that the nature of an employee's duties may require a deviation from policy. Therefore, division/district commanders, in their discretion, may deviate from this policy as needed for employees under their supervision. Division/district commanders shall be responsible for the implementation and enforcement of this dress policy.

**Applies to:**            All WSP Employees  
**See Also:**            --

**► SECTION 03: UNIFORM ACCESSORIES ◀****16.03.010    BADGE AND COMMISSION CARD (CALEA 41.3.4)****I.    POLICY****A.    Wearing Badges and Commission Card**

1. Only currently issued Washington State Patrol badges are authorized to be worn on the uniform.

2. Officers, with the exception of vehicle identification specialists, shall wear their badge on the uniform shirt and outside of their outermost garment over the left breast pocket.
3. Plainclothes officers shall carry the badge when on duty.
4. All officers shall carry their commission card on their person at all times while armed, except when performing undercover assignments authorized by unit supervisors.

**Applies to:** WSP Officers

**See Also:** --

#### **16.03.020 UNIFORM BELTS (CALEA 22.2.5, 41.3.4)**

##### **I. POLICY**

###### **A. Uniform Belt Requirements**

1. A dress belt, issued by the department, shall be black, approximately 1 <sup>5</sup>/<sub>8</sub> inches in width, with a flat buckle. It shall be worn with the pants or skirt.
2. The department issues a black gun belt to all officers authorized to carry a firearm. A blue or black belt shall be worn under the gun belt.

**Applies to:** All Uniformed Employees

**See Also:** --

#### **16.03.030 HOLSTER (CALEA 22.2.5, 41.3.4)**

##### **I. POLICY**

###### **A. Placement of Holster**

1. The holster shall be worn on the gun belt and placed on the officer's weapon side, centered over the leg.

**Applies to:** All Uniformed Employees

**See Also:** --

#### **16.03.040 MAGAZINE POUCH (CALEA 22.2.5, 41.3.4)**

##### **I. POLICY**

###### **A. Placement of Magazine Pouch**

1. The magazine pouch shall be worn horizontally on the gun belt, on either side, next to the belt buckle. The magazine pouch shall contain two magazines fully loaded with department-issued ammunition.

**Applies to:** All Uniformed Employees

**See Also:** --

**16.03.050 HANDCUFFS, KEYS, AND CASE (CALEA 22.2.5, 41.3.4)****I. POLICY****A. Placement of Handcuffs and Keys**

1. Handcuffs shall be carried in the handcuff case. The case shall be worn in such a way as to not hamper the drawing of the firearm or other tools. One handcuff key shall be carried in the case and the other on the officer's keyring.
2. Officers may purchase and carry a second set of handcuffs in either an approved second handcuff case or a double-stacked handcuff case. The handcuffs shall be similar in appearance and design to the current department-issued handcuffs. No hinged or thumb-style cuffs will be authorized. The department-issued key shall be capable of unlocking the secondary handcuffs.
3. Officers may purchase and wear a second handcuff case or a double-stacked handcuff case. The purchased case shall be similar in appearance and design to the current department-issued handcuff case. A double-stacked handcuff case shall be worn in place of the issued case.
4. Double-stacked handcuff cases and the additional set of handcuffs shall be approved by the commander prior to wearing them. This approval is only to ensure these items meet the design requirements.

**B. Recording of Serial Number During Semi-Annual Inspection**

1. During the semi-annual inspection, supervisors shall record the serial number of personally owned handcuffs on the inspection forms.

**Applies to:** All Uniformed Employees

**See Also:** --

**16.03.060 JACKET AND GLOVES (CALEA 22.2.5, 41.3.4)****I. POLICY****A. Jackets Designs and Issuance**

1. The designs of department uniform jackets are determined by the Chief. The types of jackets issued will be based on the officer's assignment.
2. The Supply Section maintains a list of the proper jackets for each assignment that requires these items.

**B. Guidelines for Wearing a Jacket**

1. When a jacket is worn on formal occasions, it shall be zipped from the bottom up to the second brass button from the top of the shirt being worn.
2. The officer's badge (may be cloth), name plate, and rank insignia (if applicable) shall be worn on the jacket as prescribed in the **INSIGNIA OF RANK** and **NAME PLATE** policies.

**C. Gloves**

1. Issued gloves are black, without design. They may be worn with the tactical uniform or in severe inclement weather.
2. White gloves are issued for special details.

**Applies to:** All Uniformed Employees

**See Also:** WSP Policies **Insignia of Rank, Name Plate**

**16.03.070 CAMPAIGN HAT (CALEA 22.2.5, 41.3.4)****I. POLICY****A. Wearing the Campaign Hat**

1. The campaign hat, with the appropriate hat badge and metallic braid indicating proper rank, shall be worn by all officers. The braid shall be silver for troopers and sergeants, and gold for lieutenants and above. The braid shall be neatly twisted with approximately one twist per inch for its entire length around the crown of the hat. The acorns shall lie on the front of the brim. The leather head strap shall be worn at all times.
2. The campaign hat shall be worn with the front of the brim resting approximately two finger widths above the right eye and between two and three finger widths above the left eye, which will cause it to have a slight tilt to the right.

**B. Exceptions to Wearing the Campaign Hat**

1. The campaign hat shall be worn at all times when in uniform, with the following exceptions:
  - a. When riding in or driving a patrol vehicle.
  - b. When military courtesy dictates its removal.
  - c. During severe weather conditions.
  - d. It interferes with or creates a hazard for officers engaged in duties such as rescue situations, high-risk officer safety situations, rendering assistance, or engaged at scenes where activities being conducted make wearing the hat impractical.

**C. Hat Protection**

1. During inclement weather, the plastic cover furnished by the department shall be worn to protect the campaign hat.

**D. Retirement**

1. Upon retirement from department service, officers shall have the option to keep their last used, expended campaign hat with braid and hat badge as a memento.

**Applies to:** All Uniformed Employees

**See Also:** --

**16.03.080 BASEBALL CAPS (CALEA 22.2.5, 41.3.4)****I. POLICY****A. Wearing of Baseball Caps**

1. Troopers and sergeants may wear department-issued or approved baseball caps with the jump suit while engaged in vehicle inspection, collision investigation, weapons training, or at any other time approved by the division/district commander. Baseball caps are not a substitute for campaign hats when troopers, sergeants, or cadets are in winter or summer uniforms.
2. Baseball caps are an optional part of the WSP commercial vehicle enforcement officer uniform and may be worn outdoors at the discretion of the employee. Whenever the WSP CVEO uniform is worn, the following exceptions apply:
  - a. Military courtesy dictates its removal.
  - b. During severe weather conditions when the arctic fur cap may be worn.
3. When worn, the baseball cap shall be neat and clean.

**Applies to:** All Uniformed Employees

**See Also:** --

**16.03.090 SERGEANT CHEVRONS (CALEA 41.3.4)****I. POLICY****A. Placement of Chevrons**

1. Sergeants shall wear chevrons on both sleeves of the long-sleeve shirt, 1 inch below the lowest point of the Washington State Patrol patch on the left sleeve, and at the same relative position on the right sleeve. They shall be sewn on with royal blue thread using a hidden stitch. Small-size chevrons shall be worn on the short-sleeve summer shirt, with the chevron on the left sleeve centered ½ inch below the lowest point of the Washington State Patrol patch, and in the same relative position on the right sleeve. Cotton chevrons may only be worn on the long-sleeve or short-sleeve shirts. The metal silver-colored insignia of rank shall be centered on each collar, ½ inch from the opening when worn on the uniform jacket, fleece jacket, jump suit, and/or BDU/PDU. Black-colored metal insignia of rank shall be centered on each collar, ½ inch from the opening on the Rapid Deployment Force (RDF) BDU/PDU.

**Applies to:** All Sergeants

**See Also:** --

**16.03.100 SERVICE MARKS (CALEA 41.3.4)****I. POLICY****A. Placement of Service Mark and Prior Service Credit for Officers**

1. Each service mark indicates three years of service. Service time commences with the officer's employment date with the department

and may include prior experience. Officers with prior service in city, county, or state police organizations as a law enforcement officer may include that time toward service marks.

#### **B. Prior Service Credit for Communications Officers**

1. Communications officers with prior service in city, county, or state police organizations in a capacity similar to their present assignment or as a law enforcement officer may also include that time toward service marks.

#### **C. Placement of Service Marks for Communications Officers**

1. Officers and communications officers shall wear the correct number of service marks on the left sleeve of the long-sleeve uniform shirt 1 inch above the sleeve cuff, and ½ inch to the right of the sleeve press line. They shall be sewn on with matching thread using an edge-binding stitch. The border around the marks shall be even. The entire strip shall be replaced when adding a mark.

**Applies to:** All Uniformed Employees

**See Also:** --

### **16.03.110 SPECIAL DUTY OR UNIT INSIGNIA PIN (CALEA 41.3.4)**

#### **I. POLICY**

##### **A. Requests for Special Unit Insignia**

1. Requests for approval of a particular special unit insignia pin shall be submitted through the chain of command to the Chief, with command recommendation. Special unit pins are authorized only for employees who are currently responsible for performing the special service or are assigned to the designated special unit.

##### **B. Placement of Special Unit Pins**

1. Special unit pins shall be centrally placed ½ inch above the marksmanship pin. No more than one approved specialty pin shall be worn on the uniform. Special unit pins shall be worn when authorized. Exceptions must be authorized by the assistant chief or bureau director. The Washington State Patrol years of service pin may be worn by employees without a special unit pin.

**Applies to:** All Uniformed Employees

**See Also:** --

### **16.03.120 NAME PLATE (CALEA 41.3.4)**

#### **I. POLICY**

##### **A. Placement of Name Plate**

1. Officers shall wear the name plate on the uniform shirt ½ inch above the right pocket flap, centered on the crease line. A name plate shall also be worn on the issued uniform jacket and/or fleece jacket on the provided name plate backing flap of whichever jacket is worn.

**Applies to:** All Uniformed Employees

**See Also:** --

**16.03.130 MARKSMANSHIP PIN (CALEA 41.3.4)****I. POLICY****A. Marksmanship Pin Placement**

1. Uniformed employees authorized to carry firearms shall wear a marksmanship pin on the uniform shirt, centered ½ inch above the name plate.

**Applies to:** All Uniformed Employees

**See Also:** --

**16.03.140 AWARD OF HONOR PIN/MEDAL OF COURAGE PIN (CALEA 41.3.4)****I. POLICY****A. Placement of Award of Honor Pin/Medal of Courage Pin**

1. Upon the award of an Award of Honor pin/Medal of Courage pin, officers may wear the pin on the uniform shirt centered ½ inch above the badge.

**Applies to:** All Uniformed Employees

**See Also:** --

**16.03.150 SENIOR TROOPER PIN (CALEA 41.3.4)****I. POLICY****A. Senior Trooper Pin Placement**

1. Troopers with 20 or more years of commissioned service are authorized to wear a Senior Trooper Pin on the uniform shirt, centered ½ inch above the name plate. The Marksmanship Pin is to be worn ½ inch above the Senior Trooper Pin.

**Applies to:** All WSP Troopers

**See Also:** --

**► SECTION 04: REPLICA BADGES ◀****16.04.010 PURCHASE OF REPLICA BADGES****I. POLICY**

[Click here to view General Order 15-003](#)

**A. Retired Employees Requesting Replica Badges**

1. Retired uniformed employees may purchase one replica of each departmental badge issued to them during their service.
2. Retired uniformed employees shall submit a letter to the Supply Section requesting authorization to purchase replica badges. The letter shall include the rank(s) and applicable badge numbers(s) and shall also include the requester's contact phone number and mailing address.

**B. Active Employees Requesting Replica Badges**

1. Active uniformed employees may purchase one replica of each departmental badge issued to them during their service.
2. Active uniformed employees shall submit a completed Replica Badge Request form and forward through their chain of command to the Supply Section.

**C. Purchasing Replica Badges**

1. Upon receipt of requests for replica badges, a letter of authorization will be sent to the requester and a copy to the current badge vendor. The letter shall specifically identify the badge(s) to be purchased and current vendor contact information.
2. The purchase of replica badges shall be considered a private transaction between the authorized purchaser and the vendor. Purchase arrangements shall be the responsibility of the requester.
3. Replica badges shall not be used, displayed, or represented as a departmental badge for official use. A unique number is engraved on the back of the badge by the vendor, identifying the badge as a replica.
4. Requests for badges not personally assigned during service shall be reviewed on a case by case basis by the requester's chain of command and the Supply Section Manager.

**Applies to:** All Uniformed Employees  
**See Also:** Replica Badge Request

**► SECTION 05: IDENTIFICATION CARD ◀****16.05.010 IDENTIFICATION CARD (CALEA 41.3.4)****I. POLICY****A. Issuance of Identification Cards**

1. The department will issue identification cards to all employees. These identification cards will associate the bearer with the Washington State Patrol, and provide proof of their employment and responsibility.
2. Identification cards shall be surrendered with all other department property when leaving the department.

**Applies to:** All WSP Employees  
**See Also:** --



**► SECTION 06: PORTABLE RADIO ◀****16.06.010    PORTABLE RADIO PLACEMENT (CALEA 41.3.4)****I.    POLICY****A.    Placement of Portable Radio**

1. If worn on the gun belt, the portable radio shall be opposite the holster, directly over the trouser stripe.
2. Officers may purchase and wear a "portacclip" radio holder in place of the issued radio case.

**Applies to:**            All Uniformed Employees

**See Also:**             --

**► SECTION 07: APPEARANCE ◀****16.07.010    APPEARANCE STANDARDS (CALEA 22.3.2, 22.3.3, 26.1.1, 41.3.4)****I.    POLICY****A.    Maintaining a Neat and Well-Groomed Appearance**

1. The good health and personal appearance of all employees is fundamental to the interests and safety of the department. It demonstrates a personal and business-like image, increasing public confidence in the department's capability of job performance. Thus, all employees shall maintain a neat and well-groomed appearance. When on duty, they shall wear their uniforms and other clothing in accordance with department policy. Additionally, they shall maintain their hair styles, sideburns, and mustaches so as to conform to department regulations.
2. Excess body weight is detrimental to good health. It has been medically linked to the causes of many diseases proven to be common hazards to law enforcement personnel. The department encourages all employees to participate in one of the many wellness programs available.
3. These procedures, regulations, and policies are intended to promote the professional image expected by the department and to encourage good health for consistently optimum job performance.

**B.    Male Uniformed Employees**

1. Hair shall be neatly trimmed, may either be tapered or blocked at the back of the neck, but shall not touch the shirt collar. Hair may be either tapered or blocked at the side, but may extend only to the top of the ears.
2. Sideburns shall be worn no longer than to the bottom of the ear and shall be horizontally trimmed at a right angle. Maximum width

at the bottom of the sideburn shall be no more than one-quarter of an inch greater than the width of the sideburn measured at the center of the ear.

3. Hair styles that preclude the wearing of the uniform hat in the required manner are not permitted.
4. A neatly trimmed mustache shall not extend below the vermillion border of the upper lip or the corners of the mouth, nor to the side more than one-half inch beyond the corners of the mouth, is permitted.
5. Beards shall not be worn.

#### **C. Female Uniformed Employees**

1. Hair shall be worn so that it does not extend below the bottom of the collar.
2. Hair may be combed over the ears, but shall not extend below the bottom of the ears, nor more than two inches in front of the ears.
3. Hair that is styled or combed forward will be no lower on the forehead than three-quarters of an inch above the high point of the eyebrows.
4. Hair styles that preclude the wearing of the uniform hat in the required manner are not permitted.
5. No decoration(s) shall be worn in the hair. Hair clips or pins matching the color of the hair may be worn.
6. Fingernails shall be neatly manicured and be of a moderate length. Fingernail polish, if worn, shall be clear.

#### **D. Jewelry**

1. Bracelets and necklaces may be worn for medical or identification purposes only. Necklaces shall be worn underneath the T-shirt.
2. A total of two conservative rings may be worn. A set of wedding and engagement rings shall be considered one ring.
3. One set of simple "post" earrings may be worn by uniformed female employees, provided the diameter of the adornment will be limited to one-eighth of an inch.

#### **E. Glasses**

1. If glasses are worn, they shall be maintained in good condition and shall be conventional and conservative in nature.

**Applies to:** All Uniformed Employees

**See Also:** --

## ► SECTION 08: HEALTH AND FITNESS ◀

**16.08.010 HEALTH AND FITNESS (CALEA 22.3.2, 41.3.4)****I. POLICY****A. Level of Fitness and General Health**

1. The functions of a law enforcement officer can frequently require a level of fitness not demanded by many other occupations. This department encourages officers to maintain a satisfactory level of general health and physical fitness for their own well being. Proper physical fitness also allows officers to perform more effectively and reduces the need for sick leave.
2. Through awareness and education, the department encourages healthy lifestyles of employees in order that they function to the best of their abilities in their roles as members of the community and the department.

**Applies to:** All WSP Employees

**See Also:** --

## Chapter 17

### VEHICLES

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#### ► SECTION 00: ASSIGNMENT ◀

#### **17.00.010 VEHICLE ASSIGNMENT (CALEA 17.5.2, 43.1.5)**

##### **I. POLICY**

##### **A. Authorization to Use Department Vehicles**

1. The department authorizes employees to use motor vehicles to conduct department business when one is needed to accomplish the assignment. Vehicles may be:
  - a. Personally assigned (commuting authorized).
  - b. Assigned to an individual or section (regular commuting unauthorized).
  - c. Unassigned (pool vehicles available to all employees for on-the-job transportation).

##### **B. Criteria for Vehicle Assignment**

1. The assistant chief/bureau director shall be the approving authority for vehicle assignments as indicated on the appropriate form. At least one of the following conditions must be met for an employee to be permanently assigned a vehicle for official state business:
  - a. **Enforcement Vehicles:** Officers who regularly perform traffic and/or law enforcement duties may be permanently assigned enforcement vehicles for as long as that assignment is held.
  - b. Special service vehicles may be permanently assigned to officers, as long as the assignment requiring special tools or equipment is held. The operation of Special service vehicles shall be limited to officers who have received training in their use, as prescribed by the Training Division.
  - c. **Specialized Response Vehicles:** Employees with incident response duties may be permanently assigned a vehicle equipped with specialized tools, traffic control accessories, and/or communications equipment for emergency repairs or requests for assistance. Employees on 24-hour call may also be permanently assigned a vehicle. These assignments of vehicles shall last only as long as the employee holds the position.
  - d. **Other Vehicles:**
    - (1) The employee's business travel by motor vehicle averages 1,000 non-commuting miles per month. (OFM Regulation 70.40.20a)

- (2) The employee uses the vehicle for at least 30 separate business purposes per month, making frequent check-out of a motor pool vehicle impractical.
- (3) Employees who use the vehicle as a mobile office where the quantity of material/equipment makes it impractical to switch vehicles each day.
- (4) Circumstances where the commander has permission for permanent assignment by submitting a written request with justification to the assistant chief/bureau director.

### **C. Authorization for Commuting**

1. Enforcement vehicles are authorized for commuting between duty station and official residence.
2. Normally, all other assigned vehicles will be picked up at the employee's duty station during normal duty hours or after hours if called out. At least one of the following conditions must apply:
  - a. Storing the vehicle at the employee's residence is more advantageous or economical to the state than using a commercial garage or other parking facility. In determining the storage location of state-owned or operated vehicles, the security and safety of the vehicle should be considered.
  - b. The employee's home is also the employee's official duty station.
  - c. Employees are required to perform non-voluntary functions requiring early departures or late arrivals outside their scheduled work hours.
  - d. When there is a reasonable concern regarding personal safety in using the storage facility or in transferring to and from other transportation for the commute.
  - e. When it can be documented as economical or advantageous to the state to allow such travel, or as a part of the department's Commute Trip Reduction Program.
  - f. Circumstances where the commander has permission by submitting a written request with justification to the assistant chief/bureau director.
3. Employees may be authorized to travel between duty station and official residence in an employer-provided passenger motor vehicle (commute) for special periods, such as during a natural disaster or any declaration of emergency that requires employees' special attention to provide for the public safety.

### **D. Assignment of Permanent Equipment Numbers**

1. All department vehicles are assigned a permanent equipment number which shall remain with the vehicle during its life with the department. The equipment number shall be the primary identifier when referring to department vehicles.

**Applies to:** All WSP Employees  
**See Also:** Applicable Collective Bargaining Agreements; OFM Regulation 70.40.20a

► **SECTION 01: OPERATION** ◀

**17.01.010 VEHICLE OPERATION (CALEA 41.2.1)**

**I. POLICY**

**A. Use of Department Vehicles**

1. Department vehicles shall be used only for official business and in a manner consistent with applicable state travel regulations. Use of a state-owned or operated vehicle shall be authorized by the Chief or designee when it is more economical or advantageous to the state.

**B. Operation of Department Vehicles**

1. When operating a state-owned or privately owned/rental vehicle on official state business, state employees or officials are expressly prohibited from engaging in the unauthorized transportation of passengers. Unauthorized transportation is any transportation of passengers not specifically authorized by the Chief or authorized designee in the performance of official state business and includes, but is not limited to, the transportation of family members, relatives, friends, and pets for any personal activities.
2. Personal use of state-owned or operated motor vehicles or violation of traffic safety laws in state-owned or operated motor vehicles constitutes grounds for disciplinary action which may include termination of the right to operate state-owned or operated motor vehicles. These guidelines do not apply to a state employee using his/her own personal vehicle.
3. Employees shall utilize a hands-free method (i.e., speaker phone, headset, Bluetooth) for any communication using a cellular telephone while operating department vehicles.
4. On-duty employees shall not use a handheld or cellular-type device to send or read any text-based message while operating a department vehicle or personal vehicle on departmental business.

**C. Availability to Emergency Response**

1. Employees who are required to commute in department vehicles shall be available to respond at any time to emergencies.

**D. Maintenance and Orientation of Department Vehicle**

1. All employees shall exercise maximum energy conservation practices in conducting state business by consolidating trips where possible and ensuring adequate maintenance of assigned vehicles. All vehicles shall be maintained according to departmental maintenance procedures. The department shall provide employee orientation on the necessity for driving within the legal speed limits

and employ other means as necessary to achieve energy conservation.

2. Employees subject to emergency call-out shall not go off duty with less than one-half tank of gasoline in the vehicle.
3. Department vehicles shall be locked unless employees are in immediate attendance, or when vehicles are left for repair service.
4. When parking a marked patrol vehicle other than parallel or diagonally, it shall be backed in with the wheels placed in a straight line for an easy exit to an emergency response.

#### **E. Out-of-State Travel**

1. Out-of-state travel shall be permitted only in accordance with established department procedures.

#### **F. Driving Protocol**

1. Employees shall drive in a careful and prudent manner.
2. Employees shall obey all laws of the state pertaining thereto, except as provided by law (RCW 46.61.035), in the official operation of an authorized emergency vehicle.
3. Employees shall, at all times, set a proper example for other persons by their operation of vehicles.
4. Persons shall not be transported in department vehicles, except in the line of duty or as may be authorized by a supervisor.

**Applies to:** All WSP Employees

**See Also:** RCW 46.61.03

### **17.01.020 VALID DRIVER'S LICENSE REQUIRED**

#### **I. POLICY**

##### **A. License Requirements**

1. Employees shall possess a current, non-probationary Washington State driver's license with no restrictions resulting from vehicle operation or control when operating state vehicles. Supervisors shall verify the status of driver's licenses of all employees who operate state vehicles through the Washington State Department of Licensing Web site at <https://fortress.wa.gov/dol/dolprod/dsdDriverStatusDisplay/>.
2. Inspections shall be conducted at the following intervals:
  - a. By June 30 each year, for employees who are issued or routinely operate state vehicles.
  - b. Prior to operation for employees who only occasionally use state vehicles (e.g., two or three times a year).

##### **B. Notification of Revoked Driver's License**

1. Any employee whose driving privilege is cancelled, suspended, revoked, or restricted as a result of vehicle operation or control by the Department of Licensing shall immediately notify their supervisor.

**Applies to:** All WSP Employees  
**See Also:** --

► **SECTION 02: COLLISIONS/INCIDENTS/VANDALISM** ◄

**17.02.010** **PATROL, PRIVATELY OWNED RENTAL VEHICLE**  
**COLLISIONS/INCIDENTS/VANDALISM** (CALEA 61.2.2, 81.2.4)

**I. POLICY**

**A. Investigation and Reporting**

1. When a department vehicle or privately owned/rental vehicle used for state business is vandalized or involved in a collision, incident, or the Pursuit Immobilization Technique (PIT), the vehicle's driver shall immediately notify Communications, who shall notify the supervisor/on-duty supervisor. An RCW sergeant shall respond to the scene and conduct an investigation.
2. If there is any possibility of discipline for a policy violation, an Internal Incident Report shall be completed along with a supervisor case log and forwarded through the chain of command to the Office of Professional Standards (OPS).
3. If the employee is not at fault, the RCW sergeant shall investigate (with assistance from the Criminal Investigation Division, if needed) and treat the employee as the second party involved and as a witness to the actions of the party at fault. The supervisor shall follow the reporting requirements as outlined in the *Administrative Investigation Manual* when a department vehicle or privately owned/rental vehicle is used for state business and is vandalized or involved in a collision, incident, or a PIT.

**B. Commander's Responsibilities**

1. Division/district commanders are responsible for all equipment and vehicles assigned to personnel under their command. The division/district commander shall ensure all vehicle damage is investigated and properly reported.
2. When a fleet collision/incident/PIT occurs, the commander shall ensure that if an Internal Incident Report was completed by the supervisor, that it is faxed to OPS by 9 a.m. the next business day.

**C. Undercover Vehicle Collisions/Incidents**

1. When undercover vehicles are involved in a collision/incident, the driver or vehicle custodian shall notify the supervisor or commander as soon as possible.
2. An investigation should be conducted at the scene. However, the investigation may be delayed to avoid placing the officer or a criminal investigation at risk. The supervisor or commander shall determine if local police or a department supervisor shall respond immediately to investigate.



**D. Department Vehicle Collisions/Incidents While On Official State Business**

1. After the responding officer investigates the collision/incident, the driver of the vehicle will notify the supervisor. Supervisors shall immediately call the department's contracted collision repair vendor when any employee using a motor vehicle for official state business is involved in a collision/incident. The name and phone number of the department's contracted collision repair vendor is located in the glove box of each vehicle. After providing the incident information the vendor requests, the driver will remove all personal items from the vehicle and deliver it to the body shop designated by the vendor. If the vehicle cannot be driven, the driver will obtain a tow truck. In the event of an emergency, the vendor may provide towing services. Because the Fleet Section and the commercial vendor will manage approvals for repair and payment of service, the Vehicle Repair Authorization form is not required. Once the repairs are completed, the driver will sign the repair invoice and mail it to the Fleet Section.
2. Supervisors shall immediately call in the vendor's collision report when any employee using a motor vehicle for official state business is involved in a collision/incident.

**E. Privately Owned Vehicle Collisions/Incidents While On Official State Business**

1. Collisions/incidents occurring when a privately owned vehicle is used on official state business shall be reported to the operator's own insurance carrier (refer to the *Office of Financial Management, State Administrative and Accounting Manual [SAAM], 12.20*).
2. When driving a privately owned vehicle on official state business, each state employee must comply with the state of Washington's liability insurance laws, Chapter 46.29 and 46.30 RCW. If a collision/incident occurs when the employee is driving their privately owned vehicle, that individual's insurance is primary and will be utilized prior to the state of Washington's possible provision of any excess liability protection.

**F. Transporting Unauthorized Passengers**

1. Transporting of unauthorized passengers (as described in the **VEHICLE OPERATION** policy) in an employee's privately owned or rental vehicle while the employee is on official business is considered a personal decision, and the state of Washington will not provide excess liability protection to the unauthorized passenger in the event of a collision/incident.

**Applies to:**  
**See Also:**

All WSP Employees  
WSP Policies **Vehicles, Privately Owned; Vehicles, Rental Motor; Vehicle Operation**; *Office of Financial Management, State Administrative and Accounting Manual (SAAM) 12.20*; *Administrative Investigation Manual*; Chapter 46.29 and 46.30 RCW; Internal Incident Report

**17.02.020 RECOVERY OF DAMAGE TO DEPARTMENT VEHICLES****I. POLICY****A. Damage to Department Vehicles**

1. When a department vehicle incurs property damage as a result of a collision or incident in which another party is at fault, within 24 hours, the driver or the supervisor of the driver of the department vehicle must report the collision to the department's collision repair vendor, Collision Experts International (CEI) and the Office of Professional Standards. Instructions for reporting damage to CEI are contained in a folder within each vehicle's glove compartment.
2. If some or all of the cost of repairs can be allocated to the liability of other parties, CEI will file claims against those parties and pursue collection for repair costs.
3. All bills to repair department vehicles shall be paid by the department.
4. Third party reimbursements (subrogation) are processed by CEI.
5. Court-ordered restitution for vehicle damage shall be requested by Washington State Patrol, Risk Management Division, and all payments must be forwarded to Budget and Fiscal Services.

**Applies to:**

All WSP Employees

**See Also:***Office of Financial Management, State Administrative and Accounting Manual (SAAM), 12.20.40***► SECTION 03: REPAIRS/MODIFICATIONS ◄****17.03.010 VEHICLE REPAIRS/MODIFICATIONS****I. POLICY****A. Vehicle Maintenance and Repair**

1. It shall be the responsibility of all employees to maintain vehicles in the best condition possible. If repairs are needed, employees shall notify their immediate supervisor as soon as practical.
2. The supervisor may authorize automotive repairs when the total cost estimate does not exceed \$1,000, including tax. Payment options shall be made by utilizing the vehicle-assigned US Bank Fleet Maintenance Card or through other means as determined by the Fleet Section. All vehicle repairs in excess of \$1,000 must have Fleet's prior approval.

**B. Vehicle Modifications**

1. No unauthorized modifications, additions, or deletions shall be made to any vehicle or its equipment after it has been assigned. If it is determined that modifications, additions, or deletions are necessary for improved operation, safety, or convenience of

employees, application may be made through the chain of command to the division/district commander for approval.

**Applies to:** All WSP Employees  
**See Also:** *Budget and Fiscal Services Standard Operating Procedures;*  
*Property Management Division Procedures Manual*

## ► SECTION 04: REASSIGNMENT ◀

### 17.04.010 REASSIGNMENT OF VEHICLES (CALEA 17.5.2)

#### I. POLICY

##### A. Vehicle Reassignment

1. With approval of the Fleet and Logistics Manager and in accordance with the policy on vehicle assignment, commanders may reassign vehicles within their respective areas of command. Prior to the reassignment, the commander shall forward the required forms and reports to the Fleet Section.

##### B. Vehicle Transfers

1. If a vehicle is to be transferred between employees, it shall be the responsibility of the detachment supervisor(s) concerned to ensure that all assigned equipment is in each vehicle and assignment classification is current on the appropriate forms.

**Applies to:** All WSP Employees  
**See Also:** --

## ► SECTION 05: MAINTENANCE FILES ◀

### 17.05.010 VEHICLE MAINTENANCE FILES

#### I. POLICY

[Click here to view General Order 15-003](#)

##### A. Documentation in Vehicle Maintenance Files

1. Supervisors shall be responsible for monitoring vehicle repairs and costs by periodically reviewing maintenance files. Only one set of files shall be maintained. Vehicle maintenance files shall include, at a minimum:
  - a. A copy of each individual vehicle's required service intervals.
  - b. A copy of each individual vehicle's warranty.
  - c. A copy of all Voyager card receipts and invoices for service and all Vehicle Repair Authorizations and accompanying invoices for repairs on the vehicle since it was assigned to the division/district. Fuel receipts do not need to be maintained in the vehicle maintenance file.
  - d. A copy of a Vehicle Maintenance Record, containing a chronological list of repairs performed on the vehicle since its assignment to the division/district.

**Applies to:** All WSP Employees  
**See Also:** *Budget and Fiscal Services Standard Operating Procedures*  
("Voyager Card" and "Vehicle Repair Authorization Form")

► **SECTION 06: TURN-IN** ◀

**17.06.010 VEHICLE TURN-IN**

**I. POLICY**

**A. Vehicle Condition Upon Turn-In**

1. When a vehicle is turned in, the registration, keys, US Bank Fleet Maintenance card, fuel cards, license plates, and all records pertaining to the vehicle shall accompany it. The vehicle shall be clean and equipped with legal tires.
2. A supervisor shall inspect the trunk and interior areas for cleanliness. The rear seat shall be removed and checked for contraband or weapons, unless the seat is bolted to the vehicle floor.

**B. Discovery of Contraband or Weapons by Employees**

1. When contraband or weapons are discovered, a stop work order shall be placed on the vehicle.
2. The vehicle shall be locked and the appropriate division/section commander advised.
3. If the proper owner of the item cannot be located, the district/section commander shall request the assistance of a local officer within the area where the vehicle is being serviced/ decommissioned.
4. The officer shall confiscate the item(s) and process them as "found property."

**Applies to:** All WSP Employees  
**See Also:** --

► **SECTION 07: WEAPONS/CONTRABAND** ◀

**17.07.010 DISCOVERY OF WEAPONS/CONTRABAND BY AN OFFICER/SUPERVISOR**

**I. POLICY**

**A. Following Found Property Procedures**

1. If contraband, weapons, or found property are located in the vehicle, the custodial officer shall make a reasonable effort to identify and locate the owner. Since the chain of evidence has been broken, "found property" procedures shall be followed in recording and disposing of the item(s).

**Applies to:** All WSP Employees  
**See Also:** RCW 63.21; *Officer's Evidence Handbook*

► **SECTION 08: CREDIT CARDS/KEY CARDS ◄**  
(DELETED)

► **SECTION 09: CHECKS ◄**

**17.09.010 VEHICLE SPEEDOMETER CHECKS**

**I. POLICY**

**A. Requirement to Check Speedometer by Radar**

1. Any vehicle used in traffic law enforcement shall have its speedometer checked by radar:
  - a. At least every 90 days.
  - b. Whenever any differential repair work is performed.
  - c. Whenever a question of accuracy arises.
  - d. Whenever snow tires replace the conventional tires or vice versa.
2. Speedometer performance check cards shall be placed in the vehicle. Officers reading the radar (moving or stationary) shall certify and initial on the card the speeds registered at the time the check was made. All speedometers shall be checked at speeds of 30 and 60 mph.
3. The speed check records required by this policy shall be periodically examined by a supervisor.

**Applies to:** WSP Officers

**See Also:** --

**17.09.020 TIRE MAINTENANCE CHECKS**

**I. POLICY**

**A. Weekly Tire Check**

1. Once each week drivers of department vehicles shall check the tires of the vehicle being driven for:
  - a. Tire pressure — Tires shall be inflated to their recommended pressure when cold.
  - b. Punctures and foreign objects in tread and sidewalls.
  - c. Tread depth:
    - (1) For pursuit vehicles, tires shall be replaced when tread depth reaches 4/32 of an inch.
    - (2) For staff and support vehicles, tires shall be replaced when tread depth reaches 3/32 of an inch.

**B. 5,000 Mile Check**

1. At least every 5,000 miles, tires shall be checked for:
  - a. Cuts and bruises in tread and sidewall deep enough to weaken the tire structure.
  - b. Unusual sidewall distortion.
  - c. Extreme chafing or cutting of the sidewall at the rim or bead area.
  - d. Unusual tread wear, such as flat spots, cupping, unevenness. Uneven wear on front tires may indicate improper alignment or excessive wear of front-end components.
  - e. Cuts or chafed valve stems. In tube tires, if the valve stems are at an angle, the tire shall be deflated and repositioned on the rim.

**C. Special Circumstances**

1. Tires on pursuit vehicles shall be of the same model and tread design on all four wheels unless authorized by the Fleet Section supervisor.
2. The Fleet Section supervisor will establish special rules for tire combinations and studded tire usage for winter driving.

**Applies to:** All WSP Employees  
**See Also:** RCW 46.37.250, 46.37.425

**► SECTION 10: DISPOSAL OF TIRE CARCASSES ◀****17.10.010 DISPOSAL OF TIRE CARCASSES****I. POLICY****A. Disposal of Tire Carcasses**

1. The policy for disposal of tire carcasses shall be as follows, except when otherwise directed by the Fleet Section.
  - a. When new tires are purchased through a vendor or tire dealer, the carcass shall be left at the tire dealer and the disposal fee shall be included on the tire invoice.
  - b. When new tires are installed at a Washington State Patrol service facility, the supervisor of the service facility shall determine the method of tire carcass disposal in the best interest of the state.
  - c. If the supervisor of the Washington State Patrol service facility determines that the tire carcasses will be purchased by a tire dealer, the purchasing dealer shall issue a check or bank draft

in the correct amount payable to the State of Washington, Central Stores Revolving Fund, and route the payment to the Washington State Patrol Fleet Section. Fleet will verify the number of carcasses sold and ensure payment is received.

- d. If the supervisor of the Washington State Patrol service facility determines that the tire carcasses will be sold independently, the Fleet Section will coordinate the sale and corresponding payment. It shall be the responsibility of the supervisor to keep an accurate record of all carcasses left with such dealer and to ensure that payment is received.
- e. Tire carcasses shall not be given to department employees or other individuals for personal use.

**Applies to:** All WSP Employees  
**See Also:** --

#### ► SECTION 11: MARKING AND EQUIPMENT ◀

#### **17.11.010 PATROL VEHICLE MARKING AND EQUIPMENT (CALEA 41.3.1, 41.3.2, 43.1.5, 61.1.6, 70.4.1)**

#### **I. POLICY**

##### **A. Vehicle Marking and Equipment**

1. Vehicles issued by the Fleet Section shall be marked and equipped as listed below.
2. Exceptions to this policy shall be authorized in writing by an assistant chief/bureau director and be on file at the Fleet Section.

##### **B. Command Vehicles**

1. Vehicles issued to officers with the rank of lieutenant and above are classified as command vehicles. These vehicles shall be various colors, have no decal markings, and will be equipped with emergency lights and siren.
2. The license plates shall include the officer's personnel number.
3. Confidential plates may be requested as outlined in the **CONFIDENTIAL LICENSE PLATES** policy. The vehicles shall be issued with a siren, radio, and standard trunk equipment.

##### **C. Enforcement Vehicles**

###### **1. Sergeants**

- a. Vehicles issued to traffic sergeants shall be various colors, having no decal markings.
- b. The license plates shall include the officer's personnel number.

- c. The vehicle shall be equipped with pushbars, a spot light, siren, radios, jail partition, and standard trunk equipment.

## 2. Detectives

- a. Vehicles issued to detectives shall be various colors, having no decal markings or emergency lighting. However, grille-mounted lights or portable beacons are available upon request.
- b. License plates shall include the officer's personnel number.
- c. Confidential plates may be requested as outlined in the **CONFIDENTIAL LICENSE PLATES** policy.
- d. The vehicle may be issued with a siren, radio, and standard trunk equipment.

## 3. Troopers

- a. Vehicles issued to traffic officers shall be white.
- b. The vehicle shall be marked on the front doors with a black and white Washington State Patrol shield and dark blue lightning bolt. Decals with the words "State Patrol" shall be affixed to both front doors.
- c. License plates shall include the officer's personnel number.
- d. The vehicle shall be equipped with a roof-mounted light bar, spot light, jail partition, push bars, siren, radio, and standard trunk equipment.

## 4. Motorcycles

- a. Department motorcycles shall be white.
- b. The vehicle shall have one blue light and one red light to the front and one blue light and one red light to the rear. A modulating auxiliary red stop light shall be mounted on the rear.
- c. License plates shall include the officer's personnel number.
- d. The motorcycle shall have a black and white Washington State Patrol shield on each side of the fairing and a decal with the words "State Patrol" in black on each side of the radio box or saddle bags.
- e. The motorcycle shall be equipped with a siren, radio, and first aid kit.

## 5. WSP CVEO 3 Supervisor

- a. Vehicles issued to WSP CVEO 3 supervisors shall be various colors. On both rear quarter panels, there shall be a decal with the words "Commercial Vehicle Enforcement."
- b. License plates shall be "SP" plates in the 7700, 7800, and 7900 number series, with the last three digits indicating the individual's personnel number.



- c. The vehicle shall be equipped with a spot light, siren, radios, and standard trunk equipment.

#### **6. WSP CVEO 1 and 2**

- a. Vehicles issued to WSP commercial vehicle enforcement officers shall be white.
- b. Vehicles assigned to an individual shall have "SP" license plates in the 7700, 7800, and 7900 number series, with the last three digits indicating the individual's badge number. Vehicles used in a pool shall have "SP" license plates using a 9000 number series.
- c. The vehicle shall be marked with a black and white Washington State Patrol shield and a blue lightning bolt on both front doors. On both rear quarter panels there shall be a decal with the words "Commercial Vehicle Enforcement."
- d. The vehicle shall be equipped with a roof-mounted light bar, spot light, siren, radios, and standard trunk equipment.

#### **D. Temporary Limited Duty and Long-Term Limited Duty Employees**

1. Temporary limited duty vehicle assignment and equipment shall be at the expense of the employer.
2. Long-term limited duty vehicle assignment shall be determined by the Human Resource Division.

#### **E. Non-Enforcement Support Vehicle**

1. License plates shall be "SP" plates in the 9000 number series, except for the Electronic Services Division, which shall use the 8000 number series with the last three digits indicating the individual's personnel number.
2. Vehicles shall be marked with the approved Washington State Patrol decal, with the wording "For Official Use Only" on the rear window, lower left, and in accordance to the Fleet Section vehicle marking policy.
3. The vehicles shall not have any emergency lighting. Radios shall be installed only when needed. Standard trunk equipment shall be issued.

#### **F. Vehicle Equipment**

1. All vehicles issued by the Fleet Section shall contain standard trunk equipment designed for the vehicle's assignment. Equipment included in all vehicles, except motorcycles and undercover vehicles, shall be determined by the Fleet Section.

2. It is the responsibility of traffic officers to ensure that their patrol vehicles are equipped with a fully-stocked first aid kit, fire extinguisher, traffic cones, road flares, shotgun or rifle, ammunition, Notice of Infraction/Notice of Criminal Citation (NOI/NOCC) book, flashlight, properly functioning communications equipment, and the necessary forms and reports.

#### **G. Detachable Light Bars**

1. With the approval of the district commander, a detachment supervisor may order the temporary removal of light bars when it is in the best public interest, such as conducting an emphasis patrol or working on an unusual enforcement problem.

#### **H. PA/Outside Speakers**

1. The PA/outside speaker on patrol vehicles shall be used only when conducting official department business.

#### **I. Gasoline**

1. Gasoline shall not be carried in the trunk of any vehicle equipped with a radio transmitter.

#### **J. Battery Jump Pack**

1. Only employees with sufficient training shall use battery jump packs. Vehicle damage and personal injury may occur if improperly applied.
2. Before using a battery jump pack to start a department-issued vehicle, officers shall disconnect the Coban video camera fuse located near the battery (if so equipped).

**Applies to:** All WSP Employees  
**See Also:** WSP Policy **Confidential License Plates**

### **► SECTION 12: CIVILIAN USE ◀**

#### **17.12.010 CIVILIAN USE OF DEPARTMENT VEHICLES**

##### **I. POLICY**

##### **A. Use of Department Enforcement Vehicles**

1. Department employees who are not officers/special deputies shall not utilize enforcement vehicles on the roads and highways.
2. On occasion, an employee of the department who is not an officer, while operating a department vehicle, may arrive at the scene of a motor vehicle collision shortly after it occurs and prior to the arrival of the appropriate authority, or may encounter an occupied, disabled vehicle. Under these circumstances, the above employees should refrain from stopping.

3. If the incident is located on highways patrolled by the department, the driver should report the incident to the nearest Communications Center.

**Applies to:** All WSP Employees

**See Also:** --

► **SECTION 13: CONFIDENTIAL OR UNDERCOVER LICENSE PLATES** ◀

**17.13.010    CONFIDENTIAL OR UNDERCOVER LICENSE PLATES (CALEA 43.1.5, 61.1.6)**

**I. POLICY**

**A. Use of Confidential or Undercover License Plates**

1. Confidential or undercover license plates shall only be utilized on vehicles within the department for confidential, investigative, or undercover work; or when necessary for the personal security of any officer or public employee.
2. The Chief shall appoint a person to administer and monitor the confidential or undercover license plate file within the department. The Administrator shall maintain the file and all records pertaining to the program and will be the department's liaison to the Department of Licensing. The confidential or undercover license plate file shall have appropriate security to ensure confidentiality. Information in the confidential or undercover license plate file shall include, but not be limited to:
  - a. Confidential or undercover license plate number.
  - b. Year, make, and model of the vehicle.
  - c. VIN of the vehicle.
  - d. Vehicle equipment number.
  - e. Name and address which is indicated on the registration.
  - f. Name of the individual and section where the confidential or undercover license plate and vehicle are assigned.
3. Application for confidential or undercover license plates shall be made to the confidential license plate file Administrator on the Authorization for Confidential or Undercover License Plate Application form, obtainable from the Administrator or online at the iWSP Inside WSP Web site, outlining the justification and need for confidential or undercover plates. The application must contain the signed approval of the division or district commander and the respective assistant chief/bureau director prior to any consideration by the Administrator. In those cases where the requesting section reports directly to the Chief, prior approval shall be obtained from the Chief. The Administrator will review the request to determine conformance to RCW and departmental policies. If approved, the Administrator will sign and forward the form to the Department of Licensing. If disapproved by the Administrator, the Chief or assistant chief/bureau director shall be immediately notified.

4. When the confidential or undercover license plates and related Certificate of Registration are received from the Department of Licensing, the necessary information will be recorded by the Administrator, and the plates and registration will be forwarded to the requesting person for use on the appropriate vehicle.
5. The confidential or undercover license plates shall be assigned to one particular vehicle only and shall not be placed on another vehicle.
6. The confidential or undercover plates shall be issued to the assigned vehicle until it is determined that confidential or undercover plates are either no longer required, or when the vehicle is sold. If and when confidential or undercover license plates are no longer useful on the assigned vehicle, they shall be returned to the Administrator, along with the current Certificate of Registration. The Administrator will then notify the Department of Licensing, in writing, that the confidential or undercover license plates are no longer required, indicating that the license plates and registration will be destroyed. These plates and registration will then be destroyed and removed from departmental records.
7. License tabs for confidential or undercover license plates shall be sent from the Department of Licensing to the Administrator, who in turn will forward them to the appropriate vehicle custodian.
8. If a vehicle bearing confidential or undercover license plates is transferred from one section to another, the Administrator must be notified immediately so that proper tracking and controls are maintained. If the vehicle transfer is from one bureau to another, the Administrator may require approval from the assistant chief or bureau director receiving the vehicle.
9. If a violation has occurred against a specific undercover license plate, the Department of Licensing will not renew the license tabs until the violation has been satisfied. The Administrator shall notify the vehicle custodian and supervisor to have them satisfy the violation before the license tabs will be renewed.

**Applies to:** All WSP Employees

**See Also:** Authorization for Confidential or Undercover License Plate Application

## ► SECTION 14: SCANNERS/CB RADIOS/CELLULAR TELEPHONES ◀

### 17.14.010 SCANNERS/CB RADIOS/CELLULAR TELEPHONES

#### I. POLICY

##### A. Scanner Requests

1. Scanners shall be installed in department vehicles only with the approval of the appropriate division commander.
2. Employees desiring a scanner shall submit an IOC request indicating justification for a scanner to be installed.

**B. Scanner Installation Procedures**

1. If approved, department technicians shall install department-issued scanners.
2. The installation of temporary units by the person making the request is authorized, after receiving approval, provided alterations are not made to the vehicle.
3. Installation shall be limited to a cigarette lighter plug-in electrical connection and a gutter mount, no-hole trunk mount, or magnetic antenna.

**C. Scanner Operation**

1. Employees shall maintain sufficient volume levels to monitor department communications. They shall not respond to other police agency dispatches monitored on a scanner unit, except in an emergency or when an officer is in distress.
2. Except in emergencies, employees shall not use scanner units for cross-band communications with other agencies. If information is monitored that requires an officer to deviate from routine assignment or patrol, Washington State Patrol Communications shall be advised of the information and intended response.

**D. Scanner Maintenance**

1. Department communications technicians shall only perform maintenance on CB radios and scanner units which are department-owned.

**E. CB Radios**

1. Officers shall monitor CB channel 9 for emergency traffic when operating a vehicle equipped with a CB. When transmitting on CB radios, FCC regulations and call signs shall be strictly adhered to and the department's official call letters shall be used.
2. CB calls shall be answered quickly and courteously. Non-emergency calls shall be terminated as promptly and tactfully as possible. The formality expected on department frequencies shall not be required on CB transmissions. There shall be no retaliation, either by stopping or by radio transmission against any person reporting officers' locations or activities for the apparent purpose of evading traffic laws. Employees shall not transmit false or deceptive information, or in any way entice any person to commit an unlawful act.

**F. Use of Personal Cellular Telephones**

1. Use of the cellular telephone will not interfere with the individual's performance of duty.
2. Telephone calls will not be forwarded to individuals from Communications Centers. All calls made by an individual will be at their expense.

3. All 911 emergency calls will terminate at Communications, and conferencing such calls through to a third party is not permitted.

**Applies to:** All WSP Employees  
**See Also:** --

## ► SECTION 15: SAFETY BELTS ◀

### 17.15.010 VEHICLE SAFETY BELTS (CALEA 41.3.3)

#### I. POLICY

##### A. Wearing Vehicle Safety Belts

1. Vehicle safety belts shall be worn whenever employees are driving or riding in department vehicles.
2. Safety belts are to be used as they were designed by the manufacturer.
3. The shoulder strap portion of a safety belt system shall not be altered or circumvented.
4. Passengers shall not occupy a seating position for which the air-bag has been disabled.

**Applies to:** All WSP Employees  
**See Also:** --

## ► SECTION 16: CAR WASH ◀

### 17.16.010 CAR WASH

#### I. POLICY [Click here to view General Order 15-003](#)

##### A. Car Wash Authorization

1. The cost of a car wash shall be the minimum available in the immediate local area. Officers shall be allowed two car washes a month, and the supervisor may authorize additional wash jobs under extenuating circumstances.

**Applies to:** All WSP Employees  
**See Also:** --

## ► SECTION 17: PRIVATELY-OWNED ◀

### 17.17.010 VEHICLES – PRIVATELY-OWNED

#### I. POLICY

##### A. Use of Privately Owned Vehicles for Conducting Official State Business

1. The use of a privately-owned motor vehicle for conducting official state business must be approved by the employee's commander. Such authorization may be for any one of the following reasons:

- a. A state-owned or operated passenger motor vehicle is not available.
  - b. It is found to be more advantageous/economical to the state for an employee to travel by a privately-owned motor vehicle, rather than a common carrier or a state-owned or operated passenger motor vehicle. Commanders shall decide if use of the privately owned vehicle is more economical or advantageous to the department.
2. The driver of a privately-owned motor vehicle authorized for use in conducting official state business must have a driver's license recognized as valid under Washington State law in their possession while operating the vehicle. The driver's privately owned vehicle must also be in compliance with state of Washington liability insurance laws, Chapter 46.29 and 46.30 RCW.
3. Traffic collisions or incidents are to be reported in accordance with the regulations in the **PATROL, PRIVATELY-OWNED, RENTAL VEHICLE COLLISIONS/INCIDENTS**.
4. See the *Budget and Fiscal Services Standard Operating Procedures* on travel for reimbursement guidelines.

**Applies to:**

All WSP Employees

**See Also:**

Chapter 46.29 and 46.30 RCW; WSP Policy **Patrol, Privately-Owned, Rental Vehicle Collisions/Incidents**; *Budget and Fiscal Services Standard Operating Procedures* ("Travel"); *Office of Financial Management, State Administrative and Accounting Manual (SAAM)*, 10.50 and 12.30

**► SECTION 18: RENTAL ◀****17.18.010 RENTAL MOTOR VEHICLES****I. POLICY****A. Use of Rental Motor Vehicles**

1. A rental motor vehicle may be used for official business under the following conditions:
  - a. A state-owned motor vehicle is not available; or
  - b. The use of the rental motor vehicle is advantageous to the state or more economical than other conveyances or necessary state business cannot be accomplished otherwise (e.g., mail, telephone).
  - c. The rental motor vehicle is charged to the department on a credit basis.
  - d. Vehicle insurance offered at extra cost by the rental company is declined, as Washington State's contract for rental of motor vehicles includes full insurance coverage.

- e. Use has been approved in advance by the employee's commander through an approved Training/Travel Request. The employee shall file a department travel voucher documenting the rental vehicle use in accordance with *Budget and Fiscal Services Standard Operating Procedures* for travel.
  - f. The rental motor vehicle is obtained through a rental firm under contract by the Department of Enterprise Services.
2. Vehicle operators shall have a driver's license recognized as valid under Washington State law in their possession while operating a rental motor vehicle.
  3. Traffic collisions or incidents are to be reported in accordance with the regulations in the **PATROL, PRIVATELY-OWNED, RENTAL VEHICLE COLLISIONS/INCIDENTS**.
  4. See the *Budget and Fiscal Services WSP Fiscal Procedures* on travel for reimbursement guidelines.

**Applies to:****See Also:**

All WSP Employees  
 WSP Policy **Patrol, Privately-Owned, Rental Vehicle Collisions/Incidents**; *Budget and Fiscal Services WSP Fiscal Procedures* ("Travel"); *Office of Financial Management, State Administrative and Accounting Manual (SAAM)*, 12.50.30 and 10.50.35; Training/Travel Request; Travel Voucher

► **SECTION 19: COMMUTE TRIP REDUCTION** ◀

**17.19.010 COMMUTE TRIP REDUCTION**

**I. POLICY**

[Click here to view General Order 15-001](#)

[Click here to view General Order 15-002](#)

**A. Commute Trip Encouragement**

1. Because of growing traffic congestion and environmental concerns, employees (except employees subject to emergency call-out/responses) are encouraged to reduce commute trips whenever possible, using carpool, vanpool, mass transit, walking, teleworking, bicycles, or alternate work schedules (see **TELEWORKING**).
2. An Employee Transportation Coordinator (ETC) will be assigned to each worksite employing over 100 full-time employees. The ETC:
  - a. Works with the department's Commute Trip Reduction Coordinator (CTRC) to satisfy the requirements of the Commute Trip Reduction law.
  - b. Provides assistance to site employees, exploring possible alternatives for reducing single-occupant vehicle work trips.
  - c. Registers employees for participation in the department's commute trip subsidy program, which includes carpooling, vanpooling, mass transit, ferries, bicycling, and walking to



work. Teleworking and the use of alternate work schedules are not included in the subsidy program.

**Applies to:**

All WSP Employees

**See Also:**RCW 41.04.390, 46.74.010, 70.94.521-551; WSP Policy  
**Teleworking****► SECTION 20: PARKING ◀****17.20.010 PARKING AT THE GENERAL ADMINISTRATION BUILDING****I. POLICY****A. Parking at the General Administration Building**

1. The department has 18 parking stalls on the roof of the Columbia Street garage reserved for authorized guests and department employees who are visiting any of the Washington State Patrol offices located in the General Administration (GA) Building. They are clearly marked "WSP VISITOR ONLY." Washington State Patrol employees assigned to the General Administration Building shall not use these stalls.
2. Non-departmental visitors must be advised to obtain a parking permit from the Special Operations Division when using the Washington State Patrol visitor stalls.
3. The department has 24 parking stalls located on the GA Surface Lot, which is immediately adjacent to the GA Building. These stalls are reserved for specific bureau, division, and section use. They are clearly marked (e.g., "WSP-FPB-ONLY," "WSP-CID-ONLY," etc.). Any person wishing to utilize one of the GA Surface Lot stalls must have the permission of the bureau, division, or section commander (or designee) indicated on the stall placard.
4. Bureau and division commanders are responsible for ensuring their assigned and visiting department employees are made aware of the parking rules that apply to all department employees who work and visit the GA Building and Capitol Campus. When applicable, new employees are required to obtain a parking permit from the GA Parking Office as soon as they are assigned to the GA Building. A temporary parking permit may be issued by the Special Operations Division under certain conditions.
5. The Special Operations Division Commander is responsible for the oversight of all WSP Capitol Campus Parking, enforcement, and coordination with the Department of Enterprise Services.

**Applies to:**

All WSP Employees

**See Also:**

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**► SECTION 21: SECURING ◀****17.21.010 PATROL VEHICLE LOCATION WHILE ON LEAVE****I. POLICY****A. Securing Patrol Vehicles**

1. Marked patrol vehicles parked in public areas are frequently vandalized. Commanders or supervisors may, for security reasons, direct employees on vacation, compensatory time, or sick leave for more than five days to park their vehicles at a department office or another secure location pre-approved by the supervisor.
2. Whenever patrol vehicles are parked in locations accessible to the public, all weapons and attractive items (e.g., portable radios, portable computers, uniforms, and briefcases) shall be removed from the interior of the vehicle and stored in the trunk, office, or residence.
3. Items shall not be considered secured if they are locked in the glovebox.

**Applies to:** All WSP Employees

**See Also:** --

**► SECTION 22: IRS REPORTING REQUIREMENTS ◀****17.22.010 IRS REPORTING REQUIREMENTS****I. POLICY****A. Reporting Department Vehicles Taken Home**

1. The Internal Revenue Service holds the employer and employee responsible for reporting vehicle take-home use by employees (except for individuals driving law enforcement or fire vehicles that are identified as such).

**B. Commanders' Responsibilities**

1. Commanders shall notify (by IOC) the Budget and Fiscal Services Commander and the Fleet Manager whenever:
  - a. An employee is assigned a state vehicle for take-home purposes, including occasional take-home use.
  - b. Pool vehicles are assigned to an employee for commuting purposes.
  - c. Vehicle assignments are changed.
2. The IOC shall include the name and DOP Unique Identification number of the person assigned the vehicle and the initial assignment date.

3. Commanders shall notify employees using take-home vehicles of their IRS reporting responsibilities.

### C. Employee Responsibilities

1. Employees shall notify (by IOC) the Budget and Fiscal Services Payroll Unit of:
  - a. Occasional vehicle take-home usage (not permanently assigned).
  - b. Vehicle take-home usage (permanently assigned) when there is a change in the standard. (The standard is based on a Monday through Friday schedule, not including holidays).
2. The IOC shall include the name of the person assigned the vehicle and their DOP Unique Identification number, date, reporting month, and total commute days for the month. The IOC is due at Budget and Fiscal Services Payroll Unit by the 10th of the following month.

**Applies to:** All WSP Employees  
**See Also:** *Office of Financial Management, State Administrative and Accounting Manual (SAAM), 12.20.10*

## ► SECTION 23: ANTIQUE VEHICLES ◀

### 17.23.010 USE OF DEPARTMENT ANTIQUE VEHICLES

#### I. POLICY

##### A. Use of Antique Vehicles

1. Washington State Patrol antique vehicles have been restored for historical purposes and used for various community, public, and official events over the past years to enhance the image of the department.

##### B. Requesting Use

1. Any request to use an antique vehicle shall be in writing no less than 14 days in advance of the date needed.
2. The request shall be forwarded to the appropriate division/district commander through the chain of command for approval.
3. The request shall include the following information:
  - a. Specify the date, time, location, function, and duration of the event.
  - b. Indicate the name of the department employee who will be charged with the care and security of the vehicle.
  - c. Indicate the name(s) of the department employee(s) who will be driving the vehicle.

- d. Specify who will be carried as passengers in the vehicle.
- e. Indicate the method of transport.

### **C. Approval**

- 1. Upon approval by the division/district commander, the request shall be forwarded to the Fleet and Supply Manager.
- 2. When a district/division is issued an antique vehicle, the vehicle shall:
  - a. Not be used for any illegal purpose or to benefit a private person, business, or organization.
  - b. Not be used for any actual or perceived political purpose.
  - c. Not be driven/operated by any person(s) other than designated on the written request.
  - d. Be used to transport only person(s) specified on the written request and approved by the district commander.
  - e. Not be scheduled for any community/public/official event longer than 10 days unless approved 30 days in advance.
  - f. Be returned on time and in the same or better condition than issued. In addition to supervisory notification, mechanical issues or damage to the antique vehicles shall be reported to the Fleet and Supply Manager.

### **D. Multiple Requests**

- 1. In cases of multiple requests for the use of an antique vehicle on the same dates, it is to the discretion of the assistant chief/bureau director as to which district/division the vehicle will be issued.
- 2. Employees authorized to drive an antique vehicle shall ensure proper security of the vehicle. This includes inside storage of the vehicle when not in use.
- 3. No unauthorized modifications, additions, or deletions shall be made to any vehicle or its equipment. If it is determined that modifications, additions, or deletions are necessary for improved operation or safety, application may be made through the chain of command for approval.
- 4. Any modifications made to the vehicle(s) shall be done by the Fleet Section.

**Applies to:** All WSP Employees  
**See Also:** --

**► SECTION 24: REPLICA VEHICLE LICENSE PLATES ◀****17.24.010 PURCHASE OF REPLICA VEHICLE LICENSE PLATES****I. POLICY****A. Retired Employees Requesting Replica License Plate**

1. Retired employees may purchase one replica of each numbered license plate set issued to them during their service to the department.
2. Retired employees shall submit a letter to the Supply Section requesting authorization to purchase replica plates. The letter shall include the rank(s), applicable plate number(s), the dates each plate number was assigned (from month/year through month/year), and the requester's contact phone number and mailing address.

**B. Active Employees Requesting Replica License Plate**

1. Upon promotion, active employees issued a vehicle may purchase one replica of their former rank/class license plate number(s) that had been issued to them.
2. Active employees shall submit a completed Replica License Plate Request form and forward through their chain of command to the Supply Section.

**C. Purchasing Replica License Plates**

1. Upon receipt of requests for replica license plates, a letter of authorization will be sent to the requester and a copy to the current license plate dealer. The letter shall specifically identify the plate(s) to be purchased and current vendor contact information.
2. The purchase of replica license plates shall be considered a private transaction between the authorized purchaser and the current vendor. Purchase arrangements shall be the responsibility of the individual requester.
3. Replica license plates shall not be used, displayed, or represented as a department license plate and will be labeled "FOR DISPLAY ONLY."
4. Requests for license plates not personally assigned during service shall be reviewed on a case by case basis involving the requester's chain of command.

**Applies to:** All WSP Employees  
**See Also:** Replica License Plate Request

## Chapter 18

# EQUIPMENT

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### ► SECTION 00: EQUIPMENT/PROPERTY ◀

#### **18.00.010 CARE, USE, AND EXCHANGE OF EQUIPMENT OR PROPERTY** (CALEA 1.2.1, 17.5.2, 41.3.4)

#### **I. POLICY**

##### **A. Proper Care and Handling of Equipment**

1. All employees assigned, having, or using any departmental equipment or property shall be charged with its proper care and handling. Departmental equipment is defined as property/equipment not privately owned by the employee that is provided to them for use in their position or assignment, regardless of source.
2. Department equipment shall not be used for other than assigned purposes without prior permission of the appropriate commander concerned.

##### **B. Exchange of Equipment**

1. Employees are prohibited from exchanging any state-owned equipment issued to them unless authorized by their immediate supervisor or during emergencies.
2. When a departmental tagged/tracked piece of equipment or equipment with serial numbers is exchanged, moved, traded, transferred, or sent to a vendor for repair or replacement, a Notice of Receipt or Transfer of Tagged/Tracked Asset(s) form will be completed and routed according to procedures. If this form does not have a received by or issued to signature, it will not be considered valid. The completed and signed form shall be forwarded to the Supply Section within 5 days of the equipment change taking place. The employee's supervisor shall retain a copy in the supervisor's desk file.
3. Individuals not providing proper documentation as noted above are invalidating property records and placing the agency at risk of audit violations. The Asset Inventory Control Officer will report any findings to the respective assistant chief/bureau director for appropriate resolution.
4. The department will tag/track and maintain inventory records of small and attractive assets. Small and attractive assets are defined by the Office of Financial Management as all weapons and any equipment with a purchase price of at least \$300. In addition, the agency tracks all badges.
  - a. The state of Washington defines small and attractive equipment as the following:

- (1) Weapons
  - (2) Badges
  - (3) Microcomputer systems, laptops, and notebooks
  - (4) Information technology accessorial equipment (scanners, printers, fax machines, typewriters, data displays, etc.)
  - (5) Optical devices, binoculars, telescopes, infrared viewers, and rangefinders
  - (6) Communications equipment (audio and video)
  - (7) Television sets, radios, tape recorders, projectors, VCRs, and video cameras
  - (8) Office equipment
- b. The department will tag/track and maintain inventory records of all small and attractive equipment with a cost of \$300 or greater when received in the following situations:
- (1) Gifts
  - (2) Confiscated, seized, or forfeited items
  - (3) Items purchased from federal or state surplus funds
  - (4) Art work
5. The agency will tag/track and maintain inventory records of all capital equipment, property, and assets with a cost of \$5,000 or more.
6. Equipment not meeting the \$300 purchase price threshold and/or is not considered to be small and attractive or a capital asset may be tagged with a generic "Property of Washington State Patrol" sticker and may be transferred without using a Notice of Receipt or Transfer of Tagged/Tracked Asset(s) form.

**Applies to:** All WSP Employees  
**See Also:** Notice of Receipt or Transfer of Tagged/Tracked Asset(s) Form

**18.00.020 UNDERCOVER WSP OFFICERS – EXEMPTIONS (CALEA 1.2.1, 17.5.2, 41.3.4)**

**I. POLICY**

**A. Exemption for Undercover WSP Officers**

1. Officers in undercover assignments are exempt from any of the equipment requirements which could jeopardize their personal safety or ability to fulfill their assignment.

**Applies to:** All Undercover WSP Officers  
**See Also:** --

**18.00.030    NECESSARY EQUIPMENT (CALEA 1.2.1, 41.3.4)****I.    POLICY****A.    Timepiece**

1. Officers shall, at their expense, provide themselves with a timepiece of reasonable accuracy, and shall have it in their possession during duty hours.

**B.    Ball Point Pen/Forms**

1. Officers shall have in their possession a ball-point pen with black ink and a supply of necessary forms to carry out their duties.

**C.    Flashlights**

1. Flashlights shall be at least a two-cell, spotlight-type, and shall be carried by all uniformed officers during the hours of darkness.
2. While directing traffic with a flashlight, the fluorescent wand or cone may be used.

**Applies to:**            WSP Officers

**See Also:**            --

**18.00.040    PURCHASE OF SERVICE PISTOL UPON RETIREMENT (CALEA 1.2.1, 41.3.4)****I.    POLICY**    [Click here to view General Order 15-003](#)**A.    Career Service Pistol Available for Purchase**

1. Upon retirement from state service, officers may purchase their career service pistol as a keepsake. Only one service pistol may be purchased.
2. To be eligible to purchase the retiring officer's career service pistol, the retiring officer must be a resident of Washington State, possess a valid Washington State driver's license, and be eligible to possess a firearm under chapter 9.41 RCW at the time of retirement.

**B.    Purchase Procedure**

1. To purchase a career service pistol:
  - a. If retiring officers choose to purchase their service pistol, the Supply Section shall be notified by the retiring officers at the time they notify the Human Resource Division of their intent to retire.
  - b. The immediate supervisor is responsible for ensuring all state equipment, including the service pistol, issued to the retiring officer shall be returned to the Supply Section prior to the officer's last official work day. If the retiring officer is not purchasing their issued pistol and is unable to return the pistol



to the Supply Section, the pistol (three grips; gun lock; case; and three magazines) shall be turned in to the local Firearms Specialist with a completed Notice of Receipt or Transfer of Tagged/Tracked Asset(s) form. If the department has not received any notification of intent to purchase, the weapon shall be held for 30 days after the official retirement date. After that time, it may be reissued. At any time during the 30-day hold, the retiring officer may purchase the pistol by contacting the Supply Section.

- c. Upon receiving notification of a retiree purchase, the department shall provide the cost of the weapon based on the original purchase price paid/traded by the agency.
- d. The Supply Section or Firearms Specialist and retiring officer shall complete a pistol transfer application (FIR-652-004) in accordance with RCW 9.41.090 (application to purchase) and the Sale of Career Service Pistol to Retiring Washington State Patrol Officer form. The Supply Section shall also maintain a record of the sale in the electronic asset inventory system and copy of disposal paperwork according to records retention requirements.
- e. A description of the pistol, including the manufacturer, serial number, the cost or trade value when originally purchased or traded by the agency, and the purchaser's name shall be sent to the Surplus Property Section, Department of Enterprise Services.
- f. The Supply Section shall transfer possession of the pistol when payment by the purchaser is received, along with the completed state firearms forms.
- g. The retiring officer's immediate supervisor shall ensure the pistol is turned in or payment and the required forms are completed and submitted to the Supply Section for the sale prior to the retiring officer's last official work day.

**Applies to:**

WSP Officers

**See Also:**

Chapter 9.41 RCW; WAC 236-48-198; Notice of Receipt or Transfer of Tagged/Tracked Asset(s), Sale of Career Service Pistol to Retiring Washington State Patrol Officer form

**18.00.050     SPEED MEASURING DEVICES (RADAR AND LIDAR) (CALEA 1.2.1, 17.5.3, 41.3.4, 61.1.6, 61.1.9)****I.    POLICY****A.    Operation and Deployment of Speed Measuring Devices**

- 1. Officers shall operate speed measuring devices (SMD) in accordance with departmental guidelines established by the Training Division. The Training Division shall conduct biennial SMD refresher training.
- 2. District commanders shall be responsible for the proper deployment of SMDs within each district.

**B. Testing Speed Measuring Devices**

1. Each operator shall test the SMD prior to and after use. If the SMD will not test correctly, or if the officer discovers a defect, the operator shall discontinue use and return the unit to the assigned district electronic services office.

**C. Use of Carrying Case**

1. When SMD carrying cases are purchased and available, the following shall govern usage:
  - a. The SMD carrying case may be carried in the patrol vehicle. To prevent damage, the SMD shall not be loose on the seat or floor when the vehicle is in motion. The case should be used to carry the SMD to and from the car to prevent damage or loss of accessories.
  - b. If the case is in the car when transporting a prisoner, the SMD carrying case shall be removed from the prisoner's reach.
  - c. The SMD shall be returned to the carrying case when not in use on the vehicle. Cables shall be coiled loosely and not wound around the radar antenna.

**D. Security Precautions**

1. When an officer leaves the patrol vehicle (e.g., coffee stop, lunch break, or processing a DUI), the antenna shall be securely placed inside the locked vehicle or, in the case of a motorcycle, the SMD shall be secured in its locking holder to avoid vandalism or theft.

**E. Repair and Maintenance**

1. Electronic communications system technicians shall maintain two-year calibration certification documents for all SMDs assigned to the district.
2. Assigned units in need of repair shall be transported to a district technician as a unit (SMD carrying case tuning forks, head, receiving antenna, and power cord) with a brief but detailed description of the malfunction or needed repair.

**Applies to:** WSP Officers

**See Also:** --

**18.00.060    LOSS OR DAMAGE OF DEPARTMENT PROPERTY AND EQUIPMENT (CALEA 1.2.1, 17.5.2, 41.3.4)**

**I. POLICY****A. Reporting Property Loss or Damage**

1. The loss or damage of any department property shall be immediately reported to the employee's supervisor.

**B. Investigation and OPS Involvement**

1. The supervisor shall initiate an investigation.
2. If there is any possibility of discipline, an Internal Incident Report shall be completed and forwarded through the chain of command to the Office of Professional Standards.
3. Supervisors shall follow the procedures outlined in the *Administrative Investigation Manual*.

**C. Permanent File at Supply Section**

1. The Supply Section shall maintain a permanent file on all lost, destroyed, or stolen weapons and enter the stolen weapon(s) in WACIC and NCIC.

**Applies to:** All WSP Employees

**See Also:** RCW 42.52; *Administrative Investigation Manual*

**18.00.070 RETURN OF ISSUED EQUIPMENT (CALEA 1.2.1, 17.5.2, 41.3.4)****I. POLICY****A. Returning Issued Equipment**

1. Supervisors will use the separating employee's most recent Equipment Inspection/Reinspection (Part A) form and Tagged/Tracked Equipment Audit (Part B) form to identify those items that must be turned in to Supply on or before their last official day of work.
2. Equipment issued by the employee's specific division/section shall be returned to that division/section. If any item(s) are tagged/tracked, a Notice of Receipt or Transfer of Tagged/Tracked Asset(s) form must be completed and a copy shall be sent to the Supply Section within five days. Consumable items shall be retained at the division/district, given to the Training Academy, or turned in to Supply. Consumable items are marked with an asterisk on the Equipment Inspection/Reinspection (Part A) form.
3. All agency-issued lethal and non-lethal weapons shall be transferred to the employee's district firearms specialist on or before their separation date. A Notice of Receipt or Transfer of Tagged/Tracked Asset(s) form shall be sent to the Supply Section within five days.
4. All portable radio, radar, lidar, or other speed-measuring device shall be turned in to the local Electronic Services technician. If the separating employee is unable to turn in items to a local technician, items may be turned in to the Supply Section with other equipment. A Notice of Receipt or Transfer of Tagged/Tracked Asset(s) form shall be sent to the Supply Section within five days.
5. Contact Fleet for vehicle turn-in or transfer. Video camera systems shall be turned in with the vehicle.

6. Contact the Information Technology Division (ITD) for tablet or laptop computer turn-in or transfer.
7. All issued equipment and supplies shall be returned clean and in proper working order.
8. If a separating employee is unable to return items to either the Supply Section, district firearms specialist, Electronic Services technician, ITD, or Fleet, the immediate supervisor is responsible for ensuring all items are returned or transferred properly.

**Applies to:** All WSP Employees

**See Also:** Notice of Receipt or Transfer of Tagged/Tracked Asset(s) Form, Equipment Inspection/Reinspection (Part A) Form, and Tagged/Tracked Equipment Audit (Part B) Form

**18.00.080**     **ORDERING OF SUPPLIES AND EQUIPMENT (CALEA 1.2.1, 17.3.1, 17.5.2, 41.3.4)**

**I. POLICY**

**A. Requests for Supply Purchases**

1. All requests for purchases of supplies and equipment shall be approved by a commander and shall be in compliance with the purchasing authorities and practices contained in the *Budget and Fiscal Services Standard Operating Procedures*.
2. Unauthorized employees shall not order supplies in the name of the Washington State Patrol.
3. No employee shall purchase or request equipment through the department for personal use.

**Applies to:** All WSP Employees

**See Also:** *Budget and Fiscal Services Standard Operating Procedures*

**18.00.090**     **EQUIPMENT REPLACEMENT (CALEA 1.2.1, 17.5.2, 41.3.2, 41.3.4)**

**I. POLICY**

**A. Requesting Equipment Replacement or Repair**

1. Requests for replacement or repair of existing equipment shall be directed to the immediate supervisor.
2. State-tagged or serialized tracked assets being returned to the Supply Section shall be accompanied by a Notice of Receipt or Transfer of Tagged/Tracked Asset(s) form, even if only a repair is requested. All other equipment items shall be accompanied by an Equipment Request/Return form (for uniforms, see **UNIFORM REPLACEMENT OR REPAIR**).

**B. Supervisor and Commander Approvals**

1. The supervisor shall inspect the item and, if approved, forward the item and form to the district/section commander or designee.

2. If the commander approves the request, the form shall be attached to the item to be replaced and both shall be sent to the Supply Section.

**Applies to:** All WSP Employees  
**See Also:** WSP Policy **Uniform Replacement or Repair**; Notice of Receipt or Transfer of Tagged/Tracked Asset(s) Form; Equipment Request/Return Form

**18.00.100** **USE OF SPECIALIZED EQUIPMENT (CALEA 1.2.1, 17.5.2, 17.5.3, 22.2.5, 41.3.4)**

**I. POLICY**

**A. Training Needed for Specialized Equipment Use**

1. Specialized equipment shall be used only by those employees who have received specific training in its operation.
2. Specialized equipment, whether stored or in use, shall be maintained in a state of readiness by the person or unit in charge of the equipment.

**Applies to:** All WSP Employees  
**See Also:** --

**18.00.110** **DEPARTMENTAL PHOTOGRAPHIC EQUIPMENT (CALEA 1.2.1, 22.2.5, 41.3.4, 83.2.2, 83.2.4)**

**I. POLICY**

**A. Use of Departmental Cameras and Equipment**

1. Departmental cameras are for official business/use only. Photographic training will be provided by the department or other qualified persons. Persons not familiar with the equipment shall not attempt to use it.
2. Alterations and/or modifications of photographic equipment are prohibited.
3. Camera equipment, when not in use, shall be carried in the passenger area of the patrol vehicle due to its sensitivity to moisture. Camera equipment may be stored in the trunk of a patrol vehicle when an approved or department-issued, waterproof carrying case is used.
4. Departmental cameras may be used when approved by a district/section commander for training purposes. Custodians of photographic equipment are encouraged to become familiar and proficient in its use.

**B. Field Operations Bureau**

1. Departmental cameras and equipment issued for collision investigations in the Field Operations Bureau shall be issued to detachments that have a collision specialist. The camera shall be assigned to and carried by a collision specialist employee only.

Retention of camera equipment will be limited to those collision specialist employees either on duty or on call. The cameras shall be utilized where there is a need to record evidence or damage for preservation (fatality collisions, vehicular assaults, vandalism, or collisions involving department vehicles or equipment, unusual circumstances, etc.).

2. Cameras and equipment assigned to all other operations will be retained by their custodians and used as necessary within the section assigned.

### **C. Digital Image Processing**

1. Digital images may be processed by a local processor.

### **D. Camera Replacement**

1. Replacement cameras need to be ordered through Supply using a request form complete with authorized signatures.

**Applies to:** All WSP Employees

**See Also:** --

## **18.00.120     ALTERATIONS TO DEPARTMENTAL COMMUNICATIONS EQUIPMENT (CALEA 1.2.1, 41.3.4)**

### **I. POLICY**

#### **A. Adjustments, Alterations, and Repairs to Communications Equipment**

1. Communications equipment installed in the department's Communication Centers and automobiles is both expensive and highly technical in nature. For these reasons, only qualified Electronic Services Division employees will make adjustments, alterations, or repairs to this equipment.
2. Unauthorized employees shall not repair, adjust, modify, disable, or interrupt the operation of any communications equipment.

#### **B. Exceptions**

1. Exceptions to this policy are when:
  - a. At the direction of qualified technical employees or higher authority.
  - b. For justifiable reasons such as a potentially hazardous condition, damage to the equipment, or damage to a facility.

**Applies to:** All WSP Employees

**See Also:** --

**18.00.130 INSPECTIONS (CALEA 1.2.1, 17.5.3, 41.3.2, 41.3.4, 53.1.1, 53.2.1)****I. POLICY****A. Purpose**

1. Equipment provided to Washington State Patrol officers shall be properly accounted for, maintained, and fully functional at all times. The equipment inspection process is designed to ensure that employees and their equipment represent the highest standard of professionalism at all times.

**B. Inspection of Equipment**

1. Uniformed officers and the equipment issued to them, as well as other vehicles owned/operated by the department (including pool vehicles), shall be inspected annually by October 31 by a supervisor (except the Academy track cars). The Equipment Inspection/Reinspection (Part A) form and Tagged/Tracked Equipment Audit (Part B) form shall be used to record the inspection.
2. Violations of equipment policies found during the inspections shall be documented on the Equipment Inspection/Reinspection (Part A) form. Supervisors shall ensure that deficiencies are corrected. Reinspection of deficiencies that could not be corrected at the time of the original inspection shall be made within seven days. Inspection results shall be reflected in the appropriate job performance evaluation.
3. The supervisor shall place the original of the completed Equipment Inspection/Reinspection (Part A) form in the subordinate's supervisory file.
4. The supervisor shall place a copy of the completed Tagged/Tracked Equipment Audit (Part B) form in the subordinate's supervisory file and forward the original to the Supply Section Asset Inventory Control Officer.
5. This policy does not prevent supervisors and/or command officers from conducting periodic inspections of any officer under their command.

**C. Formal Inspection – Officers**

1. Formal inspections may be conducted:
  - a. During in-service training.
  - b. Annually, as directed by the Chief or designee.
  - c. Periodically, at the discretion of the district commander.
2. Formal inspections of officers assigned to the Field or Investigative Services Bureaus shall be scheduled as the need arises.

**D. Accountability**

1. Supervisors will physically verify/confirm that all equipment is properly accounted for, maintained, and fully functional at all times. Supervisors will physically verify/confirm all serial/tag numbers when filling out the Tagged/Tracked Equipment Audit (Part B) form. Supervisors shall conduct all inspections and reinspections themselves; this responsibility shall not be delegated.

**Applies to:**

WSP Officers

**See Also:**Equipment Inspection/Reinspection (Part A) Form and  
Tagged/Tracked Equipment Audit (Part B) Form**18.00.140    SNOWCAT (CALEA 1.2.1, 41.3.4)****I. POLICY****A. Description of Snowcat**

1. The Snowcat is a slow, heavy, tracked vehicle designed to operate in deep snow. Snowcats can be used during a snowstorm for emergency transport.

**B. Request to Use Snowcat**

1. There are three Snowcats assigned to the Electronic Services Division (ESD). They are located in Bellevue, Yakima, and Wenatchee.
2. Requests to use one of the Snowcats for other than accessing communication towers shall be submitted through the chain of command to the appropriate district commander. The district commander shall contact the ESD Commander prior to granting approval.
3. The following information should be included in the request:
  - a. Purpose
  - b. Urgency
  - c. Location Snowcat will be used
  - d. Other alternatives explored
  - e. Time period the Snowcat will be needed
4. When approved, the Snowcat and operator(s) will be assigned to the appropriate district commander. The commander will assume responsibility for the work hours of the Snowcat and operator(s). If another agency requests the use of the Snowcat, the department will maintain control of the machinery.
5. The Snowcat operator shall be properly trained in the machine's operation and avalanche aversion/recognition. A minimum of two people are required for Snowcat deployment. All persons in the Snowcat are required to wear avalanche beacons while traveling in the Snowcat.

**Applies to:**

All WSP Employees

**See Also:**

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**18.00.150 MOBILE/IN-CAR VIDEO SYSTEM (CALEA 1.2.1, 41.3.4, 41.3.8, 83.2.2)**[Click here to view General Order 15-001A](#)**I. DEFINITIONS**

- A. Digital Video File:** The file that contains the audio and visual recording from a digital camera.
- B. Docking Station or Cradle:** The device used to upload digital video files from the removable hard drive to the Video Management System.
- C. In-Car Video System:** The system comprised of a video camera, sound system, media to record the incident, and all related equipment that may include a VHS or digital camera.
- D. Public Disclosure Coordinator (Division/District Designee):** An employee responsible for the proper dissemination of audio/video materials in accordance with policy and the department's retention schedule (see *Public Disclosure Manual*).
- E. Removable Hard Drive:** Equipment that stores digital audio and visual recordings from digital video cameras, which are uploaded from the hard drive to the Video Management System.
- F. Video Coordinator:** An employee responsible for uploading digital video files from the removable hard drive to the Video Management System. Video coordinators are also responsible to maintain the chain of custody of removable hard drives and preserve digital video files in accordance with the department's retention schedule.
- G. Video Management System:** The application used by the video coordinator or division/district designee to manage digital video files.

**II. PURPOSE**

- A.** The purpose of the mobile in-car video system is to enhance safety and provide agency transparency and documentary evidence. Officers assigned an in-car video system shall comply with RCW 9.73 and adhere to the operational objectives/ protocols outlined herein to maximize the effectiveness and utility of the equipment, ensuring the integrity of evidence and related video documentation.

**III. POLICY****A. Division/District Command Responsibilities**

- 1.** Division/district commanders are responsible for the in-car video systems under their command. District commanders shall designate a video coordinator to maintain accountability for VHS tapes, removable hard drives, digital video files, and any other equipment or records associated with in-car video systems. The lieutenant in the designated video coordinator's chain of command shall oversee the tracking system.

2. Evidence officers shall not be the designated video coordinator.
3. Division/district procedures shall comply with this policy, retention laws, RCW 9.73.090, and RCW 9.73.080(1)(c).
4. It shall be the district commander or designee's responsibility to inform and work with the appropriate prosecutor concerning this policy upon deployment of an in-car video system. All personnel working in the respective jurisdiction(s) shall follow the procedures established as a result of the discussions with the prosecutor.

## **B. Supervisory Responsibilities**

1. Supervisors shall ensure officers with in-car video systems and their sergeants are trained to use the equipment. Proper training includes, but is not limited to, reading of the operator's manual, RCW 9.73, and applicable departmental policies and procedures. Reports of Training shall be completed, approved through the chain of command, and entered into E-Train.
2. **Handling of VHS Tapes** - Detachment sergeants who supervise officers with a mobile/in-car video system equipped with VHS equipment shall maintain a sufficient supply of pre-numbered tapes. The sergeant shall contact the division/district Public Disclosure Coordinator or his/her lieutenant to obtain tapes, sign a check out sheet, and store the tapes at the local office. Tapes that have recorded incidents shall not be altered or deleted by anyone, as a chain-of-custody must be maintained. Tapes that have recorded incidents shall be returned to the Public Disclosure Coordinator or designee within a reasonable time, no longer than two weeks, as established by the division/district commander.

## **3. Handling Removable Hard Drives**

- a. Chain-of-custody must be maintained while handling removable hard drives. Officers with Premier Mobile Data Computer (PMDC) shall create a CAD incident titled "Hard Drive Deposit" to include the date, time, location, and hard drive number when a hard drive is deposited in a designated, secured drop box. Officers without PMDC shall notify Communications to create a CAD incident with the same information. Communications shall record the deposit of the hard drive. Hard drives with recorded data must be turned in at Time and Activity Report (TAR) closing or prior to any extended leave (in excess of seven calendar days). The property and evidence custodian shall transport the hard drive to the video coordinator, who shall record the date and time the hard drive was received. The video coordinator will upload the digital video files from the digital hard drive to the Video Management System. In critical circumstances, supervisors may transport hard drives, subject to division/district command approval.

- b. Until the video coordinator uploads the digital video files from the digital hard drive to the Video Management System, no one shall open or view the digital video files, except the video coordinator, officers who need to view their own incidents, sergeants, or command staff. If the aforementioned employees need to review the digital video files to complete a report before uploading, they shall document the file name of the video on their report.
4. All recordings are for official use only. Recordings shall not be altered, deleted, or copied by officers or sergeants without prior command approval. Recordings are automatically purged from the system as defined by the designated retention schedule. Any recordings where hold notices have been placed shall only be purged with approval and at the direction of the Risk Management Division (RMD).
5. Supervisors are to ensure officers care for and use the in-car video system equipment properly. Supervisors shall also ensure:
  - a. Officers follow established policies and procedures for the use and maintenance of the in-car video system equipment, handling of recordings, and the completion of all necessary documentation.
  - b. In-car video system equipment is inspected as part of the department's annual equipment inspection policy (see **INSPECTIONS**).
  - c. Equipment is adequately safeguarded to prevent it from being misplaced or misappropriated.
  - d. Viewing cradles are not attached to a personal device, removed from any department facility, or used for any purpose other than conducting agency business.
6. The department may review in-car video recordings at any time. To assess officer performance and compliance with policy, supervisors shall review a minimum of ten recorded violator contacts every six months, noting in the officer's supervisory desk file that the reviews were completed. One of these six-month reviews can be in conjunction with the scheduled 80-hour work audit. While recordings may be used in investigations alleging officer misconduct, it is not the intent of the department to use them to initiate disciplinary action in instances of minor violations of policy or procedure. Recordings are regarded as training tools that provide the opportunity for ongoing constructive interaction.
7. Supervisors notified of needed repairs and/or replacements of damaged or nonfunctional equipment shall ensure the work or replacement order is submitted and performed in a timely manner. Repairs may be handled by the Information Technology Division

(ITD) or contracted to an outside vendor. All such vendor contracts will be managed by ITD.

### **C. Officer Responsibilities**

1. Officers shall complete required training before operating the in-car video system equipment.
2. At the beginning of shift, officers shall ensure that the in-car video system equipment is working properly including, but not limited to, confirming that the equipment displays the accurate date and time. Officers shall activate the camera, test the audio, and play it back to verify proper operation of the equipment. Officers shall note the daily camera check on their TAR (pre/post checks). For VHS tapes, the date, time, and tape counter shall be operational on the tape. For digital recordings, the date and time will be displayed on the recording. When any vehicle service is performed that may disrupt automotive electrical power, the video system shall be inspected and, if necessary, the date and clock reset.
3. If any in-car video system component malfunctions or fails, the system shall not be used. Officers shall document the problem on their TAR, in the "Comments" section, immediately notify their supervisor, Communications, and the video coordinator, and then initiate an ITD work order by the end of their work shift to begin the process of repairing the system malfunction and/or failure.
4. The video camera shall be adjusted to properly record all contacts. Officers shall select the appropriate contact type when completing the required video data entry, for record retention purposes.
5. Officers wearing a sound recording device that records during video recording by the in-car video system shall be in department-issued uniform while using the sound recording device and shall ensure compliance with RCW 9.73.

### **6. VHS System**

- a. Only department-issued "VT" VHS tapes shall be used and only for business purposes; no other non-department VHS tapes shall be placed into or viewed through the department's issued video equipment.
  - (1) Officers shall have enough VHS tapes on hand to complete their shift. The slowest recording speed shall be used on VHS tape systems.
  - (2) The VHS tape number shall be documented on the officer's daily TAR.

- (3) A VHS tape number shall be used only once and not recycled.
- (4) Each month, the video camera custodian shall clean the tape heads of the machine by using a tape head cleaner.
- (5) VHS tapes are weather-sensitive and should not be left in the patrol vehicle for extended periods of time during extreme temperatures. If the ejection button on the video machine is pushed and/or the tape is ejected for any reason, the tape must be removed, submitted to the video coordinator for storage, and a new tape inserted.

## 7. Digital Systems

- a. Hard drives will be rotated at TAR closing or prior to any extended leave (in excess of seven calendar days) to ensure the drive does not reach recording capacity during a shift and to obtain regular software updates to the camera system.
  - (1) The removable hard drive serial number shall be documented on the officer's daily TAR in the "Comments" section.
  - (2) An assigned hard drive is officer-specific. If an officer will be away from the vehicle for longer than his/her regular days off, or if there is a possibility that another officer may use that vehicle, the hard drive shall be removed and turned in to the designated video coordinator pursuant to this policy and the division/district procedure. Officers using another officer's vehicle in which the hard drive is present shall log in **only with their user-specific login credentials**.
- 8. Officers shall digitally record all contacts, pursuits, emergency responses, and when approaching scenes of a criminal nature, and may digitally record the approach to collision scenes. If working stationary traffic control and proactive enforcement becomes necessary, the officer shall immediately activate the equipment and record the incident. Once activated, the recording will continue until the contact in question has been completed. Officers may supplement the video recording with an audio description of the event and describe any external factors that may not have been recorded (e.g., prior observations, road conditions, etc.).
  - a. The presence of other officers with in-car video system equipment shall not negate the requirement for all officers to make incident recordings as required by this policy.
- 9. In-car video system equipment shall be activated prior to any enforcement contact. During initial contact, except under exigent

circumstances, officers shall advise the subject(s) present that an audio and video recording is being made. This advisement shall be recorded on the sound recording corresponding to the video recording. The sound recording shall be simultaneous with the video camera and the recording shall not be turned off during the recording of an event. Once the event has been recorded, the officer may turn off the audio recording and place the in-car system back into the "pre-event" mode. Assisting officers shall notify both the other officer and the subject(s) that they are being audio and video recorded. It is the responsibility of the primary officer to ensure all video recordings of a contact are categorized properly. Audio and video recording shall be stopped as necessary to protect attorney-client privilege communications between suspects and their attorneys. Officers shall not use the in-car video system equipment to make audio only recordings of suspects under any circumstances.

10. Officers shall note enforcement contacts recorded on the in-car video system in the "Comments" section on the back of the TAR, in line with that particular contact entry. Include the suspect's name or ticket number and the tape counter stop number. For VHS tape systems, the tape counter start number for the day shall be entered in the block where "Comments" are written on the back of the TAR.
11. When a Notice of Infraction or Notice of Criminal Citation (NOI/NOCC) is written or an arrest is made, the officer shall indicate on the back of the court copy of the ticket or in the arrest report that the contact was recorded.
12. Officers interviewing in-custody suspects while recording shall comply with Miranda requirements. The Tape Recorded Defendant/Witness Statement shall be read to all suspects. The Witness section of the form shall be read to all individuals who are not suspects.
13. VHS tapes and digital video recordings are considered records and should not be entered into evidence unless it becomes necessary as an actual part of the case. Any recording entered into the property and evidence system or an investigative case file shall be recorded on the TAR. If it is believed that a recorded contact could potentially result in either an administrative and/or criminal investigation against an employee(s) or litigation against the state of Washington, the video coordinator should be advised to place a hold on the video, specifying the reason for the hold. The video coordinator shall document the hold request and maintain the hold until officially notified by command-level personnel, after consultations with RMD. The video coordinator shall immediately notify the appropriate chain of command of the hold and the reason for the hold request.

14. Officers shall not make copies of recordings for personal use. If a recording has training or public educational value, the officer shall advise the designated video coordinator, who shall present the information to the division/district commander for consideration as training material before being forwarded to the commander of the Training Division. If approved, the recording may not be used for commercial purposes and shall not be duplicated and made available to the public, including training outside of the department, until the final disposition of any criminal or civil litigation that arises from the event(s) that was recorded.
15. Viewing cradles shall not be removed from any department facility, and all physical copies of videos shall be provided by the designated video coordinator following proper protocol.
16. All video and audio equipment is the property of the department and shall be used solely for official department business.

#### D. Division/District Designee Responsibilities

1. The Public Disclosure Coordinator shall be responsible for issuing and tracking VHS tapes. The video coordinator shall be responsible for issuing and tracking removable hard drives and digital video recordings (see **Supervisory Responsibilities** and the *Public Disclosure Manual*).
2. Each VHS tape shall be sequentially numbered, beginning with the prefix "VT." The number shall consist of the year, division/district number, and sequential number (e.g., VT13-03-0001). A VHS tape number shall be used once and not recycled. Removable hard drives will be tracked by the serial number on the outside of the hard drive, and once they are assigned to an officer, they become officer-specific.
3. Recorded VHS tapes shall be stored in a locked container/room. Only the video coordinator and/or Public Disclosure Coordinator and his/her lieutenant shall have access to the container/room.
4. All recorded VHS tapes shall be retained based on the agency retention policy (see **RECORDS RETENTION**). A damaged tape shall be erased and destroyed when the retention period has passed. The tape's destruction date shall be documented. There must be a record of the disposition of each sequentially numbered video tape for auditing purposes.
5. All digital recordings of non-criminal activity will be retained for 130 days. On the 131st day, the recording will automatically be deleted within the Video Management System, unless a hold has been placed on the recording. If any criminal, civil, or administrative cases that contain digital recordings are stored on a department server, the recordings shall be held per the department's

established retention schedule. At the end of the retention period, those cases will be automatically deleted from the Video Management System, unless a hold has been placed on the recording.

6. In the event of a litigation hold notice, it is the responsibility of the involved employee, their supervisor, and/or the video coordinator to ensure that digital recordings and VHS tapes are preserved and retained pending retrieval by a tort investigator (see **ATTORNEY GENERAL'S RECORDS HOLD NOTICE REQUIREMENTS**).
7. All copies made of any recorded incidents are considered department property and shall be tracked for accountability by the designated video coordinator for the appropriate division/district. Copies shall be labeled as such and include the date copied and incident file name.

#### **E. Administrative Retention**

1. In the event that a recording holds information pertinent to an allegation of misconduct, the Office of Professional Standards (OPS) commander or their designee may order a copy of the recording, and that the recording be held indefinitely. OPS shall notify the appropriate division/district commander and video coordinator when the administrative hold has been lifted for the recording.

#### **F. Discovery (Criminal)**

1. A defendant and/or their attorney of record may be allowed to view video of an incident in question by submitting a request directly to the Public Disclosure Coordinator. Viewings shall be done by appointment, during agency business hours, at a department office, and with a designated agency representative present. The prosecutor's office may choose to handle the viewing; however, they must request a copy of the video of the incident by completing a Video Requests - Discovery form and submitting the request directly to the appropriate video coordinator.
  - a. In order to obtain a copy of a video of an incident, the defense attorney of record and/or the defendant must submit a written request to the Public Disclosure Coordinator.
2. Any formal written requests received requesting a copy of a video for discovery must officially state that the request is necessary for discovery/litigation purposes.

#### **G. Discovery (Civil)**

1. In cases where the prosecutor is not directly involved, the plaintiff, defendant, and/or their attorneys of record shall submit a written



request to the appropriate Public Disclosure Coordinator stating the video is necessary for discovery/litigation purposes.

#### H. Public Disclosure

1. Requests for disclosure of VHS tapes or digital video recordings shall follow department policies and procedures and RCW 9.73.090, which states in part: "No sound or video recording made under this subsection (1)(c) may be duplicated and made available to the public by a law enforcement agency subject to this section until final disposition of any criminal or civil litigation which arises from the incident or incidents which were recorded. Such sound recordings shall not be divulged or used by any law enforcement agency for any commercial purpose" (e.g., media and/or television requests).
2. Any requests for copies of VHS tapes or digital video recordings shall be in writing. The incident time, date, and case or NOI/NOCC number should be included in the request. If releasable, only the portion of the recording related to the request shall be duplicated by the video coordinator and two copies forwarded to the Public Disclosure Coordinator. The actual cost of the copying shall be the responsibility of the requester and will be billed at the time of delivery, and any redactions to videos shall be notated in accordance with public disclosure policies and procedures.

**Applies to:**

**See Also:**

All WSP Officers, Risk Management Division  
RCW 9.73.080(1)(c); 9.73.090; WSP Policies **Attorney General's Records Hold Notice Requirements, Records Retention, Electronic Records Storage, Employee Access to Electronic Information, Public Records Requests, Inspections**; *Public Disclosure Manual*; Report of Training; Tape Recorded Defendant/Witness Statement; Report of Investigation; Video Requests – Discovery, Request for Public Records

### **18.00.160 AUTOMATED LICENSE PLATE READERS (ALPR)**

#### **I. POLICY**

##### **A. ALPR Requests**

1. All requests to purchase or use ALPR technology shall be approved by the Chief.
2. Divisions/districts desiring to use ALPR technology shall submit an IOC request providing justification and explaining how it will be used. The request shall include a proposed division/district-specific procedure that complies with the minimum standards of this policy.

**B. ALPR Procedures**

1. Each division/district using ALPR shall designate a system administrator with responsibilities that include, but are not limited to the following:
  - a. Oversee and administer the ALPR program, including the storage and management of ALPR data.
  - b. Ensure all operators are trained and approved to operate the ALPR system prior to the system's usage.
  - c. Ensure all training is documented.
  - d. Ensure ongoing training is provided as needed.
  - e. Control access and use of ALPR data according to established guidelines.
2. Prior to taking any action, ALPR hits shall be verified, including a check to ensure the plate was read correctly by the system.
3. Personnel are prohibited from using the ALPR system until properly trained in its use, including operational protocols.
4. Prior to running any ALPR data through the National Crime Information Center (NCIC) or the Washington Crime Information Center (WACIC), operators shall be ACCESS Level 1 certified.
5. ALPR operation and access to ALPR collected data shall be for official agency purposes only.
6. ALPR operators shall meet Washington State Patrol employee criteria, including polygraph, fingerprints, and background check.
7. No officer shall use, or authorize the use of, the equipment or database records for any non-approved reason.

**C. Data Collection and Retention**

1. Only trained and approved personnel may access ALPR data.
2. All mobile ALPR data recorded should be downloaded daily, but no later than the officer's next scheduled duty day, or maximum of 72 hours, with supervisor approval.
3. Once the data is transferred, it shall be purged immediately, or as soon as practicable, from the mobile ALPR/laptop.
4. All ALPR data downloaded to the server will be stored no longer than 60 days prior to purging, unless it has become (or it is reasonable to believe that it will become) evidence in a specific criminal or civil action. In those circumstances, the applicable data shall be downloaded to a compact disk (CD) or other portable storage device and provided to the case officer. It shall be subject to the same logging, handling, and chain of custody requirements

as other evidence. Data given to the License Investigation Unit (LIU) databases will no longer be considered ALPR data and will be retained or utilized per the LIU section procedures.

5. All requests for access to stored ALPR data shall be logged and a written request explaining the purpose for the data shall be provided. This information will be maintained in the same manner as criminal history logs.
6. Officers approved to access ALPR data under these guidelines are permitted to access the data when there is an articulable suspicion that the data relates to an investigation in a specific criminal or civil action.
7. Except as otherwise provided by law, all electronic images or data gathered by ALPR is for the exclusive use of law enforcement in the discharge of duties and are not to be made open to the public. Nothing in this policy should be interpreted to limit the use of the electronic images or data for legitimate purposes by prosecutors or others legally permitted to receive evidence under the law.

**Applies to:** WSP Officers

**See Also:** --

## Chapter 19

### TRAFFIC RESPONSIBILITIES

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#### ► SECTION 00: TRAFFIC ◀

#### **19.00.010**     **TRAFFIC RESPONSIBILITIES** (CALEA 1.2.6, 61.1.2, 61.1.5, 61.1.6, 61.1.8, 61.2.2, 61.3.2)

##### **I. POLICY**

###### **A. Movement of People and Vehicles**

1. Life throughout this state is heavily dependent upon the free movement of people and vehicles. The department has a major share of the responsibility for achieving and maintaining that degree of order necessary to make this free movement possible. Implicit in the objective of facilitating the movement of people is a concern for their safety.
2. The department must enforce traffic laws, investigate traffic collisions, and direct traffic to facilitate the safe and expeditious movement of vehicles and pedestrians. To obtain compliance with traffic laws and to develop driver awareness of the causes of traffic collisions, the department appropriately warns, issues infraction notices, cites, or arrests traffic violators.
3. Once a violator is identified, the officer's function is to initiate appropriate enforcement action. Appropriate action is the minimum degree of enforcement necessary consistent with the traffic mission of the department.
4. In cases where the officer is the "victim" of a violation, appropriate action would normally be a warning.

**Applies to:**            WSP Officers

**See Also:**             --

#### **19.00.020**     **TOUR OF DUTY** (CALEA 61.1.6)

##### **I. POLICY**

###### **A. Officers Assigned to Traffic Duty**

1. Officers assigned to traffic duty shall be on duty at least eight hours per working day, depending on their shift schedule.
2. Officers assigned to traffic duty shall be permitted two 15-minute rest breaks per routine shift of duty, in addition to the half-hour for meals. Rest breaks shall not be taken during peak traffic periods, during times of emergency, or at any other times prohibited by the supervisor.

3. No more than two officers shall be present at the same coffee stop at one time, except when assigned to special details and having the approval of a supervisor. This shall not preclude supervisory or command officers from contacting them.
4. Officers shall not take their rest breaks at the precise same time each day in those areas where a pattern might be established that would be evident to the motoring public.
5. Officers shall vary the locations of coffee stops within their assigned area, and shall display a willingness to be of assistance to the public.
6. The time and location of the lunch period and the rest periods may be designated by the supervisor.
7. The patrol vehicle shall be properly parked and, when possible, shall be backed for safe and easy departure in cases of emergency. No attempt shall be made to hide the vehicle.
8. Officers shall advise Communications of their location when taking lunch and rest periods. They shall be available in their assigned duty area for calls by radio or telephone.
9. Officers shall be in their assigned areas by the time their tour of duty commences and shall remain in their assigned areas or districts while on duty, unless they are in pursuit of a suspect, dispatched elsewhere by Communications, directed to leave by a superior officer, given permission to leave by their supervisor, or in case of an emergency.
10. Officers shall include their location when advising Communications "out of service."

**Applies to:** WSP Officers

**See Also:** --

#### **19.00.030 VIOLATOR CONTACT (CALEA 1.2.6, 61.1.5, 61.1.8)**

### **I. POLICY**

#### **A. Contact With a Traffic Violator**

1. Traffic law enforcement is one of many routine tasks performed by officers, but for violators it frequently is an emotionally traumatic experience. In many cases, this is the only contact a person has with the department.
2. Officers should be aware of these conditions and strive to make each contact educational, leaving the violator with the impression that the officer has performed a necessary task in a professional and friendly manner.

**Applies to:** WSP Officers

**See Also:** --

**► SECTION 01: WARNINGS ◄****19.01.010    VERBAL WARNINGS (CALEA 1.2.6, 61.1.2, 61.1.5)****I.    POLICY****A.    Use of Verbal Warnings**

1. Verbal warnings may be used to gain compliance in cases of minor infractions or violations.

**Applies to:**            WSP Officers

**See Also:**             --

**19.01.020    WRITTEN WARNINGS – CORRECTION NOTICE (CALEA 1.2.6, 61.1.2, 61.1.5)****I.    POLICY****A.    Use of Written Warnings**

1. Written warnings may be used as a means of gaining compliance.

**II.   PROCEDURES****A.    Issuing a Correction Notice**

1. When a Correction Notice is written for moving violations, the first copy is presented to the violator; when a Correction Notice is written for compliance, the second, or post card copy, is issued. The officer shall retain the appropriate copy for the file. When a compliance notice post card is issued, the officer shall advise the violator that non-compliance may result in a ticket being issued for the violation.
2. The officer's detachment office address shall be stamped on the postage side of the post card. The violator shall be instructed to mail the post card in order to comply with the violation. If the compliance of the Correction Notice is made at an office other than the issuing officer's duty station, the Correction Notice shall be forwarded to the issuing officer.
3. If there is no compliance, an infraction or citation may be issued ten days after the notice was due, using normal court procedures. This will be recorded on the Daily Work Report as a follow-up arrest. Should there be any question whatsoever concerning compliance, the officer should use discretion in issuing any infraction/citation.

**Applies to:**            WSP Officers

**See Also:**             --

## ► SECTION 02: INFRACTION/CITATION ◀

**19.02.010 NOTICE OF INFRACTION (NOI) – ISSUING (CALEA 1.2.6, 61.1.2, 61.1.4, 61.1.5, 82.2.2, 82.2.4)****I. POLICY****A. Use of Notice of Infraction**

1. The NOI shall be used for traffic and non-traffic infractions. A maximum of three infractions may be entered on the NOI. Traffic and non-traffic infractions or criminal violations shall not be combined on the same form.
2. When issuing an NOI, the monetary penalty shall be indicated in the penalty/bail space provided on the form. If questioned, officers shall emphasize that bail or monetary penalties are set by the court, and no one else has any jurisdiction regarding the amount. Officers shall refer all inquiries regarding the amount of bail or monetary penalty to the appropriate court. Officers and/or other employees shall not accept bail from any violator.
3. All issued NOIs shall be complete and legible. The Law Enforcement Agency (LEA) copy of each NOI shall be given to the officer's immediate supervisor. After review, the supervisor shall forward this LEA copy to the district commander. If legibility or completeness problems are apparent, the supervisor shall take steps to improve officer performance in filling out the NOI.
4. Officers shall not ask for Social Security numbers when filling out NOIs unless the driver is operating a commercial motor vehicle and possesses a commercial driver's license.
5. If more than one officer's signature is required, the officer responsible for the book shall sign above any other signature that appears on the notice.

**Applies to:** WSP Officers  
**See Also:** --

**19.02.020 NOTICE OF CRIMINAL CITATION (NOCC) – ISSUING (CALEA 1.2.6, 61.1.2, 61.1.4, 61.1.5, 82.2.2, 82.2.4)****I. POLICY****A. Use of Notice of Criminal Citation**

1. The NOCC shall be used for misdemeanors. A maximum of two charges may be entered on the NOCC. Criminal violations and traffic infractions shall not be combined on the same form.
2. If the court of jurisdiction has provided a bail schedule, officers shall indicate the bail in the penalty/bail space when issuing a misdemeanor citation. If there is no bail schedule, the amount of bail shall not be noted on the citation or given verbally. In these cases, officers shall refer persons to the appropriate court. If the violation requires a mandatory court appearance, officers shall

enter a check mark in the box next to "Mandatory." Officers and/or other employees shall not accept bail from any violator. The requirements for legibility and completeness of the NOCC and for the distribution of the NOCC Law Enforcement Agency (LEA) copy shall be the same as for the NOI.

**Applies to:** WSP Officers  
**See Also:** --

**19.02.030** **DISTRIBUTION OF NOTICE OF INFRACTION (NOI) AND NOTICE OF CRIMINAL CITATION (NOCC) (CALEA 82.2.4, 82.3.4)**

**I. POLICY**

**A. NOI Distribution**

1. The original and first copy are delivered or transmitted to the court having jurisdiction within five business days of issuance (non-judicial days excluded).
2. The second copy is the violator's copy. The third copy (LEA) is attached to the required daily report for the supervisor to forward (see **NOI/NOCC - TRACKING**). The last copy is retained by the officer and is kept with the monthly activity file records. E-tickets are stored electronically in the Statewide Electronic Collision and Ticket Online Records (SECTOR) back office database. It is not necessary for officers using SECTOR to store printed copies of NOIs.

**B. NOCC Distribution**

1. The original and first copy are delivered or transmitted to the court having jurisdiction within 48 hours of issuance (non-judicial days excluded).
2. The second copy is the violator's copy. The third copy (LEA) is attached to the required daily report for the supervisor to forward (see **NOI/NOCC - TRACKING**). The last copy is retained by the officer and is kept with the monthly records. E-tickets are stored electronically in the SECTOR back office database. It is not necessary for officers using SECTOR to store printed copies of NOCCs.

**Applies to:** WSP Officers  
**See Also:** --

**19.02.040** **RACE REPORTING (CALEA 1.2.9)**

**I. POLICY**

**A. Race reporting in NOI/NOCC:**

1. White or Caucasian ..... W
2. Hispanic ..... H
3. Asian or Pacific Islander ..... A
4. Black or African American ..... B
5. American Indian or Alaskan Native ..... I
6. Unknown ..... U



**Applies to:** WSP Officers  
**See Also:** --

**19.02.050 VOIDING NOI/NOCCS/UNIFORM DRIVER – VEHICLE  
INSPECTION REPORTS (CALEA 82.3.4)**

**I. POLICY**

**A. Voiding an NOI/NOCC/UDVIR**

1. If an officer must void an NOI/NOCC/Uniform Driver-Vehicle Inspection Report (UDVIR), an IOC shall be submitted to the district through the officer's immediate supervisor, stating the number printed on the ticket/report, defendant's name, address, date, time, location of the incident, and the reason for voiding. "VOID" shall be written across all copies of the NOI/NOCC/UDVIR, and all copies shall be attached to the IOC. **NOTE:** If the defendant's copy of the NOI/NOCC/UDVIR has been issued and is not available for voiding, the officer will document this in the IOC. The supervisor shall forward the original IOC and voided copies to the district commander.
2. The district shall photocopy both the IOC and voided NOI/NOCC/UDVIR, sending the NOI/NOCC copies to the Field Operations Bureau (FOB) and the UDVIR copies to the Commercial Vehicle Division (CVD). The original IOC and the NOI/NOCC/UDVIR shall be retained in a voided ticket file by the district according to the retention schedule. The original NOI/NOCC/UDVIR shall be shredded at the district after one month of retention. A copy of the IOC shall be kept in the officer's supervisory file. Upon receipt of the information from the district, FOB/CVD shall enter the voided NOI/NOCC/UDVIR information and retain the IOC photocopy as required by the retention schedule.
3. Voided electronic NOIs/NOCCs are transmitted to the Statewide Electronic Collision and Ticket Online Records (SECTOR) back office database and are available to the supervisor for audit purposes. An IOC shall be submitted to the district through the officer's immediate supervisor, stating the electronic NOI/NOCC number, defendant's name and address, the date, time, location of the incident, and the reason for voiding. IOCs shall not be required for electronic NOIs/NOCCs voided during training sessions.
4. When circumstances warrant, a commander may request the prosecutor petition the court to dismiss an NOI/NOCC.

**Applies to:** Field Operations Bureau, Commercial Vehicle Division, WSP Officers  
**See Also:** --

**19.02.060 NOI/NOCC – BOOKING (CALEA 61.1.4, 61.1.5, 82.2.2)**

**I. POLICY**

**A. Bookings**

1. Bookings may be made when:

- a. The arresting officer has reasonable cause to believe the arrested person has committed a felony.
  - b. Arrest is authorized through "arrest without a warrant" and the seriousness of the violation, in combination with the incident, makes the officer believe the person will be a danger to self, property, or the community.
  - c. Traffic laws specifically provide.
2. Officers using Statewide Electronic Collision and Ticket Online Records (SECTOR) shall indicate electronically when the subject is booked.

**Applies to:** WSP Officers

**See Also:** --

**19.02.070    NOI/NOCC/UDVIR TRACKING (CALEA 82.3.4)**

**I. POLICY**

**A. Ordering NOIs/NOCCs/UDVIRs**

1. Ordering of Notice of Infractions (NOIs)/Notice of Criminal Citations (NOCCs)/Uniform Driver Vehicle Inspection Reports (UDVIRs) for the department is the responsibility of the Supply Section, in conjunction with the State Printer.

**B. Court Docket Register Spreadsheet**

1. The Court Docket Register Spreadsheet shall be completed by the Supply Section to account for all NOI/NOCC/UDVIR forms received from the printer.
2. Missing numbers (those skipped or omitted by the printer or damaged in shipping) shall be noted on the register.
3. The register shall indicate shipments of the notices to the divisions/districts.
4. The Court Docket Register shall be kept on file according to the retention schedule.
5. The Supply Section shall issue NOI/NOCC/UDVIR books by the case to the division/district offices only. **Supply shall not issue NOI/NOCC/UDVIR books directly to detachments.**
6. The Supply Section shall provide a packing slip that indicates the NOI/NOCC/UDVIR numbers in each case sent to a division/district.

**C. Division/District Control**

1. The division/district is responsible for the accuracy of files, inventory, tracking, use, and security of NOIs/NOCCs/UDVIRs. Divisions/districts shall order NOI/NOCC/UDVIR books by the case from the Supply Section. When a division/district receives a case

of NOI/NOCC/UDVIR books from Supply, the division/district shall verify the NOI/NOCC/UDVIR books received against the packing slip. The division/district shall keep the packing slip on file according to the retention schedule. If there is a discrepancy in the verification process, the division/district shall notify the Supply Section immediately. The NOI/NOCC/UDVIR books shall be kept locked and stored separately, with access limited to those with authority to issue the books. Locks or lock combinations allowing direct access to the NOI/NOCC/UDVIR books shall be changed when employees with access are relieved of the authority to issue books.

2. The NOI/NOCC/UDVIR books received by the division/district shall be entered on a Record of Arrest Ticket Log in numerical order before issuing to the detachments. A copy of the log shall accompany the NOIs/NOCCs/UDVIRs when issued to the detachments. The division/district shall retain a copy of the log according to the retention schedule.
3. As divisions/districts receive completed log sheets from detachments, they shall review them for accuracy and legibility. The log sheets shall be filed in numerical order, replacing the unsigned logs, and kept according to the retention schedule.
4. As divisions/districts receive NOI/NOCC (Law Enforcement Agency, or LEA) copies and book cover receipts from detachments, they shall enter them into the NOI/NOCC Citation Tracking System.
5. The number of NOI/NOCC/UDVIR books issued to detachments shall not exceed a three months' supply. **NOTE:** Detachments with limited usage may keep one case on hand. The division/district commander shall be responsible for the distribution, tracking, inventory levels at the district and detachments, and reporting of the appropriate information by use of the Citation Tracking System.
6. Divisions/districts may develop additional policies for distribution and tracking.

#### **D. Detachment Control**

1. The detachment supervisor shall maintain the Record of Arrest Ticket Log received from the district for NOI/NOCC/UDVIR books. Detachments shall keep NOI/NOCC/UDVIR books locked and stored separately, with access limited to those who have the authority to issue the books. Books shall be issued to officers in numerical order. Supervisors shall ensure that the Record of Arrest Ticket Log is filled out as the books are issued. Supervisors shall send completed logs to the division/district. A copy of the log shall be kept at the detachment. The detachment logs shall be retained sequentially and according to the agency retention schedule.
2. Only a division/district or detachment supervisor may issue an NOI/NOCC book to someone other than a department officer (i.e.,

prosecutor, court). Upon such issuance, an IOC shall be placed in the division/district file indicating the numbers of the NOIs/NOCCs issued. The book receipt cover shall indicate to whom the book was issued and be forwarded to the district.

#### **E. Officer Accountability**

1. Officers obtaining NOI/NOCC/UDVIR books shall check the book for correct numerical sequence. They shall sign the Record of Arrest Ticket Log with their name or badge number and date on the line appropriate for that particular book. Officers shall not check books out for other officers nor take more than a reasonable supply, as determined by the division/district commander. Officers shall fill out the book cover receipt with their signature, badge number, and date and forward it to their supervisor. Supervisors shall forward the book cover receipt to the division/district. A completed original UDVIR inspection form (white page) shall be delivered to the supervisor within five working days.
2. If an NOI/NOCC/UDVIR book is incomplete or has an incorrect numerical sequence, the book shall not be used. The book shall be returned to the division/district to be listed as voided NOIs/NOCCs in the tracking system. An IOC shall accompany the book, detailing the numerical sequence returned. The division/district shall retain the IOC and NOI/NOCC book cover or, for the UVDIR, forward a copy of the IOC and copy of the book cover to the Commercial Vehicle Enforcement Bureau (CVEB).
3. Officers leaving Washington State Patrol service shall return any partial or unused NOI/NOCC/UDVIR books to their supervisor with an IOC. The supervisor shall forward the book(s) to the division/district. The division/district shall retain the NOI/NOCC/UDVIR books for one month and the original IOC per the retention schedule. A copy of the UDVIR IOC shall be sent to CVEB. At the conclusion of one month, the NOI/NOCC/UDVIR shall be shredded by the division/district. Two persons shall be present during the destruction process. An IOC noting the two persons, date, and time of shredding shall be attached to the original IOCs of those forms shredded and be kept at the division/district per the retention schedule.
4. Officers may obtain up to 150 electronic tickets through the Statewide Electronic Collision and Ticket Online Records (SECTOR) back office database. SECTOR tracks each electronic ticket and accounts for each ticket issued, voided, and filed with the court.

#### **F. Division/District Responsibilities**

1. Divisions/districts shall review the Unlocated Citation Report and the Voided Citation Report for unusual or excessive entries and investigate.

2. Division/district commanders shall be the administrative and fiscal officers responsible for the purpose of tracking and auditing NOIs/NOCCs/UDVIRs (RCW 46.64.010).

#### **G. Field Operations Bureau Responsibilities**

1. District offices shall enter NOI/NOCC tracking information received into the Citation Tracking System. The program shall compare the information from the book cover receipts with the Law Enforcement Agency (LEA) copies of the completed NOIs/NOCCs received from the divisions/districts. Information received from the divisions/districts on a missing, voided, or non-issued NOI/NOCC shall also be entered. The information received shall be retained according to the retention schedule.
2. The Citation Tracking System shall provide reports to the divisions/districts to obtain information on missing NOI/NOCC numbers and to provide commanders with ticket tracking data.

#### **H. Commercial Vehicle Enforcement Bureau Control**

1. CVEB shall be responsible for tracking UD VIR information received from districts in a filing system numerically and by month. This UD VIR information can be verified through the SafetyNet data system to ensure accountability. Information received from the districts concerning missing, voided, or non-issued UD VIR information will also be filed with the originating documents.
2. Computerized inspection reports are tracked via a CVEB computer. In those cases where a UD VIR does not transmit (upload) to CVEB, a copy shall be mailed to CVEB for entry into the system.
3. The information received shall be retained according to the retention schedule.

#### **I. Infraction/Citation/UD VIR Tracking Reports**

1. Divisions/districts shall use the Washington State Patrol Citation Control Sheets to account for missing NOIs/NOCCs from issued books. CVEB shall do the same for UD VIRs. The division/district commander shall ensure the control sheets are logged as received, then immediately forwarded to the appropriate detachment supervisor to enable the officer to locate missing NOIs/NOCCs.
2. The detachment supervisor and officers receiving a control sheet shall make every attempt to locate the noted NOI/NOCC/UD VIR and record it on the sheet. If an NOI/NOCC/UD VIR cannot be located after checking all resources (worksheet, files), "Unable to Locate" shall be written on the control sheet.
3. Officers shall complete, sign, and return the control sheet to their supervisor within two weeks of receipt. The supervisor shall ensure that a thorough search was made for any NOI/NOCC/UD VIR listed as "Unable to Locate." The supervisor shall sign the register and immediately forward it to the division/district. The division/district shall audit for completeness,

retain a file copy according to the retention schedule, and retain the completed control sheet or send it to CVEB as appropriate. The division/district shall enter the new information in the tracking system.

**Applies to:** Field Operations Bureau, Supply Section, Commercial Vehicle Enforcement Bureau, Training Division, WSP Officers  
**See Also:** RCW 46.64.010; Notice of Infraction; Notice of Criminal Citation; Uniform Driver Vehicle Inspection Reports

### ► SECTION 03: ENFORCEMENT/COLLISION DATA ◀

#### **19.03.010** **ENFORCEMENT/COLLISION DATA SUMMARIES (CALEA 61.1.1, 61.3.1, 82.3.2, 82.3.3)**

##### **I. POLICY**

###### **A. Summaries on Enforcement**

1. Budget and Fiscal Services shall provide summaries on enforcement and collision data by highway type, district, detachment, officer, and type of collision or enforcement. These shall be available online through Washington State Patrol Central Reporting Services for those employees with appropriate access. These reports can be run for all data, based on date, from January 1, 2006, to current. The data shall be used to facilitate the selective traffic enforcement function planning activities.
2. It shall be the responsibility of the recipients to review and analyze summaries to ensure proper, useful, and timely data is being received. Suggestions for modifications to the reporting system or the summaries may be forwarded through the chain of command to the Time and Activity System coordinator at Budget and Fiscal Services.

**Applies to:** All WSP Employees  
**See Also:** --

### ► SECTION 04: ROADWAY CONDITIONS ◀

#### **19.04.010** **ROADWAY CONDITIONS FOUND DURING PATROL (CALEA 41.2.4, 61.3.1, 61.4.2, 82.3.3)**

##### **I. POLICY**

###### **A. Roadway Obstructions**

1. Officers shall be on the alert for defects, damage, or obstructions to any roadway, bridge, or traffic safety devices.
2. Officers observing such defects, damage, or obstruction shall advise Communications, and Communications shall notify the proper authority. Officers may be required to protect the area until the defect is repaired.

3. Officers receiving a citizen's complaint or suggestion concerning a traffic engineering problem should ascertain the person's name, address, and telephone number. The suggestion and any additional information the officer feels would help clarify the situation shall be forwarded to the proper agency through the district's chain of command. At the discretion of the district commander, a letter may be sent to the person making the suggestion, advising of the action taken by the department.

**Applies to:** WSP Officers

**See Also:** --

## ► SECTION 05: ESCORTING VEHICLES ◀

### 19.05.010 ESCORTING VEHICLES BY WSP OFFICERS (CALEA 41.2.1, 61.3.3, 61.4.1)

#### I. POLICY

##### A. Escorts for Other Vehicles

1. Officers shall not provide escorts for any vehicle in excess of stated speed limits. If the request for an escort is of an emergency medical nature, the officer shall first consider the use of an ambulance or medivac unit. If there is no alternative, the person may be placed in the patrol vehicle for emergency transportation.
2. Other requests for departmental escort services shall be authorized by the district commander (e.g., parades, hazardous materials, or unusually large cargo). If the requested escort involves crossing district boundaries, the commander shall request authorization from the Field Operations Bureau.

**Applies to:** WSP Officers

**See Also:** --

## ► SECTION 06: ROAD CLOSURES ◀

### 19.06.010 STATE HIGHWAY ROAD CLOSURES BY WSP OFFICERS (CALEA 41.2.4, 61.3.2, 82.3.3)

#### I. POLICY

##### A. Approval for Closure of a State Highway

1. When a situation develops which, in the opinion of an officer, necessitates the closure of a state highway, prior approval shall be obtained from the district commander.
2. If, in the opinion of an officer, a state highway is unsafe for travel and constitutes an immediate threat to public safety, the officer may take steps to ensure the road is physically closed to traffic. Communications shall be informed immediately of any road closure and reopening, and shall advise the district commander,

Department of Transportation (DOT), local authorities, and news media. An e-mail message shall immediately be sent to the Roadway Incident Group distribution list.

3. In the event a state road is closed by another agency, our officer shall proceed to the closure point to ensure that proper selection of the site was made and the road is properly barricaded.
4. If a state road has been closed, it shall be necessary to obtain DOT concurrence prior to reopening.
5. Officers may also prohibit the movement of over-legal vehicles or vehicles transporting radioactive or other hazardous materials cargo if weather, wind, or other conditions exist which pose a substantial risk to public safety. Communications shall be informed immediately of any road closure or reopening to over-legal vehicles or placarded transporters of radioactive or hazardous materials, and shall advise the district commander, Department of Transportation (DOT), local authorities, and news media. An e-mail message shall immediately be sent to the Roadway Incident Group distribution list.

**Applies to:** WSP Officers  
**See Also:** --

#### ► SECTION 07: TRAFFIC CONTROL ◀

##### **19.07.010** **SPECIAL EVENTS – TRAFFIC CONTROL** (CALEA 46.2.7, 61.1.6, 61.3.2)

#### **I. POLICY**

##### **A. Traffic Contingency Plan**

1. The district commander or designee shall ensure a department contingency plan is developed for traffic direction and control prior to departmental participation in special events within his area of responsibility.
2. Special events may include parades, sporting events, highway construction and maintenance activities, picketing, etc.

**Applies to:** District Commanders  
**See Also:** --

#### ► SECTION 08: WEIGH STATIONS ◀

##### **19.08.010** **WEIGH STATION CHECKS – VANDALISM**

#### **I. POLICY**

##### **A. Inspection of Weigh Stations**

1. To reduce acts of vandalism to weigh stations, WSP commercial vehicle enforcement officers shall ensure that all weigh stations



are inspected at least once during each week. Communications shall be notified that the scale is secure and shall log the date, time, and person checking the scale.

2. Employees shall advise Communications immediately upon discovery of vandalism or other damage for transmittal of information to the Property Management Division.
3. If possible, the scale dial shall be locked or the electronic weigh meter shall be turned off after an act of vandalism has occurred, and a sign shall be posted on the dial or weigh meter face stating: THIS SCALE WILL BE CLOSED INDEFINITELY.

**Applies to:** WSP Officers  
**See Also:** --

### ► SECTION 09: VEHICLE IMPOUNDS ◀

#### 19.09.010 IMPOUNDING VEHICLES (CALEA 61.1.11, 61.2.2, 61.4.2, 61.4.3)

##### I. DEFINITIONS

- A. **Commercial Vehicle** — Any vehicle the principal use of which is the transportation of commodities, merchandise, produce, freight, animals, or passengers for hire.
- B. **Discretion** — The freedom or authority to make decisions and choices; power to judge or act.
- C. **Farm Vehicle** — A motor vehicle owned by a farmer and that is being actively used in the transportation of the farmer's or another farmer's farm, orchard, aquatic farm or dairy products, including livestock and plant or animal wastes, from point of production to market or disposal, or supplies or commodities to be used on the farm, orchard, aquatic farm, or dairy, and that has a gross vehicle weight rating of 7,258 kilograms (16,001 pounds) or more.
- D. **Hazard** — Risk, peril, danger, jeopardy. A danger or risk lurking in a situation which by chance or fortuity could develop into an active agency of harm.
- E. **Highway** — The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
- F. **Place of Safety** — A place of security which provides freedom from injury, harm, danger, or damage. For the purposes of impounds, a place of safety includes the business location of a registered tow truck operator.
- G. **Public Safety** — The exercise of the state's police powers by enacting laws for the protection of the public from injury and dangers.
- H. **Registered Tow Truck Operator** — Any person who engages in the impounding, transporting, or storage of unauthorized vehicles or the disposal of abandoned vehicles and has complied with the requirements set forth in RCWs 46.55.020; .030; .040; .050; .060.

- I. **Right of Way** — The right established by common or statutory law which gives precedence to movement. When referring to stopping or standing on limited access facilities, it includes the shoulders of the facility.
- J. **Roadway** — The portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the sidewalk or shoulder even though such sidewalk or shoulder is used by persons riding bicycles. In the event a highway includes two or more separated roadways, the term "roadway" shall refer to any such roadway separately but shall not refer to all such roadways collectively.
- K. **Vehicle** — Every device capable of being moved upon a public highway and in, upon, or by which persons or property is or may be transported or drawn upon a public highway, including bicycles. The term does not include devices (other than bicycles) moved by human or animal power or used exclusively upon stationary rails or tracks. Mopeds shall be determined to be vehicles.
- L. **Impound** — To take and hold a vehicle in legal custody (RCW 46.55.010).
- M. **Visual Inspection** — To observe the vehicle's physical condition and take note of its contents.

## II. POLICY

### A. Requirement for All Impounds

- 1. Whenever a vehicle is impounded by an officer, sufficient notes shall be kept by the officer as to the reason for the impounding. This enables the officer to accurately testify at any future impound hearing.
- 2. The information section of the Abandoned Vehicle Warning Sticker from an impounded or abandoned vehicle shall be attached to the inventory record for the vehicle. This is evidence that the vehicle was abandoned over 24 hours and allows easy reference for later testimony. Once the Vehicle Inventory Record is completed, it shall be submitted within 24 hours to the immediate supervisor for filing. The Abandoned Vehicle Warning Sticker is not required if the vehicle is an immediate impound.

### B. DUI, Physical Control, and DWLS/R Impounds

- 1. When a driver of a vehicle is arrested for driving or being in physical control of a vehicle while under the influence, the vehicle is subject to impoundment and, except for a commercial vehicle or farm transport vehicle, must be impounded in accordance with Chapter 46.55 RCW.
  - a. When a driver of a vehicle is arrested for a violation of RCW 46.61.502 or 46.61.504 and the arrested driver is the vehicle's registered owner, the arrested driver shall be notified that the impounded vehicle may not be redeemed within a twelve-hour

period following the time the impounded vehicle arrives at the registered tow operator's storage facility as noted in the registered tow truck operator's master log, unless there are two or more registered owners or there is a legal owner who is not the arrested driver. Further, the arrested driver shall be notified that the impounded vehicle may be redeemed by either a registered owner or legal owner, who is not the driver of the vehicle, after the impounded vehicle arrives at the registered tow truck operator's storage facility as noted in the registered tow truck operator's master log.

- b. When the driver of a vehicle is arrested for a violation of RCW 46.61.502 or 46.61.504 and the arrested driver is not the vehicle's registered owner, the arrested driver shall be notified that the impounded vehicle may be redeemed by either a registered owner or legal owner, who is not the driver of the vehicle, after the impounded vehicle arrives at the registered tow operator's storage facility as noted in the registered tow truck operator's master log.
  - c. When a driver of a vehicle is arrested for a violation of RCW 46.61.502 or 46.61.504, the arrested driver is not the vehicle's registered owner, and if the vehicle is a commercial vehicle or farm transport vehicle, attempts shall be made in a reasonable and timely manner to contact the vehicle's owner before directing the impound. Under these circumstances the vehicle may be released to the owner if the owner is available to respond within a reasonable time frame and the owner was not in the vehicle at the time of the stop and arrest.
  - d. If more than 30 minutes have passed since contacting Communications to request a registered tow truck operator, or under extreme exigent circumstances, such as being called to another incident or due to limited available resources that requires the officer to return to patrol, the officer may place the completed impound order and inventory inside the vehicle and secure vehicle by closing the windows and locking the doors before leaving.
    - (1) Officers are to document the circumstances and maintain complete and accurate notes explaining both the circumstances and what other alternatives were explored and why they were not utilized.
2. When a driver is arrested for driving with license suspended or revoked (RCW 46.20.342 or 46.20.345), officers may, at their discretion, and after considering reasonable alternatives, impound the vehicle (see WAC 204-96-010 as amended 4/4/04).
  3. Considering reasonable alternatives may include, but are not limited to, contacting or attempting to contact legally permissible alternative drivers, whether a passenger, a vehicle owner, or someone located within a reasonable distance to respond.

4. When an arrest is made for a violation of RCW 46.20.342, if the vehicle is a commercial vehicle and the driver of the vehicle is not the owner of the vehicle, before impoundment, the officer/Communications shall attempt, in a reasonable and timely manner, to contact the owner of the vehicle. The vehicle may be released to the owner if the officer perceives the owner is reasonably available and has not received a prior release because of a suspended driver.

Suspended Driver Hold Matrix			
Hold for Outstanding Penalty (Payments Only)	30 Days	60 Days	90 Days
<ul style="list-style-type: none"> <li>• Driving While License Suspended/ Revoked (DWLS/R) 3rd degree with no convictions of .342 in last 5 years</li> </ul>	<ul style="list-style-type: none"> <li>• DWLS/R 3rd degree with prior conviction of .342 in 5 years</li> <li>or</li> <li>• DWLS/R 1st or 2nd degree with no convictions (.342) in 5 years</li> </ul>	<ul style="list-style-type: none"> <li>• DWLS/R 1st or 2nd degree with prior conviction of .342 1st or 2nd degree in last 5 years</li> </ul>	<ul style="list-style-type: none"> <li>• DWLS/R 1st or 2nd degree with two or more convictions (.342 1st or 2nd) in the last 5 years</li> </ul>

### C. Other Discretionary Impounds

1. In the following situations, officers may, at their own discretion, impound vehicles without prior notice to the registered owner. Officers shall consider all reasonable alternatives prior to impoundment. This list is not all-inclusive but is designed to set forth the more common situations:
  - a. When an officer finds a vehicle standing ON the roadway in violation of any provisions of RCW 46.61.560 (stopping or parking on the roadway or not arranging for prompt removal of a disabled vehicle).
  - b. When an officer finds a vehicle unattended upon a highway where the vehicle constitutes an obstruction to traffic or jeopardizes public safety.
  - c. When an officer finds a vehicle unattended at the scene of a collision or the driver of a vehicle involved in a collision is physically/mentally incapable of deciding what should be done to protect his/her property (Authority - RCW 46.55.113).
  - d. When an officer discovers an abandoned vehicle which has apparently been involved in a collision and which jeopardizes public safety, whether or not the vehicle is at the scene of a collision (Authority - RCW 46.55.113).

- e. When a driver is arrested and taken into custody by an officer (Authority - RCW 46.55.113).
  - f. When an officer determines a vehicle is stolen (Authority - RCW 46.55.113).
  - g. When an officer determines a person is operating a motor vehicle without a valid operator's license in violation of RCW 46.20.005, operating without a specially endorsed license when required, or operating with a license that has been expired for 90 days or more (Authority - RCW 46.55.113) (see **ARREST FOR DRIVER'S LICENSING VIOLATIONS**).
  - h. When an officer determines a vehicle will be a target for vandalism or theft and neither the owner/operator nor the spouse or friends thereof are available to move the vehicle [Authority - State v. Houser, Wn. 2d 143, 150-152 (1980); State v. Simpson, Wn. 2d 170 189 (1980)].
  - i. When an officer discovers a vehicle left standing in the median of a roadway or parked along a jersey barrier or guardrail in such a manner as to jeopardize public safety (Authority - RCW 46.55.113).
  - j. When an officer discovers a vehicle left along the shoulder of the roadway so close to the traveled portion that it jeopardizes public safety (Authority - RCW 46.55.113).
  - k. When an officer determines a vehicle to be so mechanically defective as to be unsafe for operation on the highways of the state (Authority - RCW 46.32.060).
  - l. When a vehicle which has been left alongside the road and previously did not fall within the immediate impound requirements, but due to a change of circumstances, such as no lights on as required by RCW 46.37.150, its status has changed and it now falls within a category which requires immediate impound.
  - m. When an abandoned vehicle constitutes an obstruction to traffic, such as preventing a snowplow from clearing the traffic lanes (Authority - RCW 46.55.113).
  - n. When a vehicle without a special license plate, card, or decal indicating that the vehicle is being used to transport a disabled person under RCW 46.16.381 is parked in a stall or space clearly and conspicuously marked under RCW 46.61.581, which space is provided on private property without charge or on public property (Authority - RCW 46.55.113).
2. Only the truck tractor or tractor-trailer combinations should be impounded. Arrangements with the company shall be made for removal of the trailer(s). However, if hazardous conditions exist, impound of the trailer(s) may be necessary. Commercially rented

vehicles may be impounded but no suspended driver holds shall be placed upon them.

3. When impounding a vehicle, officers shall follow the inventory procedure as outlined under **INVENTORY OF VEHICLES**.

#### **D. Twenty-Four Hour Notice Required Before Impound**

1. When a vehicle or hulk has been left alongside the roadway and neither constitutes an obstruction to traffic nor jeopardizes public safety as listed above, 24-hour notice must be given prior to impound. The use of the Abandoned Vehicle Warning Sticker constitutes the 24-hour notice (Authority - RCW 46.55.085).

#### **E. Impounding Abandoned Vehicles**

1. When abandoned vehicles requiring 24-hour notice prior to impound are located, the officer shall fill out the Abandoned Vehicle Warning Sticker and attach it to the vehicle in a conspicuous place. This reflectorized sticker shall be affixed to the vehicle on a non-painted surface closest to the oncoming lane of travel. Officers shall advise Communications the vehicle has been so tagged, its location, license number, year, make, model, and color.
2. Upon being advised that a vehicle has been tagged, Communications will make a registration and records check through DOL, WACIC, and NCIC. If the vehicle has a current Washington registration or shows an address from a nearby city in a neighboring state, Communications shall make a reasonable effort to contact the registered owner by telephone. The owner shall be advised that the vehicle must be removed from the roadway within 24 hours from the date and time the vehicle was tagged, or it will be impounded and the registered owner will pay the costs for the impound. Also, the owner must redeem the vehicle from the tow company or an infraction shall be issued for Littering -- Abandoned Vehicle.
3. Communications is not required to actually contact the registered owner, but only to make a reasonable effort to do so. Two or three telephone calls at different times of the day (or a message left on an answering machine) would be considered a reasonable attempt. Regardless of whether or not the owner is contacted, the vehicle is subject to impound upon the expiration of the 24-hour period or sooner if the vehicle becomes a hazard.
4. In general, the person responsible for impounding an abandoned and previously tagged vehicle is the officer who originally tagged the vehicle. However, district commanders will develop written procedures for their districts to ensure that abandoned vehicles are impounded as soon as possible after the 24-hour period has elapsed.

**F. Impounding Vehicles Involved in Collisions**

1. A vehicle(s) involved in a collision that is not considered drivable shall be impounded if not immediately removed by a responsible party.
2. In some collisions, the vehicle will be considered evidence and may be impounded for that reason alone. Whenever a vehicle is retained for evidence as a result of a collision, the Field Operations Bureau (FOB) will be responsible for payment of tow costs incurred.
3. Prior to release of vehicles, district property and evidence custodians shall be responsible for collecting towing costs incurred by FOB from the registered/legal owners, salvage companies, and/or insurance companies of impounded vehicles.

**G. Vehicles Containing Evidence of a Crime**

1. Vehicles may be impounded when they contain evidence of a crime and impoundment is reasonably necessary to preserve the evidence or obtain more evidence.
2. Whenever officers seize a vehicle as a result of any non-collision-related crime, the initiating officer's division and/or district will be responsible for payment of towing costs.
3. District property and evidence custodians must ensure that tow invoices are charged to the appropriate division's budget code.
4. Prior to release of vehicles, district property and evidence custodians shall be responsible for collecting towing costs incurred by the department from the registered/legal owners, salvage companies, and/or insurance companies of impounded vehicles.

**H. District Property and Evidence Custodians**

1. The district property and evidence custodian receiving vehicles into evidence will be responsible for payment of tow costs utilizing the department-assigned towing credit cards.

**I. Budget and Fiscal Services Requirements**

1. Whenever a vehicle is retained/seized for evidence as described in **Impounding Vehicles Involved in Collisions and Vehicles Containing Evidence of a Crime** above and placed in a Washington State Patrol storage lot, a Request for Tow Invoice form, a tow company invoice, towing credit card payment receipt and/or confirmation number, and a copy of the Tow/Impound form must be forwarded to Budget and Fiscal Services (BFS) within 72 hours by the property and evidence custodian.
2. District property and evidence custodians are responsible for submitting-payments received from the vehicle registered/legal

owner, salvage company, and/or insurance company for release of the vehicle to BFS within 24 hours of receipt. Property and evidence custodians shall use the Towing Recovery Cash Receipt log sheet when submitting monies to BFS. Cash, personal checks, cashier's checks, or money orders may be accepted as reimbursement for towing expenses.

3. If the vehicle is released without collection of the full towing expense incurred, the district property and evidence custodian must submit a Request to Write-Off Towing Invoice form to BFS within 24 hours of release of impound. This action will clear the vehicle owner's debt to the department.

#### **J. Leaving Vehicle on Private Property**

1. Vehicles may be left on private property that either belongs to the driver or registered owner of the vehicle or with permission of the owner of the property.

#### **K. Place of Impound**

1. Statute requires impounded vehicles be removed to a place of safety. This would include, but is not limited to, any Washington State Patrol facility for storing evidentiary/seized vehicles or a registered tow truck operator's place of business.

#### **L. Hardship Cases for Suspended Driver Vehicles**

1. A vehicle being held at a tow truck yard because of a revoked/suspended driver violation may be released prior to the mandated hold period if the spouse of the vehicle's operator establishes economic or personal hardship with the district commander of the district in which the vehicle was impounded. In making a hardship determination, the district commander shall consider public safety factors, including the operator's criminal history and driving records. The spouse's license history and insurance shall also be considered. Also, a release may be considered if the owner of the vehicle was not the driver, the owner did not know that the driver's license was suspended or revoked, and the owner has not received a prior release under this section or RCW 46.55.113(3). All hardship release requests shall be in writing. Any denial or approval of a hardship release shall be in writing and shall include factors considered by the district commander in reaching the decision. The release shall be maintained in the district/detachment vehicle impound file.

#### **M. Release of a Suspended Driver Vehicle**

1. When the officer signs the Tow/Impound and Inventory Record form, the release of a vehicle operated by a suspended driver is pre-authorized so the vehicle may be released by the towing firm when the hold time expires, if the driver is not the registered owner. In cases where the driver and registered owner are the same, the



towing firm will also need verification from the court showing no outstanding penalties exist.

#### **N. Impound Hearings**

1. If a driver/owner contests a vehicle impound and the officer receives a hearing notice, the officer is **REQUIRED** to complete the Impound Hearing & Court Order Appeals Checklist and follow the steps outlined on the form.

**Applies to:**

WSP Officers

**See Also:**

RCWs 46.16.381; 46.20.005; 46.20.342; 46.20.345; 46.32.060; 46.37.150; 46.55; 46.61.502; 46.61.504; 46.61.560; 46.61.581; WAC 204-96-010; State v. Houser, Wn. 2d 143, 150-152 (1980); State v. Simpson, Wn. 2d 170 189 (1980); WSP Policies **Arrest for Driver's License Violations; Inventory of Vehicles; Tow/Impound and Inventory Record; Request to Write-Off Towing Invoice; Impound Hearing & Court Order Appeals Checklist**

#### **19.09.020 VEHICLE IMPOUND WAIVER (CALEA 61.4.2)**

#### **I. POLICY**

##### **A. Removing Vehicles From Roadway**

1. When a driver is arrested or not allowed to continue to drive, the vehicle should be removed from along the roadway. Vehicles left along the road can be a traffic hazard or become involved in a collision at a later time. However, officers must consider reasonable alternatives to impoundment prior to impounding a vehicle, and some circumstances may dictate that the vehicle be left parked along the roadway.
2. If circumstances dictate that the vehicle be left parked along the roadway, officers shall make every effort to use the Waiver of Vehicle Impound form to obtain release of liability. When the waiver is used, the procedure outlined below shall be followed.
3. Before utilizing the waiver, officers shall ensure that:
  - a. The person requesting the use of the waiver is the registered owner of the vehicle, the owner's spouse or another member of the owner's immediate family, or can establish a lawful right to the possession of the vehicle.
  - b. The person requesting the use of the waiver fully understands the actions and responsibilities required due to the waiver.
4. If the person is handcuffed or unable to sign the waiver, a verbal consent is permitted. A notation shall be (e.g., person handcuffed - unable to sign waiver - gave verbal consent). Upon removing the handcuffs at the place of release or booking location, the Waiver of Vehicle Impound shall be signed.

**B. Third Party Release**

1. The vehicle shall only be released to a third party if the person requesting the release is the registered owner of the vehicle, the owner's spouse or another member of the owner's immediate family, or can establish a lawful right to the possession of the vehicle.
2. The vehicle shall only be released to a third party if that person produces a valid operator's license and is otherwise qualified and able to drive as determined by an officer.
3. Prior to release, officers shall complete a Waiver of Vehicle Impound form.

**C. Vehicles Left Alongside Roadway**

1. When a waiver is used or verbal consent obtained and the vehicle is left alongside the roadway, the officer shall:
  - a. Take every reasonable measure to secure the vehicle.
  - b. Attach an Abandoned Vehicle sticker, noting that a waiver has been signed or a verbal consent was given.
  - c. Advise Communications a waiver has been signed or verbal consent given, and the vehicle description, location, and approximate time it will be removed.
  - d. Within 24 hours, provide the detachment supervisor with a copy of the waiver, which shall be filed and then destroyed after two years if no claims are made.

**Applies to:**

WSP Officers

**See Also:**

Waiver of Vehicle Impound; Abandoned Vehicle Sticker

**► SECTION 10: VEHICLE INVENTORY ◀****19.10.010 INVENTORY OF VEHICLES (CALEA 1.2.4, 61.2.3, 61.4.3)****I. POLICY****A. Vehicle Inventory Requirement**

1. All vehicles lawfully impounded by the department shall be routinely inventoried. The vehicle owner, if present, is free to reject the protection afforded by the inventory.
2. All items of value shall be listed in the inventory section of the Vehicle Inventory Record. All money, checks, credit cards, weapons, and other items of substantial value shall be placed into the property system for safekeeping. Items identifiable by a unique serial number should be recorded on the Vehicle Inventory Record by that number and checked through the Washington Crime Information Center (WACIC).

3. A specific notation shall be made on the Vehicle Inventory Record when an area is not inspected or inventoried.

**B. Vehicle Inventory Record**

1. Officers shall complete a Vehicle Inventory Record at the time a vehicle is impounded, stored, or seized.
2. The officer shall obtain the signature of the tow operator, keep the original, and give a duplicate copy to the tow car operator. The original shall be submitted to the detachment supervisor within 24 hours.
3. Officers shall note on the Vehicle Inventory Record if an investigatory hold has been placed on the vehicle.
4. The supervisor may dispose of the Vehicle Inventory Record in two years if no investigatory hold or claim is filed.

**Applies to:** WSP Officers  
**See Also:** Vehicle Inventory Record

**► SECTION 11: FELONY PROSECUTION ◄****19.11.010 FELONY PROSECUTION CHARGES (CALEA 42.2.2, 61.1.5)****I. POLICY****A. Filing of Felony Charges**

1. All felony charges are filed in the superior court at the discretion of the prosecutor in whose jurisdiction the charges fall.
2. In all instances, felony charges take precedent over misdemeanor or gross misdemeanor charges. If an incident occurs and both felony and misdemeanor charges are possible, the information regarding the incident should be submitted to the prosecutor to make the determination of what charges should be filed.
3. A subject will not be booked on any misdemeanor charges, nor will an officer issue any notice of infraction/citation or file any charges against a subject in district court when there are felony charges pending or if felony charges may arise out of an incident. The officer will assist the prosecutor in the case as the prosecutor may require.

**Applies to:** WSP Officers  
**See Also:** --

**► SECTION 12: BREATH TEST ◄****19.12.010 BREATH TESTING (CALEA 61.1.10, 61.1.11, 61.2.1, 61.2.2)****I. POLICY**

- A. When investigating a traffic incident, officers shall, whenever lawful and reasonably possible, utilize a breath test instrument for determining the

degree of intoxication if intoxication is or may be an element in the case, and in non-traffic cases where intoxication may be part of the defense.

1. In traffic cases, suspects shall be advised of both their "Miranda" Rights and their rights under RCW 46.20.308. In non-traffic cases, only the "Miranda" Rights and the right to refuse the test are required.
2. Operation of the breath test instrument shall be restricted to employees who have been trained in its use and hold a current breath test instrument operator permit card.
3. When breath tests are administered, all applicable reports shall be completed.
4. In traffic cases, justification for the arrest shall be based on observations of driving, general demeanor, the results of the standardized field sobriety tests, PBT results (the arrest should not be based on PBT results alone), and the statements of witnesses. Results of the breath test shall be used for additional evidence to support the case.

**Applies to:**

WSP Officers

**See Also:**

WSP Policy **Blood Samples**; RCW 46.20.308, 46.61.506, 46.25.120, 90.56.550; WAC 448-16

### ► SECTION 13: ALCOHOL/DRUGS ◀

#### **19.13.010** **ALCOHOL/DRUG ARREST REPORT (CALEA 61.1.11, 61.2.1, 82.2.1)**

##### **I. POLICY**

###### **A. Preparation of DUI Arrest Report Forms**

1. DUI arrest report forms and supporting documentation shall be prepared by the arresting/assisting officer before the end of the shift during which the arrest occurred.
2. The arrest report forms shall be submitted to a supervisor, reviewed, and forwarded to the appropriate court as soon as practical.
3. Upon completion of the DUI report, officers shall fax the entire copy of the report to the Department of Licensing as soon as possible. In the event a blood test is performed, the Report of Breath/Blood for Alcohol shall not be signed and sent until the toxicology analysis report has been obtained.
4. Observations and responses shall be accurately recorded.

**Applies to:**

WSP Officers

**See Also:**

RCW 46.20.308; DUI Arrest Report

**19.13.020**     **IMPLIED CONSENT WARNINGS (INITIATIVE 242)**  
**(CALEA 61.1.11, 61.2.1)**

**I. POLICY**

**A. Implied Consent Law Contact**

1. For current procedures concerning the Implied Consent Law or interpretation of recently passed legislation, contact the local prosecutor or the Labor and Policy Advisor.
2. The Assistant Attorney General can also be contacted through the chain of command.

**Applies to:**        WSP Officers  
**See Also:**        --

**19.13.030**     **REFUSAL TO SUBMIT TO BREATH TEST (CALEA 61.1.5, 61.1.11, 61.2.1)**

**I. POLICY**

**A. Completing and Submitting the Report of Refusal to Submit to Breath Test**

1. When an arrestee refuses to submit to a breath test in traffic cases, a Report of Refusal to Submit to Breath Test for Alcohol and Drugs shall be completed by the arresting officer. The form shall then be forwarded to the Department of Licensing within the time frame indicated.

**Applies to:**        WSP Officers  
**See Also:**        Report of Refusal to Submit to Breath Test for Alcohol and Drugs

**19.13.040**     **DUI ARREST**

**I. POLICY**

**A. Release of Individuals Arrested for a DUI Offense**

1. Individuals arrested for a DUI offense may be released from custody upon completion of the testing and reporting process in lieu of a physical booking if jail rules permit, or at the request of the prosecutor.
2. Criteria for release is as follows:
  - a. The officer is reasonably assured the violation will not continue.
  - b. The officer is reasonably assured the individual will be available for court.
  - c. The individual has transportation (e.g., taxi, relative, friend, etc.) at the conclusion of the testing and reporting process.

**Applies to:**        WSP Officers  
**See Also:**        --

**19.13.050 MEDICAL MARIJUANA****I. DEFINITIONS****A. Marijuana**

1. "Marijuana" or "marihuana" means all parts of the plant *Cannabis*, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of mature stalks (except resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. [RCW 69.50.101(t)]

**B. Medical Marijuana/Medical Cannabis**

1. Medical use of marijuana means the production, possession, or administration of marijuana, as defined in RCW 69.50.101(t), for the exclusive benefit of a qualifying patient in the treatment of his or her terminal or debilitating illness. [RCW 69.51A.010(3)]

**C. Recreational-Use Marijuana**

1. Persons aged twenty-one and older may possess a total of one ounce of useable marijuana, sixteen ounces of marijuana-infused product (solid form), and seventy-two ounces of marijuana-infused product (liquid form). [RCW 69.50.4013]

**D. Synthetic Marijuana/Cannabis**

1. Herbal or chemical product which, when consumed, mimics the effects of marijuana/cannabis.
2. Also known as synthetic cannabinoids or synthetic cannabimimetics.

**E. THC Concentration**

1. "THC concentration" means percent of delta-9 tetrahydrocannabinol content per dry weight of any part of the plant *Cannabis*, or per volume or weight of marijuana product, or the combined percent of delta-9 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant *Cannabis* regardless of moisture content. [RCW 69.50.101(jj)]

**F. Dronabinol**

1. A pure isomer of THC, also known as synthetic THC or synthesized THC, available as a prescription drug in the United States under the trade name Marinol®. Dronabinol is federally classified as a Schedule III controlled substance.
2. Also known as (-)-*trans*- $\Delta^9$ -tetrahydrocannabinol.

**G. Marijuana-Infused Products**

1. Products that contain marijuana or marijuana extracts and are intended for human use. The term “marijuana-infused products” does not include useable marijuana. [RCW 69.50.101(w)]

**H. Useable Marijuana**

1. Dried marijuana flowers. The term “useable marijuana” does not include marijuana-infused products.

**II. POLICY****A. Possession of Medical Marijuana**

1. A qualifying medical marijuana patient may possess a 60-day supply (24 ounces of usable marijuana and no more than 15 plants) (see chapter 69.51A RCW and WAC 246-75-010). The qualifying patient must have valid documentation:
  - a. A statement signed and dated by a qualifying patient's health care professional (from the state of Washington) written on tamper-resistant paper that states, in the health care professional's opinion, the patient may benefit from the use of marijuana; and
  - b. Proof of identity, such as a Washington driver's license or identicard, as defined in RCW 46.20.035.
  - c. Medical marijuana taken into custody as evidence or safekeeping shall require a Washington State court order signed by a judge to be released (see **EVIDENCE AND PROPERTY HANDLING**, II, D, 3).

**B. Return of Medical Marijuana****1. Return of Medical Marijuana Kept in Evidence**

- a. If a request is received to return medical marijuana, and the medical marijuana is kept as evidence, the owner must:
  - (1) Present valid documentation to the Washington State Patrol showing that he or she is a qualifying patient as defined by RCW 69.51A.010(4).
  - (2) Show proof of identity.
  - (3) The case must be adjudicated without a conviction.
- b. If the above three conditions are met, the legal amount may be returned to the owner.
- c. More than the legal amount of medical marijuana may be returned only with a court order directing the Washington State Patrol to do so.

**2. Return of Medical Marijuana Kept for Safekeeping**

- a. If a request is received to return medical marijuana, and the medical marijuana is kept for safekeeping, the owner must:
  - (1) Present valid documentation to the Washington State Patrol showing that he or she is a qualifying patient as defined by RCW 69.51A.010(4).
  - (2) Show proof of identity.
- b. If the above two conditions are met, the legal amount may be returned to the owner.
- c. More than the legal amount of medical marijuana may be returned only with a court order directing the Washington State Patrol to do so.

**Applies to:**

WSP Officers and Property and Evidence Custodians

**See Also:**RCW 46.20.035, 69.50.101(jj), 69.50.101(t), 69.50.101(w), 69.50.4013, 69.51A.010(3), 69.51A.010(4), 69.51A.040; WAC 246-75-010; WSP Policy **Evidence and Property Handling****► SECTION 14: DRIVER'S LICENSING ◀****19.14.010 ARREST FOR DRIVER'S LICENSING VIOLATIONS**  
**(CALEA 42.1.5, 61.1.2, 61.1.5)****I. POLICY****A. Issuing a Notice of Criminal Citation**

1. Probable cause is all that is required before issuing a Notice of Criminal Citation (NOCC) for a suspended or revoked driver's license. Probable cause is established through a driver's check, driver's admission, or the officer's personal knowledge. Officers do not have to wait for a Certified Copy of the Driving Record (CCDR) to be received before issuing the NOCC. A CCDR is still required for court purposes and vehicle impound hearings involving suspended/revoked drivers.
2. Suspended/revoked drivers shall not be allowed to continue driving. The vehicle may be impounded in circumstances listed under **IMPOUNDING VEHICLES**. Booking a suspended or revoked driver is left to the discretion of the officer who is guided by district policy, with the exception of habitual offenders, who shall be booked.
3. If a driver has a valid out-of-state license but his Washington driver's license status is suspended or revoked, that driver shall be



arrested and handled according to local procedures; the out-of-state license is considered null and void. The violator shall not be allowed to continue driving.

4. If the vehicle is impounded and the driver is not booked, the officer must transport the driver/passengers to a safe location. The driver's copy of the Authorization to Tow/Impound and Inventory Record shall be filled out and given to the driver, as applicable.

## **B. Intermediate Driver's License**

1. When an officer determines a driver is in violation of the Intermediate Driver's License law, he/she shall attempt to contact a parent or guardian of the driver or registered owner of the vehicle. Officers shall consider the following options in the order listed below:
  - a. Ask the parent, guardian, or registered owner to contact the officer's location (if the adult can make the contact within a reasonable time period) to take custody of the vehicle and be responsible for its occupants.
  - b. If a parent, guardian, or registered owner is not available, have the driver sign a Vehicle Impound Waiver; or
  - c. If leaving the vehicle poses a safety concern, impound the vehicle (this should be the last resort).
2. When practical, the driver and any passengers shall be taken home or to a place of safety.
3. All department policies regarding vehicle impounds and vehicle inventories shall be followed.
4. If a teen driver is suspended by the Department of Licensing, the suspension shall be treated like any other suspended violation (see above).
5. Violation of the Intermediate Driver's License law is a "secondary" violation.

**Applies to:** WSP Officers  
**See Also:** WSP Policy **Impounding Vehicles**

### **19.14.020 DRIVER'S LICENSE RE-EXAM REFERRALS (CALEA 61.1.12)**

## **I. POLICY**

### **A. Driver's License Re-Exam Referral**

1. All officers shall, upon suspecting a violator/licensed driver suffers from incompetence, physical or mental disability, disease, or other condition which might prevent a person from exercising reasonable or normal care in the operation of a motor vehicle, submit the subject's name for driver license reexamination to the Department of Licensing (DOL).

2. Such submission shall be on DOL form OP #5 and will be sent through department channels to the nearest DOL office within five days of receipt of knowledge or suspicion.

**Applies to:** WSP Officers  
**See Also:** DOL Form OP #5

## ► SECTION 15: AIRCRAFT ◀

### 19.15.010 AIRCRAFT REGISTRATION ENFORCEMENT

#### I. POLICY

##### A. Regulating Aircraft

1. Washington law requires state and municipal officers to enforce and assist in the enforcement of statutes regulating aircraft. The department recognizes the need for a consistent enforcement policy.
2. Aircraft registration enforcement shall be consistent with other registration and licensing enforcement policies of the department, except citations. Citations for expired aircraft registration from the previous year shall not be issued prior to February 1.

#### II. PROCEDURE

- A. District commanders are responsible for aircraft registration enforcement within their districts.
- B. Airport registration inspections shall be conducted in uniform and with a marked car unless there are exigent circumstances.
- C. Officers shall request the airport manager or aircraft owner to assist them in an inspection tour to check pilot licenses and current Washington aircraft registrations.
- D. An officer shall not enter a hangar unless accompanied by the airport manager or owner, the aircraft owner or pilot, or a representative of the above, unless acting under proper legal procedures.
- E. When there is a discrepancy as to whether the use tax or sales tax on an aircraft has or has not been paid, the Department of Revenue's Tax Discovery Officers shall be notified.

**Applies to:** WSP Officers  
**See Also:** --

## ► SECTION 16: PERMITS ◄

**19.16.010 DEPARTMENT OF TRANSPORTATION ENDORSEMENT OF PERMITS ISSUED BY COUNTIES AND CITIES (CALEA 61.1.5)****I. POLICY****A. Honoring Permit for Additional Tonnage**

1. It shall be the policy of this department to honor any permit involving additional tonnage issued by a city or county for state highways within the corporate limits of the city or boundaries of the county issuing the permit. Frequency or distance shall be disregarded.
2. Any permit for additional tonnage issued by a city or county shall not apply to a state highway outside the corporate limits of the city or boundaries of the county issuing the permit. Normal enforcement action shall be taken in these cases.

**Applies to:** WSP Officers

**See Also:** --

## ► SECTION 17: MOTORCYCLES ◄

**19.17.010 MOTORCYCLE PROGRAM (CALEA 41.1.3, 61.1.1)****I. POLICY****A. Use of Motorcycle Unit**

1. A motorcycle is a specialized tool in traffic law enforcement. It has definite assets and liabilities which must be understood by motorcycle officers and their supervisors. The motorcycle unit is intended for use in traffic congested areas in conjunction with departmental selective enforcement programs, and those special events best suited for a motorcycle.
2. Vacant motorcycle officer positions shall be filled in accordance with the current Washington State Patrol Troopers Association Collective Bargaining Agreement, Article 23.9.

**B. Qualified Operators**

1. Officers successfully completing initial motorcycle training shall be qualified motorcycle officers. A list of qualified motorcycle operators shall be maintained by the Field Operations Bureau. Department motorcycles shall be operated only by qualified departmental employees; provided motorcycle service employees who are familiar with the operation of motorcycles and who have a valid driver's license endorsed for motorcycle operation may operate department motorcycles in the process of effecting repairs, or as directed by command officers.

2. Following the completion of initial motorcycle training, officers may be assigned as a motorcycle officer or as a motorcycle officer alternate.

### **C. Removal of Motorcycle Riders**

1. Officers may be removed from the list of qualified motorcycle riders if:
  - a. They submit a request in writing.
  - b. They fail to successfully complete motorcycle in-service testing.
  - c. They fail to maintain a satisfactory job performance evaluation rating over two successive rating periods.
2. Officers who wish to regain their qualification shall:
  - a. Submit a request in writing with the approval of the district commander.
  - b. Successfully complete motorcycle refresher training.
  - c. Successfully complete an 80-hour field training exercise under the direct supervision of a motorcycle field training officer.
  - d. Maintain a satisfactory job performance evaluation.
  - e. Maintain good physical fitness and appearance.

### **D. Motorcycle Instructor Staff**

1. The motorcycle instructor staff shall consist of a Motorcycle Training Sergeant and six instructors.
2. Applicants for motorcycle instructor shall have:
  - a. At least two years of experience as a Washington State Patrol motorcycle officer.
  - b. Satisfactory job performance as a motorcycle officer.
  - c. Experience as a motorcycle field training officer (FTO).
  - d. Command recommendation.
3. Applicants for motorcycle instructor shall submit a request, in writing, through the chain of command to the Field Operations Bureau Assistant Chief.

4. Motorcycle instructors will be temporarily assigned and responsible to the Training Division while conducting training. They will adhere to Training Division rules and regulations and will submit required training reports to the Training Division and the Field Operations Bureau upon completion of training.
5. Sergeants assigned to a motorcycle detachment shall be qualified motorcycle operators.
6. Selection of motorcycle instructors shall be determined through an oral interview and evaluation of command recommendations, Job Performance Appraisals, and Office of Professional Standards (OPS) history. The selection panel shall consist of the Field Operations Bureau Motorcycle Lieutenant or designee, a Training Division supervisor, and the Motorcycle Training Sergeant. The panel shall make their recommendation to the Field Operations Bureau Assistant Chief for final determination.

#### **E. Responsibilities of the Instructor Staff**

1. The Motorcycle Training Sergeant shall be responsible for scheduling all motorcycle training dates and approving all lesson plans and proposed training as recommended by the training officers.
2. The instructors are responsible for developing new lesson plans and modifying existing lesson plans for the basic motorcycle operator's course, annual motorcycle in-service training, and trimester motorcycle training.

#### **F. Tour of Duty**

1. The motorcycles shall be used year-around, as weather conditions permit.
2. Motorcycles shall not be operated when there is snow, ice, or slush on the roadway or shoulders, when icy conditions exist, or when the temperature is 35 degrees Fahrenheit or below. Supervisors shall be responsible for determining when to discontinue motorcycle operations during adverse weather conditions, and they shall advise district command when they have determined it is unsafe.
3. Supervisors shall schedule shifts during those times and in those areas where motorcycles will be most effectively utilized. The district commander may assign motorcycle officers for special events, emergency operations, or special enforcement programs.
4. Motorcycle officers shall not be required to change from the motorcycle uniform to regular uniform if it becomes necessary to use a patrol car during a tour of duty.

**G. Motorcycle Operations**

1. When making radio transmission and operating a motorcycle, officers shall precede their personnel number by phonetic alphabet symbol M-Mary (**Example:** Mary-275).
2. It shall be the responsibility of motorcycle officers to perform all traffic law enforcement activities.

**Applies to:** WSP Officers

**See Also:** --

**19.17.020 INSURANCE COVERAGE FOR MOTORCYCLE OFFICERS****I. POLICY****A. Insurance Coverage for Motorcycle Officers**

1. Full-time and alternate motorcycle officers shall be required to obtain \$150,000 of accident, death, and dismemberment insurance through the State Employees Insurance Board. Such coverage is optionally available to all state employees and does not require a health statement.
2. Upon assignment to motorcycle duty, all officers shall complete and submit to Budget and Fiscal Services a Life Insurance Enrollment/Change Form for the additional \$150,000 of coverage. This additional insurance becomes effective the first day of the following month. The fee for the coverage shall be reimbursed to the officer through the motorcycle specialty pay. Officers shall maintain the added coverage while assigned to a motorcycle unit. The insurance coverage may be terminated when an officer leaves the motorcycle assignment. This policy does not preclude motorcycle officers from obtaining additional insurance at their own expense.

**Applies to:** WSP Officers

**See Also:** --

**► SECTION 18: INDIAN RESERVATIONS ◀****19.18.010 INDIAN RESERVATION JURISDICTION (CALEA 61.1.6)****I. POLICY****A. Police Powers on Indian Reservations**

1. The police powers and duties of the Washington State Patrol are valid on all state and county roads on Indian reservations. The department's authority and responsibilities on these roads are the same as in all other areas of the state.

2. On Indian reservations, the department has no jurisdiction on Indian roads, Indian lands, or private property. The department will, however, respond to all requests for assistance from tribal police agencies. If the incident that caused the request for assistance is occurring on the reservation where the department does not have jurisdiction, department officers can operate under Indian police authority, but only if the tribal police officers are physically present.
3. The department has the moral obligation to protect lives and assist injured persons, even in the absence of tribal police. If, after responding, it is determined that the department has no jurisdiction, the responding officer shall clear the scene as soon as adequate measures have been taken to protect lives and property, to notify the proper authority, and to record the information available to be forwarded to the proper authority.

**Applies to:** WSP Officers

**See Also:** --

## ► SECTION 19: BAIT VEHICLES ◄

### **19.19.010 BAIT VEHICLES**

#### **I. POLICY**

##### **A. Approval of Bait Vehicles**

1. The department and other law enforcement agencies utilize bait vehicles, which are specially equipped vehicles used to combat auto theft by targeting and apprehending auto thieves.
2. Department-assigned bait vehicle(s) shall only be deployed after approval by the Criminal Investigation Division (CID) Regional Auto Theft Unit (RATU) sergeant to whose unit the bait vehicle is assigned.
3. Prior to deploying a department-assigned bait vehicle, all personnel involved in the deployment, monitoring, and response to an activation shall be familiar with bait vehicle policy and procedures and receive training approved by the CID Auto Theft Section Commander. Department-assigned bait vehicles shall not be used for any other purpose unless approved by the CID Auto Theft Section Commander.
4. Any other law enforcement agency requesting to use the department's assigned bait vehicle shall obtain approval from the CID Auto Theft Section Commander and sign a Use Agreement contract with the Washington State Patrol. The contract will require that the department bait vehicle policy and procedures are followed by the requesting agency and all officers who are involved in the deployment, monitoring, and response to an activation

receive training approved by the CID Auto Theft Section Commander prior to deployment of the bait vehicle.

### **B. Bait Vehicle Deployment**

1. Current auto theft and related crime data should be used to determine areas and times for bait vehicle deployment.
2. The RATU sergeant to whose unit the bait vehicle is assigned shall notify Communications and the appropriate district commander when any department-assigned bait vehicle is being deployed in their region. Communications shall be advised of the deployment location, department contact person responsible for directly monitoring the deployment, specific bait vehicle information, and any other information required by the RATU sergeant, Communications, or the district commander for the region where the bait vehicle will be deployed.
3. Anytime a department-assigned bait vehicle is deployed, a RATU detective shall be available to respond following activation and recovery of a bait vehicle. The RATU detective will interview and book any suspect(s) apprehended following the initial arrests. The RATU detective will also verify the bait vehicle has been inspected and is in proper working order prior to being re-deployed.
4. All department-assigned bait vehicles shall be equipped with the necessary bait vehicle monitoring equipment and with LoJack Tracking Systems.

### **C. Bait Vehicle Activation**

1. Activation refers to when a bait vehicle's door, trunk, or other exterior component is compromised and/or the vehicle is moved from its deployment location.
2. When a bait vehicle alarm is activated on a department-assigned bait vehicle, the monitoring company/agency shall notify Communications of the activation. Communications shall notify the RATU detective assigned to the bait vehicle deployment of the bait vehicle activity. The information should include the type of activation, vehicle information, and bait vehicle location and, if applicable, the direction of travel.
3. Whenever the bait vehicle equipment is defeated and contact with the bait vehicle is lost, Communications shall enter the bait vehicle information into WACIC as stolen, triggering the LoJack transponder. Communications shall advise local patrols to respond to the area where the bait vehicle was last seen to initiate an expanding grid search of the area. In areas where LoJack is operational, it is preferable to have officers whose vehicles are equipped with LoJack Tracking Systems respond.
4. Once the bait vehicle's LoJack transponder is activated, it is not necessary to pursue, conduct a Pursuit Immobilization Technique



(PIT), or use spike strips to stop the bait vehicle, unless the vehicle's equipment is defeated or becomes defective, and such means have been authorized by the RATU sergeant.

5. When a stolen department-assigned bait vehicle is recovered, it shall not be used again until the mechanical and technical bait equipment systems have been deemed functional by the Auto Theft Section Commander or his/her designee.

**Applies to:** All WSP Employees  
**See Also:** Use Agreement Contract

## Chapter 20

# INVESTIGATIONS

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### ► SECTION 00: INVESTIGATION PROCESS ◀

**20.00.010**    **PRELIMINARY AND FOLLOW-UP INVESTIGATION (CALEA 1.2.6, 41.2.4, 42.1.1, 42.1.2, 42.1.4, 42.1.5, 42.2.1, 42.2.2, 61.2.1, 61.2.4, 82.1.5, 82.2.1, 82.2.2, 82.2.4, 83.1.1, 83.2.1, 83.2.4, 83.2.6)**

#### I. POLICY

##### A. Responsibility for Preliminary Investigations

1. Except in those cases where the presence of a uniformed officer would obviously prevent a complete investigation being made, the preliminary investigation shall be conducted by the officer responsible for the call for police service.
2. As soon as the preliminary investigation is concluded, and before the officer goes off duty, the original documents from the initial investigation report shall be completed and forwarded to his or her supervisor. The supervisor shall review and sign the reports. The completed reports shall be delivered to the case detective. All information obtained at the scene of the offense and any other information that may be of aid in a continuing investigation shall be included. Original supplemental reports shall be forwarded to the appropriate Investigative Services Bureau (ISB) supervisor as they are completed by field employees.
3. The investigating officer shall be responsible for initiating action to inform a duty sergeant of the investigation. Notification of the ISB of a serious crime or one requiring immediate on-the-scene follow-up investigation will be the responsibility of the duty sergeant.
4. In the event circumstances exist where photographs are not taken or physical evidence is not gathered on a felony investigation, the investigating officer's report to the supervisor shall explain why evidence or photographs were not submitted. A notation shall be made in the case file.

##### B. Immediate Follow-Up Investigations

1. Some investigations may require immediate response and investigation from ISB. Upon receiving notification from a supervisor, the appropriate ISB supervisor shall assign a detective to the following:
  - a. Major crimes against persons or property on the Capitol Campus or other state property as determined by the Chief's Office.
  - b. Threats against the Governor, Governor's family, members of the legislature, and department employees (see **THREATS AGAINST STATE OFFICIALS**).

2. The ISB supervisor may assign a detective to the following:
  - a. Any police activity-related death, serious injury, extensive damage (this includes all department employees), or at the request of the district commander.
  - b. All felony collision investigations.
  - c. Criminal acts committed against departmental employees due to the performance of their duties or affiliation with the department.
  - d. Motor vehicle, heavy equipment, or boat theft, including, but not limited to:
    - (1) "Chop shop" operations
    - (2) Vehicle stripping
    - (3) Insurance fraud
    - (4) Salvage switch operations
    - (5) Fraudulent documents
  - e. Motor vehicle or aircraft license fraud where a follow-up investigation is too time-consuming for Field Operations Bureau (FOB) employees.
  - f. Major narcotics trafficking.
  - g. Organized crime activity. Persons, businesses, or organizations in the detachment area suspected of such activities.
  - h. Human trafficking.
3. Reports shall be submitted to the appropriate ISB supervisor. A follow-up investigation may be authorized by this supervisor upon reviewing initial reports.

### **C. Field Operations Bureau Responsibilities**

1. FOB shall be responsible for conducting and completing the investigation of all non-criminal calls for police service, and for misdemeanor crimes not specifically authorized for referral to specialized investigative units.
2. In incidents of a non-criminal nature and in misdemeanor offenses, the officer will request the assistance of the detachment supervisor when the need for counsel and guidance arises.
3. The investigation of most misdemeanor crimes can be completed by the officer. Misdemeanor offenses should be referred to the Criminal Investigation Division for follow-up only when the following conditions exist:

- a. The offense appears to be a part of a pattern of such offenses.
  - b. Follow-up is required in widely separated locations outside the geographic boundaries of the district in which the offense occurred.
  - c. The officer cannot reasonably be expected to continue the investigation because of the level of expertise needed.
4. In some cases initiated by FOB, additional investigation will be required at the end of the tour of duty of the investigating officer. In such cases, the investigating officer's detachment supervisor will determine whether the investigation should be discontinued until the assigned officer's next tour of duty or continued by officers on the relieving shift. Except in cases where the investigation would be jeopardized by its temporary discontinuance, it shall remain the responsibility of the investigating officer.
  5. Preliminary reports shall be completed by those officers involved prior to going off shift, then immediately forwarded to the detachment supervisor.
  6. A supplemental report must be prepared by each officer who works on the case, but not necessarily on each occasion the case is worked.
  7. Supervisors completing an ICS-201 Incident Briefing Form will have met the reporting requirements of this section.

#### **D. Investigative Services Bureau Responsibilities**

1. At the direction of the ISB supervisor, detectives shall conduct the follow-up investigations. Case assignment in the investigative units shall be made by the supervisor.
2. Requests for immediate assistance shall be made by the detachment supervisor to the ISB supervisor. The detective responding will assume investigative responsibility of all felony investigations. If it is determined that felony or exigent circumstances are not involved, the detective may assist the investigating officer. This decision will be made by the detective and the detachment supervisor after jointly reviewing the known facts of the incident.
3. It is understood that not all felonies need a detective response. Examples of these would be an occupied stolen with no follow-up or simple possession of illegal drugs. The working protocol for the area should be developed into a district policy by the ISB supervisor and district command.
4. If the investigation is relinquished by the detachment supervisor, the officer conducting the preliminary investigation shall obtain adequate information to properly complete a field report. The field report will be forwarded through channels to the appropriate ISB supervisor. When authorized by a supervisor, the officer charged with the preliminary investigation responsibility may provide further assistance to the detective in the follow-up investigation.

5. After the case responsibility is assumed by ISB, the detective is responsible for providing timely reporting to the local prosecutor for the preliminary appearance, if the investigation results in an arrest or incarceration. The report or investigative checklist shall indicate if the defendant is a habitual offender.
6. The ISB supervisor shall keep the local district commander updated as to the status of the investigation until the case is closed.
7. Upon closure of the investigation, and when the case involves use of force by an officer, a copy of the completed report will be forwarded as outlined in the *Administrative Investigation Manual*.

#### **E. Crime Scene Processing Responsibilities**

1. Detectives with specialized crime scene training shall act as crime scene specialists.
2. If special assistance is required for the gathering of physical evidence at the scene, the request will be authorized by the field supervisor and assistance will be provided by the specialist.
3. If the expertise needed is beyond the capability of the specialist, assistance shall be requested from the Crime Scene Response Team (CSRT).
4. All requests for CSRT assistance shall be initiated through the CSRT Commander. The CSRT Commander is contacted during normal business hours through the Criminal Investigation Division at Headquarters. After hours, the CSRT Commander can be reached through Communications. CSRT members shall then assist in the collection and processing of all physical evidence.
5. When assistance has been requested of either the crime scene specialist or the CSRT, response shall be made within one hour, distance permitting.

#### **F. Detachment Supervisor Responsibilities**

1. It is the responsibility of the detachment supervisor to ensure that an adequate and complete preliminary investigation was made and to review and approve the preliminary reports.
2. A completed copy of the preliminary and supplemental reports shall be forwarded by the detachment supervisor to the appropriate ISB supervisor.
3. The detachment supervisor shall notify the district command whenever a case is referred to ISB.

**Applies to:**

WSP Officers

**See Also:**WSP Policy **Threats Against State Officials**; Incident Briefing Form

**NEW POLICY: 20.00.015 DECONFLICTION PROCEDURE (RISSafe)**  
Click here to view General Order 15-002A

**20.00.020 CASE FILING SYSTEM (CALEA 42.1.2, 42.1.3, 74.1.3, 82.1.5, 82.2.3, 82.3.5)****I. POLICY****A. Case File**

1. A case file shall be established on fatal, hit-and-run, recovered stolen vehicle, felony investigations, and any case where a search warrant is sought. The original materials and reports shall be kept in a case file tracking envelope. If the file is too large to fit into the envelope, the case shall be placed in a pressboard binder. The case file tracking sheet shall be affixed to the front of the binder. The file will be kept in storage by the District Public Disclosure Coordinator (PDC) and properly tracked in the Crime Investigation and Tracking of Evidence (CITE) system.
2. Supervisors shall log all cases and ensure completion on a timely basis. All cases shall be reviewed every 30 days.
3. All files shall have one of the following classifications:
  - a. **Open:** This file shall be kept by the detachment supervisor until the investigation concludes or is assigned to a Criminal Investigation Division detective.
  - b. **Inactive:** When a supervisor determines an investigation has reached a stage where further investigation is not practical, the current date shall be indicated on the log by "Date Case Inactive." The case file shall be sent to the PDC. If new evidence is discovered, the supervisor should retrieve the file and reopen the case. The Case Status Letter shall be sent by the district commander.
  - c. **Closed:** A case is considered closed when it is submitted to the prosecutor for charging consideration or the case is completed and charges are not possible (e.g., a one-car, driver-causing fatality collision). When a case is closed, it shall be sent to the District Public Disclosure Coordinator for filing and retention. If tracking case adjudication is deemed necessary, it will be conducted by the District Public Disclosure Coordinator.

**B. Criminal Investigation Division File Retention**

1. When Criminal Investigation Division (CID) employees complete a criminal investigation, the original case file shall be retained at the local district office per district procedures and the retention schedule.
2. When a CID investigation involves a department employee, a copy of the completed investigation shall be forwarded to the Office of Professional Standards (OPS). The district CID supervisor shall ensure that the original case file is packaged in such a manner that denies access to non-authorized employees. CID shall attach a red cover sheet to the outside of the packaging that displays the following language: "This file is not to be accessed or released without permission of the department's Public Records Officer at the Risk Management Division."

**Applies to:** WSP Officers, District Public Disclosure Coordinators  
**See Also:** --

**20.00.030 CASE FILE SIGN-OUT (CALEA 42.1.3, 81.2.3, 82.1.5, 82.2.4, 82.3.5)****I. POLICY****A. Case Tracking**

1. The District Public Disclosure Coordinator shall track case files using the Crime Investigation and Tracking of Evidence (CITE) system.

**B. Sign-Out Cases**

1. After a case file is received, access shall be limited to the District Public Disclosure Coordinator. When a case file is checked out, the recipient shall complete a Sign-Out Card, which shall remain in the district files. The District Public Disclosure Coordinator shall be responsible for checking the case file in and out, recording current status, and obtaining the signature of the receiving officer.

**C. Spot Check**

1. The district commander shall ensure that a spot-check of the case file records is conducted every six months to ensure the case files are current and properly maintained.

**D. Filing System**

1. This policy applies to district files. Other divisions/sections which create investigative files shall establish and maintain a filing system which provides both security and accountability. Commanders are responsible to spot-check these files every six months.

**Applies to:** All District Public Disclosure Coordinators, District Commanders

**See Also:** --

**20.00.040 STORAGE OF FATAL/FELONY COLLISION AND INVESTIGATION CASE FILES (CALEA 42.1.3, 82.2.4, 82.3.5, 83.2.2)****I. POLICY****A. Accountability**

1. This policy is to provide uniform accountability of fatal/felony collision and investigation case files throughout the department. The procedures outlined in this policy are to be used in conjunction with the case filing system policy.

**B. Completion of an Investigation**

1. Upon completion of an investigation, the original records, including photographs, negatives, digital images, videotapes, and statement tapes shall be forwarded to the District Public Disclosure

Coordinator immediately and properly tracked in the Crime Investigation and Tracking of Evidence (CITE) system.

### **C. Property of the Department**

1. All photographs, negatives, digital images, and videotapes taken or acquired by members of this department during the course of their duties are the property of the department. This shall not preclude the use of these materials as training aids.

### **D. Digital Images**

1. Digital images taken by or acquired for a non-criminal or misdemeanor investigation shall be stored on CD or other electronic media.
2. Digital images taken by or acquired for felony investigations or investigations that have a reasonable likelihood to result in tort action(s) against the state shall be stored on CD. The CD shall be stored in the binder or Case File Tracking envelope
3. Digital images taken in the performance of routine duties (e.g., impounds, minor collision investigations, etc.) shall be kept in the officer's monthly activity file.

**Applies to:** WSP Officers, District Public Disclosure Coordinators

**See Also:** --

## **20.00.050 CRIMINAL ACTS AGAINST DEPARTMENTAL EMPLOYEES, PROPERTY, AND EQUIPMENT**

### **I. POLICY**

#### **A. Victims of Criminal Acts**

1. Department employees may be victims of criminal acts due to the performance of their duties or affiliation with the department. The department will investigate such acts and take appropriate action to protect its employees, their families, and property.

**Applies to:** All WSP Employees

**See Also:** --

## **20.00.060 PUBLIC CORRUPTION INVESTIGATION**

### **I. POLICY**

#### **A. Participating in Public Corruption Investigations**

1. Department participation in public corruption investigations shall be determined by the following circumstances:

##### **a. Jurisdiction and Agency Responsibility**

- (1) If the matter is within the jurisdiction of federal authorities, it shall be referred to the U.S. Attorney or to the appropriate federal law enforcement agency.



- (2) If the matter is within the jurisdiction of other state or local authorities and is not related to investigative activities ordinarily conducted by the department, it shall be referred to the Attorney General, local prosecutor, or law enforcement agency having jurisdiction.
  - (3) If after initiating an investigation it is determined that the subject matter is within another agency's area of responsibility, the investigation shall be suspended and the matter referred to that agency.
- b. Potential involvement of organized crime.
  - c. The nature and extent of corrupt activities, and the potential for continuance or expansion or effect on the integrity of government and the public welfare; and the inability or refusal of the agency having jurisdiction other than the department to conduct an investigation (no investigation of alleged public corruption shall be undertaken unless approved directly by the Chief or designee).
  - d. The department may offer technical support or assistance to any public agency conducting an investigation of public corruption activities within its area of responsibility.
  - e. The Chief shall advise the Governor of all public corruption investigations undertaken by the department.
  - f. Upon approval of appropriate prosecuting officials, the Chief shall advise the administrative head of a public agency concerning investigations by the department within that agency.

**Applies to:** All WSP Employees

**See Also:** --

**20.00.070 COURT CASES – DECLINED PROSECUTION/COURT  
DISMISSAL**

**I. POLICY**

**A. Commander Review of Declined/Dismissed Case**

1. A commander shall, upon notification of a prosecutorial decline or court dismissal due to alleged mishandling of a case, initiate a review and/or investigation to determine the cause of such action and recommend any necessary training, improved supervision, or appropriate disciplinary action.

**Applies to:** All Commanders

**See Also:** --

**20.00.080 COLLISION INVESTIGATION (CALEA 61.2.1, 61.2.2, 61.3.2, 82.2.1, 83.2.1, 83.2.4)****I. POLICY**[Click here to view General Order 15-001](#)**A. Response to Collisions**

1. Collision investigation is an important function of the department. The public expects officers to conduct a fair and thorough investigation to document collisions, as well as care for the injured and protect the rights and property of those involved. An integral part of a thorough investigation is interviewing all available participants and witnesses. When practical, each participant and witness should be given the opportunity to provide a written statement. A collision can be an emotional experience for all parties involved. Officers should understand these emotions and conduct themselves and the investigation in an impartial and professional manner.
2. Traffic collisions are investigated to determine the causes of collisions so methods of prevention may be developed, and to determine if evidence exists to support a charge. Enforcement should occur at the scene of the investigation when circumstances allow.
3. Officers shall respond to collisions in their area of responsibility involving death or injury, hit and run, impairment due to alcohol or drugs, damage to publicly owned vehicles/property, disturbances between the occupants, major traffic congestion as a result of a collision, and vehicles reported to be blocking the roadway.

**NOTE:** Areas of responsibility may be defined by agreements between the Chief and city/county officials.

4. Collisions that occur on private property are to be investigated when injury or death occurs, there is impairment due to alcohol or drugs, or there is major property damage (e.g., a tow is required). Communications officers shall advise citizens that if a law enforcement officer does not take a report and if the damage is in excess of \$700, the citizen is required to submit a collision report. District commanders may limit or direct the response to collisions in private parking lots during times of natural disasters or ice/snow emergencies.

**B. Investigator's Report**

1. A Police Traffic Collision Report shall be completed for every investigated collision involving either of the following:
  - a. Injury to or death of any person.
  - b. Damage to the property of any one person to an apparent extent of \$700 or more.
2. Reportable collisions are not limited to those occurring on public roadways.

3. The Police Traffic Collision Report shall be typewritten or printed in black ink or completed using Statewide Electronic Collision and Ticket Online Records (SECTOR) software. Supervisors shall review the reports for clarity and completeness.
4. The first copy of the Police Traffic Collision Report shall be sent to the Washington State Patrol, Collision Records Section, PO Box 47381, Olympia, Washington 98504-7381, within seven days of the date of collision. The second copy shall be retained by the detachment for two years, and the third copy shall be kept by the officer for general information references. Collision reports completed and reviewed using SECTOR shall be transmitted electronically to the Washington State Patrol, Collision Records Section, within seven days of the date of collision.
5. Any additional information obtained during a collision investigation which does not have its own case file shall be kept by the investigating officer.

#### **C. Supplemental Report**

1. When corrections or additions or any question needs to be made, refer to the "General Instructions" in the Police Traffic Collision Report instruction manual. There are different procedures used, dependent on the information involved.

#### **D. Collision Scene Road Closures**

1. Partial or complete road closures are necessary on occasion. However, the department is charged with promoting the safe, expeditious flow of traffic. Opening the roadway is a primary concern to minimize the risk of additional collisions and/or injuries. The duration of road closures shall be as short as possible.
2. If a felony is involved or the investigation will be complex, Criminal Investigation Division detectives shall be utilized, where available. To facilitate the objective of clearing the roadway as soon as possible, the first officer at the scene shall be responsible for beginning the investigative process (e.g., taking statements, collecting evidence, etc.) and shall not wait for the arrival of certified investigators or Criminal Investigation Division detectives. The investigating officer shall coordinate with other employees as they arrive to avoid duplication of effort.

#### **E. Collision Memo Submittal**

1. It shall be the responsibility of the investigating officer of any fatality, injury, or major property damage collision to provide Communications with adequate information to complete a Collision Memo. The information shall be submitted by telephone or in person as soon as practical after the officer clears the scene or prior to the end of the officer's shift.
2. Collision Memos shall not be transmitted by mobile radio, except in exigent circumstances.

**F. School Bus Collisions**

1. A Commercial Vehicle Division trooper/commercial vehicle enforcement officer shall be called to the scene of a commercial vehicle-involved collision or School Bus involved collision.
2. If possible, if a School Bus Inspector is on duty, he or she could be called to the scene if a school bus is involved.

**Applies to:**

WSP Officers

**See Also:**

RCW 46.52.070; Police Traffic Collision Report

**20.00.090** **USE OF CERTIFIED TECHNICAL SPECIALISTS (CALEA 61.2.1, 61.2.2, 61.2.4, 83.2.4)**

**I. POLICY****A. Collision Investigation Training**

1. The department has trained and certified many of its officers in the technical and reconstruction aspects of collision investigation. This training must be supplemented by the use of these Certified Technical Specialists (CTS), whenever possible.

**B. Use of Certified Technical Specialists**

1. CTSs in the Field Operations Bureau shall be utilized for:
  - a. Fatality collisions.
  - b. Felony collisions.
  - c. Serious injury collisions where contributing negligence on the part of two or more drivers is present.
  - d. Collisions which occur as a result of pursuit or emergency operation of a patrol vehicle, whether or not the patrol vehicle was involved in the collision.
  - e. CTSs will respond to all major or moderate patrol vehicle collisions. The use of a CTS at a minor collision will be at the discretion of the on-scene supervisor.

**II. PROCEDURE****A. Involvement of a Collision Technical Specialist**

1. An available CTS for the detachment area involved shall be notified of any of the above collisions. Utilization of a CTS for one-car, driver-causing fatal collisions will be at the discretion of the supervisor. Upon notification, the CTS shall respond to the scene to assist in the investigation.
2. The CTS may complete follow-up investigations if a detective is not available.

3. The first officer on the scene shall have Communications notify the detachment supervisor, who shall, in turn, see that a CTS is notified. Supervisors should not wait until they arrive at the scene to call for a CTS.
4. Availability of off-duty CTSs shall not be any different than availability of any other officer. In areas of multiple detachments or detachments with more than one CTS, notification shall be made until one is found and is able to respond in a timely manner. If a CTS is not immediately available, the investigating officer shall be responsible for contacting one at the earliest opportunity.
5. The CTS shall not assume the primary investigation unless directed to do so by the detachment supervisor.

**Applies to:**

WSP Officers

**See Also:**

*Administrative Investigation Manual*

**20.00.100**

**FATALITY – FELONY INVESTIGATIONS (CALEA 12.1.2, 41.2.4, 42.1.3, 42.2.1, 61.2.1, 61.2.2, 61.2.3, 61.2.4, 81.2.3, 81.2.4, 82.2.1, 82.2.3, 83.1.1, 83.2.1, 83.2.4, 83.2.6)**

**I. POLICY**

[Click here to view General Order 15-001](#)

**A. First WSP Officer on the Scene**

1. The major part of a collision investigation rests with the first officer on the scene. Even if this is not the officer who completes the final report, the responsibilities remain the same. The first officer at the scene of a fatality or felony collision shall advise Communications to notify the detachment supervisor, who shall contact appropriate employees (e.g., certified investigator, Criminal Investigation Division detective, DRE Officer, Major Accident Investigation Team, etc.). The first officer is in command of, and responsible for, the investigation until a supervisor arrives.
2. To clear the roadway quickly, and to avoid future duplication of effort, the first officer at the scene shall begin the investigative process and coordinate with other employees as they arrive. The officer's responsibilities include:
  - a. Protecting the scene.
  - b. Caring for the injured.
  - c. Preserving evidence.
    - (1) Marking movable evidence.
    - (2) Marking or photographing temporary evidence which may disappear (e.g., tire marks in snow).
  - d. Locating involved persons (drivers, passengers, witnesses) and obtaining:
    - (1) Names and birth dates.

- (2) Addresses.
    - (3) Phone numbers (home and work).
    - (4) Brief statements, including spontaneous remarks. Identify as many people as possible.
  - e. Noting location of people involved.
    - (1) Who was in the vehicles and where?
    - (2) Ask paramedics the location of each occupant in the vehicle, if seat belt removed, etc.
  - f. Identifying assisting employees, aid crews, and other police officers. Try to identify the first person to arrive at the scene.
  - g. Promptly requesting notification of street/highway department and/or public utilities employees to handle emergency repairs, if needed. Communications Centers maintain current lists for their area of responsibility.
  - h. Requesting coroner or medical examiner, if needed. Coordinating notification with on-scene medical personnel.
  - i. If probable cause exists, making the appropriate arrest at the scene and reading Miranda Rights.
  - j. If probable cause exists to believe the causing driver is intoxicated or impaired, arranging for a blood sample to be taken.
  - k. Noting weather and road conditions.
  - l. Notifying the news media (through the supervisor) to inform motorists of traffic congestion or detours resulting from the collision/incident.
  - m. Obtaining case number from Communications.
  - n. Completing investigator's Police Traffic Collision Report.
  - o. Completing the Collision Investigation forms.
  - p. Completing the Field Diagram form.
  - q. Filling out a Vehicle Inventory Record for any impounded vehicles.
  - r. Staying at scene until relieved.
3. The above criteria is a guideline to a thorough investigation.

## **B. Assisting WSP Officers**

1. Each collision scene dictates the type of assistance needed to conduct a proper investigation. Any officer assisting at the scene of

a collision is important to the investigation. When assigned a task, all appropriate reports or forms shall be completed and forwarded to the investigating officer.

2. The officer who accompanies the driver(s) to the hospital should:
  - a. Interview/interrogate:
    - (1) Driver(s) - If driver(s) is a criminal suspect, ensure Miranda Rights are given prior to interrogation.
    - (2) Passenger(s).
    - (3) Paramedics (e.g., what medications given, any statements made to them).
  - b. Make observations:
    - (1) Note odor of intoxicants.
    - (2) Note speech and demeanor.
  - c. Collect evidence:
    - (1) Coordinate with officer at the scene to develop probable cause in criminal cases.
    - (2) Obtain blood (and urine, if appropriate) from suspects, if appropriate. Take possession; mark and identify sample(s); include name of suspect. (Refer to the **BLOOD/URINE SAMPLE RETRIEVAL** policy.)
    - (3) Obtain clothing (if appropriate) from suspect and/or victim.

### C. Supervisor's Responsibility

1. Supervisors are responsible for coordinating fatality and felony collision investigations. The detachment supervisor responds to the scene of such collisions to assist in the investigation. Clearing the roadway is a primary concern, but a proper investigation must not be jeopardized by losing or destroying evidence at a felony crime scene by prematurely opening the scene to traffic.
2. The on-scene supervisor shall notify the local Criminal Investigation Division (CID) supervisor of all potential felony collisions. The CID supervisor will determine whether an immediate CID response is required.
3. The detachment supervisor shall track the investigation and keeps commanders and Communications advised of status changes. The detective supervisor shall keep the local district advised of the case status, if a detective is assigned to the case.
4. Supervisors shall review the case file at the end of the investigation for completeness and accuracy. When criminal charges are possible, the supervisor shall forward copies of the investigator's

report and all collision report forms to the local prosecutor. The supervisor shall maintain contact to monitor the case disposition (i.e., charges filed, final disposition). When all criminal proceedings are completed, the supervisor shall notify the division/district commander of the outcome.

#### D. Detective's Responsibility

- Where available, a detective is assigned to a follow-up investigation if there is evidence of a felony. Follow-up investigations are assigned as outlined in the **PRELIMINARY AND FOLLOW-UP INVESTIGATION** policy.
- In districts with CID detectives, the supervisor shall transfer responsibility for felony investigations to them. Field officers shall remain the responsibility of the field supervisor. Detectives shall closely coordinate their activities with the field supervisor while at the scene.

#### E. Collision Investigation Forms

- Officers have a collision investigation forms packet containing the forms listed below:

Investigation Check List	Collision Investigation— Witness and General Information
Collision Investigation— Driver/Occupant Information	Collision Investigation— Vehicle Information
Field Diagram	WSP Spot Diagram/Measurement Information
DUI Packet	Vehicle Inventory Record
Property/Evidence Report	Tape Recorded Defendant/Witness Statement Form
Case Report/Witness/Suspect	Consent to Search Waiver—English/Spanish (Form)
Report of Investigation	Supplemental Report of Investigation

- These forms should be packaged together in a manila envelope. During an investigation, each form shall be identified by case number. On felony or potential felony investigations, preliminary reports shall be submitted prior to going off shift.



**F. Minimum Reporting Requirements**

1. When there is no major property damage or indication of homicide or suicide, the minimum requirements for a one-vehicle, driver-causing, fatality collision with no occupant are:
  - a. Preliminary collision reports.
  - b. A Police Traffic Collision Report.
  - c. Vehicle Inventory Record.
  - d. Field Diagram form.
  - e. Witness Statement.
  - f. A narrative report containing synopsis and details of the collision.
  - g. Spot Diagram/Measurement Information.
  - h. Autopsy report/death certificate.
  - i. Toxicology report.
  - j. Supplemental collision report, when applicable.
  - k. Photographs.

**Applies to:**

WSP Officers

**See Also:**RCW 46.20.308; WSP Policies **Blood/Urine Sample Retrieval; Preliminary and Follow-Up Investigation****20.00.110 HIT-AND-RUN INVESTIGATIONS (CALEA 42.1.3, 42.2.1, 61.2.1, 61.2.2, 81.2.3, 82.2.1, 82.2.3, 83.2.1, 83.2.4, 83.3.1)****I. POLICY**[Click here to view General Order 15-001](#)**A. Documentation of Hit-And-Run Collisions**

1. A hit-and-run collision involves damage to property or other vehicles, or death or injury in which an involved driver leaves the scene of the collision without providing the proper information. This includes collisions both on public highways and private property. All such collisions are investigated.
2. All hit-and-run collisions are:
  - a. Assigned a case number by Communications.
  - b. Documented in a case file.
3. Case file procedures are outlined under **CASE FILING SYSTEM**.
4. Preliminary investigations are made on all reported hit-and-run collisions. Complete the Police Traffic Collision Report on all hit-and-run collisions (i.e., collisions on public roadways and private

property) involving either injury or death to any person or damage to one person's property of \$700 or more. (If hit-and-run collisions involve serious injury or death, utilize Criminal Investigation Division detectives.)

5. Vehicles causing collisions without actually contacting other vehicles are considered involved in the collision. The driver of such a vehicle who fails to stop may be charged with hit-and-run. Drivers of such vehicles may not know they were involved, and probable cause must be present in order to file charges. Consult local prosecutors to determine whether follow-up investigation is warranted in these cases.

## B. Physical Evidence

1. Physical evidence important to a hit-and-run investigation includes, but is not limited to:
  - a. Paint samples
    - (1) Loose paint chips and a paint sample in the areas damaged due to the incident from the running vehicle.
    - (2) A paint sample from the victim's vehicle.
    - (3) Chips and/or smeared areas that contain paint transfer.
  - b. Parts or glass fragments or other trace evidence from the running vehicle.
  - c. Dirt from the running vehicle.
  - d. Blood, hair, tissue, or clothing samples of an involved pedestrian.
  - e. Detail of skid marks, tire prints, or relevant pattern impressions should be photographed. Include a scale.
2. In some cases, a supervisor may have the traffic officer do both the preliminary and follow-up investigation.

## C. Use of Logs

1. The Detachment Collision Log is used by the detachment supervisor to follow the status of hit-and-run collisions investigated by detachment employees.
2. Cases are sometimes assigned to detectives, where available. Any reassignment of a case is noted on all logs.
3. Investigated hit-and-run collisions are assigned case numbers for recordkeeping purposes. A case file is established on each such collision. Case file procedures are outlined in the **CASE FILING SYSTEM** policy.

**D. Follow-Up Investigations**

1. If any of the following criteria is met, a follow-up investigation is mandatory:
  - a. There is significant physical evidence.
  - b. The suspect vehicle can be identified.
  - c. The collision involved an injury, fatality, or other felony.
  - d. A suspect can be identified.
  - e. A suspect was arrested.
2. If none of the criteria are available, the investigation becomes inactive and remains in that status, unless further information is available that could assist in completing the investigation.
3. If the investigator feels a collision may be successfully investigated, even though none of the criteria are met, the supervisor may approve follow-up investigation.
4. When the investigation is complete, the supervisor reviews the case and forwards it to the prosecutor, if charges are to be recommended.

**E. Traffic Officer's Responsibility**

1. When beginning a hit-and-run investigation, obtain a case number from Communications. Complete the preliminary investigation of the hit-and-run case. For felony hit-and-run collisions, request a certified investigator for assistance. As soon as possible, provide Communications with all available information to complete the Master Log.

**F. Supervisor's Responsibility**

1. The supervisor tracks hit-and-run collisions through the Detachment Collision Log. Other responsibilities include ensuring pertinent additional data is submitted on a supplementary report and ensuring Communications is aware of any changes in the status of a hit-and-run investigation which would be pertinent to the Master Log.
2. The detective supervisor keeps the local district advised of the status of the case. If the case is not assigned to a detective, the detachment sergeant supervises the investigation.
3. If the case is placed on inactive status, the supervisor notifies the division/district commander.

**G. Commander's Responsibility**

1. Individuals involved in hit-and-run collisions are notified of the status of investigations through the commander's use of the "Case

Status Letter" or by the investigating officer (documentation of notification is required within the officer's Report of Investigation). Case Status Letter files are maintained at the districts.

**Applies to:** WSP Officers  
**See Also:** WSP Policy **Case Filing System**

**NEW POLICY: 20.00.115 EYEWITNESS IDENTIFICATION**  
[Click here to view General Order 15-002](#)

**20.00.120** **USE OF THE MAJOR ACCIDENT INVESTIGATION TEAM (MAIT)**  
**(CALEA 12.1.2, 61.2.1, 61.2.2, 61.2.3, 83.1.1, 83.2.1, 83.2.2, 83.2.4)**

**I. POLICY**

**A. Criteria for Requesting MAIT Assistance**

1. MAIT conducts investigations of designated collisions. They may be used in the following situations:
  - a. A collision that involves life-altering injuries and/or a fatality occurs involving an on-duty Washington State Patrol or State Department of Transportation (DOT) employee.
  - b. A collision that involves life-altering injuries and/or a fatality occurs involving any state-owned vehicle, at the request of the agency involved, and at the discretion of the district or Criminal Investigation Division (CID) commander.
  - c. A collision that involves life-altering injuries and/or a fatality occurs involving any allied law enforcement agency officer, at the request of the agency involved, and at the discretion of the district or CID commander.
  - d. A collision where three or more fatalities occur.
  - e. Any multi-vehicle collision with one or more fatalities involving any commercial vehicle (over 10,000 pounds).
  - f. Any collision or event in which, in the district or CID commander's judgment, MAIT involvement would be appropriate.
  - g. Any collision that involves life-altering injuries and/or a fatality occurs involving a school bus carrying any passengers.
  - h. Any collision that involves life-altering injuries and/or a fatality where a high likelihood of a tort claim against the state exists.
  - i. Any collision or event in which the DOT Risk Manager and CID Commander feel MAIT involvement would be appropriate.
  - j. MAIT may also be called for limited participation in a potential felony collision where there is a claim or indication an involved vehicle has a manufacturing or mechanical defect which may be the primary cause or a contributing factor.

## II. PROCEDURES

### A. Active Scene Request

1. The district investigating officer or supervisor arriving at the scene of a collision determines whether the collision meets MAIT criteria. Requests for MAIT assistance should be initiated through the supervisor to the MAIT Sergeant or designee.

### B. Non-Active Scene Request

1. If MAIT assistance is determined necessary during an investigation, or after completing an investigation, follow the procedure in **Active Scene Request**.

### C. Allied Agency Request for MAIT Assistance at a Non-Active Scene

1. All requests for MAIT assistance from allied agencies (police department, prosecuting attorney, etc.) are directed to the MAIT Lieutenant or district commander where the event occurred.

### D. Contacting the MAIT Lieutenant

1. The MAIT Lieutenant is contacted during normal business hours through Criminal Investigation Division Headquarters.
2. After hours, the MAIT Lieutenant is reached through the Tacoma Communications Center.

### E. Procedures While Awaiting the Team

1. Follow collision investigation procedures while awaiting MAIT.
2. To preserve all physical evidence, the investigating officer should mark or take extensive measurements to show the exact locations of all involved vehicles, skid marks, debris, and any other significant factors. In addition, take photographs to indicate the pre-collision, collision, and post-collision movement of involved vehicles. Emphasis should be placed on showing the points of rest and impact areas.

### F. Operational Responsibility

1. While the team is involved in an investigation within a district, they are responsible to the MAIT Lieutenant.

**Applies to:** All WSP Employees

**See Also:** --

**20.00.130 COLLISION ENFORCEMENT****I. POLICY****A. Issuance of NOI/NOCC**

1. If investigation/evidence determines that a driver's action caused a traffic collision, excluding collisions where felony charges are possible, officers shall issue a Notice of Infraction/Notice of Criminal Citation (NOI/NOCC) for the appropriate violation at the scene of the collision. If the driver is injured and is to be taken to a hospital, the officer, if practical, shall advise the driver that an NOI/NOCC will be mailed.
2. If the NOI/NOCC is not issued at the scene or is issued after a complete investigation, either the box marked "sent to court for mailing" or "referred to prosecutor" shall be checked. The NOI/NOCC shall then be forwarded to the court or prosecutor.
3. In collisions where felony charges are possible, an NOI/NOCC shall not be issued. Charges for such collisions shall only be filed through the prosecutor's office. If the prosecutor declines to file felony charges on a Criminal Investigation Division (CID) collision case, the appropriate CID unit supervisor shall ensure that CID files the appropriate infraction or misdemeanor charge with the prosecutor's office.

**B. Statements and Questions Regarding Charges**

1. In all cases where a fatality or serious injury has occurred, officers shall not make any statement(s) related to possible charges (including answers to hypothetical questions). All questions regarding charges arising from these cases shall be coordinated with the district and/or CID public information officer for response or referral to the prosecutor's office as is necessary.
2. Drivers on whom felony charges may be filed shall not be booked for lesser misdemeanor charges (see policy on **FELONY PROSECUTION**).

**Applies to:**

WSP Officers

**See Also:**WSP Policy **Felony Prosecution****20.00.135 EMPLOYEE RESPONSIBILITIES WHEN INVOLVED IN COLLISIONS****I. POLICY**[Click here to view General Order 15-002](#)**A. Reporting Vandalism or Collisions**

1. When a department vehicle or privately-owned/rental vehicle used for state business is vandalized or involved in a collision or incident, the vehicle's driver shall immediately notify Communications, who shall notify the supervisor/on-duty supervisor.

**B. Scene Responsibilities**

1. Employees involved in on-duty injury collisions shall comply with RCW 46.52.020(2)(a).

(2)(a) The driver of any vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person or damage to other property must move the vehicle, as soon as possible, off the roadway or freeway main lanes, shoulders, medians, and adjacent areas to a location on an exit ramp shoulder, the frontage road, the nearest suitable cross street, or other suitable location. The driver shall remain at the suitable location until he/she has fulfilled the requirements of subsection (3) OF THIS SECTION.

2. Employees involved in injury collisions shall abide by RCW 46.52.020(1)(a)

(1)(a) A driver of any vehicle involved in an accident resulting in the injury to or death of any person or involving striking the body of a deceased person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall then forthwith return to, and in every event remain at the scene of such accident until he/she has fulfilled the requirements of subsection (3) of this section; every such stop shall be made without obstructing traffic more than is necessary.

3. Officers shall ensure scene safety, render aide, locate witnesses, and protect evidence as appropriate to the circumstances involved.
4. Employees shall comply with department policy **VEHICLE COLLISIONS AND INCIDENTS, EMPLOYEE CONTACT WITH COLLISION VICTIMS** with regard to employee contact with accident victims.
5. Employees shall comply with department policy **MEDIA AND PUBLIC RELATIONS** with regard to employee contact with the media and public relations.

**C. Investigation**

1. The on-scene supervisor, as determined by policy, shall be responsible for the investigation and appropriate notifications as outlined in the notification procedures. Supervisors shall follow investigative procedures outlined in the *Administrative Investigation Manual*.
2. Supervisors conducting the on-scene investigation shall follow department policy **PATROL, PRIVATELY-OWNED RENTAL VEHICLE COLLISIONS/ INCIDENTS/VANDALISM** with regard to vehicle collisions/incidents while on official state business.

3. Whenever a department employee is involved in a collision, the other party shall be treated with fairness, compassion, and dignity.

**Applies to:** All WSP Employees

**See Also:** RCW 46.52.020; WSP Policies **Patrol, Privately-Owned Rental Vehicle Collisions/Incidents/Vandalism; Media and Public Relations; Vehicle Collisions and Incidents, Employee Contact With Collision Victims; *Administrative Investigation Manual***

#### **20.00.140    AUDIO RECORDINGS (CALEA 42.2.1, 83.2.1)**

#### **I.    POLICY**    [Click here to view General Order 15-001](#)

##### **A.    Use of Recording Devices**

1. Use of recording devices shall be in strict accordance with the following guidelines:
  - a. Recording devices may be used during interviews or interrogations only when the consent of all persons engaged in the conversation is first obtained.
  - b. Interviews or interrogations begin with the time, date, and location.
  - c. Each voice recorded on the tape is identified by the name and address of the person speaking.
  - d. If appropriate, record Constitutional Rights prior to obtaining a suspect's statement. If recording, ensure advisement is also recorded.
  - e. State the time at the conclusion of the interview.
  - f. The Tape Recorded Defendant/Witness Statement form is available for this process.
  - g. All investigative photographs, negatives, audio tapes, and video tapes should be placed in a sealed envelope and stored in the Case File Tracking envelope or attached to the pressboard binder. DO NOT enter as evidence. If any of the items DO become evidentiary, then they should be handled as evidentiary property.

**Applies to:** WSP Officers

**See Also:** Tape Recorded Defendant/Witness Statement Form



## ► SECTION 01: VICTIM/WITNESS ◀

**20.01.010 VEHICLE COLLISIONS AND INCIDENTS, VICTIM/WITNESS ASSISTANCE PROGRAM (CALEA 42.2.2, 55.1.1, 55.1.3, 55.2.1, 55.2.2, 55.2.3, 55.2.4, 55.2.5, 82.2.1)****I. DEFINITIONS**

- A. A **victim** is a person who suffers bodily injury or death as a result of a criminal act of another person.
- B. A **witness** is one who, being present, personally sees or perceives something; a beholder, spectator, or eyewitness; one who testifies to what was seen, heard, or otherwise observed.
- C. A **survivor** is one who outlives another; one of two or more persons who lives after the death of the other or others.
- D. A **criminal act** is an act committed or attempted in this state which is punishable as a felony or gross misdemeanor.

**II. POLICY****A. Treatment of Victims, Witnesses, and Survivors**

- 1. Whenever officers investigate human trafficking, a vehicular homicide, vehicular assault, or other criminal act involving serious injury, the victims, witnesses, or survivors shall be:
  - a. Informed of their rights according to state law.
  - b. Furnished with information about state and local victim/witness assistance programs.
  - c. Treated with fairness, compassion, and dignity.

**III. PROCEDURE****A. Training Division Responsibilities**

- 1. The Training Division shall provide victim/witness basic training to officers and communications officers.

**B. District Commander Responsibilities**

- 1. District commanders shall maintain contact with government agencies and organizations concerned with victim/witness needs and rights. They shall periodically inform the public and media about the department's victim/witness assistance services.

2. District commanders are responsible for coordinating the department's role in victim/witness assistance by the following:
  - a. Informing their employees biannually about victim/witness programs provided by the state and local community.
  - b. Informing new employees about victim/witness assistance programs during orientation.
3. District commanders shall also maintain a current list of victim, witness, and survivor services available in the district, with the name, address, and telephone number of the agency. The list shall be kept in Communications for 24-hour access.
4. District commanders or the Criminal Investigation Division Commander for primary CID investigations, shall ensure that victims, witnesses, and survivors are informed of their rights and services available by providing department resources to assist a victim/witness and advising them in writing (within five days) of their rights and services available. These include the name of the investigating officer, a telephone number where victims/witnesses can report additional information or receive information about a case, and a case number.

**C. Primary Investigator's Responsibilities During Preliminary Investigations**

1. Investigators shall inform the victims, witnesses, and survivors of state and local services available to them. (Victim/witness brochures provided by the Department of Labor and Industries and the local victim/witness services will provide the necessary information.) They shall assist the victims, witnesses, and survivors by advising them of the primary investigator's name and telephone number to report or receive additional information about the case. (Provide a business card.)

**D. Primary Investigator's Responsibilities During Follow-Up Investigations**

1. The following responsibilities are to be completed when feasible. Contacts shall be noted on the case log.
  - a. Contact the victims, witnesses, and survivors within 10 days after beginning the investigation to ascertain whether their needs are being met.
  - b. Inform victims, witnesses, and survivors of important aspects of the case (arrest, charges filed, etc.), if not an endangerment to successful prosecution.

- c. Ensure that victims, witnesses, and survivors understand their roles in the prosecution of the case.
- d. Schedule interviews, line-ups, and other required appearances at the convenience of the victims, witnesses, and survivors. Provide transportation if absolutely necessary and feasible.
- e. Return all of the property belonging to victims, witnesses, and survivors as soon as possible or when no longer needed as evidence.

**Applies to:** WSP Officers

**See Also:** RCW 7.68; Victim/Witness Brochure, Department of Labor and Industries

**20.01.020 VEHICLE COLLISIONS AND INCIDENTS, EMPLOYEE CONTACT WITH COLLISION VICTIMS**

**I. POLICY** [Click here to view General Order 15-002](#)

**A. Employees Involved in a Collision**

1. Whenever a department employee is involved in a collision, the other party shall be treated with fairness, compassion, and dignity.

**B. Major Collisions**

1. One representative, as determined by the Chief, shall be assigned to interact with families as the single point of contact on behalf of the Chief for all major collisions. The Government and Media Relations (GMR) Captain shall be considered first.

**C. Moderate/Minor Collisions**

1. District and division commanders shall be the point of contact for all moderate and minor collisions. Within 48 hours, the district or division commander shall contact the other party involved or their family and advise them of the following:
  - a. The department's role in the investigation.
  - b. The name of the officer in charge of the investigation.
  - c. Telephone numbers to obtain information about the investigation.
  - d. Criminal justice and department administrative investigation procedures.
    - (1) At no time should charges or possible charges be discussed.

- (2) Questions regarding charges shall be directed to the prosecuting attorney's office.
  - e. Provide forms and contact information for tort claims, if applicable.
  - f. Provide information on the Victim/Witness Assistance Program, if applicable.
  - g. Commanders shall follow the **PUBLIC RECORDS REQUESTS** policy with regard to public disclosure of employee information.
2. Contact shall be initiated first by personal appearance. If personal appearance is not practical, contact shall be initiated via letter.
  3. District and division commanders shall re-contact the other party or their family within 10 days of the initial contact and ascertain whether their needs are being met and determine if there is any other assistance the department can provide pertaining to the investigation. Contact shall be maintained with the other party or their family as needed. All contacts with collision victims shall be documented in the case log by the contacting party.

#### **D. Criminal Investigation Division Responsibilities**

1. Whenever the Criminal Investigation Division (CID) assumes the responsibility for an investigation involving another agency, the detective sergeant or designee shall provide the other agency with the name of the detective in charge of the case and a contact telephone number.
  - a. Detectives shall ensure that the involved agency's contact person is kept apprised of the case and informed of any important aspects as soon as possible.
  - b. All contacts shall be noted in the case log.
  - c. Detectives shall ensure that all property belonging to the other party involved is returned. The family shall be informed if property has been retained as evidence and is not available for release.

#### **E. Training Division Responsibilities**

1. The Training Division shall provide officer-involved collision training to all officers.

**Applies to:** All WSP Employees  
**See Also:** WSP Policies **Public Records Requests; Vehicle Collisions and Incidents, Victim/Witness Assistance Program**

**► SECTION 02: COLLISION INVESTIGATION COMMITTEE ◀****20.02.010 COLLISION INVESTIGATION COMMITTEE (CALEA 42.2.2)****I. POLICY****A. Collision Investigation Committee Purpose**

1. Collision investigation is recognized as a core function and high priority of the department. To ensure the highest collision investigation standards are maintained, the department has established a Collision Investigation Committee (CIC).
2. The CIC will be co-chaired by lieutenants from the Criminal Investigation Division, Training Division, and Field Operations Bureau. The committee will report to the department's Training Committee on training issues and to the Field Operations and Investigative Services Bureaus for other issues as appropriate.

**B. Committee Membership**

1. Training Division lieutenant (co-chair).
2. Criminal Investigation lieutenant (co-chair).
3. Field Operations Bureau lieutenant (co-chair).
4. Major Accident Investigation Team sergeant.
5. Two Criminal Investigation Division detectives (eastside detective and westside detective).
6. Two Academy collision investigation instructors.
7. Two Field Operations Bureau sergeants (eastside sergeant and westside sergeant).
8. Two Field Operations Bureau troopers (eastside trooper and westside trooper).
9. One WSP commercial vehicle enforcement officer.

**C. Selection Criteria**

1. CIC members will be selected by their respective assistant chief and will serve a minimum of two years, unless they become disqualified as a result of an assignment change.
2. Meetings of the committee will be held at least quarterly.

**D. Committee Role Definition**

1. Identify instructors for technical collision training and reconstruction training.
2. Review training curriculum for all levels of collision investigation and make recommendations for revision.
3. Review *Regulation Manual* collision investigation policies and form requirements for accuracy with training curriculum and recommend revisions.
4. Review student critiques of collision training and make recommendations for improved training.
5. Develop curriculum for semiannual collision investigators in-service training.
6. Suggest topics and review collision curriculum for decentralized training.
7. Develop collision investigation curriculum for trooper/sergeant in-service training.
8. Obtain and evaluate internal and external stakeholder input.
9. Evaluate available technology for collision investigation.
10. Review the collision investigation certification process.
11. Review the certified technical specialist (CTS) of the year criteria.
12. Review the CTS of the year nominations and make award recommendation.
13. Monitor the Certified Technical Collision program.
14. Report to the Training Committee and to the Field Operations Bureau and Investigative Services Bureau Assistant Chiefs.

**Applies to:** All WSP Employees  
**See Also:** --

**► SECTION 03: CRIME ANALYSIS ◀****20.03.010    CRIME ANALYSIS (CALEA 15.3.1)****I. DEFINITIONS**

- A. Crime Analysis** – A system utilizing regularly collected information on reported crimes and offenders to assist in the prevention and suppression of crime and to apprehend criminal offenders. Crime analysis is a scientific process that employs systematic techniques of analysis and seeks to determine, for predictive purposes, the frequency

with which events occur and the extent to which they are associated with other events.

- B. Washington's Uniform Crime Reporting (UCR) System** – The summary reporting system which collects data on known offenses and persons arrested.

## **II. POLICY**

### **A. Criminal Investigation Division and Investigative Assistance Division**

1. Criminal Investigation Division (CID) and Investigative Assistance Division (IAD) staff shall provide support to law enforcement operations by monitoring and documenting the activities of criminal violators through surveillance, confidential sources, interviews, public records, field interviews, case reports, and communication with law enforcement agencies at all levels. The resulting information shall be made available for targeting significant criminal operations, supporting Washington State Patrol missions, and meeting the legitimate information needs of federal, state, and local law enforcement agencies.
2. CID and IAD commanders shall ensure all department personnel are informed of the procedures for effectively collecting, analyzing, and interpreting criminal information at the division/section level.
3. CID and IAD commanders shall be responsible for conducting crime analysis and developing/documenting procedures to ensure the following:
  - a. Accuracy and completeness of the data collected.
  - b. Efficient organization, development, and analysis of the data collected.
  - c. Timely dissemination and exchange of crime data and analysis with the Chief; Washington State Patrol Executive Staff; personnel under their command; and, if requested and when appropriate, other law enforcement agencies.
  - d. The Chief or designee is briefed on crime patterns or trends as they are identified.
  - e. A feedback system is developed, maintained, and utilized. The CID commander shall use the system to measure internal productivity and external impact in relationship to acknowledged objectives, identify process improvements, and verify effective use of tools and information.

### **B. Crime Data Analysis**

1. The initial step in the analysis of crime data is to establish the factors to be included in the analysis. At a minimum, the following factors shall be identified and documented by investigative personnel:

- a. Frequency by type of crime and geographic (location) factors.
  - b. Temporal (time) factors.
  - c. Victim and target descriptors.
  - d. Suspect descriptors (age, sex, race, national origin, and affiliation or associates).
  - e. Suspect vehicle descriptors (color, year, make, body style, and license).
  - f. Modus operandi factors (information from Uniform Crime Reporting [UCR] statistics, arrest data sheet, citations, etc.).
  - g. Physical evidence information.
  - h. Written strategy to combat the crime [to include, but not limited to, Problem Oriented Public Safety (POPS)].
2. The following list includes a sampling of various sources from which investigative personnel may extract crime analysis data elements:
- a. Communications logs
  - b. Case logs
  - c. Citations
  - d. Stolen property reports and hot sheets
  - e. Law enforcement crime reports
  - f. UCR reports
  - g. Court databases
  - h. Department of Licensing
  - i. Internal Revenue Service
  - j. County clerks
  - k. Employment Security Reports
  - l. National Insurance Crime Bureau
  - m. Time and Activity Reports
  - n. Strategic Advancement Forums
  - o. National Crime Information Center (NCIC)
  - p. Washington Crime Information Center (WACIC)
  - q. Interstate Identification Index (III)



- r. Washington State Identification System (WASIS)
- s. National Data Exchange (N-DEX)
- t. Law Enforcement Information eXchange (LInX)

**Applies to:** WSP Officers

**See Also:** --

## ► SECTION 04: MISSING CHILDREN ◄

### 20.04.010 MISSING CHILDREN INVESTIGATIONS (CALEA 41.2.6)

#### I. DEFINITION

- A. The term **missing child** refers to a person:
  - 1. Younger than 18 years of age.
  - 2. Whose whereabouts are unknown to his/her parent, guardian, caretaker, or responsible party.
- B. Types of missing child cases officers may encounter:
  - 1. Non-family abduction, where a child is taken by an unknown individual, through force or persuasion, usually in furtherance of additional victimization.
  - 2. Family abduction, where a non-custodial family member takes a child, usually in direct violation of a court-ordered custody agreement.
  - 3. Runaway, where a child, most often a teenager, leaves home voluntarily for a variety of reasons.
  - 4. Lost or otherwise missing, where a child becomes separated from parents or caretakers under circumstances not indicating the likelihood of an abduction or voluntary absence.
  - 5. Throwaway, where a caretaker makes no effort to recover a child who has run away, been abandoned, or deserted. While not necessarily reported to authorities as missing, children in this category frequently require the services of law enforcement.

#### II. POLICY

##### A. Missing Children Reporting and Investigation

- 1. It shall be the policy for field force personnel to refer case investigation(s) to the agency of jurisdiction for reporting and investigative responsibility. The agency of jurisdiction shall be the county or city agency where the child either resides or was last seen.

### III. PROCEDURES

#### A. Officer Response – Missing Children Reporting and Investigating

1. If departmental personnel are requested by local law enforcement to respond as an initial officer or first responder to a report of a missing child they should:
  - a. Notify and obtain approval from a Washington State Patrol supervisory officer and respond promptly to the scene of the report.
  - b. Interview the person who made the initial report; verifying that the child is in fact missing.
  - c. Obtain a detailed description of the missing child to include photograph(s) and videotapes, if available, and identify the circumstances surrounding the child's disappearance.
    - (1) The collection of information regarding race, height, weight, hair and eye color, clothing, and other noteworthy features and information shall be done promptly; along with being relayed to the agency of jurisdiction and other officers responding and/or assisting in the investigation.
    - (2) In situations where the circumstances of the child's disappearance are not clear, officers should keep the missing child's safety paramount and employ additional response resources accordingly.
  - d. Determine the child's custody status to determine whether a dispute over that status may have played a role in the disappearance.
    - (1) Questions regarding whether the reporting party has full legal custody, if the non-custodial parent has been contesting custody, or if the missing child expressed a wish to live with the other person may help an officer gain important insight into the case.
  - e. Determine when, where, with, and by whom the missing child was last seen; interviewing those individuals identified accordingly.
    - (1) Interviewing all individuals at the scene.
    - (2) Conducting a thorough search of the scene; securing and safeguarding the area as a potential crime scene.
  - f. Identify the child's zone of safety for his or her age, developmental stage, and physical and mental state
    - (1) A child's zone of safety includes how far a child could travel from the location where last seen before they would most likely be at risk of injury or exploitation. The perimeter, under most circumstances, will determine the first primary search zone.
  - g. Obtain a detailed description of any suspected abductors and/or other pertinent case information.

- h. Ensure all pertinent information is relayed to the agency of jurisdiction to allow the proper entry into NCIC; providing detailed descriptive information and up to date facts as they become available.
- i. Determine if the child has access to an online computer, cellular telephone, and/or device.
  - (1) This information may be used to provide valuable information on the whereabouts of the child.

#### **B. Communication Center Responsibilities**

- 1. Refer the reporting party to the agency of jurisdiction for reporting of the potential missing child.
- 2. If appropriate, obtain sufficient information from the initial reporting party to alert the agency of jurisdiction, other agencies, and/or investigative resources and officers about the circumstances of the child's potential disappearance.
  - a. This information may include the child's height, weight, hair and eye color, clothing, location last seen, initial information about the disappearance, and any information regarding a possible abductor(s); with special emphasis on their detailed physical description, any vehicle(s) used, and a possible direction of travel.
- 3. Ensure the Washington State Patrol Amber Alert Coordinator is notified.

#### **C. Investigator Responsibilities to Report of Missing Child**

- 1. The agency of jurisdiction will be responsible for the case investigation and all follow-up responsibilities involving reports of missing children. If requested by the agency of jurisdiction, additional investigative and/or specialized resources are available through the Washington State Patrol, to include the Missing and Exploited Children Task Force (MECTF), the Missing and Unidentified Persons Unit (MUPU), the High Tech Crime Unit (HTCU), and the Washington State Child Abduction Response Team (WACART).

**Applies to:** All WSP Employees  
**See Also:** --

### **► SECTION 05: THREATS ◀**

#### **20.05.010 THREATS AGAINST DEPARTMENTAL EMPLOYEES**

##### **I. POLICY**

##### **A. Employees Shall Notify Supervisors of Threats**

- 1. Whenever a departmental employee is intimidated or threatened during the course of his or her official duties by a person or

persons outside the department and the employee has a reasonable belief that the threat will be carried out, the employee shall immediately notify his or her supervisor.

2. The supervisor shall immediately notify the division/district commander through his or her chain of command.

#### **B. Division/District Commander and Deputy Chief Responsibility**

1. The division/district commander shall immediately notify the Investigative Services Bureau (ISB) Assistant Chief through the chain of command.
2. If the ISB Assistant Chief approves a criminal investigation, the information shall be forwarded to the Criminal Investigation Division (CID) Commander, who shall direct the appropriate CID unit to conduct an investigation.
3. The CID supervisor shall keep the affected employee's division/district commander informed of the investigation's progress.

**Applies to:** All WSP Employees

**See Also:** --

### **20.05.020 THREATS AGAINST STATE OFFICIALS**

#### **I. POLICY**

##### **A. Relaying Complaint Information Received From State Officials**

1. Whenever a departmental employee receives a complaint from a state official (other than the Governor) indicating that they believe they are being intimidated, or that they were threatened as a result of their official duties, the employee receiving the complaint shall immediately relay the information through their chain of command to the division/district commander.
2. Whenever a departmental employee receives information that involves a threat or perceived threat to the Governor or to the Governor's family, the employee shall immediately notify their supervisor. The employee's supervisor shall immediately notify the Executive Protection Unit (EPU) and their chain of command.

##### **B. Division/District Commander and Assistant Chief Responsibility**

1. The division/district commander shall immediately notify the Investigative Services Bureau (ISB) Assistant Chief through the chain of command.
2. If the complaint involves a felony crime on the Capitol Campus, the Criminal Investigation Division (CID) Commander shall direct the General Investigations Unit (GIU) or other appropriate CID Unit to conduct an investigation.

**C. Complaints Received from Other Public Officials**

1. When complaints are received from local municipal or county officials, the ISB Assistant Chief shall be immediately notified through the chain of command.
2. If the ISB Assistant Chief approves a criminal investigation, the information shall be forwarded to the CID Commander, who shall contact the local or county law enforcement agency with jurisdiction in accordance with the right of first refusal.
3. If the local jurisdiction declines the investigation, the CID Commander will then direct the appropriate CID unit to conduct an investigation.

**Applies to:** All WSP Employees

**See Also:** --

## Chapter 21

### EVIDENCE SYSTEM

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#### ► SECTION 00: EVIDENCE PROCESS ◀

#### 21.00.010 **EVIDENCE AND PROPERTY HANDLING (CALEA 61.2.3, 82.3.2, 83.2.1, 83.3.1, 83.3.2, 84.1.1, 84.1.2, 84.1.3, 84.1.5)**

##### I. DEFINITIONS

- A. **Property:** The department has a general obligation to protect all property that comes within its custody. For the purpose of this policy, property is defined as "evidence, found property, safekeeping, and asset seizure."
- B. **Property Storage:** Each division/district commander shall provide for the secure storage of all property within the custody of the department. Employees' desks, lockers, cars, or homes shall not be used for this purpose.

##### II. POLICY

###### A. Uniformity

- 1. To ensure uniformity in the handling and disposal of property, each commander shall designate a Property and Evidence Custodian to supervise and coordinate all property and evidence handling procedures within their division/district. Appointed Property and Evidence Custodians shall be accountable for all property accepted or stored by the department.
- 2. The commander shall also provide a secure facility with a locking device and with no master entry to house the property entrusted to the Property and Evidence Custodian's care.
  - a. Only the Property and Evidence Custodian and the assigned alternate shall have access to those areas used for the storage of property.
  - b. Any additional keys in existence that can access those areas used for the storage of property shall be documented at the district level and maintained in a sealed envelope dated and initialed by any personnel who must access the keys for entry into the property room areas. A witness shall be present when the envelope is accessed and resealed, and shall initial the envelope.
  - c. A property drop box shall be used as a repository after normal working hours or when the Property and Evidence Custodian is not immediately available. The drop box shall be locked by the collecting officer and shall only be opened by the Property and Evidence Custodian and/or a designated alternate.
- 3. The Property and Evidence Custodian may handle property for more than one detachment, but the Property and Evidence Custodian and property storage must be physically located so as to be readily accessible to each officer served.

**B. Handling**

1. Property-Proper Handling – Procedures for the proper handling of property and evidence shall be followed as prescribed in the *Officer's Evidence Handbook* and the *Property and Evidence Custodian Manual*.
  - a. All property entered into the property system must be accounted for by either possession of the property or a receipt showing transmittal of the property. No property within the property system shall be transmitted to any other person without the person relinquishing it retaining a receipt showing the property disposition.
  - b. All property coming into the possession of the department shall be handled according to procedure. No property shall be destroyed by any employee without due process of law or in violation of departmental procedures.
  - c. The Property and Evidence Custodian shall dispose of all property in the property system according to due process of law and departmental procedure.
  - d. Employees shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with, or withhold any property or evidence in connection with an investigation or other police action, except in accordance with established departmental procedures.
  - e. All property/evidence taken into custody shall be assigned a property number prior to the end of the collecting officer's shift, except property that will be immediately reclaimed by the owner.
  - f. All property, including evidence, shall be properly sealed immediately upon taking custody.
  - g. A Property/Evidence Report shall be completed and delivered along with the property/evidence to the Property and Evidence Custodian or deposited in the evidence drop box before the collecting officer goes off shift.

**C. Property Handling/Special Considerations**

1. When a vehicle is stored at a Washington State Patrol bullpen, personal property that is not sent with the owner shall be submitted into the evidence system for safekeeping. If the vehicle is impounded to a towing company, a list of all personal items shall be listed on the impound form. A copy of the Vehicle Inventory Record shall be turned in to the Property and Evidence Custodian. All monies, checkbooks, credit cards, weapons, and other property with a substantial value shall be tagged or sealed and submitted to the Property and Evidence Custodian for safekeeping.
2. Any employee who obtains any type of property having a distinguishable identification number shall check the property through WACIC and NCIC when obtained.

3. Whenever an officer places a weapon into the department evidence system as either evidence of a crime or found property, the officer shall consult the *Property and Evidence Custodian Manual* to verify if it should be entered into the Integrated Ballistic Identification System (IBIS). Weapons of recommended calibers shall be sent to the appropriate crime laboratory for test-firing and entry into IBIS. This also includes weapons taken under the forfeiture statute for being under the influence of alcohol or drugs while in possession of a weapon. Weapons taken and entered into evidence for safekeeping only shall NOT be sent for entry into IBIS. The guidelines for submitting a weapon are located in the *Property and Evidence Custodian Manual*.

#### **D. Property Released**

1. All property released by the Property and Evidence Custodian to any other person for any reason shall be recorded on the appropriate form (i.e., Transfer/Disposition Report, Release of Firearms, Request for Laboratory Examination), and a copy retained. That portion of the Request for Laboratory Examination that documents transfer of evidence to the lab for testing may be substituted for the use of the Transfer/Disposition Report.
2. Evidence will be released only to the submitting agency or approved subcontracting laboratories, except when there is a court order requiring the release of the evidence to a party other than the submitting agency or approval from the prosecuting attorney. A copy of the court order will be maintained in the case file.
3. If a request is received to return recreational-use marijuana kept in evidence, the owner must (1) show proof to the Washington State Patrol that he or she is age twenty-one or older; (2) show proof of identity; (3) the case must be adjudicated without a conviction. If these three conditions are met, the legal amount may be returned to the owner. More than the legal amount of marijuana may be returned only with a court order directing the Washington State Patrol to do so (see **MEDICAL MARIJUANA**).
4. If a request is received to return recreational-use marijuana kept in safekeeping, the owner must (1) show proof to the Washington State Patrol that he or she is age twenty-one or older; and (2) show proof of identity. If these two conditions are met, the legal amount may be returned to the owner. More than the legal amount of marijuana may be returned only with a court order directing the Washington State Patrol to do so (see **MEDICAL MARIJUANA**).
5. If a request is received to return medical marijuana and the medical marijuana is kept in evidence, the owner must (1) present valid documentation to the Washington State Patrol showing that he or she is a qualifying patient as defined by RCW 69.51A.010(4); (2) show proof of identity; (3) the case must be adjudicated without a conviction. If these three conditions are met, the legal amount may be returned to the owner. More than the legal amount of medical marijuana may be returned only with a court order directing the Washington State Patrol to do so (see **MEDICAL MARIJUANA**).



6. If a request is received to return medical marijuana, and the medical marijuana is kept for safekeeping, the owner must (1) present valid documentation to the Washington State Patrol showing that he or she is a qualifying patient as defined by RCW 69.51A.010(4); and (2) show proof of identity. If these two conditions are met, the legal amount may be returned to the owner. More than the legal amount of medical marijuana may be returned only with a court order directing the Washington State Patrol to do so (see **MEDICAL MARIJUANA**).

#### **E. Property from Outside Agencies**

1. The department shall not accept evidence or property from another agency for the purpose of custodial storage or disposal without written permission from the Chief.
  - a. This does not prevent forensic assistance to other agencies by the Forensic Laboratory Services Bureau or Identification Section.
  - b. The department will accept property and contraband from the Department of Corrections only, as outlined in the *Property and Evidence Custodian Manual*.

**Applies to:** All Division/District Commanders and Property and Evidence Custodians

**See Also:** RCW 46.20.035, 69.51A.010(4), 69.51A.040; WAC 246-75-010; WSP Policy **Medical Marijuana**; *Officer's Evidence Handbook*; *Property and Evidence Custodian Manual*; Property/Evidence Report; Vehicle Inventory Record; Transfer/Disposition Report; Request for Laboratory Examination

### **21.00.020 PROPERTY INVENTORY/AUDIT (CALEA 84.1.6)**

#### **I. POLICY**

##### **A. Required Audits Performed by Field Staff**

1. A 100% audit shall be conducted when there is a change in Property Evidence Custodians or the Property/Evidence Custodian alternate. The audit/inventory shall be conducted jointly by the incoming custodian and the manager or supervisor. Any discrepancies shall be reported to the appropriate commander, the Risk Management Division Commander, and the Evidence Control Officer.
2. A 100% audit of the affected property storage area shall be conducted within five business days when that property storage area has been breached and a loss of or theft of item is suspected. Property storage areas shall include property rooms, vaults, refrigerators/freezers, cabinets, bull pens, containers, and any rented storage locations. Any discrepancies shall be noted and a report shall be sent to the appropriate assistant chief/bureau director with copies to the Risk Management Division Commander and the department's Evidence Control Officer within 30 days.

3. All commanders in the department who have responsibility for an evidence function shall conduct quarterly inspections of all property/evidence storage facilities under their authority. The annual audit performed by the department's Evidence Control Officer may be substituted for that quarter's inspection normally performed by field staff. These facilities include, but are not limited to, property rooms, vaults, refrigerators/freezers, cabinets, bull pens, containers, and any rented storage.
4. The Field Operations Bureau lieutenant who has responsibility for the evidence function in each district and the commanders of other divisions/sections shall examine a random statistical sampling of all evidence in their inventory providing for a 95% confidence level with a +/- 10% confidence interval.
5. Commanders shall review associated paperwork, chain of custody, accountability, and/or the proper final disposition of the property/evidence. Security, orderliness, and overall cleanliness of the storage facilities shall be ensured. FOB commanders shall concentrate on the disposal audit trail of drugs, weapons, money, and other attractive items. A report of findings shall be on file at the district/section/laboratory, listing the property/case numbers inspected, discrepancies—if any—and their resolution, with a copy forwarded to the department's Evidence Control Officer.
6. If the Property Evidence Custodian's position and alternate both become vacant, all property/evidence shall be the commander's responsibility. The commander shall immediately appoint an assistant commander to conduct a 100% audit/inventory of the property room, containers, and storage yard, and submit a written report to the commander, with a copy to the department's Evidence Control Officer.

#### **B. Required Audits Performed by Evidence Control Officer**

1. In addition to the required audits performed by field staff, the Evidence Control Officer shall conduct an annual audit providing for a 99% confidence level with a +/-3% confidence interval of the evidence system. This shall include property/evidence at:
  - a. All district property rooms, storage containers, yards, and leased storage.
  - b. All crime laboratory evidence storage areas.
  - c. High Tech Crimes Unit.
  - d. Toxicology Laboratory.

#### **C. Spot Inspections by Evidence Control Officer**

1. The Evidence Control Officer shall also conduct unannounced spot inspections providing for a 95% confidence level with a +/- 5% confidence interval of randomly selected property storage areas in each affected district/division at least annually.

**Applies to:** All Employees

**See Also:** --

**21.00.030    DISPOSAL OF PROPERTY/EVIDENCE (CALEA 84.1.1, 84.1.7)**

**I.    POLICY**

**A.    Disposal Guidelines**

1. Disposal of evidence and property shall be strictly in accordance with all applicable state and federal laws and the procedures outlined in the *Property and Evidence Custodian Manual*.
2. The Property Evidence Custodian shall attempt to locate owners of safekeeping and found property and notify them of its status. Release to the owner should be expedited. Property that is evidence may be disposed of only after checking with the court, prosecutor, arresting officer, or submitting agency. Property that is illegal to possess shall not be returned to the owner (exception – drug paraphernalia associated with appropriately certified medical marijuana).
3. If the owner of property in the custody of the department cannot be immediately contacted, then a certified letter shall be sent to the most likely address, allowing at least 60 days to be claimed. If there is no response after this time period, the Property Evidence Custodian will dispose of the property in accordance with procedures outlined in the *Property and Evidence Custodian Manual* and applicable state laws.
4. Under no circumstances shall an employee of this department take personal possession of any item contained or processed within the department evidence and property system.
5. If the employee responsible for the disposition leaves the department, a command-level officer for the department shall authorize the disposition when it is determined the evidence is no longer needed for official purposes.
6. No evidence shall be disposed of without proper authorization. Evidence remaining in property rooms longer than five years shall be evaluated by the department's Evidence Control Officer for further retention and/or disposal.
7. It is the policy of the department to destroy all contraband following adjudication of a case. This includes illicit narcotics in all cases. In the event that a Property Evidence Custodian receives a court order to return contraband, the Property Evidence Custodian shall return only the amount that can be legally possessed as allowed by law. Any remaining illicit narcotics shall be destroyed.

**B.    Half Yearly Status Check and Drug Destruction**

1. The Property Evidence Custodian shall conduct a status check on all property in the department's custody at least every six months.

2. A controlled substances drug burn shall be conducted at least every six months. The drug destruction shall be conducted in accordance with applicable state and federal laws and as outlined in the *Property and Evidence Custodian Manual*.

**Applies to:** All Property Evidence Custodians and WSP Officers  
**See Also:** *Property and Evidence Custodian Manual*

**21.00.040**     **CHIEF'S DESIGNEE HANDLING UNCLAIMED PROPERTY**  
**(CALEA 84.1.7)**

**I. POLICY**

**A. Designee for Final Disposition of Unclaimed Property**

1. The commander of the Property Management Division and district commanders share responsibility as the designee of the Chief in all matters of final disposition of "Unclaimed Property in the Hands of the State Patrol" (RCW 63.35). District commanders shall review all property/evidence sent directly to GA Surplus for auction by their respective Property and Evidence Custodians.
2. Responsibility is especially relevant for these commanders in managing methods of disposition involving sale, retention, destruction, trade, or donation as outlined in RCW 63.35.020.

**Applies to:** Commander of the Property Management Division; District Commanders  
**See Also:** RCW 63.35.020

**21.00.050**     **PROPERTY SEIZURE – NARCOTICS INVESTIGATION (CALEA 82.2.1, 84.1.8)**

**I. DEFINITIONS**

- A. **Seizure of Motor Vehicles or Property:** Any assertion of dominion and control over a vehicle or property by a law enforcement officer or agency pursuant to suspected criminal acts that interfere with the legal owner's full possessory and/or ownership rights of the vehicle or property.
- B. **Forfeiture of Motor Vehicles or Property:** Forfeiture is the judicial procedure by which title to seized property is transferred to the seizing agency.
- C. **Indicia:** Signs; indications. Circumstances which point to the existence of a given fact as probable, but not certain. For example, "indicia of partnership" are any circumstances which would induce the belief that the given person was in reality, though not ostensibly, a member of a given firm. The term "indicia" is nearly or entirely synonymous with circumstantial evidence. It denotes facts which give rise to inferences, rather than the inferences themselves. *Black's Law Dictionary, With Pronunciations*, 5th edition, (West Publishing Co. 1979).

- D. **Indicia of Title:** Generally, a document evidencing title to property, real or personal (e.g., a carbon copy of a bill of sale of an automobile). *Black's Law Dictionary, With Pronunciations*, 5th edition, (West Publishing Co. 1979).

## II. POLICY

### A. Property Seizure/Narcotics Investigation

1. It is the policy of this department to utilize, to the fullest extent, the civil forfeiture provisions available in the state and federal drug laws in order to impact narcotics dealers in Washington State.
2. Officers are encouraged to utilize the Narcotics Section and Risk Management Division as resources.
3. This policy is focused on the seizure of personal property, such as motor vehicles, currency, equipment, and assets, in which the officer has probable cause to believe the property was used or intended for use in any manner to facilitate the sale, delivery, receipt, or manufacturing of a controlled substance.

## III. PROCEDURES

### A. General Seizure Information

1. Prior to seizing any property pursuant to RCW 69.50.505, officers shall have a supervisor review the circumstances on which the seizure is based and ensure the circumstances meet the guidelines outlined under RCW 69.50.505 and this policy.
2. When a seizure occurs, officers shall comply with this policy and all reporting time requirements. The Narcotics Section shall be notified by phone by the next working day and a **copy of the initial case information shall be faxed to the Narcotics Section immediately**. The Narcotics Property Seizure Checklist shall be utilized to ensure all appropriate information is forwarded to the Narcotics Section.
3. The Narcotics Section is required by law to notify owner(s) of seized conveyances and intended forfeiture proceedings within 10 days of the seizure. In all other cases involving seizure of personal property or those situations where the owner is not present, notice must be served within 15 days. The owner of seized property has the right to contest the seizure and intended forfeiture. The claimant must notify the seizing agency, in writing, within 45 days from the date of the service of notice from the seizing agency in the case of personal property, not the date of seizure, and within 90 days in the case of real property. The notice of claim may be served by any method authorized by law or court rule including, but not limited to, service by first class mail. Service by mail shall be deemed complete upon mailing within the 45-day period following service of the notice of seizure in the case of personal property and within the 90-day period following service of the notice of seizure in the case of real property. Consequently, all follow-up documentation, such as lab reports, shall be forwarded to the

Narcotics Section within 2 days of receipt and no later than 30 days from the date of seizure. If the claimant has submitted a claim and/or request for hearing, he/she is entitled to a civil hearing within 90 days from the date the written request is received by the seizing agency.

4. Drug-related property may be seized as follows:
  - a. Upon process issued by any superior court having jurisdiction over the property.
  - b. Incident to an arrest or a search pursuant to a search warrant.
  - c. When the property has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding.
  - d. When the officer has probable cause to believe the property is directly or indirectly dangerous to public health or safety.
  - e. When the officer has probable cause to believe the property was used or is intended to be used in violation of RCW 69.50.
  - f. RCW 69.50.505 sets forth circumstances under which a law enforcement officer may effect a seizure of drug-related assets. Refer to the issued *RCW Selected Titles* book before taking action.

#### **B. Seizure of Property for Forfeiture**

1. When an officer contacts property in which there is probable cause that the owner is engaged in—or has knowledge of—intended use of the property, in any manner to facilitate the sale, delivery, receipt, or manufacturing of controlled substances, a seizure for forfeiture of related personal property may be appropriate and the officer shall:
  - a. Determine if there is probable cause that the property was used in the commission of a drug-related felony and therefore subject to seizure.
  - b. Contact his/her supervisor and advise of the facts and circumstances surrounding the potential seizure and obtain authorization to seize the property until the Narcotics Section can review the case.
    - (1) The Investigative Assistance Division (IAD) should be advised of all cases which involve investigations where felony charges are filed. IAD can assist with difficult cases, interviews, and search warrants.
    - (2) Narcotics Section employees are available after normal business hours to assist with complicated seizures by contacting Communications.

- c. Identify the registered owner, legal owner, rightful owner, and indicia of title by name, address, and telephone number. Determine whether the violator or some other person owns the vehicle. Obtain a copy of the information for the case file.
- d. Conduct post-Miranda interviews and debriefings to determine the level of knowledge or criminal intent of the owner(s).
- e. All containers and items of seized property or contraband shall be handled as potential evidence, possibly requiring fingerprinting.
- f. All seized items shall be handled in a manner consistent with current departmental policies on property, evidence, and inventory control.
- g. When practical, seized property should be placed in a secure evidence storage facility, pursuant to current regulations and procedures.
- h. Complete a standard case report. Pay particular attention to justification for the initial traffic stop and search, and describe the probable cause factors attendant to the seizure.

### C. Vehicle Storage and Processing

- 1. In those cases where the seized property is a motor vehicle, the seizure shall be handled as follows:
  - a. The lawful inventory of the vehicle shall be completed. A warrant is required without consent for search. If the vehicle is to be processed for fingerprints, and it is determined the vehicle would be contaminated by removing any personal property, the seizing officer may wait until the processing is completed.
  - b. Personal property not being held for evidence or seizure shall be returned to the owner. If the owner has been arrested or is otherwise unavailable to take possession of the property, it shall be entered into the property system for return to the owner at a later date. The Property/Evidence Report shall be completed, including the authorization for release.
  - c. Evidence shall be packaged consistent with current departmental policies and entered into evidence separately from any personal property.
  - d. The seizing or assisting officer shall meet the tow driver at the vehicle storage facility to secure the keys and place them into evidence.
  - e. When vehicles are seized for forfeiture, the investigating officer shall ensure the vehicle identification number is obtained from the vehicle, rather than from a registration check.

**D. Property Seizure – Case File Requirements**

1. In order to comply with requirements set forth by the Attorney General's Office, the Narcotics Property Seizure Checklist shall be completed to ensure the following items are included in the case file when officers seize property pursuant to 69.50.505:
  - a. Initial case report from the officer.
  - b. Follow-up and/or supplemental case reports.
  - c. Case reports from additional personnel that may be involved.
  - d. Copies of notes, telephone numbers, photos, vehicle registration.
  - e. Lab report/results (include as follow-up item if not immediately available) (Request for Laboratory Examination).
  - f. Search Consent Waiver Form (Search Consent Waiver Card).
  - g. Constitutional Right Waiver Form (Right/Case Report).
  - h. Tow/Impound and Inventory Record.
  - i. Property/Evidence Report.
  - j. Record of Seized Vehicle, Vessel, or Aircraft.
  - k. Copy of towing and storage charges.
  - l. Copy of any NOI/NOCC issued related to the contact.
  - m. Names/addresses of corroborating witnesses.
  - n. Summary of witness testimony.
  - o. All statements.
  - p. Copy of search warrant, supporting affidavit, and return of service.
  - q. Status of criminal case and name of county prosecutor.
  - r. Current location of the seized property (by address).
  - s. Copy of the officer's notes corresponding to the event.
  - t. Criminal history of defendant.
  - u. FBI Identification record.

**E. Supervising the Seizure**

1. Supervisors who are called to the scene of a seizure situation shall determine whether forfeiture procedures are appropriate and ensure the contents of the case file comply with the above



**Property Seizure - Case File Requirements (Narcotics Property Seizure Checklist).** The Narcotics Section will evaluate the facts of the case to determine if a forfeiture is appropriate or if further investigation is warranted. If further investigation is required, the investigation and management of the case shall be continued by the arresting officer and the officer's immediate supervisor; however, the Narcotics Section will assist when needed.

2. The preliminary report shall contain (as near as possible) the required information listed in the **Property Seizure - Case File Requirements** section above. A copy of the preliminary case file shall be faxed immediately to the Narcotics Section and copies of the original shall be mailed within two working days from the date of seizure.
3. The supervisor shall ensure that all reporting deadlines are met.

#### **F. Responsibility of Narcotics Section**

1. The Narcotics Section shall:
  - a. Receive phone call and copies of all reports from the seizing officer.
  - b. Determine if the case meets criteria for forfeiture.
  - c. Determine if seizure and forfeiture is cost-effective.
  - d. Prepare and mail certified seizure notice within (ten) 10 days from date of seizure.
  - e. Attempt to settle cases short of hearing.
  - f. Coordinate forfeiture process with the appropriate Assistant Attorney General.
  - g. Dispose of the vehicle either through sale or retain as department property.
    - (1) If released to owner or repossessed, the involved district shall ensure that all towing and/or storage fees are reimbursed to the department prior to release.
    - (2) If held for forfeiture, the Narcotics Section shall reimburse the involved for all towing and/or storage fees.
  - h. Maintain proof of process service, either by affidavit or by certified mailing.
  - i. Notify the seizing officer of case results.

**Applies to:** WSP Officers; Narcotics Section; Risk Management Division; and Investigative Assistance Division

**See Also:** 14th Amendment of United States Constitution; Substitute Senate Bill 5160; RCW 69.50.505; *Black's Law Dictionary, With Pronunciations*, 5th edition; *RCW Selected Titles*; Tow/Impound and Inventory Record; Search Consent/Waiver Card; Narcotics Property Seizure Checklist; Property/Evidence Report; Request for Laboratory Examination

## Chapter 22

# REPORTING

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### ► SECTION 00: REPORTS ◀

#### **22.00.010    REPORTING AND DISTRIBUTION (CALEA 11.4.1)**

##### **I.    POLICY**

###### **A.   Proper Reporting and Distribution of Summary Reports**

1. In order to ensure timely and informative reporting, the department maintains a "Summary of Departmental Reports." The summary shall include all administrative reports, the person/position responsible, the purpose, the frequency, and the distribution of the reports.
2. Division/district/section commanders should refer to this list to ensure proper reporting and distribution. Analytical reports shall be distributed to the affected organizational unit.
3. Employees shall submit all reports on time to the person/section requiring the report and in accordance with established department procedures.
4. Employees shall not knowingly enter or cause to be entered any inaccurate, false, or misleading information on a report.

**Applies to:**        All WSP Employees

**See Also:**         --

#### **22.00.020    TIME AND ACTIVITY REPORTING (TAR) (CALEA 82.2.1, 82.3.2)**

##### **I.    POLICY**

###### **A.   Reporting Time and Activity Reporting**

1. Employees shall report their time and activities on the Time and Activity Report (TAR) as outlined in the *Time and Activity Report Manual*, unless the employee has been approved for automatic time distribution.
2. Officers shall report violator contacts on the TAR as outlined in the *Time and Activity Report Manual*. The name and date of birth of violators given a verbal warning shall be noted in the comment column of the TAR.

**Applies to:**        All WSP Employees

**See Also:**         Time and Activity Reporting (TAR) Manual

**22.00.030     UNIFORM CRIME REPORTING (CALEA 82.1.4, 82.3.2)****I. POLICY****A. Uniform Crime Report Purpose**

1. The Uniform Crime Report (UCR) is not a measure of the department's activity, nor is it a method for giving credit for work completed by the agency, but rather it is a supplemental crime report provided to the Federal Bureau of Investigation.
2. The data is used to produce Uniform Crime Reports, the Crime Index, the FBI's "Crime in the United States," the Washington Association of Sheriffs and Police Chiefs' "Crime in Washington State," and other publications.
3. UCR information shall be recorded on the Time and Activity Report.

**Applies to:** All WSP Employees

**See Also:** --

**22.00.040     VEHICLE RECOVERIES – REPORTING (CALEA 81.2.4, 82.2.1)****I. POLICY**

[Click here to view General Order 15-001](#)

**A. Recovery of Stolen Vehicles**

1. When stolen vehicles are recovered, the following procedure shall be followed:

**II. PROCEDURES****A. Abandoned Stolen Vehicles**

1. Communications shall confirm the stolen "hit" with the originating agency.
2. Officers shall advise Communications of the location and condition of the vehicle and any related circumstances. Communications shall place a "recovery message" in the WACIC/NCIC file and notify the originating agency and the Criminal Investigation Division (CID) Auto Theft Section. The investigating agency shall call the reporting party with the above information to allow him/her the opportunity to take possession of the vehicle, unless it must be held for investigative purposes. If the owner is unavailable, the vehicle shall be impounded for safekeeping, regardless of the information contained on the theft report. All attempts to contact the owner shall be documented.
3. Officers shall collect all information reasonably available at the scene, using investigative techniques. The most current Motor Vehicle Recovery Report form found on the WSP Intranet shall be completed, outlining the circumstances, evidence, and other information that may be used by the originating investigating law enforcement agency. Officers shall indicate the stolen vehicle recovery on the Time and Activity Report.

4. When a recovered stolen vehicle in the possession of the department is to be released to the owner or the owner's authorized agent, a Hold Harmless Agreement form shall be completed. Only an officer in a supervisory position shall have the authority to release a recovered stolen motor vehicle.
5. Communications shall be notified of the storage location (if applicable), date of release (if applicable), person who released, and the case number (not property number) for inclusion in the WACIC/NCIC "recovery message."
6. Distribution of copies of the Motor Vehicle Recovery Report form is as follows:
  - a. The original shall be forwarded to the immediate supervisor within 48 hours of the recovery for review and approval.
  - b. After review and approval, the supervisor will forward one copy through the chain of command to the CID Auto Theft Section and one copy to the originating agency. Supervisors shall be responsible for the timely submission to ensure the report is received by the CID Auto Theft Section within ten calendar days of vehicle recovery.
  - c. One supervisor-approved copy shall be retained in the case file at the district/detachment. Once the case file is completed, the entire case file shall be sent to the district public disclosure coordinator.
  - d. Officers shall maintain photocopies for their records.
7. Appropriate notations shall be indicated on the bottom portion of the Motor Vehicle Recovery Report form indicating distribution of forms.

#### **B. Occupied Stolen Vehicle**

1. After securing and arresting the possessor of the vehicle as appropriate, the investigating officer shall follow the same reporting procedure as listed for abandoned stolen vehicles.
2. The officer shall provide Communications with the driver and occupant information for inclusion in the WACIC/NCIC "recovery message" sent to the originating agency and the CID Auto Theft Section. The officer shall make immediate notification to the regional CID Auto Theft Unit supervisor for possible response and follow-up.
3. In addition to the required distribution of the Motor Vehicle Recovery Report outlined in **Abandoned Stolen Vehicles**, the primary investigator shall gather the necessary documentation to be included in the case file for submission to the appropriate prosecutor for a charging decision. All cases shall be reviewed and approved by the supervisor for accuracy, completeness, and inclusion of the necessary elements of the crime prior to submission to the prosecutor.

**C. Stolen Vehicle – Vehicle Identification Number (VIN) Removed, Altered, Defaced, or Destroyed**

1. After securing and arresting the possessor of the vehicle as appropriate, the investigating officer shall provide Communications with the available information outlined in **Abandoned/Occupied Stolen Vehicles** for inclusion in the WACIC/NCIC “recovery message.” The officer shall also make immediate notification to the regional CID Auto Theft Unit supervisor for possible response and follow-up.
2. If CID Auto Theft is unavailable to respond, using investigative techniques, the officer shall collect all information/evidence reasonably available at the scene.
3. When the on-scene investigation is completed, the vehicle shall be transported to the nearest Washington State Patrol bullpen following prescribed evidence procedures. The CID Auto Theft Unit supervisor will coordinate the identification of the vehicle, notifications to the VIN Program coordinator, and the subsequent investigation.
4. Within two working days, the local VIN Specialist and regional Auto Theft Unit supervisor shall be provided the supervisor-approved recovering officer’s report, outlining the circumstances, evidence, and any other information that would assist with the identification of the vehicle and further investigation.
5. Once the vehicle owner is positively identified, if applicable, a Motor Vehicle Recovery Report shall be completed in compliance with timelines outlined in **Abandoned/Occupied Stolen Vehicles** by the assigned primary investigator. The responsible supervisor shall ensure the name of the officer who positively identifies the vehicle as stolen is indicated in the “Recovery By” section of the form.
6. The primary investigator’s supervisor shall ensure the required notifications, the report completion, and the dissemination of the Motor Vehicle Recovery Report **in accordance with this regulation**.
7. **No vehicle held in evidence with a VIN removed, altered, defaced, or destroyed shall be released prior to being properly renumbered by the VIN Specialist and after written approval by the VIN Program coordinator.**

**Applies to:**

All WSP Employees

**See Also:**

Motor Vehicle Recovery Report; Hold Harmless Agreement

**22.00.050 FIELD INFORMATION REPORTS (FIR) (CALEA 41.2.4, 42.1.6, 46.3.2, 82.2.1, 82.2.4, 83.2.1)****I. POLICY**[Click here to view General Order 15-002](#)**A. Obtaining Criminal Activity Data From the Field**

1. An important crime prevention and information-gathering technique is the creation of a legitimate system to obtain criminal activity data from the field. An innocuous piece of information could assist in breaking a seemingly unrelated criminal enterprise.

**B. Collecting Field Information**

1. Field information may be collected from individuals who are in custody and from individuals who are not in custody (e.g., "free to leave"). When requesting information from suspects who are not in custody, the officer must remember that the individual has the right to refuse to divulge the information and to leave at any time.

**C. Field Information Report Submission**

1. Employees shall submit a Field Information Report to their immediate supervisor when they have knowledge or suspicion of any of the following:
  - a. Narcotics activity.
  - b. Auto theft activity.
  - c. Motorcycle or street gang movement or activity.
  - d. Officer safety information.
  - e. Any other signs or indications of felony movement or activity.
  - f. SARs (Suspicious Activity Reporting) shall be reported in accordance with the Suspicious Activity Reporting initiative.

**NOTE:** FIRs shall not be submitted solely to report persons with outstanding warrants.

**D. Field Information Report Distribution**

1. Upon receipt of a FIR, supervisors shall determine if the information is of local, state, regional, national, or international importance.
2. Local information that is critical time-wise or pertains to officer safety shall be immediately disseminated to local officers, sheriffs' offices, and police departments through the appropriate district or, if of an exigent nature, through the local detachment. Local FIRs shall then be forwarded to the Homeland Security Division for filing, analysis, and/or further dissemination, if applicable.

3. Information with state, regional, national, or international implications shall be forwarded directly to the Homeland Security Division for analysis and dissemination. All information on narcotics, auto theft, gangs, or felony movement and activity and any suspicious activity shall be forwarded to the Homeland Security Division.
4. If an officer has completed a felony case report dealing with a significant felony arrest, a copy of the case report may be submitted as an attachment to the FIR.

#### **E. Employee Responsibility**

1. FIRs shall be submitted within 24 hours of the initial knowledge or suspicion of felony activity. If the employee's immediate supervisor is not available and the information is of a critical nature, it shall be the employee's responsibility to ensure the information is forwarded to another supervisor or to the next level of supervision.
2. SARs (Suspicious Activity Reporting) shall be reported in accordance with the Suspicious Activity Reporting initiative.

**Applies to:** All WSP Employees  
**See Also:** Field Information Report Form

### **22.00.060 CHILD AND ADULT-DEPENDENT ABUSE REPORTING GUIDELINES (CALEA 55.2.2)**

#### **I. POLICY**

[Click here to view General Order 15-002](#)

#### **A. Child and Adult-Dependent Suspect Physical Abuse Requirements**

1. If an officer suspects the possibility that a child or adult-dependent is the object of physical abuse, the officer is responsible for obtaining and forwarding the following information:
  - a. Verify the address of the parents/legal guardians and the victim.
  - b. Notify CPS and local law enforcement jurisdiction of (a) address of parent/legal guardians and victim; (b) nature, location, and extent of injuries; (c) nature and extent of neglect and/or sexual abuse; and (d) any evidence the officer may have observed; or
  - c. Notify the district investigative officers of the same information. The detectives assigned to the follow-up shall ensure that Department of Social and Health Services (DSHS) or CPS and local law enforcement are notified of the investigation.
  - d. Ensure the parents or legal guardians are advised of the investigation.

#### **B. Investigation of Child Abuse**

1. If DSHS or a law enforcement agency responds to a complaint of child abuse or neglect and discovers that another agency has also responded to the complaint, the agencies shall coordinate the investigation and keep each other apprised of the progress.

2. DSHS, and any other agency involved in a child abuse case, shall make, as soon as practicable, a written record, and shall maintain records of all incidents of suspected child abuse reported to that person or agency. Records kept under this section shall be identifiable by means of an agency code for child abuse. Therefore, records of all abuse cases involving children and adult-dependent persons shall be maintained by the department. Upon the receipt of a report concerning the possible occurrence of abuse or neglect, it shall be the duty of the law enforcement agency to investigate and provide CPS with a report.
3. When an officer responds to a call alleging that a child or adult-dependent has been subjected to sexual or physical abuse and has probable cause to believe that a crime has been committed, or responds to a call alleging that a temporary restraining order or preliminary injunction has been violated, the peace officer has the authority to arrest the person without a warrant.
4. An officer may take, or cause to be taken, a child or adult-dependent into protective custody without a court order if there is probable cause to believe that the child or adult-dependent is abused or neglected and that the victim will be further subjected to injury if the officer does not immediately remove the victim.
5. To comply with legislatively-mandated responsibilities, officers shall be familiar with definitions related to sexual assault/abuse and the details of RCW 26.44, Abuse of Children and Adult-Dependent or Developmentally Disabled Person; Protection; Procedure.
6. Officers shall be aware that sexual exploitation of children is defined as allowing, permitting, or encouraging a child to engage in prostitution; or allowing, permitting, encouraging, or engaging in obscene or pornographic photographing, filming, or depicting of a child for commercial purposes as those acts are defined by state law by any person.
7. Child abuse or neglect is defined as the injury, sexual abuse, sexual exploitation, or negligent treatment or maltreatment of a child (a person under the age of 18 years) by any person under circumstances which indicate that the child's health, welfare, and safety are harmed thereby. An abused child is a child who has been subjected to child abuse or neglect as defined in RCW 26.44. PROVIDED, however, RCW 26.44 shall not be construed to authorize interference with child-raising practices, including reasonable parental discipline, which is not proved to be injurious to the child's health, welfare, and safety. FURTHER, nothing in RCW 26.44 shall be used to prohibit the reasonable use of corporal punishment as a means of discipline. No parent or guardian shall be deemed abusive or neglectful solely by reason of the parent's or child's blindness, deafness, developmental disability, or other handicap.



**C. Interviewing Victims of Abuse**

1. It is imperative that victims of abuse be interviewed in an open, honest setting. The child must feel safe and comfortable enough to speak freely, or he/she will not respond. Therefore, identifying a suitable interview site is the most critical aspect of the interviewing process. Depending on the nature of the investigation, the interviewing officer can contact the child at his/her school, home, or other appropriate location.
2. The interviewing officer should possess a camera, Kid Kit (for interviewing), and a copy of human figure drawings. The interviewer should allow the child to describe the incident in his/her own words and then follow up with non-leading questions. The officer should utilize the drawings to have the child illustrate the places where the child was touched or injured.
3. Child abuse injuries require medical attention and formal documentation of evidence. This process enables the uniform collection of evidence and the subsequent testimony of the attending physician.
4. Photographs shall be taken to illustrate the injuries received and to be used as evidence in court.

**Applies to:** All WSP Employees  
**See Also:** RCW 10.31.100, 26.44.050

**► SECTION 01: SERIOUS REPORTING ◀****22.01.010     REPORTING USE OF FORCE – WSP OFFICERS (CALEA 1.3.6, 81.2.4)****I. POLICY****A. Supervisor Notification of Use of Force Incidents**

1. In any instance where officers use force (as defined in the **USE OF FORCE – DEFINED** policy) to defend themselves or to overcome a person's combative resistance or aggression, they shall immediately notify a supervisor. The supervisor shall immediately submit a Use of Force Report to their division/district commander.
2. If an arrest is made, the officer shall complete an arrest report and any other reports necessary to satisfy prosecutorial requirements.

**Applies to:** WSP Officers  
**See Also:** WSP Policy **Use of Force – Defined**; Use of Force Report

**22.01.020**    **REPORTING DEATHS, SERIOUS INJURIES, AND SUBSTANTIAL LOSSES****I. POLICY****A. Completing an Office of Financial Management Incident Report Form**

1. Division/district/section commanders must complete an Office of Financial Management Incident Report Form on any incident involving a Washington State Patrol employee where there has been a death of a person, serious injury to a person, or substantial property damage or loss caused (or alleged to have been caused) by the actions of a Washington State Patrol employee.
2. Commanders must submit the OFM Incident Report Form and any other pertinent information relating to the incident, by fax or e-mail, to the Risk Management Division (RMD) through the appropriate chain of command. Commanders are responsible for ensuring that RMD receives the form within four days of the incident.

**Applies to:** All Division/District Commanders

**See Also:** RCW 43.41.370; OFM Incident Report Form

**22.01.030**    **REFERRAL TO PROSECUTOR****I. POLICY****A. Criminal Violation**

1. When a specific investigation reveals sufficient evidence to indicate a criminal violation was committed by an employee of the department, the appropriate prosecuting attorney shall be requested to review the case.

**Applies to:** All WSP Employees

**See Also:** --

**22.01.040**    **RELIEF FROM DUTY (CALEA 1.3.8, 26.1.5, 52.2.7)****I. POLICY****A. Relieved From Duty**

1. When, as the result of an investigation or direct observation a supervisor determines that it is in the best interest of the employee, the department, or the public to do so, an employee may be temporarily relieved from duty with pay. Immediately upon relieving an employee from duty, the supervisor shall notify the district/division commander, who will ensure the appropriate assistant chief/bureau director is notified. A temporary relief from duty shall not exceed 48 consecutive hours.

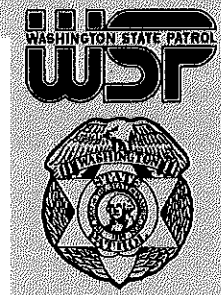
2. During a temporary relief from duty, the employee shall remain available from 9 a.m. to 5 p.m. to return to duty. During that time, the employee shall call his/her respective division/district twice each work day and be available to respond to the office in one hour.
3. Pending completion of any complaint investigation or disciplinary process, the Chief, assistant chief, or bureau director may reassign an employee to an administrative position or administrative leave. Employees so assigned shall not return to their regular work assignment except by order of the Chief, assistant chief, or bureau director.

**Applies to:** All WSP Employees

**See Also:** --

**INTEROFFICE COMMUNICATION**  
**WASHINGTON STATE PATROL**

**TO:** All Employees  
**FROM:** Chief John R. Batiste  
**SUBJECT:** Regulation Manual Revision  
**DATE:** April 10, 2015



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**GENERAL ORDER**  
**15-001A**

General Order 15-001A is now available on Inside WSP within the *2015 Regulation Manual* at the following URL: [http://iwspsp/sites/TSB/RMD/Pages/Regulation\\_Manual.aspx](http://iwspsp/sites/TSB/RMD/Pages/Regulation_Manual.aspx)

General Order 15-001A contains revisions to an existing policy in the *2015 Regulation Manual*:

- 18.00.150 MOBILE/IN-CAR VIDEO SYSTEM (CALEA 1.2.1, 41.3.4, 41.3.8, 83.2.2)

Commanders are responsible for distributing the General Order to all employees under their command. Employees are responsible for reading and understanding the new policies.

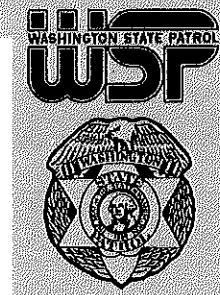
Employees shall acknowledge receipt of this General Order by signing a Directive Control Sheet. The signed Directive Control Sheet shall be maintained by the division/district as required by the retention schedule.

JRB:tlu  
Attachments



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**18.00.150**      **MOBILE/IN-CAR VIDEO SYSTEM (CALEA 1.2.1, 41.3.4, 41.3.8, 83.2.2)**

**I. DEFINITIONS**

- A. Command Staff:** As used in this policy, includes all Washington State Patrol commissioned officers at the rank of lieutenant or above.
- B. Digital Video File:** The file that contains the audio and visual recording from a digital camera.
- C. Cradle:** The device used to upload digital video files from the removable hard drive to the Video Management System.
- D. In-Car Video System:** The system comprised of a video camera, sound system, media to record the incident, and all related equipment that may include a VHS or digital camera.
- E. Public Disclosure Coordinator (Division/District Designee):** An employee responsible for the proper dissemination of audio/video materials in accordance with policy and the department's retention schedule (see *Public Disclosure Manual*).
- F. Removable Hard Drive:** Equipment that stores digital audio and visual recordings from digital video cameras, which are uploaded from the hard drive to the Video Management System.
- G. Video Coordinator:** An employee responsible for uploading digital video files from the removable hard drive to the Video Management System. Video coordinators are also responsible to maintain the chain of custody of removable hard drives and preserve digital video files in accordance with the department's retention schedule.
- H. Video Management System:** The application used by the video coordinator or division/district designee to manage digital video files.

**II. PURPOSE**

- A.** The purpose of the mobile in-car video system is to enhance safety and provide agency transparency and documentary evidence. Officers assigned an in-car video system shall comply with chapter 9.73 RCW and adhere to the operational objectives/protocols outlined herein to maximize the effectiveness and utility of the equipment, ensuring the integrity of evidence and related video documentation.

**III. POLICY**

**A. General Provisions**

- 1.** It is the policy of the department to use in-car video systems and recordings for their intended purpose, in a manner that complies with law. The department recognizes that laws governing the use of certain state equipment and resources, and the department's handling of recordings and records include, but are not limited to, chapter 9.73 RCW, chapter 42.52 RCW, and chapter 42.56 RCW.

Every department employee shall read this policy in a manner that comports with applicable laws and shall abide by all applicable laws.

**B. Property of the Department – Use of Equipment and Recordings**

1. The in-car video system, video management system, cradles, cameras, hard drives, wireless network and connectivity, recording equipment, and recordings are property of the department and shall only be used for official department business.
  - a. An employee shall not use equipment, wireless networks, or recordings for personal use.
  - b. If a recording has training or public educational value, the officer shall advise the designated video coordinator, who shall present the information to the division/district commander for consideration and discussion with the commander of the Training Division. The division/district commander and the commander of the Training Division shall ensure that recordings are not used for commercial purposes or until after the final disposition of any criminal or civil litigation related to the recording.
  - c. If a recording may be relevant to an administrative and/or criminal investigation of department employee(s), or litigation against the state of Washington, the video coordinator shall be directed to place a hold on the video and note the reason for the hold. If the video coordinator receives such a hold instruction from anyone other than the division/district commander, command staff, Risk Management Division (RMD), or Office of Professional Standards (OPS), the video coordinator shall immediately notify the division/district commander.
2. An employee shall not attach a department cradle to a personal device or remove a cradle from a department facility.
3. The department may review in-car video recordings at any time. A recording may be placed in a hold status by command staff, RMD, OPS, or the video coordinator in consultation with the division/district commander.
4. A copy of a recording shall be furnished upon request to command staff, the division commander of RMD, or any staff member of OPS. Otherwise, the copying of recordings is prohibited, except as follows:
  - a. By a designated video coordinator; or
  - b. With prior command approval.
5. An employee shall not alter or delete an original recording, and in any event, recordings may only be deleted after all applicable retention obligations have been met; hold notices have been removed; and the final disposition of any criminal or civil litigation related to the recording.

**C. Division/District Command Responsibilities**

1. Division/district commanders are responsible for the in-car video systems under their command. District commanders shall designate a video coordinator to maintain accountability for VHS tapes, removable hard drives, digital video files, and any other equipment or records associated with in-car video systems. The lieutenant in the designated video coordinator's chain of command shall oversee the tracking system.
2. Evidence officers shall not be the designated video coordinator.
3. Division/district procedures shall comply with this policy, retention laws, chapter 42.52 RCW, RCW 9.73.090, and RCW 9.73.080(1)(c).
  - a. Troopers assigned to department offices that have wireless uploading shall use the direct wireless uploading of recordings. This should be done, at a minimum, twice per week for a sufficient time to allow the system to upload the videos stored on the hard drive.
  - b. Due to the distance of outlying detachments from most district headquarters locations, a district commander may promulgate a district drop box procedure that includes designation of a property and evidence custodian, officer, or supervisor to deliver removable hard drives using a secure locked box to the video coordinator directly. The procedure shall adequately address chain of custody documentation, include the type of secure drop box available at detachment locations, and the notification of Communications of when and where the property and evidence custodian/supervisor is taking the removable hard drive(s).
4. It shall be the district commander or designee's responsibility to inform and work with the appropriate prosecutor concerning this policy upon deployment of an in-car video system. All personnel working in the respective jurisdiction(s) shall follow the procedures established as a result of the discussions with the prosecutor.

**D. Video Coordinator and Public Disclosure Responsibilities**

1. The Video Program Coordinator shall be responsible for the overall management of the video coordinators in each district and standardization of department processes and procedures for the Digital Video Management System, including compliance with department policy and storage, distribution, and retention of all digital video recordings.
2. Each video coordinator shall facilitate and monitor the use of the Digital Video Management System within the video coordinator's district of assignment. The video coordinator shall:
  - a. Create, update, and disable user accounts as needed.
  - b. Monitor that recordings from each officer are being regularly and timely uploaded, and otherwise notify an officer's chain of command.



- c. Track and facilitate the use, retention, and destruction of recordings in a manner consistent with this policy and the department's obligations under law.
  - d. Record the date and time of receipt of any removable hard drive provided to the video coordinator and upload videos from such removable hard drives to the Digital Video Management System.
- 3. VHS tapes are no longer issued or deployed in the department. However, the district designee, whether the video coordinator or Public Disclosure Coordinator, shall maintain existing VHS tape recordings in accordance with agency hold notices and laws governing records retention and evidence. When destruction of a VHS tape is appropriate (i.e., retention, hold notice, and evidentiary obligations have been met), the district designee regarding VHS tapes shall document the date of destruction and maintain a record of the disposition of each sequentially numbered video tape for audit purposes. Recorded VHS tapes shall be stored in a locked container/room. Only the video coordinator and/or Public Disclosure Coordinator and his/her lieutenant shall have access to the container/room.
- 4. All digital recordings shall be retained according to the retention schedules and laws, department hold notices, and the department's obligations (evidentiary and other) under law. Unless otherwise specified in applicable retention schedules or subject to hold (initiated by command staff, RMD, or OPS) necessitating longer retention:
  - a. All recordings of a non-criminal nature will be retained for 130 days.
  - b. All recordings of a criminal nature will be retained for 3,650 days (10 years).
  - c. Recordings will automatically be deleted within the Video Management System at the expiration of the applicable period specified in (a) or (b), unless a hold has been placed on the recording.
- 5. In the event of a litigation or legal defense hold notice, it is the responsibility of the involved employee, their supervisor, and/or the video coordinator to ensure that digital recordings and VHS tapes are preserved and retained pending retrieval by department and/or Attorney General's Office personnel responsible for litigation/claim management (see **ATTORNEY GENERAL'S RECORDS HOLD NOTICE REQUIREMENTS**).
- 6. The Video Program Coordinator, video coordinators, and Public Disclosure Coordinators shall facilitate the following:
  - a. **Tracking Access and Copy Requests**
    - (1) The video coordinator shall track all requests concerning recordings using CITE. The video coordinator shall label all copies of recordings with the date of the incident, recording officer, and date the copy was made.

- (2) Before duplicating or releasing a copy of a recording to a department employee for intra-departmental purposes, the video coordinator shall require a completed "Video Request - General" form from the requesting department employee. An officer may only receive a copy of the officer's own recording(s), unless the officer has prior, written command approval to receive another officer's recording(s).
- (3) Unless the copy is going to OPS, in a case file, or in a legal defense file, a copy made for intra-departmental purposes shall be returned by the requestor to the video coordinator for disposal after use.

**b. Administrative Holds**

- (1) In the event that a recording holds information pertinent to an allegation of misconduct, the OPS Commander or his/her designee may order a copy of the recording, and that the recording be held in accordance with state and agency administrative retention timelines. OPS shall notify the appropriate division/district commander and video coordinator when the administrative hold has been lifted for the recording.

**c. Discovery (Criminal)**

- (1) A defendant and/or their attorney of record may be allowed to view or receive a copy of a video of an incident in question by submitting a request directly to the Public Disclosure Coordinator (see **PUBLIC RECORDS REQUESTS**).

**d. Public Disclosure**

- (1) In processing requests for disclosure of VHS tapes or digital video recordings made pursuant to the Public Records Act (chapter 42.56 RCW), the video coordinator and Public Disclosure Coordinator shall follow department policies and procedures and applicable laws, including RCW 9.73.090.

**E. Supervisory Responsibilities**

- 1. Supervisors shall ensure officers with in-car video systems and their sergeants are trained to use the equipment. Proper training includes, but is not limited to, reading of the operator's manual, chapter 9.73 RCW, and applicable departmental policies and procedures. Reports of Training shall be completed, approved through the chain of command, and entered into E-Train.
  - a. Officers shall follow established policies and procedures for the use and maintenance of the in-car video system equipment, handling of recordings, and the completion of all necessary documentation.
  - b. In-car video system equipment must be inspected as part of the department's annual equipment inspection policy (see **INSPECTIONS**).

- c. Officers shall ensure equipment is adequately safeguarded to prevent it from being misplaced or misappropriated.
  - d. Viewing cradles shall not be attached to a personal device, removed from any department facility, or used for any purpose other than conducting agency business.
- 2. Supervisors shall review a minimum of ten recorded violator contacts every six months, noting in the officer's supervisory desk file that the reviews were completed. One of these six-month reviews per year can be in conjunction with the scheduled 80-hour work audit. While recordings may be used in investigations alleging officer misconduct, it is not the intent of the department to use them to initiate disciplinary action in instances of minor violations of policy or procedure. Recordings may serve as training tools that provide the opportunity for ongoing constructive interaction.
- 3. Supervisors notified of needed repairs and/or replacements of damaged or nonfunctional equipment shall ensure the work or replacement order is submitted and performed in a timely manner. Repairs may be handled by the Information Technology Division (ITD) or contracted to an outside vendor. All such vendor contracts will be managed by ITD.
- 4. Supervisors shall transport the removable hard drive containing any video recording of any officer who experiences an unplanned absence of longer than five calendar days to the video coordinator.

**F. Officer Responsibilities**

**1. Prerequisite Training and Equipment Checks**

- a. Officers shall complete required training before operating the in-car video system equipment. Required training includes, but is not limited to, personal instruction by ITD staff regarding the operation of the system, reading the operator's manual(s) for the equipment, and review of chapter 9.73 RCW and applicable department and division/district procedures. Officers shall complete and submit through the chain of command Reports of Training for notation in E-Train.
- b. At the beginning of shift, officers shall ensure that the in-car video system equipment is working properly including, but not limited to, confirming that the equipment displays the accurate date and time. Officers shall activate the camera, test the audio, and play it back to verify proper operation of the equipment. Officers shall note the daily camera check on their Time and Activity Report (TAR) (pre/post checks). For VHS tapes, the date, time, and tape counter shall be operational on the tape. For digital recordings, the date and time will be displayed on the recording. When any vehicle service is performed that may disrupt automotive electrical power, the video system shall be inspected and, if necessary, the date and clock reset.
- c. If any in-car video system component malfunctions or fails, the system shall not be used. Officers shall document the problem on their TAR, in the

"Comments" section, immediately notify their supervisor, Communications, and the video coordinator, and then initiate an ITD work order by the end of their work shift to begin the process of repairing the system malfunction and/or failure.

- d. The video camera shall be adjusted to properly record all contacts. Officers shall select the appropriate contact type when completing the required video data entry, for record retention purposes.

## **2. Recording Obligations**

- a. Officers wearing a sound recording device that records during video recording by the in-car video system shall be in department-issued uniform while using the sound recording device and shall ensure compliance with chapter 9.73 RCW.
- b. Officers shall activate the front camera of the in-car video system prior to any contact and shall digitally record all contacts, pursuits, emergency responses, disabled vehicles, and when approaching scenes of a criminal nature. Officers may digitally record the approach to collision or other scenes. If working stationary traffic control and proactive enforcement becomes necessary, the officer shall immediately activate the equipment and record the incident. Once activated, the recording will continue until the contact in question has been completed.
- c. Officers shall activate the back seat camera immediately upon placing a suspect or individual in the back seat of the patrol vehicle, and the camera shall remain on during the entire time the back seat is occupied.
- d. During initial contact, except under exigent circumstances, the officer shall advise the subject(s) present that an audio and video recording is being made. The officer shall ensure the advisement is captured on the recording. Each assisting officer shall notify any officer(s) and subject(s) present that they are being audio and video recorded.
- e. The officer shall ensure that the audio recording is captured simultaneously with the video recording, and shall not turn off, disable, or intentionally disturb the audio or video recording of a contact or event, except that the officer shall stop all recording when necessary to protect attorney-client privileged communications between suspects and their attorneys.
- f. An officer shall not use the in-car video system equipment to make audio-only recordings of suspects.
- g. Officers may supplement the video recording with an audio description of the event and describe any external factors that may not have been recorded (e.g., prior observations, road conditions, etc.).
- h. The presence of other officers with in-car video system equipment shall not negate the requirement for all officers to make incident recordings as required by this policy.

**3. Documentation Requirements**

- a. Once the event has been recorded and the contact completed, the officer may turn off the audio and video recording and place the in-car system back into the "pre-event" mode. It is the responsibility of the primary officer to ensure all video recordings of a contact are categorized properly for retention purposes (e.g., as criminal or non-criminal in nature).
- b. Officers shall note enforcement contacts recorded on the in-car video system in the "Comments" section on the back of the TAR, in line with that particular contact entry, to include the suspect's name or ticket number.
- c. When a Notice of Infraction or Notice of Criminal Citation (NOI/NOCC) is written or an arrest is made, the officer shall indicate on the back of the court copy of the ticket or in the arrest report that the contact was recorded.
- d. Officers shall not use recording as a substitute for normal documentation of interviewing witnesses/suspects. Officers interviewing in-custody suspects while recording shall comply with Miranda requirements. The Recorded Defendant/Witness Statement shall be read to all suspects. The Witness section of the form shall be read to all individuals who are not suspects.
- e. Recordings are considered records and should not be entered into evidence unless it becomes necessary as an actual part of the case. Any recording entered into the property and evidence system or an investigative case file shall be recorded on the TAR. If it is believed that a recorded contact could potentially result in either an administrative and/or criminal investigation against an employee(s) or litigation against the state of Washington, the officer shall immediately notify the officer's chain of command for action consistent with this policy.

**4. Manual Video Uploading**

- a. If the wireless option of uploading recordings is not available, an officer shall use the manual method of uploading. In such a circumstance, the officer shall:
  - (1) Properly maintain and document chain of custody of the removable hard drives. An officer with Premier Mobile Data Computer (PMDC) shall create a CAD incident titled "Hard Drive Deposit" to include the date, time, location, and hard drive number when a removable hard drive is deposited in a designated, secured drop box. If PMDC is not available, the officer shall notify Communications to create a CAD incident with the same information. Communications shall record the deposit of the removable hard drive.
  - (2) Deposit the removable hard drives in the designated drop spots for the division/district or with a property and evidence custodian or the video coordinator. A property and evidence custodian with whom a removable hard drive is deposited shall transport the removable hard drive to the video coordinator. In critical circumstances, an officer may request command authorization to deposit the hard drives with a supervisor for transport to the video coordinator.

- (3) Officers shall ensure that removable hard drives are rotated and deposited in the designated secure drop box prior to TAR closing and any absence in excess of seven calendar days. This will allow the in-car video system to receive software updates and to prevent the hard drives from reaching recording capacity.

**5. Access to Recordings and Removable Hard Drives**

- a. An officer shall properly safeguard removable hard drives and the recordings on them by depositing removable hard drives with the video coordinator whenever:
  - (1) The officer may be away from the vehicle containing the removable hard drive for longer than the officer's regularly scheduled days off; or
  - (2) There is a possibility that anyone other than the officer might use the officer's vehicle.
- b. An officer using a department vehicle equipped with a removable hard drive issued to another officer shall log in only with the officer's own user-specific login credentials.
- c. Until the video coordinator uploads the recordings to the Digital Video Management System, no one shall open or view the recording files, except:
  - (1) The video coordinator;
  - (2) An officer who needs to view his/her own recordings for report writing purposes, in which case, the officer shall document the file name of the video in the officer's report; or
  - (3) Supervisors or command staff.

**Applies to:** All WSP Officers, Risk Management Division

**See Also:** RCW 9.73.080(1)(c), 9.73.090, Chapters 9.73, 42.52, 42.56 RCW; WSP Policies **Attorney General's Records Hold Notice Requirements, Records Retention, Electronic Records Storage, Employee Access to Electronic Information, Public Records Requests, Inspections**; *Public Disclosure Manual*; Report of Training; Recorded Defendant/Witness Statement; Report of Investigation; Video Requests – Discovery, Request for Public Records; Video Request – General

**18.00.150 MOBILE/IN-CAR VIDEO SYSTEM (CALEA 1.2.1, 41.3.4, 41.3.8, 83.2.2)**

**I. DEFINITIONS**

- A. Command Staff:** As used in this policy, includes all Washington State Patrol commissioned officers at the rank of lieutenant or above.
- AB. Digital Video File:** The file that contains the audio and visual recording from a digital camera.
- BC. Docking Station or Cradle:** The device used to upload digital video files from the removable hard drive to the Video Management System.
- CD. In-Car Video System:** The system comprised of a video camera, sound system, media to record the incident, and all related equipment that may include a VHS or digital camera.
- DE. Public Disclosure Coordinator (Division/District Designee):** An employee responsible for the proper dissemination of audio/video materials in accordance with policy and the department's retention schedule (see *Public Disclosure Manual*).
- EF. Removable Hard Drive:** Equipment that stores digital audio and visual recordings from digital video cameras, which are uploaded from the hard drive to the Video Management System.
- FG. Video Coordinator:** An employee responsible for uploading digital video files from the removable hard drive to the Video Management System. Video coordinators are also responsible to maintain the chain of custody of removable hard drives and preserve digital video files in accordance with the department's retention schedule.
- GH. Video Management System:** The application used by the video coordinator or division/district designee to manage digital video files.

**II. PURPOSE**

- A. The purpose of the mobile in-car video system is to enhance safety and provide agency transparency and documentary evidence. Officers assigned an in-car video system shall comply with RCW chapter 9.73 RCW and adhere to the operational objectives/protocols outlined herein to maximize the effectiveness and utility of the equipment, ensuring the integrity of evidence and related video documentation.

**III. POLICY**

**A. General Provisions**

1. It is the policy of the department to use in-car video systems and recordings for their intended purpose, in a manner that complies with law. The department recognizes that laws governing the use of certain state equipment and resources, and the department's handling of recordings and records include, but are not limited to, chapter 9.73 RCW, chapter 42.52 RCW, and chapter 42.56 RCW.

Every department employee shall read this policy in a manner that comports with applicable laws and shall abide by all applicable laws.

**B. Property of the Department – Use of Equipment and Recordings**

1. The in-car video system, video management system, cradles, cameras, hard drives, wireless network and connectivity, recording equipment, and recordings are property of the department and shall only be used for official department business.
  - a. An employee shall not use equipment, wireless networks, or recordings for personal use.
  - b. If a recording has training or public educational value, the officer shall advise the designated video coordinator, who shall present the information to the division/district commander for consideration and discussion with the commander of the Training Division. The division/district commander and the commander of the Training Division shall ensure that recordings are not used for commercial purposes or until after the final disposition of any criminal or civil litigation related to the recording.
  - c. If a recording may be relevant to an administrative and/or criminal investigation of department employee(s), or litigation against the state of Washington, the video coordinator shall be directed to place a hold on the video and note the reason for the hold. If the video coordinator receives such a hold instruction from anyone other than the division/district commander, command staff, Risk Management Division (RMD), or Office of Professional Standards (OPS), the video coordinator shall immediately notify the division/district commander.
2. An employee shall not attach a department cradle to a personal device or remove a cradle from a department facility.
3. The department may review in-car video recordings at any time. A recording may be placed in a hold status by command staff, RMD, OPS, or the video coordinator in consultation with the division/district commander.
4. A copy of a recording shall be furnished upon request to command staff, the division commander of RMD, or any staff member of OPS. Otherwise, the copying of recordings is prohibited, except as follows:
  - a. By a designated video coordinator; or
  - b. With prior command approval.
5. An employee shall not alter or delete an original recording, and in any event, recordings may only be deleted after all applicable retention obligations have been met; hold notices have been removed; and the final disposition of any criminal or civil litigation related to the recording.



**AC. Division/District Command Responsibilities**

1. Division/district commanders are responsible for the in-car video systems under their command. District commanders shall designate a video coordinator to maintain accountability for VHS tapes, removable hard drives, digital video files, and any other equipment or records associated with in-car video systems. The lieutenant in the designated video coordinator's chain of command shall oversee the tracking system.
2. Evidence officers shall not be the designated video coordinator.
3. Division/district procedures shall comply with this policy, retention laws, **chapter 42.52 RCW**, RCW 9.73.090, and RCW 9.73.080(1)(c).
  - a. Troopers assigned to department offices that have wireless uploading shall use the direct wireless uploading of recordings. This should be done, at a minimum, twice per week for a sufficient time to allow the system to upload the videos stored on the hard drive.
  - b. Due to the distance of outlying detachments from most district headquarters locations, a district commander may promulgate a district drop box procedure that includes designation of a property and evidence custodian, officer, or supervisor to deliver removable hard drives using a secure locked box to the video coordinator directly. The procedure shall adequately address chain of custody documentation, include the type of secure drop box available at detachment locations, and the notification of Communications of when and where the property and evidence custodian/supervisor is taking the removable hard drive(s).
4. It shall be the district commander or designee's responsibility to inform and work with the appropriate prosecutor concerning this policy upon deployment of an in-car video system. All personnel working in the respective jurisdiction(s) shall follow the procedures established as a result of the discussions with the prosecutor.

**D. Video Coordinator and Public Disclosure Responsibilities**

1. The Video Program Coordinator shall be responsible for the overall management of the video coordinators in each district and standardization of department processes and procedures for the Digital Video Management System, including compliance with department policy and storage, distribution, and retention of all digital video recordings.
2. Each video coordinator shall facilitate and monitor the use of the Digital Video Management System within the video coordinator's district of assignment. The video coordinator shall:
  - a. Create, update, and disable user accounts as needed.
  - b. Monitor that recordings from each officer are being regularly and timely uploaded, and otherwise notify an officer's chain of command.

- c. Track and facilitate the use, retention, and destruction of recordings in a manner consistent with this policy and the department's obligations under law.
  - d. Record the date and time of receipt of any removable hard drive provided to the video coordinator and upload videos from such removable hard drives to the Digital Video Management System.
- 3. VHS tapes are no longer issued or deployed in the department. However, the district designee, whether the video coordinator or Public Disclosure Coordinator, shall maintain existing VHS tape recordings in accordance with agency hold notices and laws governing records retention and evidence. When destruction of a VHS tape is appropriate (i.e., retention, hold notice, and evidentiary obligations have been met), the district designee regarding VHS tapes shall document the date of destruction and maintain a record of the disposition of each sequentially numbered video tape for audit purposes. Recorded VHS tapes shall be stored in a locked container/room. Only the video coordinator and/or Public Disclosure Coordinator and his/her lieutenant shall have access to the container/room.
- 4. All digital recordings shall be retained according to the retention schedules and laws, department hold notices, and the department's obligations (evidentiary and other) under law. Unless otherwise specified in applicable retention schedules or subject to hold (initiated by command staff, RMD, or OPS) necessitating longer retention:
  - a. All recordings of a non-criminal nature will be retained for 130 days.
  - b. All recordings of a criminal nature will be retained for 3,650 days (10 years).
  - c. Recordings will automatically be deleted within the Video Management System at the expiration of the applicable period specified in (a) or (b), unless a hold has been placed on the recording.
- 5. In the event of a litigation or legal defense hold notice, it is the responsibility of the involved employee, their supervisor, and/or the video coordinator to ensure that digital recordings and VHS tapes are preserved and retained pending retrieval by department and/or Attorney General's Office personnel responsible for litigation/claim management (see **ATTORNEY GENERAL'S RECORDS HOLD NOTICE REQUIREMENTS**).
- 6. The Video Program Coordinator, video coordinators, and Public Disclosure Coordinators shall facilitate the following:
  - a. **Tracking Access and Copy Requests**
    - (1) The video coordinator shall track all requests concerning recordings using CITE. The video coordinator shall label all copies of recordings with the date of the incident, recording officer, and date the copy was made.

- (2) Before duplicating or releasing a copy of a recording to a department employee for intra-departmental purposes, the video coordinator shall require a completed "Video Request - General" form from the requesting department employee. An officer may only receive a copy of the officer's own recording(s), unless the officer has prior, written command approval to receive another officer's recording(s).
- (3) Unless the copy is going to OPS, in a case file, or in a legal defense file, a copy made for intra-departmental purposes shall be returned by the requestor to the video coordinator for disposal after use.

**b. Administrative Holds**

- (1) In the event that a recording holds information pertinent to an allegation of misconduct, the OPS Commander or his/her designee may order a copy of the recording, and that the recording be held in accordance with state and agency administrative retention timelines. OPS shall notify the appropriate division/district commander and video coordinator when the administrative hold has been lifted for the recording.

**c. Discovery (Criminal)**

- (1) A defendant and/or their attorney of record may be allowed to view or receive a copy of a video of an incident in question by submitting a request directly to the Public Disclosure Coordinator (see **PUBLIC RECORDS REQUESTS**).

**d. Public Disclosure**

- (1) In processing requests for disclosure of VHS tapes or digital video recordings made pursuant to the Public Records Act (chapter 42.56 RCW), the video coordinator and Public Disclosure Coordinator shall follow department policies and procedures and applicable laws, including RCW 9.73.090.

**BE. Supervisory Responsibilities**

1. Supervisors shall ensure officers with in-car video systems and their sergeants are trained to use the equipment. Proper training includes, but is not limited to, reading of the operator's manual, RCW chapter 9.73 RCW, and applicable departmental policies and procedures. Reports of Training shall be completed, approved through the chain of command, and entered into E-Train.
  - a. Officers shall follow established policies and procedures for the use and maintenance of the in-car video system equipment, handling of recordings, and the completion of all necessary documentation.
  - b. In-car video system equipment must be inspected as part of the department's annual equipment inspection policy (see **INSPECTIONS**).

- c. Officers shall ensure equipment is adequately safeguarded to prevent it from being misplaced or misappropriated.
- d. Viewing cradles shall not be attached to a personal device, removed from any department facility, or used for any purpose other than conducting agency business.

~~2. **Handling of VHS Tapes** – Detachment sergeants who supervise officers with a mobile/in-car video system equipped with VHS equipment shall maintain a sufficient supply of pre-numbered tapes. The sergeant shall contact the division/district Public Disclosure Coordinator or his/her lieutenant to obtain tapes, sign a check out sheet, and store the tapes at the local office. Tapes that have recorded incidents shall not be altered or deleted by anyone, as a chain-of-custody must be maintained. Tapes that have recorded incidents shall be returned to the Public Disclosure Coordinator or designee within a reasonable time, no longer than two weeks, as established by the division/district commander.~~

~~3. **Handling Removable Hard Drives**~~

- ~~a. Chain-of-custody must be maintained while handling removable hard drives. Officers with Premier Mobile Data Computer (PMDG) shall create a CAD incident titled "Hard Drive Deposit" to include the date, time, location, and hard drive number when a hard drive is deposited in a designated, secured drop box. Officers without PMDC shall notify Communications to create a CAD incident with the same information. Communications shall record the deposit of the hard drive. Hard drives with recorded data must be turned in at Time and Activity Report (TAR) closing or prior to any extended leave (in excess of seven calendar days). The property and evidence custodian shall transport the hard drive to the video coordinator, who shall record the date and time the hard drive was received. The video coordinator will upload the digital video files from the digital hard drive to the Video Management System. In critical circumstances, supervisors may transport hard drives, subject to division/district command approval.~~
- ~~b. Until the video coordinator uploads the digital video files from the digital hard drive to the Video Management System, no one shall open or view the digital video files, except the video coordinator, officers who need to view their own incidents, sergeants, or command staff. If the aforementioned employees need to review the digital video files to complete a report before uploading, they shall document the file name of the video on their report.~~

~~4. All recordings are for official use only. Recordings shall not be altered, deleted, or copied by officers or sergeants without prior command approval. Recordings are automatically purged from the system as defined by the designated retention schedule. Any recordings where hold notices have been placed shall only be purged with approval and at the direction of the Risk Management Division (RMD).~~

~~5. Supervisors are to ensure officers care for and use the in-car video system equipment properly. Supervisors shall also ensure:~~

- a. ~~Officers follow established policies and procedures for the use and maintenance of the in-car video system equipment, handling of recordings, and the completion of all necessary documentation.~~
  - b. ~~In-car video system equipment is inspected as part of the department's annual equipment inspection policy (see **INSPECTIONS**).~~
  - c. ~~Equipment is adequately safeguarded to prevent it from being misplaced or misappropriated.~~
  - d. ~~Viewing cradles are not attached to a personal device, removed from any department facility, or used for any purpose other than conducting agency business.~~
62. The department may review in-car video recordings at any time. To assess officer performance and compliance with policy, supervisors shall review a minimum of ten recorded violator contacts every six months, noting in the officer's supervisory desk file that the reviews were completed. One of these six-month reviews per year can be in conjunction with the scheduled 80-hour work audit. While recordings may be used in investigations alleging officer misconduct, it is not the intent of the department to use them to initiate disciplinary action in instances of minor violations of policy or procedure. Recordings are regarded may serve as training tools that provide the opportunity for ongoing constructive interaction.
73. Supervisors notified of needed repairs and/or replacements of damaged or nonfunctional equipment shall ensure the work or replacement order is submitted and performed in a timely manner. Repairs may be handled by the Information Technology Division (ITD) or contracted to an outside vendor. All such vendor contracts will be managed by ITD.
4. Supervisors shall transport the removable hard drive containing any video recording of any officer who experiences an unplanned absence of longer than five calendar days to the video coordinator.

## CF. Officer Responsibilities

### 1. Prerequisite Training and Equipment Checks

- 4. a. Officers shall complete required training before operating the in-car video system equipment. Required training includes, but is not limited to, personal instruction by ITD staff regarding the operation of the system, reading the operator's manual(s) for the equipment, and review of chapter 9.73 RCW and applicable department and division/district procedures. Officers shall complete and submit through the chain of command Reports of Training for notation in E-Train.
- 2. b. At the beginning of shift, officers shall ensure that the in-car video system equipment is working properly including, but not limited to, confirming that the equipment displays the accurate date and time. Officers shall activate the camera, test the audio, and play it back to verify proper operation of the

equipment. Officers shall note the daily camera check on their **Time and Activity Report (TAR)** (pre/post checks). For VHS tapes, the date, time, and tape counter shall be operational on the tape. For digital recordings, the date and time will be displayed on the recording. When any vehicle service is performed that may disrupt automotive electrical power, the video system shall be inspected and, if necessary, the date and clock reset.

3. **c.** If any in-car video system component malfunctions or fails, the system shall not be used. Officers shall document the problem on their TAR, in the "Comments" section, immediately notify their supervisor, Communications, and the video coordinator, and then initiate an ITD work order by the end of their work shift to begin the process of repairing the system malfunction and/or failure.
4. **d.** The video camera shall be adjusted to properly record all contacts. Officers shall select the appropriate contact type when completing the required video data entry, for record retention purposes.

## **2. Recording Obligations**

5. **a.** Officers wearing a sound recording device that records during video recording by the in-car video system shall be in department-issued uniform while using the sound recording device and shall ensure compliance with RCW **chapter 9.73 RCW**.

## **6. VHS System**

- a. ~~Only department-issued "VT" VHS tapes shall be used and only for business purposes; no other non-department VHS tapes shall be placed into or viewed through the department's issued video equipment.~~
  - (1) ~~Officers shall have enough VHS tapes on hand to complete their shift. The slowest recording speed shall be used on VHS tape systems.~~
  - (2) ~~The VHS tape number shall be documented on the officer's daily TAR.~~
  - (3) ~~A VHS tape number shall be used only once and not recycled.~~
  - (4) ~~Each month, the video camera custodian shall clean the tape heads of the machine by using a tape head cleaner.~~
  - (5) ~~VHS tapes are weather-sensitive and should not be left in the patrol vehicle for extended periods of time during extreme temperatures. If the ejection button on the video machine is pushed and/or the tape is ejected for any reason, the tape must be removed, submitted to the video coordinator for storage, and a new tape inserted.~~

**7. Digital Systems**

- a. ~~Hard drives will be rotated at TAR closing or prior to any extended leave (in excess of seven calendar days) to ensure the drive does not reach recording capacity during a shift and to obtain regular software updates to the camera system.~~
  - (1) ~~The removable hard drive serial number shall be documented on the officer's daily TAR in the "Comments" section.~~
  - (2) ~~An assigned hard drive is officer specific. If an officer will be away from the vehicle for longer than his/her regular days off, or if there is a possibility that another officer may use that vehicle, the hard drive shall be removed and turned in to the designated video coordinator pursuant to this policy and the division/district procedure. Officers using another officer's vehicle in which the hard drive is present shall log in only with their user-specific login credentials.~~

- 8.
  - b. Officers shall activate the front camera of the in-car video system prior to any contact and shall digitally record all contacts, pursuits, emergency responses, disabled vehicles, and when approaching scenes of a criminal nature;. And Officers may digitally record the approach to collision or other scenes. If working stationary traffic control and proactive enforcement becomes necessary, the officer shall immediately activate the equipment and record the incident. Once activated, the recording will continue until the contact in question has been completed. Officers may supplement the video recording with an audio description of the event and describe any external factors that may not have been recorded (e.g., prior observations, road conditions, etc.).
  - c. Officers shall activate the back seat camera immediately upon placing a suspect or individual in the back seat of the patrol vehicle, and the camera shall remain on during the entire time the back seat is occupied.
  - d. During initial contact, except under exigent circumstances, the officer shall advise the subject(s) present that an audio and video recording is being made. The officer shall ensure the advisement is captured on the recording. Each assisting officer shall notify any officer(s) and subject(s) present that they are being audio and video recorded.
  - e. The officer shall ensure that the audio recording is captured simultaneously with the video recording, and shall not turn off, disable, or intentionally disturb the audio or video recording of a contact or event, except that the officer shall stop all recording when necessary to protect attorney-client privileged communications between suspects and their attorneys.
  - f. An officer shall not use the in-car video system equipment to make audio-only recordings of suspects.



- g. Officers may supplement the video recording with an audio description of the event and describe any external factors that may not have been recorded (e.g., prior observations, road conditions, etc.).
- ah. The presence of other officers with in-car video system equipment shall not negate the requirement for all officers to make incident recordings as required by this policy.

### 3. Documentation Requirements

- 9. a. ~~In-car video system equipment shall be activated prior to any enforcement contact. During initial contact, except under exigent circumstances, officers shall advise the subject(s) present that an audio and video recording is being made. This advisement shall be recorded on the sound recording corresponding to the video recording. The sound recording shall be simultaneous with the video camera and the recording shall not be turned off during the recording of an event. Once the event has been recorded and the contact completed, the officer may turn off the audio and video recording and place the in-car system back into the "pre-event" mode. Assisting officers shall notify both the other officer and the subject(s) that they are being audio and video recorded. It is the responsibility of the primary officer to ensure all video recordings of a contact are categorized properly for retention purposes (e.g., as criminal or non-criminal in nature). Audio and video recording shall be stopped as necessary to protect attorney-client privilege communications between suspects and their attorneys. Officers shall not use the in-car video system equipment to make audio only recordings of suspects under any circumstances.~~
- 10. b. Officers shall note enforcement contacts recorded on the in-car video system in the "Comments" section on the back of the TAR, in line with that particular contact entry, ~~to include the suspect's name or ticket number and the tape counter stop number. For VHS tape systems, the tape counter start number for the day shall be entered in the block where "Comments" are written on the back of the TAR.~~
- 11. c. When a Notice of Infraction or Notice of Criminal Citation (NOI/NOCC) is written or an arrest is made, the officer shall indicate on the back of the court copy of the ticket or in the arrest report that the contact was recorded.
- 12. d. Officers shall not use recording as a substitute for normal documentation of interviewing witnesses/suspects. Officers interviewing in-custody suspects while recording shall comply with Miranda requirements. The Tape Recorded Defendant/Witness Statement shall be read to all suspects. The Witness section of the form shall be read to all individuals who are not suspects.
- 13. e. ~~VHS tapes and digital video r~~Recordings are considered records and should not be entered into evidence unless it becomes necessary as an actual part of the case. Any recording entered into the property and evidence system or an investigative case file shall be recorded on the TAR. If it is believed that a recorded contact could potentially result in either an administrative and/or criminal investigation against an employee(s) or litigation against the state of Washington, the video coordinator should be



advised to place a hold on the video, specifying the reason for the hold officer shall immediately notify the officer's chain of command for action consistent with this policy. The video coordinator shall document the hold request and maintain the hold until officially notified by command-level personnel, after consultations with RMD. The video coordinator shall immediately notify the appropriate chain of command of the hold and the reason for the hold request.

14. Officers shall not make copies of recordings for personal use. If a recording has training or public educational value, the officer shall advise the designated video coordinator, who shall present the information to the division/district commander for consideration as training material before being forwarded to the commander of the Training Division. If approved, the recording may not be used for commercial purposes and shall not be duplicated and made available to the public, including training outside of the department, until the final disposition of any criminal or civil litigation that arises from the event(s) that was recorded.
15. Viewing cradles shall not be removed from any department facility, and all physical copies of videos shall be provided by the designated video coordinator following proper protocol.
16. All video and audio equipment is the property of the department and shall be used solely for official department business.

#### **D. Division/District Designee Responsibilities**

1. The Public Disclosure Coordinator shall be responsible for issuing and tracking VHS tapes. The video coordinator shall be responsible for issuing and tracking removable hard drives and digital video recordings (see **Supervisory Responsibilities** and the *Public Disclosure Manual*).
2. Each VHS tape shall be sequentially numbered, beginning with the prefix "VT." The number shall consist of the year, division/district number, and sequential number (e.g., VT13-03-0001). A VHS tape number shall be used once and not recycled. Removable hard drives will be tracked by the serial number on the outside of the hard drive, and once they are assigned to an officer, they become officer-specific.
3. Recorded VHS tapes shall be stored in a locked container/room. Only the video coordinator and/or Public Disclosure Coordinator and his/her lieutenant shall have access to the container/room.
4. All recorded VHS tapes shall be retained based on the agency retention policy (see **RECORDS RETENTION**). A damaged tape shall be erased and destroyed when the retention period has passed. The tape's destruction date shall be documented. There must be a record of the disposition of each sequentially numbered video tape for auditing purposes.
5. All digital recordings of non-criminal activity will be retained for 130 days. On the 131st day, the recording will automatically be deleted within the Video Management System, unless a hold has been placed on the recording. If any

~~criminal, civil, or administrative cases that contain digital recordings are stored on a department server, the recordings shall be held per the department's established retention schedule. At the end of the retention period, those cases will be automatically deleted from the Video Management System, unless a hold has been placed on the recording.~~

- ~~6. In the event of a litigation hold notice, it is the responsibility of the involved employee, their supervisor, and/or the video coordinator to ensure that digital recordings and VHS tapes are preserved and retained pending retrieval by a tort investigator (see **ATTORNEY GENERAL'S RECORDS HOLD NOTICE REQUIREMENTS**).~~
- ~~7. All copies made of any recorded incidents are considered department property and shall be tracked for accountability by the designated video coordinator for the appropriate division/district. Copies shall be labeled as such and include the date copied and incident file name.~~

**~~E. Administrative Retention~~**

- ~~1. In the event that a recording holds information pertinent to an allegation of misconduct, the Office of Professional Standards (OPS) commander or their designee may order a copy of the recording, and that the recording be held indefinitely. OPS shall notify the appropriate division/district commander and video coordinator when the administrative hold has been lifted for the recording.~~

**~~F. Discovery (Criminal)~~**

- ~~1. A defendant and/or their attorney of record may be allowed to view video of an incident in question by submitting a request directly to the Public Disclosure Coordinator. Viewings shall be done by appointment, during agency business hours, at a department office, and with a designated agency representative present. The prosecutor's office may choose to handle the viewing; however, they must request a copy of the video of the incident by completing a Video Requests - Discovery form and submitting the request directly to the appropriate video coordinator.~~
  - ~~a. In order to obtain a copy of a video of an incident, the defense attorney of record and/or the defendant must submit a written request to the Public Disclosure Coordinator.~~
- ~~2. Any formal written requests received requesting a copy of a video for discovery must officially state that the request is necessary for discovery/litigation purposes.~~

**~~G. Discovery (Civil)~~**

- ~~1. In cases where the prosecutor is not directly involved, the plaintiff, defendant, and/or their attorneys of record shall submit a written request to the appropriate Public Disclosure Coordinator stating the video is necessary for discovery/litigation purposes.~~

**H. Public Disclosure**

- ~~1. Requests for disclosure of VHS tapes or digital video recordings shall follow department policies and procedures and RCW 9.73.090, which states in part: "No sound or video recording made under this subsection (1)(c) may be duplicated and made available to the public by a law enforcement agency subject to this section until final disposition of any criminal or civil litigation which arises from the incident or incidents which were recorded. Such sound recordings shall not be divulged or used by any law enforcement agency for any commercial purpose" (e.g., media and/or television requests).~~
- ~~2. Any requests for copies of VHS tapes or digital video recordings shall be in writing. The incident time, date, and case or NOI/NOCC number should be included in the request. If releasable, only the portion of the recording related to the request shall be duplicated by the video coordinator and two copies forwarded to the Public Disclosure Coordinator. The actual cost of the copying shall be the responsibility of the requester and will be billed at the time of delivery, and any redactions to videos shall be notated in accordance with public disclosure policies and procedures.~~

**4. Manual Video Uploading**

- a. If the wireless option of uploading recordings is not available, an officer shall use the manual method of uploading. In such a circumstance, the officer shall:
  - (1) Properly maintain and document chain of custody of the removable hard drives. An officer with Premier Mobile Data Computer (PMDC) shall create a CAD incident titled "Hard Drive Deposit" to include the date, time, location, and hard drive number when a removable hard drive is deposited in a designated, secured drop box. If PMDC is not available, the officer shall notify Communications to create a CAD incident with the same information. Communications shall record the deposit of the removable hard drive.
  - (2) Deposit the removable hard drives in the designated drop spots for the division/district or with a property and evidence custodian or the video coordinator. A property and evidence custodian with whom a removable hard drive is deposited shall transport the removable hard drive to the video coordinator. In critical circumstances, an officer may request command authorization to deposit the hard drives with a supervisor for transport to the video coordinator.
  - (3) Officers shall ensure that removable hard drives are rotated and deposited in the designated secure drop box prior to TAR closing and any absence in excess of seven calendar days. This will allow the in-car video system to receive software updates and to prevent the hard drives from reaching recording capacity.

**5. Access to Recordings and Removable Hard Drives**

- a. An officer shall properly safeguard removable hard drives and the recordings on them by depositing removable hard drives with the video coordinator whenever:
  - (1) The officer may be away from the vehicle containing the removable hard drive for longer than the officer's regularly scheduled days off; or
  - (2) There is a possibility that anyone other than the officer might use the officer's vehicle.
- b. An officer using a department vehicle equipped with a removable hard drive issued to another officer shall log in only with the officer's own user-specific login credentials.
- c. Until the video coordinator uploads the recordings to the Digital Video Management System, no one shall open or view the recording files, except:
  - (1) The video coordinator;
  - (2) An officer who needs to view his/her own recordings for report writing purposes, in which case, the officer shall document the file name of the video in the officer's report; or
  - (3) Supervisors or command staff.

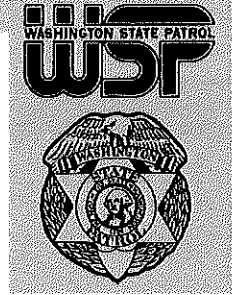
**Applies to:** All WSP Officers, Risk Management Division

**See Also:** RCW 9.73.080(1)(c), 9.73.090, Chapters 9.73, 42.52, 42.56 RCW; WSP Policies **Attorney General's Records Hold Notice Requirements, Records Retention, Electronic Records Storage, Employee Access to Electronic Information, Public Records Requests, Inspections**; *Public Disclosure Manual*; Report of Training; ~~Tape~~ Recorded Defendant/Witness Statement; Report of Investigation; Video Requests – Discovery, Request for Public Records; **Video Request – General**

# INTEROFFICE COMMUNICATION

## WASHINGTON STATE PATROL

TO: All Employees  
FROM: Chief John R. Batiste  
SUBJECT: Regulation Manual Revision  
DATE: April 30, 2015



### GENERAL ORDER 15-001

General Order 15-001 is now available on Inside WSP within the *2015 Regulation Manual* at the following URL: [http://iwspsp/sites/TSB/RMD/Pages/Regulation\\_Manual.aspx](http://iwspsp/sites/TSB/RMD/Pages/Regulation_Manual.aspx).

General Order 15-001 contains revisions to several policies in the *2015 Regulation Manual*:

- 2.00.130 ANIMAL DESTRUCTION
- 6.01.050 PUBLIC RECORDS REQUESTS (CALEA 54.1.1, 54.1.3, 82.1.1, 82.2.4)
- 6.01.060 CRIMINAL HISTORY RECORD INFORMATION (CALEA 42.2.2, 82.1.1)
- 6.01.065 DISCLOSURES TO PROSECUTING ATTORNEYS AND THE JUDICIARY (POLICY TITLE WAS REVISED). This policy (from Concurrence 13-002) was included, as the state has fulfilled its collective bargaining obligations.
- 8.00.070 USE OF ALCOHOL OR DRUGS (CALEA 22.2.6, 26.1.1, 33.7.1, 35.1.9)
- 9.01.040 TECHNICAL SERVICES BUREAU (TSB) (CALEA 11.1.1, 11.2.2)
- 10.02.010 MEDIA AND PUBLIC RELATIONS (CALEA 54.1.1, 54.1.2)
- 10.02.040 DISTRICT/DIVISION/SECTION PUBLIC INFORMATION OFFICER (CALEA 41.2.4, 54.1.1)
- 10.04.080 NON-DEPARTMENT PERSONNEL BACKGROUND CHECKS (POLICY TITLE WAS REVISED)
- 10.09.020 CRISIS NEGOTIATION TEAM (CNT) (CALEA 12.1.2, 41.1.3, 43.1.5, 46.2.1)
- 10.13.010 POLICE CHAPLAIN PROGRAM
- 10.17.010 ACCESS CONTROL DEVICES (ACD) ACCOUNTABILITY (CALEA 17.5.2)
- 11.13.010 DEATHS AND FUNERALS (CALEA 22.2.3, 61.3.3)



- 11.22.010 COMPENSATION FOR EMPLOYEE-IN-CHARGE (CALEA 22.1.1)
- 11.22.030 OVERTIME (CALEA 22.1.1)
- 11.23.010 SELECTION FOR SPECIALTY POSITIONS (CALEA 16.2.2, 22.1.1)
- 11.24.020 RECORDINGS AND MEDIA USE AND DISTRIBUTION
- 15.15.010 ACCESS/WACIC/NCIC CERTIFICATION REQUIREMENTS (CALEA 41.3.7)
- 16.00.020 AUTHORIZED UNIFORMS (CALEA 22.2.5, 41.3.4)
- 16.00.080 UNIFORM ISSUE, REPLACEMENT, OR REPAIR (CALEA 17.5.2, 22.2.5, 41.3.4)
- 17.19.010 COMMUTE TRIP REDUCTION
- 20.00.080 COLLISION INVESTIGATION (CALEA 61.2.1, 61.2.2, 61.3.2, 82.2.1, 83.2.1, 83.2.4)
- 20.00.100 FATALITY – FELONY INVESTIGATIONS (CALEA 12.1.2, 41.2.4, 42.1.3, 42.2.1, 61.2.1, 61.2.2, 61.2.3, 61.2.4, 81.2.3, 81.2.4, 82.2.1, 82.2.3, 83.1.1, 83.2.1, 83.2.4, 83.2.6)
- 20.00.110 HIT-AND-RUN INVESTIGATIONS (CALEA 42.1.3, 42.2.1, 61.2.1, 61.2.2, 81.2.3, 82.2.1, 82.2.3, 83.2.1, 83.2.4, 83.3.1)
- 20.00.140 AUDIO RECORDINGS (CALEA 42.2.1, 83.2.1)
- 22.00.040 VEHICLE RECOVERIES – REPORTING (CALEA 81.2.4, 82.2.1)

Commanders are responsible for distributing the General Order to all employees under their command. Employees are responsible for reading and understanding the new policies.

Employees shall acknowledge receipt of this General Order by signing a Directive Control Sheet. The signed Directive Control Sheet shall be maintained by the division/district as required by the retention schedule.

JRB:tlu  
Attachments

**2.00.130**      **ANIMAL DESTRUCTION**

**I. POLICY**

- A. The destruction of an animal is justified in the following instances:
  - 1. For self-defense.
  - 2. To prevent substantial harm to others.
  - 3. When the animal is so badly injured that humanity requires its relief from further suffering.
- B. A seriously wounded or injured animal may be destroyed only after reasonable attempts have been made to request assistance from the animal's owner. The destruction of vicious animals should be guided by the same rules set forth for self-defense and the defense and safety of others. Officers should attempt to have a witness present if no other agency can respond.
- C. Immediate notification shall be made to the officer's supervisor upon destruction of any animal. Officers shall complete an electronic "Animal Destruction" report in Remedy (CITE – OPS). Completing the Animal Destruction report will not serve as or replace supervisor notification. Supervisors shall review and approve the Animal Destruction report electronically, which shall be forwarded through the chain of command to the Office of Professional Standards for statistical purposes only.

**Applies to:** WSP Officers

**See Also:** --

**6.01.050**      **PUBLIC RECORDS REQUESTS (CALEA 54.1.1, 54.1.3, 82.1.1, 82.2.4)**

**I. DEFINITIONS**

- A. **Public Disclosure Request** – Request from outside the department for copy of any public record used in the administration of the department or investigations completed by department personnel. Documents, pamphlets, or other department material published for distribution to the public do not fall under this policy. Department information requested by other law enforcement agencies will be handled on a case-by-case basis.
- B. **Subpoena Duces Tecum** – Subpoena for records.
- C. **Law Enforcement Agency** – For the purposes of this policy, an enforcement agency that has a legal right to criminal history information (authorized criminal justice agency).
- D. **Public Record** – Any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

## **II. POLICY**

### **A. Requesting Records**

1. The public has a statutory authority to request to view or receive copies of records produced by the department. There are requirements setting out how requests must be made, how the department must respond, and under what specific situations all or portions of a record may be withheld.
  - a. Employees shall follow public disclosure policies and procedures, as outlined in state statutes, Washington Administrative Code (WAC), this policy, and the *Public Disclosure Manual*. The manual is available on the department Intranet site. All questions should be directed to the department's Public Records Officer in the Risk Management Division (RMD).
  - b. Original documents including audio/videotapes, photographs, negatives, and negative proof sheets shall not be released.
2. Requests for information by a union must be forwarded to the Labor and Policy Advisor.

### **B. Commander Responsibility**

1. State law directs that the department shall make certain records "promptly available to any person." To streamline this process, the Fire Protection Bureau Director, Forensic Laboratory Services Bureau Director, and each division/district commander shall identify a position to serve as their division/district Public Disclosure Coordinator. The ultimate responsibility for public disclosure rests with the commander. It will be the commander's responsibility to ensure:
  - a. Requests are answered promptly.
  - b. Exempted information is redacted.
  - c. Appropriate training is provided to the identified coordinator(s) regarding this procedure.

### **C. Response Time**

1. As required by Chapter 42.56 RCW, the division/district Public Disclosure Coordinator shall respond to a requester within five business days by either:
  - a. Providing the requested material.
  - b. Acknowledging the request by letter and providing a reasonable estimate of time that will be required to respond.
  - c. Denying the public record request, stating the applicable exemption.
  - d. Providing the link to a publicly accessible Web site where the requested information is located.



2. If a record or portion of a record cannot be released, the division/district Public Disclosure Coordinator shall advise the requester by letter, indicating the reason for denial. The appropriate RCW exemption shall be stated.

**D. Public Records Requests Received at Division/District Office**

1. If the records being requested are available in division/district files, the responsive records shall be located, gathered, reviewed for redaction, redacted as needed, and disclosed to the requester within a reasonable period of time.
2. Every public disclosure request and subpoena duces tecum shall be entered into the department's public disclosure database by the division/district Public Disclosure Coordinator who fills the request.
3. A fee, as set by the WAC or Department Cost Recovery study, will be charged for 20 or more paper pages of copy. The requester shall pre-pay before receiving documents.
4. The Public Records Officer in the Risk Management Division (RMD) shall be consulted on any unusual or questionable disclosure request. If a public records request involves more than one division or district, the Public Records Officer in RMD shall determine who will coordinate the response.
5. Specific procedures for processing records requests are outlined in the *Public Disclosure Manual*.

**E. Requests Received at Detachment/Section Office**

1. Requests received at detachment/section offices shall be forwarded immediately to the division/district Public Disclosure Coordinator to be processed.

**F. Confidential Information**

1. Employees shall deny release of non-disclosable information by stating the appropriate exemption under Chapter 42.56 RCW in writing. Exemptions are also listed in the *Public Disclosure Manual*. All exempt information contained in a document that is otherwise disclosable shall be redacted. All records are subject to public disclosure, unless a specific statutory exemption applies.

**G. Attorney General/Labor and Policy Advisor Requests**

1. All responses to requests for information from the Labor and Policy Advisor or the Attorney General's Office, where the Attorney General's Office is representing the department or its employees, shall be responded to by providing the entire file, including all documents that are normally exempt from public disclosure.

**H. Pre-Trial Interviews**

1. It is common practice in the legal field to interview all witnesses prior to trial. Department employees are not required to obtain permission of legal counsel to

attend pre-trial interviews if the department, or another state agency, is not a party to civil action (see also I. **Depositions** below).

2. Information given during such pre-trial witness interviews shall be limited to facts regarding the case. Opinions, conclusions, and recommendations shall not be expressed during such interviews. Testimonies of forensic scientists should be excluded. Evidence involving opinions, conclusions, and recommendations are only admissible in court if given by a person who is qualified as an expert in the field.
3. Departmental employees are not allowed to testify as experts, unless the Labor and Policy Advisor approves. Testimonies of forensic scientists should be excluded.
4. A redacted version of the investigation file may be inspected during the interview.
5. Requests for copies of documents inspected at the time of the interview shall be made in accordance with this policy.

**I. Depositions**

1. If an employee is requested to give a deposition, the employee shall contact his/her division/district commander within one business day. The commander shall contact and obtain approval from the department's Assistant Attorney General prior to an employee giving any deposition in cases involving the department or another state agency. If records are needed for the deposition, sufficient time must be allowed to have the records properly redacted, unless pre-arranged with the Public Records Officer.

**J. Subpoena/Interrogatory for Records**

1. Upon receipt of any unusual or questionable subpoena duces tecum, the division/district Public Disclosure Coordinator shall notify the Public Records Officer by e-mail, followed by a telephone call. If the material produced in response to legal subpoenas should be redacted, contact the Public Records Officer for approval. For district courts, a criminal subpoena duces tecum must be signed by a judge.

**K. Release of Employee Information**

1. Employee residential addresses, telephone numbers, and e-mail addresses shall not be released to non-employees, unless approved by the employee, nor transmitted via department radio. Employee duty hours shall not be released to non-employees unless in response to a proper public records request. This shall not preclude the release of such information to the prosecutor's office for official business. Information requests shall be released to family members, with supervisor approval.
2. Employees and former employees may request information contained in their official personnel, medical, payroll, or supervisory desk files without going through public disclosure. However, former employees may be required to pay copy and mailing costs.

3. Employee name, age, sex, and duty station can be released only after the immediate family member has been notified in the case of an on-duty death, injury, or involvement in a collision.

**L. Active Investigations**

1. After the prosecutor has received any records regarding an investigation (to include booking paperwork), records may be available for public disclosure. While the trial is pending, disclosure should be made in coordination with the prosecutor's office. If the prosecutor's office requests that records not be disclosed, consult with the Public Records Officer in the Risk Management Division (RMD) prior to any dissemination.
2. Employees shall keep criminal history record files confidential and secure, except when law requires or allows disclosure.

**M. Requests for Personnel, Training, or Office of Professional Standards Records**

1. Requests for records on department personnel or internal investigations shall be forwarded to the appropriate division/district Public Disclosure Coordinator. If the request is for records from two or more of these divisions, the Public Records Officer in the Risk Management Division (RMD) shall determine who will coordinate the response.
2. The department shall refuse to disclose information in personnel or internal investigation files if that disclosure would violate the employee's right to privacy, as defined under RCW 42.56.050.
  - a. Upon receiving a request for all or part of a personnel or internal investigation file, the affected employee shall be notified and respond in accordance with the applicable collective bargaining agreement or Civil Service Rule. The affected employee may provide any objection to releasing the requested documents. The Assistant Attorney General may be consulted regarding the employee's objections.
  - b. If the department agrees that the employee's right to privacy would be violated, it will not release the document and will provide a defense in court, if necessary. If the department does not agree, it will notify the affected employee.

**Applies to:** All WSP Employees

**See Also:** RCW 42.56; *Public Disclosure Manual*; Department Cost Recovery Study

**6.01.060      CRIMINAL HISTORY RECORD INFORMATION (CALEA 42.2.2, 82.1.1)**

**I. POLICY**

**A. Use of Criminal History Record Information (CHRI)**

1. CHRI shall only be requested for criminal justice purposes. All terminals accessing criminal history (WASIS and III) shall ensure they include the following information in each request:

- a. Person's last name, first name, and middle initial
  - b. Date of birth
  - c. Sex
  - d. Race
  - e. Purpose Code ("C" for criminal, "J" for criminal justice employment)
  - f. Attention Field (the requestor's first initial and last name or employee identification number and case number or specific reason for the request; i.e., DUI, Theft, etc.). Generic reasons such as "Investigation" are not considered specific.
    - (1) If abbreviations are used for the specific reason, the district must maintain the list of appropriate abbreviations for review during audits.
2. CHRI information shall only be disseminated to a second party when necessary to further a criminal investigation or to provide amplifying information for prosecution. When a CHRI is included in the Case File Tracking Envelope, employees shall indicate the CHRI's inclusion by checking the appropriate box under the "FILE CONTENTS" heading on the face of the envelope. When a case file is released with the CHRI, employees shall note the name and office of the person receiving the file under the remarks section on the face of the envelope. CHRIs shall be destroyed when no longer of use.
3. For all evidentiary return of firearms, evidence custodians must use the National Instant Criminal Background Check System (NICS) query "QNP" with the following mandatory information:
- a. Person's last name, first name, middle initial
  - b. Date of birth
  - c. Sex
  - d. Race
  - e. State of residence
  - f. Purpose code
    - (1) 22 – Return of Handgun
    - (2) 23 – Return of Long gun
    - (3) 24 – Return of Other

## **II. PROCEDURES**

### **A. Requesting a CHRI Check**

1. Officers shall request a CHRI check from Communications using the following information:
  - a. Last name, first name, middle initial
  - b. Date of birth
  - c. Sex
  - d. Race
  - e. Specific reason for the inquiry (i.e., DUI, Theft, etc.). Generic reasons such as "Investigation" are not considered specific.
2. Include other identifiers, if known:
  - a. Social Security number
  - b. FBI Number
  - c. State Identification number (SID)
3. All CHRI obtained is based on descriptors provided. Positive identification can be based ONLY on fingerprint identification.

### **B. Methods of Retrieval**

1. CHRI inquiries will generate a positive or negative automated response:
  - a. A negative response will provide a short automated message noting no records found.
  - b. A positive response received by a "QH" or "QWH" inquiry will provide a candidate list of names that are algorithmically closest to the query.
  - c. Upon receipt of a negative response, Communications shall advise the requesting officer "(subject's last name), no criminal history record."
  - d. Upon receipt of a positive response, Communications shall advise the requesting officer "(subject's last name), response forthcoming." This will indicate to the officer that the subject may have a criminal record.
  - e. Upon receipt of CHRI, the inquiry will be identified by the subject's last name. Communications will advise the requesting officer "(subject's last name), prior record."
  - f. Upon acknowledgment, the officer will be advised of the CHRI.

**C. Exceptions**

1. If all known searches produce "No Hits" and there is sufficient reason to believe the subject has a criminal history record, a terminal message requesting assistance may be routed to the Identification and Criminal History Section.
2. CHRI may be obtained via telephone on an emergency basis; however, the Identification and Criminal History Section will respond only to telephone numbers listed on the official department directory on a call-back basis.

**Applies to:** All WSP Employees

**See Also:** --

**6.01.065 DISCLOSURES TO PROSECUTING ATTORNEYS AND THE JUDICIARY**

**I. POLICY**

**A. Compliance with Obligations**

1. It is the policy of the Washington State Patrol to comply with the law in its obligations concerning disclosures to prosecuting attorneys and the courts. The department retains discretion to interpret and administer this policy, and the department's obligations referenced in it, including as amended by law or court rule.
2. The department recognizes disclosure obligations from various authorities, including, but not limited to, court rules and the United States Constitution, as interpreted by the courts. Such obligations include disclosure of information about government witnesses, including department employees, regarding criminal convictions, as well as information that a defendant may be entitled to under the Due Process Clause of the United States Constitution or related case law. This policy does not apply to disclosure obligations that arise under:
  - a. The Public Records Act (chapter 42.56 RCW), including public disclosure requests presented by defense attorney(s), criminal defendant(s), or others pursuant to chapter 42.56 RCW.
  - b. Legal discovery in civil litigation.
3. Each decision about disclosure of information pursuant to this policy shall be made by the Deputy Chief or an assistant chief/bureau director assigned as the Deputy Chief's designee, who shall consult as necessary with the Attorney General's Office and the division commander(s) of the Office of Professional Standards (OPS) and/or the Human Resource Division (HRD).
4. OPS shall have primary responsibility for administering the department's compliance with its disclosure obligations to the extent that the disclosure obligations concern either:
  - a. An allegation, which if proven true, would constitute employee misconduct or a violation of agency policy; or

- b. A finding resulting from an administrative investigation related to an allegation of employee misconduct, or a violation of agency policy, or a complaint.
- 5. HRD shall have primary responsibility for administering the department's compliance with all disclosure obligations not covered by subsection (4), including to the extent that the disclosure obligations concern either:
  - a. Criminal conviction data; or
  - b. Job performance improvement efforts that may relate to witness credibility.
- 6. The division commanders of OPS and HRD shall each ensure that:
  - a. The responsibilities under this policy are carefully coordinated between OPS and HRD; and
  - b. The department's compliance with the disclosure obligations referenced in this policy is appropriately documented, and retained, in agency records.

**Applies to:** All WSP Employees

**See Also:** Superior Court Rules (CrR) 4.7; chapter 42.56 RCW

**8.00.070**      **USE OF ALCOHOL OR DRUGS (CALEA 22.2.6, 26.1.1, 33.7.1, 35.1.9)**

**I. POLICY**

- A. This policy will be used in conjunction with the drug and alcohol testing procedures located in the *Human Resource Division Standard Operating Procedures Manual*.
  - 1. The provisions of this chapter do not preclude personnel from being processed criminally when a commissioned employee establishes probable cause to believe an employee may be in violation of operating or being in physical control of a motor vehicle while under the influence of intoxicating liquor (alcohol) and/or other drugs.
  - 2. The responding supervisor shall ensure timely notification of the alleged criminal violation to the appropriate division/district commander through their proper chain of command.

**B. Alcohol – On Duty**

- 1. Employees shall not consume any alcohol or intoxicating beverage while wearing any part of the uniform or while on duty, except while acting under proper and specific orders from a supervisor. This shall not apply to off-duty employees wearing the dress uniform (Honor Guard tunic) who are attending an approved function. Employees shall not appear for work nor be on duty while under the influence of alcohol or while having alcohol in their system.

**C. Alcohol – Off Duty**

- 1. Employees, while off duty, shall refrain from consuming alcohol or intoxicating beverages to the extent that it could constitute unacceptable conduct as described in these rules, or render them unfit to report for their next regular tour of duty.

**D. Alcohol – Use in Department Facilities**

1. Employees shall not possess, use, or store alcoholic beverages in any department facility or vehicle, except those being held as evidence, used for training under the direction of a supervisor, or as provided by law.

**E. Marijuana – Use**

1. It is the intent of the department to abide by federal laws in relation to the use of marijuana. Marijuana is federally classified as a Schedule I controlled substance.
2. Except in otherwise authorized execution of their official duties (i.e., evidentiary handling), employees shall not use, possess, distribute, or be under the influence of marijuana while on duty or off duty, regardless if the employee has a prescription or medical authorization for its use, possession, etc.
3. The department does not grant an exemption to this policy as a form of accommodation.

**F. Drugs, Other Than Marijuana – Use**

1. Employees shall not use or possess, outside of duty requirements, any narcotic, dangerous drug, controlled substance, or prescription drug, whether on or off duty, except at the direction of a physician, dentist, or other medical authority for medical purposes. Employees who are directed by competent medical authority to use a narcotic, dangerous drug, controlled substance, or prescription drug, including dronabinol, shall not use such medication to the extent that their performance is affected while on duty.
2. Employees directed by a licensed medical authority to use a narcotic, dangerous drug, controlled substance, or prescription drug while on duty shall be responsible for ensuring the drugs do not affect the performance of their job.
3. Employees are responsible for consulting with the medical authority as to any limitations on their ability to perform the duties of their position as a result of taking any legal/over-the-counter or physician-prescribed drugs. Employees shall immediately report any such limitations for taking the prescribed medications to their immediate supervisor or on-duty supervisor or authority before resuming their work duties.
4. The supervisor shall advise the division/district commander of any job limitations placed on the employee by competent medical authority. The supervisor and/or division/district commander shall consult with the Human Resource Division for a determination of appropriate job assignment based on limitations identified by competent medical authority.
5. An employee charged with a drug- or alcohol-related crime shall immediately notify his/her supervisor, in writing. Upon notification of the charge, the supervisor shall, within 24 hours, notify the Office of Professional Standards (OPS) of the facts of the case, through the chain of command. When OPS is notified of an employee's criminal conviction in a drug- or alcohol-related crime, the conviction shall be reported to Budget and Fiscal Services within 24 hours (see **GRANTS**).



**G. Suspected Intoxication – Mandatory Testing**

1. Appearing for work when the odor of alcohol or any signs of intoxication are observed or reported by another employee or a member of the public shall be reasonable grounds to constitute being under the influence of intoxicants while on duty.
2. If a supervisor has reasonable grounds to believe that any employee, while on duty, is under the influence of alcohol, drugs, or any impairing substance, the supervisor shall immediately notify their division/district commander through their chain of command. The supervisor shall consult the procedures outlined in the *Human Resource Division Standard Operating Procedures Manual* and immediately require that employee to submit to testing of their breath, blood, and/or urine.
3. In the event that alcohol is suspected, the employee shall immediately be required to submit to a breath alcohol test on a certified evidential breath test instrument, administered by a department officer at the direction of a supervisor or transported by the department to a collection site. Results of these tests shall be reported in the DUI Arrest Report. A certified evidential breath test instrument test result showing a breath alcohol concentration of 0.02g/210L or more shall be considered proof of violation of this policy.
  - a. For commissioned personnel, if impairment other than alcohol is suspected, an employee shall be transported to a collection site and shall be required to provide a blood sample in accordance with the procedures outlined in the *Human Resource Division Standard Operating Procedures Manual*.
  - b. For civil service personnel, if impairment other than alcohol is suspected, an employee shall be transported to a collection site and shall be required to submit to a urinalysis test in accordance with the procedures outlined in the *Human Resource Division Standard Operating Procedures Manual*.
4. The time lapse between the initial report of the employee's condition and the breath or blood test shall be accurately recorded. If a period of three hours or more pass before the first observed odor of alcohol or signs of intoxication are reported to a supervisor, the supervisor shall determine if an odor of alcohol or evidence of intoxication exists before implementing a test of blood or breath. The fact that a breath or blood test was not conducted does not mean that there cannot be a violation of this policy.

**H. Employees Covered by WFSE, WPEA, Coalition, and Local 17 Collective Bargaining Agreements**

1. Employees covered under the WFSE, WPEA, Coalition, and Local 17 Collective Bargaining Agreements will be subject to drug and alcohol testing procedures as outlined in the *Human Resource Division Standard Operating Procedures Manual*.
2. Employees required to possess a Commercial Drivers License will be subject to random drug and alcohol testing as provided in the procedures contained in the *Human Resource Division Standard Operating Procedures Manual*.

**I. Employee Drug and Alcohol Assistance**

1. The department is committed to a drug- and alcohol-free workplace for its employees. Drug and alcohol abuse is harmful to the employee, coworkers, and productivity. The costs associated with abuse include absenteeism, turnover, increased health care costs, and increased likelihood of accidents.
2. The department is committed to an abuse assistance program that encourages employees who recognize they have a problem to seek immediate help. The Department Psychologist, (360) 586-8492, is available to assist and/or make referrals. The Washington State Employee Assistance Program (EAP) is available in Seattle, (206) 281-6315; Spokane, (509) 482-3686; and Olympia, (360) 753-3260. All are confidential, professional, and free to employees (except outside referrals).
3. The department recognizes that alcohol and substance abuse are addictions requiring medical attention. Supervisors should make every effort to encourage an employee suspected with a drug or alcohol problem to voluntarily seek psychological services. However, if a supervisor has sufficient documentation of substandard performance that has not improved with previous counseling or disciplinary action and the employee refuses to seek help, the concerned supervisor may request, through the chain of command, mandatory participation authorization from the appropriate bureau director or assistant chief. The procedure for such referral is outlined in the **DEPARTMENT CLINICAL PSYCHOLOGIST** policy under **Mandatory Participation**. Nothing in the preceding information should be construed as a waiver of the department's right and/or obligation to take disciplinary action where misconduct has occurred, whether or not that misconduct involved alcohol or substance abuse.

**J. Entering Liquor or Marijuana Establishments**

1. An employee, when in uniform, shall not enter any place in which intoxicating beverages are furnished or sold, or marijuana is distributed, except in the performance of official duty requiring such action.
2. The provisions of this regulation do not apply to uniformed employees entering a restaurant or other food establishment, which serves intoxicating beverages incidental to food services, for the purpose of having a rest break or a meal during their tour of duty.

**Applies to:** All WSP Employees

**See Also:** RCW 69.50.101, 69.51A.010; WAC 246-75-010; WSP Policies **Duty Weapons, Employee Conduct, Grants, Department Clinical Psychologist**; *Human Resource Division Standard Operating Procedures Manual*; DUI Arrest Report

**9.01.040**      **TECHNICAL SERVICES BUREAU (TSB) (CALEA 11.1.1, 11.2.2)**

**I. POLICY**

**A. Organizational Units in the Technical Services Bureau**

1. The Technical Services Bureau is headed by a sworn Assistant Chief, who reports directly to the Deputy Chief and commands the following organizational units:
  - a. **Communications Division:** One communications center in each of the eight district headquarters
  - b. **Electronic Services Division**
    - (1) Engineering Section
    - (2) Field Support Section
  - c. **Human Resource Division**
    - (1) Employee Services Team
    - (2) Employee Health and Safety Team
    - (3) Polygraph and Background Unit
    - (4) Cadet Recruiting and Testing Unit
  - d. **Information Technology Division**
    - (1) Application Development and Support Section
    - (2) Customer Services Section
    - (3) Integrated System Server Support Section
    - (4) Planning Section
  - e. **Risk Management Division**
    - (1) Public Disclosure Section
    - (2) Strategic Planning and Accountability Section
    - (3) Audit function (reports directly to the Chief)
  - f. **Training Division**

**Applies to:** All WSP Employees

**See Also:** --

**10.02.010**      **MEDIA AND PUBLIC RELATIONS (CALEA 54.1.1, 54.1.2)**

**I. DEFINITIONS**

- A. Headquarters Public Information Officer** – Is appointed by the Chief and is assigned to the Office of Government and Media Relations (GMR). The Headquarters Public Information Officer (commander of GMR) is responsible for the coordination and release of information to the print and broadcast media for the entire department and shall act as spokesperson for the Chief, along with the GMR headquarters staff. The Public Information Officers (PIOs) are located in each of the eight geographical districts and bureaus/divisions throughout the state to assist this position.
- B. Public Information Officer** – PIOs are appointed by an assistant chief/bureau director or the division/district commander in consultation with the commander of GMR. They shall coordinate media relations and public information on routine matters in their respective areas. PIOs shall coordinate their activities that impact the department as a whole through the Headquarters PIO to ensure a central point of contact for the Chief and Executive Staff. Information specific to the bureau/division/district shall be the responsibility of the appropriate director or commander.
- C. Public Information** – Information that may be of interest to the general public regarding department policy, procedures, and events or other noteworthy information that is not legally protected. It does not unduly interfere with the mission of the department, infringe upon the rights of any individual, or compromise the legitimate safety and privacy interests of officers, victims, witnesses, or others.
- D. News Media Representatives** – Those individuals who are directly employed by agencies of the electronic or print media such as radio, television, or newspapers. Freelance workers in this field are to be regarded as other members of the general public unless otherwise designated by GMR.

**II. POLICY**

**A. Cooperative Media Relations**

- 1. The department believes the public has the right to know what the department does in fulfilling its responsibilities. The department recognizes that cooperative media relations are important in obtaining community support and in providing the public with information it is entitled to receive.
- 2. "News media" includes legitimate news gathering and disseminating agencies. The department recognizes authorized identification from all local, national, and international news organizations. Failure of media personnel to present authorized identification may provide grounds for restricting access to requested information or to incident scenes.

**B. Public Information and Media Relations Activities**

- 1. The Chief shall be responsible for the public information and media relations activities of the department.

2. Commanders and PIOs shall make the acquaintance of area media representatives and enlist their confidence and understanding.
3. PIOs shall make the acquaintance of their peers in other government agencies and stakeholder groups in their area.

**C. Cooperation with the Public and the Media**

1. Employees shall cooperate with the public and the media consistent with department policy. When information must be denied to a media representative, the basis for the denial shall be fully explained and the specific exemption shall be provided to the requestor. Employees shall not comment on personalities, discuss politics, or render opinions on policy.

**D. Critical and Major Incidents**

1. Press inquiries or releases on any event of this type shall be coordinated through GMR before release. The commander of GMR and the bureau director(s) will actively prepare the release and discuss with the Chief before final release.
2. **Any major incident—such as a felony collision, officer-involved shooting, hazardous material spill, or other incident requiring notification to the Chief—also warrants notification of GMR. If the Headquarters PIO (commander of GMR) is on a scheduled absence or out of the area, his/her designee shall be informed.**

**Applies to:** All WSP Employees

**See Also:** WSP Policies **Headquarters Public Information Officer, District/Division/Section Public Information Officer; *Media Relations Manual***

**10.02.040** **DISTRICT/DIVISION/SECTION PUBLIC INFORMATION OFFICER (CALEA 41.2.4, 54.1.1)**

**I. POLICY**

**A. Public Information Officer Duties**

1. District/division/section commanders, in consultation with the commander of the Office of Government and Media Relations (GMR), shall designate primary and backup personnel to perform duties of a district/division/section Public Information Officer (PIO), who shall:
  - a. Coordinate media relations (initiating contacts, responding to inquiries) and public information on routine matters in the district/division/section.
  - b. Develop and disseminate media releases and ensure copies are provided to GMR.
  - c. Develop media strategies and programs to support division and department goals.

- d. Process requests for public information and speakers in the district/division/section.
  - e. Coordinate and authorize the release of information about victims, witnesses, and suspects in accordance with the policy **VICTIM/WITNESS ASSISTANCE PROGRAM**.
  - f. Function as media liaison at unusual incidents likely to attract significant media attention and supply timely, factual information.
  - g. Notify GMR two days before press events involving the district commander or designee. Notification shall be made before releasing information that may affect other areas of the department.
  - h. Immediately notify and brief GMR of events creating significant media attention. If media coverage of such events is not available via Internet, assist GMR in obtaining copies in appropriate format (hard copy, video, tape recording).
  - i. Assist in emergent situations within the department at the direction of the division/district commander.
  - j. With the concurrence of the district or division commander, maintain an agency presence on approved social media platforms
2. Information relating to internal investigation of troopers and officers shall not be released by district/division/section PIOs; these requests shall be directed through GMR.

**B. Release of Information by Agency Public Information Officers (PIOs) – Prior to Submittal to Prosecutor**

- 1. In general, agency PIOs may release any information that would be disclosable if the agency were to receive a public disclosure request for the material. Confer with agency/district/division public disclosure coordinator for clarification.
- 2. When it is in the best interest of the agency to release information about a case, before the case has been submitted to a prosecutor, designated agency PIOs may release the following information:
  - a. Name (unless a juvenile), age, sex, and city of residence.
    - (1) For juveniles, name, age, sex, and city of residence can be released only in specific circumstances; in the following situations, juvenile information may **NOT** be released:
      - (a) When the juvenile is a suspect in a crime.
      - (b) When the juvenile is a victim of a crime.
      - (c) When the juvenile (or their guardian) has indicated a desire for anonymity.

- b. Alleged offense.
  - c. Name of the investigating and arresting units/agencies and approximate length of the investigation.
  - d. Circumstances of the arrest or violation, including the time and place, resistance, pursuit, possession of weapons, etc.
  - e. The above information may be compiled and released by Communications in a Collision Memo.
  - f. Video or photographs may be taken at the scene of a collision/arrest to coincide with a media release and sent to the media (excluding in-car video) providing:
    - (1) No victim(s) is/are shown.
    - (2) No license plates are shown. All plates must be blocked out before dissemination.
    - (3) No drivers pictured are under the age of 18.
    - (4) No pictures of fatal collisions can be released prior to notification of next of kin.
    - (5) All materials shall be forwarded to the case investigator for inclusion in the case file as evidence. This includes the media release and any photos or video taken and distributed to the media.
    - (6) Employees shall not prevent the photographing of defendants in public places outside the courtroom, nor encourage pictures, nor pose defendants.
    - (7) The department may release a suspect's photograph, to include booking or Department of Licensing photos, if release serves a significant law enforcement or public interest, such as to apprehend a fugitive.
    - (8) Government and Media Relations (GMR) shall receive a copy of all media releases, video, and photographs sent out from all divisions/districts/sections (see **DISTRICT/DIVISION/SECTION PUBLIC INFORMATION OFFICER**).
- 3. When releasing information, employees shall release it to all media on an equal basis.
  - 4. Each PIO must keep a file of all media releases, video, and photographs sent out so they are available on an immediate basis if citizens request to see them. No public disclosure request is necessary for any person to view material from this file.
  - 5. Employees shall advise their supervisor immediately when releasing information about a criminal investigation. If the information is newsworthy or there are

requests for more details, the supervisor shall immediately notify the district/division/section PIO (see **DISTRICT/DIVISION/SECTION PUBLIC INFORMATION OFFICER**). Confer with agency/district/division public disclosure coordinator for clarification.

6. The following information shall not be released:
  - a. Opinions about a defendant's character, guilt, or innocence.
  - b. Admissions, confessions, or the contents of a statement or alibis attributable to a defendant.
  - c. References to the results of investigative procedures, such as fingerprints, polygraph examinations, ballistic tests, laboratory tests, and breath or blood alcohol levels.
  - d. Statements concerning the credibility or anticipated testimony of prospective witnesses and their identity.
  - e. Opinions concerning evidence or argument in the case, whether or not it is anticipated that such evidence or argument will be used at trial.
  - f. Information that could interfere with law enforcement proceedings, including pending investigations.
  - g. Information that could reveal the identity of an individual who has furnished information to the department under confidential circumstances.
  - h. Confidential investigative techniques and procedures, thereby impairing future effectiveness of the department.
  - i. Information that could endanger the life or physical safety of any person.

**C. Restricted Areas**

1. The news media shall not be allowed access to any area or scene of an incident or crime where there is a possibility that evidence may be damaged, altered, destroyed, or otherwise prejudiced by its existence being published or portrayed, or their presence might endanger department or other emergency personnel. Once evidence has been processed, removed, and secured by the department, the media may be allowed to enter by permission of the on-scene supervisor.
2. Employees shall warn the media of any dangers in an area and shall obtain an acknowledgment that the risk is understood. The department shall not be held responsible for the safety of media representatives who enter an area after being warned of the dangers.
3. Employees will not escort media onto private property without the permission of the owner or the owner's representative. Nothing in this policy prohibits the photographing of private property that is visible from an otherwise public location (see **AGENCY IMAGE POLICY**).



**Applies to:** All WSP Employees  
**See Also:** WSP Policies **Public Records Requests, Victim/Witness Assistance Program, Headquarters Public Information Officer; *Media Relations Manual***

**10.04.080**      **NON-DEPARTMENT PERSONNEL BACKGROUND CHECKS**

**I. POLICY**

**A. Authorization for Access**

1. Washington State and federal fingerprint-based background checks will be conducted on all non-department personnel who have unaccompanied access to department facilities, electronic equipment, computers, data bases, or other sensitive or restricted information. All non-department personnel who have unescorted access to a facility that contains Criminal Justice Information (CJI) or where ACCESS terminals are located must have a Washington State and federal fingerprint-based background check completed. This includes, but is not limited to, janitors/custodians, other public agency employees, computer hardware/software contractors, and information technology (IT) service providers.
2. All non-department personnel who have unescorted access and will be accessing a facility that contains CJI or where ACCESS terminals are located must view Security Awareness Training and complete the testing through the ACCESS online training application once every two years.
3. All non-department personnel who have unescorted access and will be accessing a facility that contains CJI or where ACCESS terminals are located must sign a security addendum document, which must be kept on file by the Washington State Patrol.

**B. Exceptions to Background Requirement**

1. The background check requirement does not include visitors, other agency employees, or vendors/contractors who are accompanied by department personnel. The background check requirement does not include vendors that service vehicles, weapons, equipment, electronic devices, or computers at the vendor's location.
2. Reasonable precautions will be used to ensure security of department equipment while at vendor locations.

**C. Conducting the Background Check**

1. The division or program manager requiring the contract is responsible for initiating the non-department personnel background check.
2. The background checks will be fingerprint-based and conducted through the Washington State Identification System managed by the Criminal Records Division (CRD). CRD will forward the fingerprints to the Federal Bureau of Investigation (FBI) for a national criminal history background check.
3. The background check must be successfully completed before the individual is allowed unaccompanied access to these facilities, equipment, or data.

4. The Budget and Fiscal Services and Property Management Divisions will include the background check requirement in contracts and agreements, as appropriate.
5. Unless otherwise stated in the contract, all non-department personnel are responsible for paying the costs of the background check. Division/district commanders may authorize the payment of these costs through their division/district budgets if they determine it is in the best interest of the agency to do so.

**Applies to:** All Non-Department Personnel

**See Also:** Criminal Records Division Contractor Fingerprint Background Checks Procedures; Contractor Qualification form; Contractor Instruction Sheet for Fingerprint Background Checks

**10.09.020**      **CRISIS NEGOTIATION TEAM (CNT) (CALEA 12.1.2, 41.1.3, 43.1.5, 46.2.1)**

**I. POLICY**

**A. Crisis Negotiation Team (CNT) Response Situations**

1. CNT is part of the Special Weapons and Tactics (SWAT) Team and is comprised of up to eight team members.
2. CNT members are referred to as negotiators.
3. Negotiators respond to all situations involving SWAT response and/or to situations in which someone is threatening to inflict serious injury or death and can potentially be defused through dialogue. When responding, negotiators will:
  - a. Report to the Incident Command Post (ICP) upon arrival to be briefed.
  - b. Confer with the on-scene SWAT Team and/or Incident Commander before being deployed.
  - c. Assess the situation before beginning negotiations or, if already started, assuming them.
  - d. Assign additional negotiators as needed.
  - e. Develop and update behavior charts, time charts, and status charts.
  - f. Be proficient with electronic equipment used for negotiation purposes.
  - g. Ensure vehicles and vehicle operators are available in case the scene moves.
  - h. Assign the minimum number of negotiators needed in the inner perimeter.
  - i. Have sufficient funds for requested purchases.

**B. Requests for CNT Services**

1. Requests for SWAT CNT services shall be referred to the Chief, the Investigative Services Bureau Assistant Chief, or the SWAT Commander.
2. After authorization, the SWAT Team Commander shall notify the CNT Negotiator Team Leader (TL) of the situation. The Negotiator TL may contact the requesting person or agency to obtain more details.
3. The SWAT Team Commander or the Negotiator TL shall notify the affected division/district commander and affected supervisor, then mobilize the SWAT CNT negotiators, advising of the mission particulars and ensuring transportation of needed equipment.
4. Non-SWAT-related calls requiring a response by CNT for someone in crisis can be requested by a Field Operations Bureau (FOB) sergeant (or above). Communications will adhere to the call-out procedure for CNT, as time is of the essence in these situations. As soon as practical, Communications will notify the SWAT Commander of the CNT response.

**Applies to:** All WSP Employees

**See Also:** --

**10.13.010      POLICE CHAPLAIN PROGRAM**

**I. PURPOSE**

- A. The Washington State Patrol/Washington Department of Fish and Wildlife (WDFW) Police Chaplain Program is authorized by RCWs 41.22 and 77.15.075 and is established to provide support, counseling, training, and crisis intervention to Department employees, their families, and the public.
- B. The purpose of the program is to create an environment of trust, confidentiality, reliance, and professionalism in which employees and the public can feel comfortable with the support a police Chaplain can provide. It is the mission of this program to provide another option for the mental, physical, and spiritual well-being of employees, and to reach out with comfort, support, and counseling to anyone in need, especially those impacted by tragedy.
- C. The Washington State Patrol/WDFW Police Chaplain Program will herein be referred to as "Program." The WDFW and the Washington State Patrol are herein referred to as "Departments."

**II. POLICY**

- A. The Program shall be a non-denominational ministry provided by volunteer clergy without wages and benefits. Chaplains will provide support and counseling regardless of an individual's faith or belief. Chaplains will be sanctioned, supported, and equipped by the Departments.

**1. Reporting Structure**

- a. The Chiefs for both Departments, with recommendations from the Chaplain Advisory Board, shall appoint the Senior Chaplain, who will serve as the statewide Chaplain supervisor for the Regional/District Chaplains in the Program.

**2. Senior Chaplain**

- a. The Senior Chaplain is the lead Chaplain within the Departments and operates as a Chaplain under the duties and operational guidelines. The Senior Chaplain serves at the pleasure of the Department Chiefs and under their direct supervision, or a designee who is a senior member of their executive/command staff.
  - (1) The Senior Chaplain is responsible for recruiting and supervising the Volunteer Chaplain Unit and shall serve as the liaison between the Chaplains and the Department administrations.
  - (2) The Senior Chaplain may arrange meetings or calls for service, maintain records, coordinate activities, and suggest training opportunities to the Chaplains.
  - (3) Additional duties may be outlined in the Senior Chaplain volunteer position description.

**3. Senior Chaplain Candidate Requirements**

- a. In addition to meeting the same requirements for Chaplain candidates, as outlined in Section II.A.7, Senior Chaplain candidates shall also:
  - (1) Be a member in good standing with the International Conference of Police Chaplains (ICPC); and
  - (2) Be a graduate of an accredited Chaplain Academy.

**4. Selection Process**

- a. A Senior Chaplain candidate shall complete the following prior to being considered for selection:
  - (1) Submit a Letter of Interest to the Chaplain Advisory Board;
  - (2) Provide a letter of recommendation from his or her church or religious body elders, board, or council;
  - (3) Interview with the Chaplain Advisory Board; and
  - (4) Successfully complete a Washington State Patrol background investigation and polygraph exam, with review and concurrence by both Departments.

- b. After thorough review of the items above, the Chaplain Advisory Board will forward their recommendation for Senior Chaplain to the Department Chiefs. The Chiefs will make the final selection and appointment.

**5. Post-Appointment Requirements**

- a. A Chaplain who is appointed to the Senior Chaplain position shall:
  - (1) Maintain membership with the International Conference of Police Chaplains (ICPC);
  - (2) Complete a Volunteer Worker Registration for both Departments; and
  - (3) Possess and maintain first aid certification.

**6. Assistant Senior Chaplain**

- a. The Assistant Senior Chaplain (ASC) is second in command for the administration of and leadership for the volunteer chaplains serving in the program. The person assigned to this position serves under the direct supervision of the Senior Chaplain. In the Senior Chaplain's absence, this individual will report directly to the Department Chiefs or designee(s).
  - (1) The ASC serves as Senior Chaplain when called upon to act in that capacity.
  - (2) The ASC attends board meetings for the Washington State Patrol/WDFW Chaplain Advisory Board and reports on volunteer chaplain activities.
  - (3) The ASC is the first line supervisor for all volunteer chaplains serving in the program.
  - (4) Additional duties may be assigned by the Senior Chaplain as required.
- b. Requirements for the ASC are identical to that of the Senior Chaplain as outlined in Section II.A.3.
  - (1) Provide a written resume.

**7. Selection Process for Assistant Senior Chaplain**

- a. The ASC candidate shall possess the following prior to being considered for selection:
  - (1) The ASC candidate must have at least five years of experience in Chaplaincy or full-time experience related to chaplaincy.
  - (2) The ASC candidate will comply with all requirements for selection and appointment to this position, excluding the polygraph as outlined in Section II.A.4.

- b. The ASC candidate will be recommended by the Senior Chaplain and approved by the Washington State Patrol/WDFW Chaplain Advisory Board and serves at their pleasure.

**8. Regional/District Chaplain**

- a. A Regional/District Chaplain, referred to hereafter as "Chaplain," is assigned to support Department employees within a specific WDFW region and Washington State Patrol district.
- b. The Chaplain should maintain a good rapport and working relationship with Department staff.
- c. The WDFW regional captain and Washington State Patrol district commander shall communicate with the Senior Chaplain regarding the performance of the Chaplain assigned to their region/district.
- d. The Chaplain may be removed from volunteer service upon mutual agreement between the regional captain, district commander, and Senior Chaplain.

**9. Chaplain Candidate Requirements**

- a. Candidates for the Program shall:
  - (1) Be above reproach, temperate, prudent, respectable, hospitable, and able to teach;
  - (2) Not be contentious, and be free from excessive debt;
  - (3) Manage their household, family, and personal affairs well;
  - (4) Have a good reputation with those outside of the church;
  - (5) Be ecclesiastically certified and/or endorsed, ordained, licensed, or commissioned by a recognized religious body;
  - (6) Have at least three years of successful ministry experience;
  - (7) Be associated with a recognized religious body with their endorsement to serve as a Chaplain;
  - (8) Possess a valid driver's license;
  - (9) Provide proof of auto insurance;
  - (10) Be willing to attend Department training as requested; and
  - (11) Be willing to comply with all respective Department's rules, regulations, policies, and procedures.

**10. Selection Process**

- a. A Chaplain candidate shall complete the following prior to being considered for selection as a Chaplain:
  - (1) Submit a written application to the Senior Chaplain;
  - (2) Provide a letter of recommendation from his or her church or religious body elders, board, or council;
  - (3) Interview with the respective WDFW regional captain, Washington State Patrol district commander, and Senior Chaplain; and
  - (4) Successfully complete a Washington State Patrol background investigation (not to include a polygraph examination), with review and concurrence by both Departments. The Washington State Patrol will make the results available to WDFW. The respective WDFW regional captain, Washington State Patrol district commander, and Senior Chaplain will make the final selections.

**11. Post-Selection Requirements**

- a. A Chaplain who is selected to participate in the Program shall:
  - (1) Attain membership with the International Conference of Police Chaplains (if not already a member);
  - (2) Graduate from an accredited Chaplain Academy within one year of selection;
  - (3) Complete a Volunteer Worker Registration for both Departments; and
  - (4) Possess and maintain first aid certification.

**12. Duties and Responsibilities**

- a. A Chaplain's duties include, but are not limited to, the following:
  - (1) Comply with the respective Department's rules, regulations, policies, and procedures;
  - (2) Support the Department administrations in all matters that may affect employees or the public;
  - (3) Keep a daily notebook to track volunteer hours;
  - (4) On a monthly basis, report all volunteer hours on the Volunteer Worker timesheets to the respective Department;
  - (5) Assist when requested in making notification to families of Department members who have been seriously injured or killed;

- (6) Upon request, participate in funerals for active or retired members of the Departments;
- (7) Assist personnel with next of kin notifications;
- (8) Be trained in Critical Incident Stress Management (CISM) and able to assist in critical incident stress debriefing or defusing when requested;
- (9) Respond to any critical incident upon request;
- (10) Respond to any other incident where the presence of a Chaplain may aid in the well-being of a Department employee;
- (11) Be available to Department employees to provide counseling regarding personal issues;
- (12) Attend Department ceremonies, social events, and academy graduations, and provide chaplaincy services when requested;
- (13) Assist other agencies when called upon to render chaplaincy services;
- (14) Assist any Department employee in any function of the clergy as requested;
- (15) Facilitate requests for representatives or ministers of other denominations or faiths; and
- (16) Make referrals in cases where specialized assistance/service is needed, or in those cases that are beyond the Chaplain's ability to assist.

**13. Department Training**

- a. When available, Chaplains should participate in Department-sponsored training when requested by the regional captain, district commander, or Senior Chaplain. Although participation is not required, Chaplains are encouraged to attend regional/district training sessions for their assigned WDFW region or Washington State Patrol district.

**14. Operational Guidelines**

- a. Chaplains are encouraged to observe Department operations by riding with officers and/or troopers during their regular work shift and visiting with or working alongside other employees at Department installations, offices, and in the field.
- b. A Chaplain should be familiar with the weaponry and equipment inside the patrol vehicle and how to use it.
- c. A Chaplain may only carry a sidearm under the following conditions:
  - (1) If he or she is a current commissioned or retired commissioned law enforcement officer and riding with a WDFW officer;



(2) If he or she is a current commissioned law enforcement officer and riding with a Washington State Patrol trooper;

(3) The sidearm is concealed, unless the Chaplain is in departmental uniform.

d. Each Chaplain will have access to current personnel rosters, addresses, telephone numbers, duty assignments, and other information that may assist in their duties. Such information shall be considered confidential and each Chaplain will exercise appropriate security measures to prevent distribution of the information.

**15. Confidentiality**

a. All agency and personal information gained by a Chaplain shall be considered privileged and shall remain confidential in accordance with RCW 5.60.060.

b. Chaplains shall comply with both Departments' Confidentiality Code of Ethics policy and/or regulation. Failure to do so may result in removal from the Program.

**16. Uniforms and Equipment**

a. A badge, ID card, and other necessary equipment will be provided to the Chaplains.

b. A dress uniform similar to that worn by a WDFW officer or Washington State Patrol trooper may be worn by the Senior Chaplain at special functions, including, but not limited to, funerals, Chaplain events, ceremonies, or special Department functions.

c. A Chaplain may wear uniform items that identify him or her as a professional police Chaplain. The uniform items must be approved by the Senior Chaplain and the Chaplain Advisory Board.

**17. Financial Compensation**

a. The Departments shall not compensate a Chaplain in any way that is considered wages or benefits. Nothing in this section shall prohibit the Departments from reimbursing a Chaplain for expenses incurred for lodging, miles, or meals in certain circumstances that may be approved for official Department business.

(1) It shall be the responsibility of the individual Chaplain to raise financial support for their specific Chaplain Program.

(2) All fundraising shall be done through an appropriate foundation or church organization that is completely separate from the Departments.

(3) Department employees may donate to the Chaplain Program through payroll deduction or other appropriate means.

- (4) Upon request, the Senior Chaplain will provide the Chiefs with a copy of any financial forms filed with the Internal Revenue Service.

**18. Chaplain Advisory Board**

- a. The Chaplain Advisory Board, herein referred to as “the Board,” is responsible for ensuring that the Program adheres to state statute and established policies, guidelines, and best practices to appropriately meet the needs and expectations of the Departments and their employees. Specifically, the Board will:
  - (1) Assist in the development of policy, procedures, and protocol for the Chaplain Program;
  - (2) Assist the Department Chiefs in the selection of a Senior Chaplain;
  - (3) Assist the Senior Chaplain in the Chaplain selection process;
  - (4) Work with the Senior Chaplain and Chaplains to define long-term goals, objectives, and strategies;
  - (5) Approve Chaplain uniform items;
  - (6) Meet quarterly to discuss the Chaplain Program; and
  - (7) Review/update Chaplain Program policy manual.
- b. The Chaplain Advisory Board is comprised of the following ten members:
  - (1) One command staff from WDFW;
  - (2) One Executive Staff from the Washington State Patrol;
  - (3) Two captains from WDFW;
  - (4) Two captains from the Washington State Patrol;
  - (5) Two at-large employees from WDFW; and
  - (6) Two at-large employees from the Washington State Patrol.

**19. Board Selection**

- a. All Department employees are eligible to participate on the Board.
- b. Board positions will be filled on an “as-needed” basis.
- c. Employees interested in serving on the Board shall submit a letter of interest through their chain of command to their respective Chief. The existing Chaplain Advisory Board, in collaboration with the Senior Chaplain and Department Chiefs, will appoint new Board members based upon a review of their letter of interest, command recommendations, and current performance evaluation.

**Applies to:** All WSP Employees  
**See Also:** RCW 5.60.060, 41.22, 77.15.075

**10.17.010 ACCESS CONTROL DEVICES (ACD) ACCOUNTABILITY (CALEA 17.5.2)**

**I. POLICY**

**A. ACD Issuance and Lock Assignments**

1. The ACD accountability system includes issuance and lock assignments to maintain the security of all areas. This includes, but is not limited to, brass keys, proximity cards, etc.
2. District or division commanders shall notify the Facilities Management Section (Property Management Division) immediately if there is a change in ACD custodian.

**B. ACD Logs and Responsibility**

1. The captain or commander shall assign an ACD custodian to be responsible for division/district level access control.
2. The ACD custodian is responsible for:
  - a. Requesting any ACD from the Facilities Management Section.
  - b. Issuing ACDs.
  - c. Ensuring a signature card is completed and returned to the Facilities Management Section.
  - d. Maintaining an ACD accountability log (see Access Control Device Log sample below).
  - e. Submit a copy of the ACD accountability log annually in February to the Facilities Management Section.

**ACCESS CONTROL DEVICE LOG**

ACD Custodian:				Division/Detachment:		
ACD #	Type of Device Issued	Date Assigned	Date Turned In	Print Name	Unique ID	ACD Owner's Signature

**C. Exceptions to the ACD Log**

1. Washington State Patrol officers issued department gas pump and weigh station keys (20-2A) and 20-1A are not listed in the log. The Supply Section issues and records these ACDs and Facilities Management Section tracks and retains these records.

**D. Requests for ACDs**

1. Requests for ACDs must be made in writing (either via IOC or e-mail) by the ACD custodian and indicate the purpose of the ACD, access desired, and to whom the

ACD will be assigned. This correspondence must be approved by the division/district/section commander. The Facilities Management Section will then issue the ACD. Any ACD marking shall be noted on the request.

2. Persons requesting access to Washington State Patrol facilities from other agencies must contact the Facilities Management Section for ACD issuance. The Facilities Management Section shall notify the requesting agency in writing about ACD issuance policies. All outside agency personnel requesting an ACD must have passed a Washington State Patrol background check, federal background check, and be fingerprinted (see **NON-DEPARTMENT PERSONNEL BACKGROUND CHECKS**). Outside agency requests shall be on agency letterhead and shall have an agency manager's signature. The Facilities Management Section requires the return of the ACD(s) if the person it was issued to transfers or separates from the requesting agency.
3. Outside companies requesting access to our facilities must contact the Facilities Management Section for ACD issuance. The Facilities Management Section shall notify the requesting company in writing about ACD issuance policies. All outside personnel requesting an ACD must have passed a Washington State Patrol background check, federal background check, and be fingerprinted (see **NON-DEPARTMENT PERSONNEL BACKGROUND CHECKS**). Requests shall be on company letterhead and shall have a manager's signature. The Facilities Management Section requires the return of the ACD(s) if the person it was issued to transfers or separates from the requesting company.

**E. Lost, Stolen or Broken ACDs**

1. Employees shall immediately notify their assigned ACD custodian and supervisor of any lost, stolen, or broken ACDs. The ACD custodian shall notify the Facilities Management Section and update their annual ACD log.

**F. Key Boxes**

1. Each section, unit, and/or detachment shall possess a locked key box with a set of keys for each vehicle assigned to the area and any other key used on a daily basis. The key box shall be in an area accessible only to Washington State Patrol employees.
2. ACD custodians shall keep a separate secure location (i.e., lock box, locked filing cabinet, or locked desk) for all Washington State Patrol ACDs.

**G. ACD Turn-In**

1. Separating employees shall return all ACDs to their district ACD custodian by their last work day. ACDs to specific district or division areas must be turned in before transfer or promotion.
2. Proximity cards stay with employees until separation from the agency.

**H. Inspections**

1. ACD accountability logs shall be reviewed during inspections.

**Applies to:** All WSP Employees

**See Also:** WSP Policy **Non-Department Personnel Background Checks**; Access Control Device Log

**11.13.010      DEATHS AND FUNERALS (CALEA 22.2.3, 61.3.3)**

**I. POLICY**

**A. Death of WSP Employees**

1. When a retired member of the department dies, the Office of the Chief shall be notified through the chain of command. When an active employee dies in the line of duty, communications centers shall immediately notify the Chief, Deputy Chief, all assistant chiefs/bureau directors, Honor Guard Commander, and Government and Media Relations.
2. Information about the death of a person with other connections to the department shall be relayed to the appropriate assistant chief or bureau director by the local commander.
3. This policy shall be followed for funerals of uniformed officers. Additional information can be found in the *Funeral Protocol Reference Guide for Uniformed Officers*.
4. Any department involvement in funeral arrangements shall be determined in advance through coordination with the family. The wishes of the family will prevail over any of the following procedures.

**B. Death of an Active Department Member – Commander Responsibilities**

1. Along with the Honor Guard Commander or the assigned Honor Guard Detail Officer, make immediate contact with the family or family contact to determine the amount of department involvement that is wanted. The local district commander shall assign a department liaison to the family if one is requested. Depending on the size and scope of the funeral and level of department involvement, the district commander should also consider assigning an Incident Commander under an Incident Command Structure. Keep family informed regarding arrangements.
2. Notify the respective assistant chief/bureau director and Honor Guard Commander of time, location, and funeral details, and request the assistant chief/bureau director advise the Deputy Chief and Chief.
3. Notify the Department Psychologist and coordinate further services.
4. Notify the Department's Senior Chaplin to coordinate any assistance.
5. Notify the Human Resource Division and Budget and Fiscal Services.

6. Notify the Memorial Foundation, Spouses Association, and the appropriate labor organization.
7. Coordinate participation by department employees (uniforms, routes, parking,)
8. Arrange for appropriate Washington State Patrol representation.
9. Ensure traffic control and parking arrangements are adequate (motorcycles may be used).
10. Work with the Honor Guard Commander to determine Honor Guard participation and contact the Field Operations Bureau Assistant Chief to obtain the Chief's authorization to use the Honor Guard if requested by the family.
11. Coordinate participation by employees from other agencies.
12. Arrange for transportation of family to and from ceremonies, if necessary.
13. Notify local retired members of all arrangements and schedules.
14. Generate an electronic correspondence for next-day distribution. Include all funeral information, and update as needed.

**C. Human Resource Division Responsibilities**

1. The HRD Commander shall coordinate benefits with family and determine if the family desires a badge marker for the headstone.
2. The Supply Section shall be notified if a marker is desired.

**D. Uniforms**

1. The winter uniform will be worn at funerals, unless designated differently by the Chief. If jackets are worn, they shall be zipped up to the second brass button from the shirt top.
2. The Chief may direct the wearing of black mourning bands on the badges of all uniformed officers. When so ordered, bands will be worn until the day after the funeral.

**E. Attendance**

1. Employees who were personally acquainted with the deceased may be excused from regular duties to attend the funeral, and attendance may be on working time. Car pools are to be used as much as possible.
2. Districts/sections will furnish attendance estimates to the commander of the host district 48 hours before the funeral. Overtime compensation is not authorized for funeral attendance or travel time, except for employees who are directed to attend by a commanding officer.

**F. Funeral Protocol – Uniformed Employees**

1. All uniformed officers should assemble in formation in an area pre-determined by the Honor Guard Detail Officer and family liaison. Officers should fall in at relaxed parade rest and refrain from loud talking. The formation should be organized with the command staff in front by order of rank (left to right). Members of the deceased officer's detachment should assemble to the right of the command staff. All uniformed commissioned officers should assemble behind the front row, followed by all other uniformed officers. An Honor Guard member may be assigned to the formation to provide briefing regarding commands and protocol.
2. All uniformed officers shall respond to verbal commands given by the Honor Guard Detail Officer.
3. The Honor Guard will form two lines for the family to walk through when entering the indoor facility (church, funeral home, etc.).
4. The Honor Guard member assigned to the formation will lead the formation into the facility. Personnel are to remove their uniform hats as they enter. The campaign hat shall be held by the strap with the right hand. The hat is held over the heart with the hat badge pointing to the left.
5. Remain standing as a group until signaled to sit by an usher or the Honor Guard Detail Officer. When seated, the hat is placed on the lap with the hat badge facing forward.
6. At the conclusion, officers shall rise, stand as a group when signaled, and file out as directed. If the procession passes the casket while exiting (within an arm's length), officers should touch the casket with their right hand in reverence to the deceased. Protocol dictates that only the right hand be used to touch the casket in this manner. Therefore, officers may need to hold their hats with their LEFT hands while exiting the venue. The Honor Guard Detail Officer will ensure all officers are advised if this will occur prior to entering the facility.
7. When outside, officers are to assemble as directed by the officer in charge. When the casket is brought from the building, officers should be called to attention and shall respond to further commands by the officer in charge.

**G. Processions – Other Services**

1. Motorcycle processions will be authorized only by the Chief or designee. In the event a procession is approved, it should be in the following order:
  - a. Hearse
  - b. Vehicles containing family/relatives
  - c. Detachment patrol vehicles
  - d. Headquarters and district command staff

- e. All other Washington State Patrol vehicles
  - f. All other agency patrol vehicles
  - g. All other vehicles
2. Patrol vehicles shall travel together with headlights on (including wigwags). All emergency lights (except four-way flashers) should also be activated.
  3. After arriving at any other location for services, officers shall park where directed, assemble (with hats on) where designated, stand in formation, and follow any commands given by the officer in charge until dismissed.
  4. The local district is responsible for traffic control and parking.

**H. Plaques**

1. The family of a deceased active member of the department may be presented a plaque. The presentation shall be by the appropriate commander. The plaque is of a style approved by the Chief.

**I. Honor Guard Participation**

1. The Honor Guard will be used at funerals only upon the approval of the Chief.
2. Honor Guard participation is planned in accordance with proper protocols and family wishes. The assigned family liaison(s) shall meet with the Honor Guard Commander and/or assigned Detail Officer to coordinate a meeting with the family to explain the Honor Guard's capabilities to the family and discuss the family's wishes for the memorial services.
3. Inside churches and funeral homes, Honor Guard participation is normally limited to casket watches and escort. At gravesite services, the Honor Guard can provide flag-folding, 21-gun salutes, and the playing of Taps.
4. The Honor Guard Detail Officer has complete command and control of the Honor Guard Unit. Honor Guard-related questions and on-site coordination of Honor Guard usage shall be directed to the Honor Guard Detail Officer.

**J. Other**

1. The Chief may require department facilities fly United States and Washington flags at half-mast from the time of death until the day after the funeral.
2. A uniformed member may be buried in uniform with badge. A duty badge may be presented with the memorial plaque. All weapons are returned to the Supply Section.
3. The picture of any member killed on duty will be displayed at each Patrol facility for one year after death.



4. If there are questions regarding authority to make funeral arrangements (e.g., a divorced or widowed member, conflict within family), the Deputy Chief shall be consulted.

**K. Deaths and Funerals – Retired and Non-Department Employees**

1. The district commander shall notify Field Operations Bureau Headquarters of death/funeral arrangements for:
  - a. A family member of an active department employee.
  - b. A retired member of the Patrol.
  - c. An active member of another law enforcement agency.
  - d. State and local dignitaries.
  - e. Persons designated by the Chief.
2. The Chief may order use of the Honor Guard at non-department funerals. Attendance shall be guided on procedures outlined above under **Attendance**. The commander shall provide department representation, if necessary.
3. The Daily Bulletin will include information on funeral arrangements, times, and other information, if necessary.

**Applies to:** All WSP Employees

**See Also:** *Funeral Protocol Reference Guide for Uniformed Officers*

**11.22.010      COMPENSATION FOR EMPLOYEE-IN-CHARGE (CALEA 22.1.1)**

**I. POLICY**

**A. Compensation for Employee-In-Charge**

1. This policy covers non-represented, Washington Management Service (WMS), and exempt employees. These employees may be compensated for the performance of higher level supervisory duties as specified in this policy while temporarily assuming the full scope of duties and responsibilities of a supervisory position.
2. Those positions that are covered under a Collective Bargaining Agreement (CBA) may be compensated per their CBA.

**B. Conditions for Receiving Compensation for Employee-In-Charge**

1. To be compensated for temporarily assuming the duties of a supervisory position, as specified above, the supervisor must be gone for 40 or more consecutive hours. If more than one employee is appointed to work in the supervisor's position, each employee will be compensated for the actual time worked, provided each employee has worked at least 8 consecutive, non-leave or non-overtime hours in the position.

2. Employees will not be compensated at the higher level for time not worked while on any paid leave or while attending court in overtime status. If a holiday occurs during the appointed time period that qualifies for in-charge pay, the employee may be compensated at the higher level for the holiday.

**Applies to:** All Non-Represented, Exempt, and WMS Employees  
**See Also:** Applicable Collective Bargaining Agreements

**11.22.030**     **OVERTIME (CALEA 22.1.1)**

**I. POLICY**

**A. Authorization for Overtime**

1. Overtime is defined by collective bargaining agreements or applicable Civil Service Rule or law. Any overtime eligible employee may receive overtime with the prior approval of a supervisor, in accordance with a collective bargaining agreement, applicable Civil Service Rule, or law.
2. An employee may receive overtime on a weekly (over 40 hours) rather than a daily basis, subject to applicable laws and prior authorization from the Chief.

**B. Minimal Accrual of Overtime**

1. All supervisors will ensure that accrual of overtime is kept to a minimum.

**C. Reporting Overtime**

1. Overtime will be reported on the Time and Activity Report in accordance with the *Time and Activity Reporting (TAR) Manual*.

**Applies to:** All WSP Employees  
**See Also:** Applicable Collective Bargaining Agreements; *Time and Activity Reporting Manual*

**11.23.010**     **SELECTION FOR SPECIALTY POSITIONS (CALEA 16.2.2, 22.1.1)**

**I. POLICY**

**A. Specialty Positions**

1. All specialty positions are considered staff or technical appointments and, as such, are governed by RCW 43.43.370.
2. Selection to a specialty position is treated as a reassignment or transfer and is not considered a promotion. Officers selected to fill a specialty position do not have property rights to any benefits associated with that position. Because it is in the department's interest to select the best qualified candidate, minimum qualifications may be established for specialty positions.

**B. Advertising**

1. Specialty position openings will be advertised in the Daily Bulletin at least 5 business days prior to the start of the selection process. The advertisement shall include the number of openings to be filled in the specialty assignment, a brief job description, minimum qualifications, and a description of the testing procedure to be used. Supervisors shall ensure that each officer eligible is notified.

**C. Application/Requirements**

1. Specialty position announcements shall have specific application and selection requirements.

**D. Exceptions**

1. Specialty positions should not normally be filled on a temporary basis for longer than six months. Appointments made to positions under exigent circumstances are exempt from the selection procedure described above.
2. At the conclusion of the temporary assignment or when the exigent circumstances no longer prevail, the position(s) shall be advertised as required in this policy.

**E. Supplemental Compensation**

1. Any officer in an assignment for which staff and technical officer supplemental compensation is authorized shall receive such compensation during the officer's tenure in the position. Supplemental compensation will be paid only while the officer is actually working in the designated position for which the supplemental compensation is authorized. If the officer leaves the supplemental compensation position, the officer will no longer receive the compensation. Staff and technical officer compensation is an appurtenance of the position, not of the person who holds the position.
2. Officers placed in temporary assignments for which specialty pay is normally authorized shall not receive supplemental compensation if the assignment is expected to be 180 days or less in duration. Should such an assignment extend beyond 180 calendar days, supplemental compensation shall be authorized retroactively to the first day of the temporary assignment on the 181st day of the temporary assignment. The effective date of the assignment shall be counted as the first day.

**F. Review of Specialized Assignments**

1. It shall be the responsibility of the appropriate assistant chief/bureau director to ensure specialized assignments are reviewed on an annual basis. The purpose of the review is to avoid overspecialization and ensure the effective operation of department specialization.

**Applies to:** All WSP Employees  
**See Also:** RCW 43.43.370

**11.24.020**      **RECORDINGS AND MEDIA USE AND DISTRIBUTION**

**I. POLICY**

**A. Property of the Department**

1. Photographs, audio and video recordings, and other media, whether in hard copy, electronic, or other format, that are captured using agency equipment, are the property of the agency.

**B. Acquiring Devices**

1. Photographs, audio and video recordings, and other media, whether in hard copy, electronic, or other format, that are related to the conduct of government and captured using personal equipment, may be subject to public disclosure or legal discovery requests, and shall be furnished to the agency if:
  - a. Captured by on-duty personnel; or
  - b. Captured by off-duty personnel.

**C. Storage on Department Servers**

1. Photographs, audio and video recordings, and other media that are captured using personal equipment shall be copied to agency equipment as soon as possible.

**D. Restrictions Regarding Use or Distribution**

1. Use and distribution of any photograph, audio or video recording, or other medium that was captured while on duty, or by off-duty personnel in uniform, is restricted. An employee may use or distribute such material for a purpose other than official department business, including use or distribution in publications or social networking Web sites, only if it is requested and obtained in compliance with subsection (D)(2) or other applicable laws and policies (see **PUBLIC RECORDS REQUESTS** and chapter 42.56 RCW).
2. An employee may request permission to use or distribute materials governed by this policy from the commander of the Risk Management Division or designee. The request must be accompanied by a copy of the material(s) to be used or distributed, an explanation of the intended use or distribution, and an explanation of the contents of the material and/or circumstance under which the material was captured. An employee does not violate this policy if the employee transmits a photograph, audio or video recording, or other medium to another employee for the sole purpose of either employee requesting permission from the commander of the Risk Management Division or designee pursuant to this subsection.

**E. Collective Bargaining Agreements**

1. Nothing in this policy shall be construed to preclude an employee from a communication or transmission of materials that the employee is specifically authorized to make under an applicable collective bargaining agreement.

**Applies to:** All WSP Employees  
**See Also:** RCW 42.56; WSP Policy **Public Records Requests**; Applicable Collective Bargaining Agreements

**15.15.010**     **ACCESS/WACIC/NCIC CERTIFICATION REQUIREMENTS (CALEA 41.3.7)**

**I. POLICY**

**A. Use of ACCESS System**

1. 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 administers all operating phases of the ACCESS system.
2. The ACCESS communications network shall only be used for official law enforcement business. The following rules and policies ensure proper and efficient use of the ACCESS communications system. All users will conform to these policies and rules. Any questions regarding these policies should be referred to the ACCESS Section Manager.

**B. Terminal Agency Coordinator (TAC)**

1. District commanders shall designate a TAC for each district and/or Communications Center and/or detachment or site where an ACCESS terminal is located. The individual designated to function as a TAC shall be responsible to ensure compliance with state and federal policies and regulations, including validation requirements. TACs must maintain ACCESS Level II and TAC certifications. Additionally, the TAC shall participate in and ensure that all appropriate records be available during the triennial audit, which is conducted by the ACCESS/NCIC Audit Staff. Responsibility for proper system usage, user certification, validations, and maintaining proper procedures belongs to the TAC.
2. All terminal users, including PMDC users, must be certified at their appropriate level every two years. The training for both Level I and Level II is a two-year certification. Users must recertify prior to their certification expiration date. This can be accomplished by recertifying online or attending a class.
3. All supervisors of ACCESS users and that are not ACCESS certified must view the Upper Management and Administrative Overview Training once during their career. They must sign a log indicating they viewed the training. The log must be kept with the TAC and be available for review at the audit.
4. All personnel that have physical access to Criminal Justice Information (CJI) that are not ACCESS certified must view the level 1 Criminal Justice Information Services (CJIS) Security Training once every two years, available in CJIS Online. This includes janitorial staff, all supervisors of ACCESS users that are not ACCESS certified, and all personnel that have access to the terminal areas that are not ACCESS certified.

5. All personnel that have physical and logical access to CJI that are not ACCESS certified must view the level 3 CJIS Security Training once every two years, available via CJIS Online. This includes IT personnel and vendors.

**C. Information Access and Dissemination**

1. Each user must observe any restrictions placed on the use or dissemination of information from the source agency. Policies contained within the ACCESS Operations Manual or other related manuals must be adhered to. Some records may be public information; however, if the information is obtained over the ACCESS system it must be used in the administration of criminal justice.
2. Law enforcement may provide vehicle records to tow operators as specified by Washington State law.

**D. Terminal Security**

1. Security of the terminal site and information received on the terminal is the responsibility of the division/district operating the terminal. Terminal locations must be secure from unauthorized access, and all employees authorized to use the system shall be instructed on the proper use of equipment and the dissemination of information received. Federal and state laws governing the secrecy of communications apply to all messages transmitted over this system.

**E. System Misuse**

1. Persons shall not use any information obtained through the ACCESS system, including all Department of Licensing (DOL) information, for private business or personal reasons or furnish any information so obtained to any other person for such use. Road, weather, and pass information may be disseminated to the general public, as a public service, without restriction.
2. Violations of the rules, regulations, policies, or procedures developed by NCIC and adopted by the Washington State Patrol or any other misuse or abuse of the system may result in disciplinary measures and/or criminal prosecution. Disciplinary measures may include revocation of individual certification, discontinuance of system access to the department, purging of agency record entries, or criminal prosecution.
3. Upon receipt of a concluded misuse investigation, the division/district commander or designee must notify the ACCESS Section of the following information pertaining to system misuse:
  - a. Employee name
  - b. Allegation
  - c. Founded or unfounded

4. The Criminal Records Division Commander, ACCESS Section Manager, and the division/district commander or designee will make a final decision regarding the future status of the employee's ACCESS certification and/or whether additional training should be scheduled.

**F. Visitor Control and Access to Criminal Justice Information**

1. Only authorized personnel will have access to physically secure non-public locations. All physical access points into Washington State Patrol secure areas will be authorized before granting access.
2. For all physical access to secure locations, Washington State Patrol personnel shall ensure visitors are escorted at all times. If visitors need unescorted access, they must have completed a fingerprint-based background check and review the Security Training on CJIS Online.
3. All criminal justice information obtained via ACCESS, in electronic format or paper, must be disposed of when no longer required. Appropriate means of destruction include shredding or incineration. All destruction must be witnessed or carried out by authorized personnel. Electronic media shall be destroyed by the Information Technology Division.

**Applies to:** All WSP Employees  
**See Also:** --

**16.00.020      AUTHORIZED UNIFORMS (CALEA 22.2.5, 41.3.4)**

**I. POLICY**

**A. Authorized Uniforms**

1. The department has authorized the following uniforms for troopers and mansion cadets:

**a. Winter Uniform**

- (1) The winter uniform consists of issued pants; long-sleeve shirt; black bow tie or issued navy blue dickey or the same navy color/dickey design long-sleeve turtleneck shirt (divorced of any brand markings); felt campaign hat; black socks; black belt; name plate; badge; marksmanship pin; and black shoes or black boots.
- (2) The long-sleeve shirt shall be worn with either a bow tie or issued dickey or the same navy color/dickey design long-sleeve turtleneck shirt (divorced of any brand markings). The top button of the shirt shall remain unbuttoned when the dickey is worn. Officers have the option of wearing the winter uniform year-round.

**b. Summer Uniform**

- (1) The summer uniform consists of issued pants; short-sleeve shirt; white round-neck T-shirt; straw or felt hat (troopers); black socks; black belt; name plate; badge; marksmanship pin; and black shoes or black boots. Officers have the option of wearing the summer uniform year-round; however, the straw hat may only be worn from April 1 to October 31.

**c. Formal Uniform**

- (1) The formal uniform is the winter uniform. Straw campaign hats, dickeys, and boots are not part of the formal uniform and shall not be worn when the formal uniform is required. The formal uniform shall be worn for superior court appearances, funerals, public speaking engagements, legislative duty, and when directed by the Chief.

**d. Dress Uniform**

- (1) The dress uniform shall consist of the tunic coat, issued pants with blue stripes and gold piping, gun, and gun belt.
- (2) The following accessories shall be on the dress uniform:
  - (a) The Washington State Patrol insignia shall be centered on the blue collar (right side) of the tunic coat one-half inch from the opening.
  - (b) Insignia of rank (TPR for troopers) shall be centered on the blue collar (left side) of the tunic coat one-half inch from the opening.
  - (c) Department-issued badge (left front in badge holder).
  - (d) Gold name plate (right front, aligned with center of badge).
  - (e) Black dress belt with brass Washington State Patrol buckle.
  - (f) Felt campaign hat.
  - (g) Black stockings without design.
  - (h) Black issued shoes.
  - (i) No other accessories shall be worn on the tunic. **Exception:** Honor Guard members shall wear the issued gold Honor Guard badge, white shoulder braid, white gloves, and white belt with brass buckle.
- (3) The dress uniform may be worn to funerals of active or retired department members or active officers of other agencies within the state. The dress uniform may also be worn to formal or semi-formal functions, with prior approval from the appropriate district/section



commander (e.g., Governor's Inaugural Ball, Washington State Patrol Memorial Foundation dinner, a formal policeman's ball).

**e. Tactical Uniform**

- (1) The tactical uniform consists of the nylon jump suit, approved baseball cap, issued shoes or boots, badge, firearm, and gun belt with accessories. The tactical uniform shall be worn by officers during training exercises and unusual occurrences, or as directed by the district commander.
- (2) Personal athletic shoes may be added to the tactical uniform only during training in a gymnasium. During unusual occurrences, leather gloves, riot helmet, PR 24 ring, PR 24, and gas mask may be added to the tactical uniform.

**f. Motorcycle Uniform**

- (1) The motorcycle uniform consists of the officers' uniform of the day plus the following issued items:
  - (a) Motorcycle helmet
  - (b) Traffic whistle with chain
  - (c) Motorcycle boots or rocky boots
  - (d) Blue long-sleeve turtleneck sweater or dickey
  - (e) Breeches
  - (f) Motorcycle qualification pin worn above pistol qualification pin
  - (g) Motorcycle rain gear
  - (h) Aerostich jacket and pants
  - (i) Summer or winter riding gloves
  - (j) A wash and wear summer uniform

**g. Commercial Vehicle Division Uniform**

- (1) WSP commercial vehicle officers (CVEO, CVO) shall wear uniforms specifically designed for the Commercial Vehicle Division.
- (2) Officers shall be issued summer and winter uniforms. The uniforms shall be tailored and worn as outlined in this chapter.
- (3) Style requirements and list of accessories are on file at the Supply Section.

**h. VIN Specialist/Inspector Clothing**

- (1) VIN specialists/inspectors shall wear clothing designed for the VIN program.
- (2) Officers shall be given a choice between wearing a cotton jump suit or two-piece wash-and-wear clothing as outlined in their bargaining agreement.
- (3) Requirements and a list of accessories are on file with the Supply Section.

**i. Communications Officer Uniform**

- (1) Communications officers shall wear uniforms specifically designed for the Communications Division.
- (2) The uniform style requirements and list of accessories are on file with the Supply Section.

**j. Cadet Training Uniform**

- (1) Cadets who have not yet completed arming training and those cadets currently in the Academy shall wear a uniform specifically for cadets. The uniform shall include navy blue long- and short-sleeve shirts, navy blue pants with black clarino belt, black clarino shoes or boots, baseball cap, and dickie or bow tie.
- (2) The long-sleeve shirt shall be worn with either a bow tie or issued dickey. The top button of the shirt shall remain unbuttoned when the dickey is worn. The short-sleeve shirt shall be worn open-collared with a white round-neck T-shirt. Boots shall only be worn during inclement weather (i.e., snow and ice).

**Applies to:** All Uniformed Employees

**See Also:** --

**16.00.080      UNIFORM ISSUE, REPLACEMENT, OR REPAIR (CALEA 17.5.2, 22.2.5, 41.3.4)**

**I. POLICY**

**A. Issuance of Uniforms**

1. The Supply Section shall be responsible for the issue of all uniform and uniform-related items.

**B. Replacement of Uniforms**

1. Requests for uniform replacement shall be directed to the immediate supervisor using an Equipment Request/Return form for items requested. The supervisor shall inspect the used item and, if approved, forward the request through the district/section commander to the Supply Section.

2. Except as noted below, supervisors shall ensure all uniform items that are no longer serviceable are destroyed and disposed of properly. Uniforms shall have all markings removed prior to disposal. Items shall be cut up before disposal.

**Applies to:** All Uniformed Employees  
**See Also:** Equipment Request/Return Form

**17.19.010**      **COMMUTE TRIP REDUCTION**

**I. POLICY**

**A. Commute Trip Encouragement**

1. Because of growing traffic congestion and environmental concerns, employees (except employees subject to emergency call-out/responses) are encouraged to reduce commute trips whenever possible, using carpool, vanpool, mass transit, walking, teleworking, bicycles, or alternate work schedules (see **TELEWORKING**).
2. The department's Commute Trip Reduction Coordinator (CTRC):
  - a. Works with the department's Employee Transportation Coordinators (ETC) and applicable external agencies (e.g., Intercity Transit, Thurston Regional Planning Council, etc.) to satisfy the requirements of the Commute Trip Reduction law.
  - b. Ensures that the mandated Employer Annual Report and biennial survey are completed.
3. An ETC will be assigned to each affected worksite in the Thurston County area. The ETC:
  - a. Works with the department's CTRC to satisfy the requirements of the Commute Trip Reduction law.
  - b. Provides assistance to site employees, exploring possible alternatives for reducing single-occupant vehicle work trips.

**Applies to:** All WSP Employees  
**See Also:** RCW 41.04.390, 46.74.010, 70.94.521-551; WSP Policy **Teleworking**; Commute Trip Reduction internal Web site (see <http://iwspsp/sites/TSB/RMD/SPA/Pages/CTR.aspx>)

**20.00.080**      **COLLISION INVESTIGATION (CALEA 61.2.1, 61.2.2, 61.3.2, 82.2.1, 83.2.1, 83.2.4)**

**I. POLICY**

**A. Response to Collisions**

1. Collision investigation is an important function of the department. The public expects officers to conduct a fair and thorough investigation to document collisions, as well as care for the injured and protect the rights and property of those involved.

An integral part of a thorough investigation is interviewing all available participants and witnesses. When practical, each participant and witness should be given the opportunity to provide a written statement. A collision can be an emotional experience for all parties involved. Officers should understand these emotions and conduct themselves and the investigation in an impartial and professional manner.

2. Traffic collisions are investigated to determine the causes of collisions so methods of prevention may be developed, and to determine if evidence exists to support a charge. Enforcement should occur at the scene of the investigation when circumstances allow.
3. Officers shall respond to collisions in their area of responsibility involving death or injury, hit and run, impairment due to alcohol or drugs, damage to publicly owned vehicles/property, disturbances between the occupants, major traffic congestion as a result of a collision, and vehicles reported to be blocking the roadway.

**NOTE:** Areas of responsibility may be defined by agreements between the Chief and city/county officials.

4. Collisions that occur on private property are to be investigated when injury or death occurs, there is impairment due to alcohol or drugs, or there is major property damage (e.g., a tow is required). Communications officers shall advise citizens that if a law enforcement officer does not take a report and if the damage is in excess of \$1,000, the citizen is required to submit a collision report. District commanders may limit or direct the response to collisions in private parking lots during times of natural disasters or ice/snow emergencies.

## **B. Investigator's Report**

1. A Police Traffic Collision Report shall be completed for every investigated collision involving either of the following:
  - a. Injury to or death of any person.
  - b. Damage to the property of any one person to an apparent extent of \$1,000 or more.
2. Reportable collisions are not limited to those occurring on public roadways.
3. The Police Traffic Collision Report shall be typewritten or printed in black ink or completed using Statewide Electronic Collision and Ticket Online Records (SECTOR) software. Supervisors shall review the reports for clarity and completeness.
4. The first copy of the Police Traffic Collision Report shall be sent to the Washington State Patrol, Collision Records Section, PO Box 47381, Olympia, Washington 98504-7381, within seven days of the date of collision. The second copy shall be retained by the district/detachment for two years, and the third copy shall be kept by the officer for general information references. Collision reports completed and reviewed using SECTOR shall be transmitted electronically to the Washington State Patrol, Collision Records Section, within seven days of the date of collision.

5. Any additional information obtained during a collision investigation which does not have its own case file shall be kept by the investigating officer.

**C. Supplemental Report**

1. When corrections or additions or any question needs to be made, refer to the "General Instructions" in the Police Traffic Collision Report instruction manual. There are different procedures used, dependent on the information involved.

**D. Collision Scene Road Closures**

1. Partial or complete road closures are necessary on occasion. However, the department is charged with promoting the safe, expeditious flow of traffic. Opening the roadway is a primary concern to minimize the risk of additional collisions and/or injuries. The duration of road closures shall be as short as possible.
2. If a felony is involved or the investigation will be complex, Criminal Investigation Division detectives shall be utilized, where available. To facilitate the objective of clearing the roadway as soon as possible, the first officer at the scene shall be responsible for beginning the investigative process (e.g., taking statements, collecting evidence, etc.) and shall not wait for the arrival of certified investigators or Criminal Investigation Division detectives. The investigating officer shall coordinate with other employees as they arrive to avoid duplication of effort.

**E. Collision Memo Submittal**

1. It shall be the responsibility of the investigating officer of any fatality, injury, or major property damage collision to provide Communications with adequate information to complete a Collision Memo. The information shall be submitted by telephone or in person as soon as practical after the officer clears the scene or prior to the end of the officer's shift.
2. Collision Memos shall not be transmitted by mobile radio, except in exigent circumstances.

**F. School Bus Collisions**

1. A Commercial Vehicle Division trooper/commercial vehicle enforcement officer shall be called to the scene of a commercial vehicle-involved collision or School Bus involved collision.
2. If possible, if a School Bus Inspector is on duty, he or she could be called to the scene if a school bus is involved.

**Applies to:** WSP Officers

**See Also:** RCW 46.52.070; Police Traffic Collision Report

**20.00.100**     **FATALITY – FELONY INVESTIGATIONS (CALEA 12.1.2, 41.2.4, 42.1.3, 42.2.1, 61.2.1, 61.2.2, 61.2.3, 61.2.4, 81.2.3, 81.2.4, 82.2.1, 82.2.3, 83.1.1, 83.2.1, 83.2.4, 83.2.6)**

**I. POLICY**

**A. First WSP Officer on the Scene**

1. The major part of a collision investigation rests with the first officer on the scene. Even if this is not the officer who completes the final report, the responsibilities remain the same. The first officer at the scene of a fatality or felony collision shall advise Communications to notify the detachment supervisor, who shall contact appropriate employees (e.g., certified investigator, Criminal Investigation Division detective, DRE Officer, Major Accident Investigation Team, etc.). The first officer is in command of, and responsible for, the investigation until a supervisor arrives.
2. To clear the roadway quickly, and to avoid future duplication of effort, the first officer at the scene shall begin the investigative process and coordinate with other employees as they arrive. The officer's responsibilities include:
  - a. Protecting the scene.
  - b. Caring for the injured.
  - c. Preserving evidence.
    - (1) Marking movable evidence.
    - (2) Marking or photographing temporary evidence which may disappear (e.g., tire marks in snow).
  - d. Locating involved persons (drivers, passengers, witnesses) and obtaining:
    - (1) Names and birth dates.
    - (2) Addresses.
    - (3) Phone numbers (home and work).
    - (4) Brief statements, including spontaneous remarks. Identify as many people as possible.
  - e. Noting location of people involved.
    - (1) Who was in the vehicles and where?
    - (2) Determine the location of each occupant in the vehicle, if seat belt removed, etc.
  - f. Identifying assisting employees, aid crews, and other police officers. Try to identify the first person to arrive at the scene.

- g. Promptly requesting notification of street/highway department and/or public utilities employees to handle emergency repairs, if needed. Communications Centers maintain current lists for their area of responsibility.
  - h. Requesting coroner or medical examiner, if needed. Coordinating notification with on-scene medical personnel.
  - i. If probable cause exists, making the appropriate arrest at the scene and reading Miranda Rights.
  - j. If probable cause exists to believe the causing driver is intoxicated or impaired, arranging for a blood sample to be taken.
  - k. Noting weather and road conditions.
  - l. Notifying the news media (through the supervisor) to inform motorists of traffic congestion or detours resulting from the collision/incident.
  - m. Obtaining case number from Communications.
  - n. Completing investigator's Police Traffic Collision Report.
  - o. Completing the Collision Investigation forms.
  - p. Completing the Field Diagram form.
  - q. Filling out a Vehicle Inventory Record for any impounded vehicles.
  - r. Staying at scene until relieved.
3. The above criteria is a guideline to a thorough investigation.

**B. Assisting WSP Officers**

- 1. Each collision scene dictates the type of assistance needed to conduct a proper investigation. Any officer assisting at the scene of a collision is important to the investigation. When assigned a task, all appropriate reports or forms shall be completed and forwarded to the investigating officer.
- 2. The officer who accompanies the driver(s) to the hospital should:
  - a. Interview/interrogate:
    - (1) Driver(s) - If driver(s) is a criminal suspect, ensure Miranda Rights are given prior to interrogation.
    - (2) Passenger(s).
    - (3) Paramedics (e.g., what medications given, any statements made to them).

- b. Make observations:
  - (1) Note odor of intoxicants.
  - (2) Note speech and demeanor.
- c. Collect evidence:
  - (1) Coordinate with officer at the scene to develop probable cause in criminal cases.
  - (2) Obtain blood (and urine, if appropriate) from suspects, if appropriate. Take possession; mark and identify sample(s); include name of suspect. (Refer to the **BLOOD/URINE SAMPLE RETRIEVAL** policy.)
  - (3) Obtain clothing (if appropriate) from suspect and/or victim.

**C. Supervisor's Responsibility**

- 1. Supervisors are responsible for coordinating fatality and felony collision investigations. The detachment supervisor responds to the scene of such collisions to assist in the investigation. Clearing the roadway is a primary concern, but a proper investigation must not be jeopardized by losing or destroying evidence at a felony crime scene by prematurely opening the scene to traffic.
- 2. The on-scene supervisor shall notify the local Criminal Investigation Division (CID) supervisor of all potential felony collisions. The CID supervisor will determine whether an immediate CID response is required.
- 3. The detachment supervisor shall track the investigation and keeps commanders and Communications advised of status changes. The detective supervisor shall keep the local district advised of the case status, if a detective is assigned to the case.
- 4. Supervisors shall review the case file at the end of the investigation for completeness and accuracy. When criminal charges are possible, the supervisor shall forward copies of the investigator's report and all collision report forms to the local prosecutor. The supervisor shall maintain contact to monitor the case disposition (i.e., charges filed, final disposition). When all criminal proceedings are completed, the supervisor shall notify the division/district commander of the outcome.

**D. Detective's Responsibility**

- 1. Where available, a detective is assigned to a follow-up investigation if there is evidence of a felony. Follow-up investigations are assigned as outlined in the **PRELIMINARY AND FOLLOW-UP INVESTIGATION** policy.
- 2. In districts with CID detectives, the supervisor shall transfer responsibility for felony investigations to them. Field officers shall remain the responsibility of the field supervisor. Detectives shall closely coordinate their activities with the field supervisor while at the scene.



**E. Collision Investigation Forms**

1. Officers shall have access to collision investigation forms, either electronically or in a packet, containing the forms listed below:

Investigation Check List	Collision Investigation— Witness and General Information
Collision Investigation— Driver/Occupant Information	Collision Investigation—Vehicle Information
Field Diagram	WSP Spot Diagram/ Measurement Information
DUI Packet	Vehicle Inventory Record
Property/Evidence Report	Tape Recorded Defendant/Witness Statement Form
Case Report/Witness/Suspect	Consent to Search Waiver— English/Spanish (Form)
Report of Investigation	Supplemental Report of Investigation

2. These forms should be accessible electronically or packaged together in a manila envelope. During an investigation, each form shall be identified by case number. On felony or potential felony investigations, preliminary reports shall be submitted prior to going off shift.

**F. Minimum Reporting Requirements**

1. When there is no major property damage or indication of homicide or suicide, the minimum requirements for a one-vehicle, driver-causing, fatality collision with no passengers are:
  - a. Preliminary collision reports.
  - b. A Police Traffic Collision Report.
  - c. Vehicle Inventory Record.
  - d. Field Diagram form.
  - e. Witness Statement.
  - f. A narrative report containing synopsis and details of the collision.

- g. Spot Diagram/Measurement Information.
- h. Autopsy report/death certificate.
- i. Toxicology report.
- j. Supplemental collision report, when applicable.
- k. Photographs.

**Applies to:** WSP Officers

**See Also:** RCW 46.20.308; WSP Policies **Blood/Urine Sample Retrieval; Preliminary and Follow-Up Investigation**

**20.00.110**     **HIT-AND-RUN INVESTIGATIONS (CALEA 42.1.3, 42.2.1, 61.2.1, 61.2.2, 81.2.3, 82.2.1, 82.2.3, 83.2.1, 83.2.4, 83.3.1)**

## **I. POLICY**

### **A. Documentation of Hit-And-Run Collisions**

1. A hit-and-run collision involves damage to property or other vehicles, or death or injury in which an involved driver leaves the scene of the collision without providing the proper information. This includes collisions both on public highways and private property. All such collisions are investigated.
2. All hit-and-run collisions are:
  - a. Assigned a case number by Communications.
  - b. Documented in a case file.
3. Case file procedures are outlined under **CASE FILING SYSTEM**.
4. Preliminary investigations are made on all reported hit-and-run collisions. Complete the Police Traffic Collision Report on all hit-and-run collisions (i.e., collisions on public roadways and private property) involving either injury or death to any person or damage to one person's property of \$1,000 or more. (If hit-and-run collisions involve serious injury or death, utilize Criminal Investigation Division detectives.)
5. Vehicles causing collisions without actually contacting other vehicles are considered involved in the collision. The driver of such a vehicle who fails to stop may be charged with hit-and-run. Drivers of such vehicles may not know they were involved, and probable cause must be present in order to file charges. Consult local prosecutors to determine whether follow-up investigation is warranted in these cases.

### **B. Physical Evidence**

1. Physical evidence important to a hit-and-run investigation includes, but is not limited to:

- a. Paint samples
    - (1) Loose paint chips and a paint sample in the areas damaged due to the incident from the running vehicle.
    - (2) A paint sample from the victim's vehicle.
    - (3) Chips and/or smeared areas that contain paint transfer.
  - b. Parts or glass fragments or other trace evidence from the running vehicle.
  - c. Dirt from the running vehicle.
  - d. Blood, hair, tissue, or clothing samples of an involved pedestrian.
  - e. Detail of skid marks, tire prints, or relevant pattern impressions should be photographed. Include a scale.
2. In some cases, a supervisor may have the traffic officer do both the preliminary and follow-up investigation.

**C. Use of Logs**

- 1. The Detachment Collision Log is used by the detachment supervisor to follow the status of hit-and-run collisions investigated by detachment employees.
- 2. Cases are sometimes assigned to detectives, where available. Any reassignment of a case is noted on all logs.
- 3. Investigated hit-and-run collisions are assigned case numbers for recordkeeping purposes. A case file is established on each such collision. Case file procedures are outlined in the **CASE FILING SYSTEM** policy.

**D. Follow-Up Investigations**

- 1. If any of the following criteria is met, a follow-up investigation is mandatory:
  - a. There is significant physical evidence.
  - b. The suspect vehicle can be identified.
  - c. The collision involved an injury, fatality, or other felony.
  - d. A suspect can be identified.
  - e. A suspect was arrested.
- 2. If none of the criteria are available, the investigation becomes inactive and remains in that status, unless further information is available that could assist in completing the investigation.

3. If the investigator feels a collision may be successfully investigated, even though none of the criteria are met, the supervisor may approve follow-up investigation.
4. When the investigation is complete, the supervisor reviews the case and forwards it to the prosecutor, if charges are to be recommended.

**E. Traffic Officer's Responsibility**

1. When beginning a hit-and-run investigation, obtain a case number from Communications. Complete the preliminary investigation of the hit-and-run case. For felony hit-and-run collisions, request a certified investigator for assistance. As soon as possible, provide Communications with all available information to complete the Master Log.

**F. Supervisor's Responsibility**

1. The supervisor tracks hit-and-run collisions through the Detachment Collision Log. Other responsibilities include ensuring pertinent additional data is submitted on a supplementary report and ensuring Communications is aware of any changes in the status of a hit-and-run investigation which would be pertinent to the Master Log.
2. The detective supervisor keeps the local district advised of the status of the case. If the case is not assigned to a detective, the detachment sergeant supervises the investigation.
3. If the case is placed on inactive status, the supervisor notifies the division/district commander.

**G. Commander's Responsibility**

1. Individuals involved in hit-and-run collisions are notified of the status of investigations through the commander's use of the "Case Status Letter" or by the investigating officer (documentation of notification is required within the officer's Report of Investigation). Case Status Letter files are maintained at the districts.

**Applies to:** WSP Officers  
**See Also:** WSP Policy **Case Filing System**

**20.00.140      AUDIO RECORDINGS (CALEA 42.2.1, 83.2.1)**

**I. POLICY**

**A. Use of Recording Devices**

1. Use of recording devices shall be in strict accordance with the following guidelines:
  - a. Recording devices may be used during interviews or interrogations only when the consent of all persons engaged in the conversation is first obtained.
  - b. Interviews or interrogations begin with the time, date, and location.

- c. Each voice recorded on the recording device is identified by the name and address of the person speaking.
- d. If appropriate, record Constitutional Rights prior to obtaining a suspect's statement. If recording, ensure advisement is also recorded.
- e. State the time at the conclusion of the interview.
- f. The Recorded Defendant/Witness Statement form is available for this process.
- g. All investigative photographs, negatives, audio tapes, and video recordings and electronic data should be placed in a sealed envelope and stored in the Case File Tracking envelope, an electronic file, or attached to the pressboard binder. DO NOT enter as evidence. If any of the items DO become evidentiary, then they should be handled as evidentiary property.

**Applies to:** WSP Officers

**See Also:** WSP Policy **Mobile/In-Car Video**; Recorded Defendant/Witness Statement Form

**22.00.040      VEHICLE RECOVERIES – REPORTING (CALEA 81.2.4, 82.2.1)**

**I. POLICY**

**A. Recovery of Stolen Vehicles**

- 1. When stolen vehicles are recovered, the following procedure shall be followed:

**II. PROCEDURES**

**A. Abandoned Stolen Vehicles**

- 1. Communications shall confirm the stolen "hit" with the originating agency.
- 2. Officers shall advise Communications of the location and condition of the vehicle and any related circumstances. Communications shall place a "recovery message" in the WACIC/NCIC file and notify the originating agency and the Criminal Investigation Division (CID) Auto Theft Section. The investigating agency shall call the reporting party with the above information to allow him/her the opportunity to take possession of the vehicle, unless it must be held for investigative purposes. If the owner is unavailable, the vehicle shall be impounded for safekeeping, regardless of the information contained on the theft report. All attempts to contact the owner shall be documented.
- 3. Officers shall collect all information reasonably available at the scene, using investigative techniques. The most current Motor Vehicle Recovery Report form found on the WSP Intranet shall be completed, outlining the circumstances, evidence, and other information that may be used by the originating investigating law enforcement agency. Officers shall indicate the stolen vehicle recovery on the Time and Activity Report.
- 4. When a recovered stolen vehicle in the possession of the department is to be released to the owner or the owner's authorized agent, a Hold Harmless Agreement

form shall be completed. Only an officer in a supervisory position shall have the authority to release a recovered stolen motor vehicle.

5. Communications shall be notified of the storage location (if applicable), date of release (if applicable), person who released, and the case number (not property number) for inclusion in the WACIC/NCIC "recovery message."
6. Distribution of copies of the Motor Vehicle Recovery Report form is as follows:
  - a. The original shall be forwarded to the immediate supervisor within 48 hours of the recovery for review and approval.
  - b. After review and approval, the supervisor will forward one copy through the chain of command to the CID Auto Theft Section and one copy to the originating agency. Supervisors shall be responsible for the timely submission to ensure the report is received by the CID Auto Theft Section within ten calendar days of vehicle recovery.
  - c. One supervisor-approved copy shall be retained in the case file at the district/detachment. Once the case file is completed, the entire case file shall be sent to the district public disclosure coordinator.
  - d. Officers shall maintain photocopies or electronic copies for their records.
7. Appropriate notations shall be indicated on the bottom portion of the Motor Vehicle Recovery Report form indicating distribution of forms.

**B. Occupied Stolen Vehicle**

1. After securing and arresting the possessor of the vehicle as appropriate, the investigating officer shall follow the same reporting procedure as listed for abandoned stolen vehicles.
2. The officer shall provide Communications with the driver and occupant information for inclusion in the WACIC/NCIC "recovery message" sent to the originating agency and the CID Auto Theft Section. The officer shall make immediate notification to the regional CID Auto Theft Unit supervisor for possible response and follow-up.
3. In addition to the required distribution of the Motor Vehicle Recovery Report outlined in **Abandoned Stolen Vehicles**, the primary investigator shall gather the necessary documentation to be included in the case file for submission to the appropriate prosecutor for a charging decision. All cases shall be reviewed and approved by the supervisor for accuracy, completeness, and inclusion of the necessary elements of the crime prior to submission to the prosecutor.

**C. Stolen Vehicle – Vehicle Identification Number (VIN) Removed, Altered, Defaced, or Destroyed**

1. After securing and arresting the possessor of the vehicle as appropriate, the investigating officer shall provide Communications with the available information outlined in **Abandoned/Occupied Stolen Vehicles** for inclusion in the

WACIC/NCIC “recovery message.” The officer shall also make immediate notification to the regional CID Auto Theft Unit supervisor for possible response and follow-up.

2. If CID Auto Theft is unavailable to respond, using investigative techniques, the officer shall collect all information/evidence reasonably available at the scene.
3. When the on-scene investigation is completed, the vehicle shall be transported to the nearest Washington State Patrol bullpen following prescribed evidence procedures. The CID Auto Theft Unit supervisor will coordinate the identification of the vehicle, notifications to the VIN Program coordinator, and the subsequent investigation.
4. Within two working days, the local VIN Specialist and regional Auto Theft Unit supervisor shall be provided the supervisor-approved recovering officer’s report, outlining the circumstances, evidence, and any other information that would assist with the identification of the vehicle and further investigation.
5. Once the vehicle owner is positively identified, if applicable, a Motor Vehicle Recovery Report shall be completed in compliance with timelines outlined in **Abandoned/Occupied Stolen Vehicles** by the assigned primary investigator. The responsible supervisor shall ensure the name of the officer who positively identifies the vehicle as stolen is indicated in the “Recovery By” section of the form.
6. The primary investigator’s supervisor shall ensure the required notifications, the report completion, and the dissemination of the Motor Vehicle Recovery Report **in accordance with this regulation.**
7. **No vehicle held in evidence with a VIN removed, altered, defaced, or destroyed shall be released prior to being properly renumbered by the VIN Specialist and after written approval by the VIN Program coordinator.**

**Applies to:** All WSP Employees  
**See Also:** Motor Vehicle Recovery Report; Hold Harmless Agreement

**2.00.130**      **ANIMAL DESTRUCTION**

**I. POLICY**

- A. The destruction of an animal is justified in the following instances:
  - 1. For self-defense.
  - 2. To prevent substantial harm to others.
  - 3. When the animal is so badly injured that humanity requires its relief from further suffering.
- B. A seriously wounded or injured animal may be destroyed only after reasonable attempts have been made to request assistance from the animal's owner. The destruction of vicious animals should be guided by the same rules set forth for self-defense and the defense and safety of others. Officers should attempt to have a witness present if no other agency can respond.
- C. Immediate notification shall be made to the officer's supervisor upon destruction of any animal. ~~A follow-up IOC shall be forwarded to the supervisor detailing the incident, but it shall not be considered use of force. The IOC shall include when/where occurred, the kind of animal, reason for destruction, type of weapon used, and the number of shots fired. The IOC shall be forwarded to the Office of Professional Standards for statistical purposes only.~~ Officers shall complete an electronic "Animal Destruction" report in Remedy (CITE – OPS). Completing the Animal Destruction report will not serve as or replace supervisor notification. Supervisors shall review and approve the Animal Destruction report electronically, which shall be forwarded through the chain of command to the Office of Professional Standards for statistical purposes only.

**Applies to:** WSP Officers

**See Also:** --

**6.01.050**      **PUBLIC RECORDS REQUESTS (CALEA 54.1.1, 54.1.3, 82.1.1, 82.2.4)**

**I. DEFINITIONS**

- A. **Public Disclosure Request** – Request from outside the department for copy of any public record used in the administration of the department or investigations completed by department personnel. Documents, pamphlets, or other department material published for distribution to the public do not fall under this policy. Department information requested by other law enforcement agencies will be handled on a case-by-case basis.
- B. **Subpoena Duces Tecum** – Subpoena for records.
- C. **Law Enforcement Agency** – For the purposes of this policy, an enforcement agency that has a legal right to criminal history information (certified **authorized** criminal justice agency).



- D. Public Record** – Any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

## **II. POLICY**

### **A. Requesting Records**

1. The public has a statutory authority to request to view or receive copies of records produced by the department. There are requirements setting out how requests must be made, how the department must respond, and under what specific situations all or portions of a record may be withheld.
  - a. Employees shall follow public disclosure policies and procedures, as outlined in state statutes, Washington Administrative Code (WAC), this policy, and the *Public Disclosure Manual*. The manual is available on the department Intranet site. All questions should be directed to the department's Public Records Officer in the Risk Management Division (RMD).
  - b. Original documents including audio/videotapes, photographs, negatives, and negative proof sheets shall not be released.
2. Requests for information by a union must be forwarded to the Labor and Policy Advisor.

### **B. Commander Responsibility**

1. State law directs that the department shall make certain records "promptly available to any person." To streamline this process, the Fire Protection Bureau Director, Forensic Laboratory Services Bureau Director, and each division/district commander shall identify a position to serve as their division/district Public Disclosure Coordinator. The ultimate responsibility for public disclosure rests with the commander. It will be the commander's responsibility to ensure:
  - a. Requests are answered promptly.
  - b. Exempted information is redacted.
  - c. Appropriate training is provided to the identified coordinator(s) regarding this procedure.

### **C. Response Time**

1. As required by Chapter 42.56 RCW, the division/district Public Disclosure Coordinator shall respond to a requester within five business days by either:
  - a. Providing the requested material.
  - b. Acknowledging the request by letter and providing a reasonable estimate of time that will be required to respond.

- c. Denying the public record request, stating the applicable exemption.
  - d. Providing the link to a publicly accessible Web site where the requested information is located.
2. If a record or portion of a record cannot be released, the division/district Public Disclosure Coordinator shall advise the requester by letter, indicating the reason for denial. The appropriate RCW exemption shall be stated.

**D. Public Records Requests Received at Division/District Office**

1. If the records being requested are available in division/district files, the responsive records shall be located, gathered, reviewed for redaction, redacted as needed, and disclosed to the requester within a reasonable period of time.
2. Every public disclosure request and subpoena duces tecum shall be entered into the department's public disclosure database by the division/district Public Disclosure Coordinator who fills the request.
3. A fee, as set by the WAC or Department Cost Recovery study, will be charged for 20 or more paper pages of copy. The requester shall pre-pay before receiving documents.
4. The Public Records Officer in the Risk Management Division (RMD) shall be consulted on any unusual or questionable disclosure request. If a public records request involves more than one division or district, the Public Records Officer in RMD shall determine who will coordinate the response.
5. Specific procedures for processing records requests are outlined in the *Public Disclosure Manual*.

**E. Requests Received at Detachment/Section Office**

1. Requests received at detachment/section offices shall be forwarded immediately to the division/district Public Disclosure Coordinator to be processed.

**F. Confidential Information**

1. Employees shall deny release of non-disclosable information by stating the appropriate exemption under Chapter 42.56 RCW in writing. Exemptions are also listed in the *Public Disclosure Manual*. All exempt information contained in a document that is otherwise disclosable shall be redacted. All records are subject to public disclosure, unless a specific statutory exemption applies.

**G. Attorney General/Labor and Policy Advisor Requests**

1. All responses to requests for information from the Labor and Policy Advisor or the Attorney General's Office, where the Attorney General's Office is representing the department or its employees, shall be responded to by providing the entire file, including all documents that are normally exempt from public disclosure.

**H. Pre-Trial Interviews**

1. It is common practice in the legal field to interview all witnesses prior to trial. Department employees are not required to obtain permission of legal counsel to attend pre-trial interviews if the department, or another state agency, is not a party to civil action (see also I. **Depositions** below).
2. Information given during such pre-trial witness interviews shall be limited to facts regarding the case. Opinions, conclusions, and recommendations shall not be expressed during such interviews. Testimonies of forensic scientists should be excluded. Evidence involving opinions, conclusions, and recommendations are only admissible in court if given by a person who is qualified as an expert in the field.
3. Departmental employees are not allowed to testify as experts, unless the Labor and Policy Advisor approves. Testimonies of forensic scientists should be excluded.
4. A redacted version of the investigation file may be inspected during the interview.
5. Requests for copies of documents inspected at the time of the interview shall be made in accordance with this policy.

**I. Depositions**

1. If an employee is requested to give a deposition, the employee shall contact his/her division/district commander within one business day. The commander shall contact and obtain approval from the department's Assistant Attorney General prior to an employee giving any deposition in cases involving the department or another state agency. If records are needed for the deposition, sufficient time must be allowed to have the records properly redacted, unless pre-arranged with the Public Records Officer.

**J. Subpoena/Interrogatory for Records**

1. Upon receipt of any unusual or questionable subpoena duces tecum, the division/district Public Disclosure Coordinator shall notify the Public Records Officer by e-mail, followed by a telephone call. If the material produced in response to legal subpoenas should be redacted, contact the Public Records Officer for approval. For district courts, a criminal subpoena duces tecum must be signed by a judge.

**K. Release of Employee Information**

1. Employee residential addresses, telephone numbers, and e-mail addresses shall not be released to non-employees, unless approved by the employee, nor transmitted via department radio. Employee duty hours shall not be released to non-employees unless in response to a proper public records request. This shall not preclude the release of such information to the prosecutor's office for official business. Information requests shall be released to family members, with supervisor approval.

2. Employees and former employees may request information contained in their official personnel, medical, payroll, or supervisory desk files without going through public disclosure. However, former employees may be required to pay copy and mailing costs.
3. Employee name, age, sex, and duty station can be released only after the immediate family member has been notified in the case of an on-duty death, injury, or involvement in a collision.

**L. Active Investigations**

1. After the prosecutor has received any records regarding an investigation (to include booking paperwork), records may be available for public disclosure. While the trial is pending, disclosure should be made in coordination with the prosecutor's office. If the prosecutor's office requests that records not be disclosed, consult with the Public Records Officer in the Risk Management Division (RMD) prior to any dissemination.
2. Employees shall keep criminal history record files confidential and secure, except when law requires or allows disclosure.

**M. Requests for Personnel, Training, or Office of Professional Standards Records**

1. Requests for records on department personnel or internal investigations shall be forwarded to the appropriate division/district Public Disclosure Coordinator. If the request is for records from two or more of these divisions, the Public Records Officer in the Risk Management Division (RMD) shall determine who will coordinate the response.
2. The department shall refuse to disclose information in personnel or internal investigation files if that disclosure would violate the employee's right to privacy, as defined under RCW 42.56.050.
  - a. Upon receiving a request for all or part of a personnel or internal investigation file, the affected employee shall be notified and respond in accordance with the applicable collective bargaining agreement or Civil Service Rule. The affected employee may provide any objection to releasing the requested documents. The Assistant Attorney General may be consulted regarding the employee's objections.
  - b. If the department agrees that the employee's right to privacy would be violated, it will not release the document and will provide a defense in court, if necessary. If the department does not agree, it will notify the affected employee.

**Applies to:** All WSP Employees

**See Also:** RCW 42.56; *Public Disclosure Manual*; Department Cost Recovery Study

**6.01.060**      **CRIMINAL HISTORY RECORD INFORMATION (CALEA 42.2.2, 82.1.1)**

**I. POLICY**

**A. Use of Criminal History Record Information (CHRI)**

1. CHRI shall only be requested for criminal justice purposes. All terminals accessing criminal history (WASIS and III) ~~through~~ **shall** ensure they include the following information in each request:
  - a. Person's last name, first name, and middle initial
  - b. Date of birth
  - c. Sex
  - d. Race
  - e. Purpose Code ("C" for criminal, "J" for criminal justice employment, ~~"F" for evidence returns of firearms~~)
  - f. Attention Field (the requestor's first initial and last name or employee identification number and case number or specific reason for the request; i.e., DUI, Theft, etc.). Generic reasons such as "Investigation" are not considered specific.
    - (1) If abbreviations are used for the specific reason, the district must maintain the list of appropriate abbreviations for review during audits.
2. CHRI information shall only be disseminated to a second party when necessary to further a criminal investigation or to provide amplifying information for prosecution. When a CHRI is included in the Case File Tracking Envelope, employees shall indicate the CHRI's inclusion by checking the appropriate box under the "FILE CONTENTS" heading on the face of the envelope. When a case file is released with the CHRI, employees shall note the name and office of the person receiving the file under the remarks section on the face of the envelope. CHRIs shall be destroyed when no longer of use.
3. For all evidentiary return of firearms, evidence custodians must use the National Instant Criminal Background Check System (NICS) query "QNP" with the following mandatory information:
  - a. Person's last name, first name, middle initial
  - b. Date of birth
  - c. Sex
  - d. Race
  - e. State of residence

f. Purpose code

(1) 22 – Return of Handgun

(2) 23 – Return of Long gun

(3) 24 – Return of Other

## **II. PROCEDURES**

### **A. Requesting a CHRI Check**

1. Officers shall request a CHRI check from Communications using the following information:
  - a. Last name, first name, middle initial
  - b. Date of birth
  - c. Sex
  - d. Race
  - e. Specific reason for the inquiry (i.e., DUI, Theft, etc.). Generic reasons such as “Investigation” are not considered specific.
2. Include other identifiers, if known:
  - a. Social Security number
  - b. FBI Number
  - c. State Identification number (SID)
3. All CHRI obtained is based on descriptors provided. Positive identification can be based ONLY on fingerprint identification.

### **B. Methods of Retrieval**

1. CHRI inquiries will generate a positive or negative automated response:
  - a. A negative response will provide a short automated message noting no records found.
  - b. A positive response received by a “QH” or “QWH” inquiry will provide a candidate list of names that are algorithmically closest to the query.
  - c. Upon receipt of a negative response, Communications shall advise the requesting officer “(subject's last name), no criminal history record.”

- d. Upon receipt of a positive response, Communications shall advise the requesting officer "(subject's last name), response forthcoming." This will indicate to the officer that the subject may have a criminal record.
- e. Upon receipt of CHRI, the inquiry will be identified by the subject's last name. Communications will advise the requesting officer "(subject's last name), prior record."
- f. Upon acknowledgment, the officer will be advised of the CHRI.

**C. Exceptions**

- 1. If all known searches produce "No Hits" and there is sufficient reason to believe the subject has a criminal history record, a terminal message requesting assistance may be routed to the Identification and Criminal History Section.
- 2. CHRI may be obtained via telephone on an emergency basis; however, the Identification and Criminal History Section will respond only to telephone numbers listed on the official department directory on a call-back basis.

**Applies to:** All WSP Employees  
**See Also:** --

**6.01.065 DISCLOSURES TO PROSECUTING ATTORNEYS AND THE JUDICIARY**

**I. POLICY**

**~~A. Adverse Findings of Misconduct Related to Dishonesty~~**

- ~~1. The department shall disclose to the prosecution, as *Brady* material, information regarding any final determination by the appointing authority, with concurrence by the department standards officer, of an adverse finding from an administrative investigation related to an employee's dishonesty or untruthfulness, regardless of whether or not discipline was given. Current policies regarding document retention for administrative internal investigations resulting in adverse findings and disciplinary processes will be followed.~~

**~~B. Unfounded and Exonerated (Non-Adverse) Finding~~**

- ~~1. Unless directed by judicial order, the department will not provide prosecutors with information concerning internal administrative investigations that resulted in an unfounded or exonerated (non-adverse) finding.~~

**~~C. In-Lieu-of Actions/Agreements~~**

- ~~1. Actions/agreements such as resignation, demotion, retirement, or separation from service of an employee/officer in lieu of disciplinary action may be *Brady* information, or otherwise subject to disclosure to prosecuting attorneys, if it is relevant to the case at hand. The Office of Professional Standards (OPS) Commander shall consult with the Attorney General's Office (AGO) in making a determination whether such information is subject to disclosure to prosecuting attorneys.~~

**D. ~~Current or Ongoing Investigations~~**

- ~~1. 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. Unless directed by judicial order, materials related to such investigations will not be disclosed pursuant to this regulation.~~

**E. ~~Expert Witnesses~~**

- ~~1. Law enforcement information regarding department employee expert witnesses may be considered *Brady* evidence. Any final agency determination of an adverse finding related to an expert witness's unsatisfactory employment performance that compromises the expert's conclusions or ability to serve as an expert witness, regardless of whether or not discipline was given, must be turned over to the prosecution.~~

**F. ~~Superior Court Rules, Including (CrR) 4.7, and Criminal Convictions~~**

- ~~1. Certain court rules require prosecutors to disclose criminal conviction data to defendants. The department will furnish to the Assistant Attorney General (AAG) for dissemination to prosecutors pursuant to (II)(A)(5) any criminal conviction data known to the department or discovered by the department pursuant to the annual procedure specified in (II)(A) below.~~

**II. ~~PROCEDURE~~**

- ~~A. OPS, in consultation with the Risk Management Division (RMD) and such other divisions/districts as may be appropriate, will identify the applicable completed administrative internal investigations that meet the standard for disclosure under this regulation.~~
- ~~1. OPS will provide to the Human Resource Division (HRD) the names of employees who meet the standard for disclosure of an administrative internal investigation under this regulation and a brief description of the adverse finding.~~
- ~~2. By November 30 each year, the Criminal Records Division (CRD) will identify those employees whose job duties include carrying a firearm or providing expert testimony who have a criminal conviction and will furnish a list of the names of such employees and the criminal conviction information to HRD.~~
- ~~3. HRD will develop a spreadsheet with both the administrative internal investigation information from OPS and the criminal conviction information from CRD, which has been verified by HRD.~~
- ~~4. By December 31 each year, HRD will provide the spreadsheet to the AAG responsible for coordinating efforts with criminal matters and county prosecuting attorneys. Prior to providing the spreadsheet to the AAG, HRD will inform each identified employee and the employee's labor union, if any.~~
- ~~5. The AAG will disseminate the provided information to all prosecuting attorneys.~~
- ~~6. HRD will maintain the list assembled and sent to the AAG and prosecutors pursuant to this regulation. In cases where a court determines that the~~



information must be disclosed, HRD should maintain a copy of the court order in the employee's personnel file. If a court determines that the information should not be disclosed, a copy of the court's finding shall be maintained in the employee's personnel file.

7. ~~Whenever an administrative internal investigation results in a final determination of adverse findings that may be subject to disclosure to prosecutors under (I)(A), (C), or (E), OPS shall immediately consult with the Attorney General's Office (AGO) to determine whether the findings are subject to disclosure to prosecuting attorneys. If the findings are subject to disclosure to prosecuting attorneys, OPS shall immediately furnish the findings to HRD.~~
8. ~~Whenever a commander learns that an employee has been convicted of a crime, the commander shall immediately report the conviction to HRD, and HRD shall verify the criminal conviction.~~
9. ~~Whenever HRD receives information pursuant to (II)(A)(7) or (8), HRD shall immediately add the finding(s) or conviction(s) to the spreadsheet referenced in (II)(A)(3), provide notice to the employee and the employee's labor union, if any, and then furnish the finding(s) and/or conviction(s) to the AAG for immediate dissemination to all prosecuting attorneys.~~

#### **A. Compliance with Obligations**

1. It is the policy of the Washington State Patrol to comply with the law in its obligations concerning disclosures to prosecuting attorneys and the courts. The department retains discretion to interpret and administer this policy, and the department's obligations referenced in it, including as amended by law or court rule.
2. The department recognizes disclosure obligations from various authorities, including, but not limited to, court rules and the United States Constitution, as interpreted by the courts. Such obligations include disclosure of information about government witnesses, including department employees, regarding criminal convictions, as well as information that a defendant may be entitled to under the Due Process Clause of the United States Constitution or related case law. This policy does not apply to disclosure obligations that arise under:
  - a. The Public Records Act (chapter 42.56 RCW), including public disclosure requests presented by defense attorney(s), criminal defendant(s), or others pursuant to chapter 42.56 RCW.
  - b. Legal discovery in civil litigation.
3. Each decision about disclosure of information pursuant to this policy shall be made by the Deputy Chief or an assistant chief/bureau director assigned as the Deputy Chief's designee, who shall consult as necessary with the Attorney General's Office and the division commander(s) of the Office of Professional Standards (OPS) and/or the Human Resource Division (HRD).
4. OPS shall have primary responsibility for administering the department's compliance with its disclosure obligations to the extent that the disclosure obligations concern either:

- a. An allegation, which if proven true, would constitute employee misconduct or a violation of agency policy; or
  - b. A finding resulting from an administrative investigation related to an allegation of employee misconduct, or a violation of agency policy, or a complaint.
5. HRD shall have primary responsibility for administering the department's compliance with all disclosure obligations not covered by subsection (4), including to the extent that the disclosure obligations concern either:
  - a. Criminal conviction data; or
  - b. Job performance improvement efforts that may relate to witness credibility.
6. The division commanders of OPS and HRD shall each ensure that:
  - a. The responsibilities under this policy are carefully coordinated between OPS and HRD; and
  - b. The department's compliance with the disclosure obligations referenced in this policy is appropriately documented, and retained, in agency records.

**Applies to:** All WSP Employees  
**See Also:** Superior Court Rules (CrR) 4.7; chapter 42.56 RCW

**8.00.070**      **USE OF ALCOHOL OR DRUGS** (CALEA 22.2.6, 26.1.1, 33.7.1, 35.1.9)

**I. POLICY**

- A. This policy will be used in conjunction with the drug and alcohol testing procedures located in the *Human Resource Division Standard Operating Procedures Manual*.
  1. The provisions of this chapter do not preclude personnel from being processed criminally when a commissioned employee establishes probable cause to believe an employee may be in violation of operating or being in physical control of a motor vehicle while under the influence of intoxicating liquor (alcohol) and/or other drugs.
  2. The responding supervisor shall ensure timely notification of the alleged criminal violation to the appropriate division/district commander through their proper chain of command.

**B. Alcohol – On Duty**

1. Employees shall not consume any alcohol or intoxicating beverage while wearing any part of the uniform or while on duty, except while acting under proper and specific orders from a supervisor. This shall not apply to off-duty employees wearing the dress uniform (Honor Guard tunic) who are attending an approved function. Employees shall not appear for work nor be on duty while under the influence of alcohol or while having alcohol in their system.

**C. Alcohol – Off Duty**

1. Employees, while off duty, shall refrain from consuming alcohol or intoxicating beverages to the extent that it could constitute unacceptable conduct as described in these rules, or render them unfit to report for their next regular tour of duty.

**D. Alcohol – Use in Department Facilities**

1. Employees shall not possess, use, or store alcoholic beverages in any department facility or vehicle, except those being held as evidence, used for training under the direction of a supervisor, or as provided by law.

**E. Marijuana – Use**

1. It is the intent of the department to abide by federal laws in relation to the use of marijuana. Marijuana is federally classified as a Schedule I controlled substance.
2. Except in otherwise authorized execution of their official duties (i.e., evidentiary handling), employees shall not use, possess, distribute, or be under the influence of marijuana while on duty or off duty, regardless if the employee has a prescription or medical authorization for its use, possession, etc.
3. The department does not grant an exemption to this policy as a form of accommodation.

**F. Drugs, Other Than Marijuana – Use**

1. Employees shall not use or possess, outside of duty requirements, any narcotic, dangerous drug, controlled substance, or prescription drug, whether on or off duty, except at the direction of a physician, dentist, or other medical authority for medical purposes. Employees who are directed by competent medical authority to use a narcotic, dangerous drug, controlled substance, or prescription drug, including dronabinol, shall not use such medication to the extent that their performance is affected while on duty.
2. Employees directed by a licensed medical authority to use a narcotic, dangerous drug, controlled substance, or prescription drug while on duty shall be responsible for ensuring the drugs do not affect the performance of their job.
3. Employees are responsible for consulting with the medical authority as to any limitations on their ability to perform the duties of their position as a result of taking any legal/over-the-counter or physician-prescribed drugs. Employees shall immediately report any such limitations for taking the prescribed medications to their immediate supervisor or on-duty supervisor or authority before resuming their work duties.
4. The supervisor shall advise the division/district commander of any job limitations placed on the employee by competent medical authority. The supervisor and/or division/district commander shall consult with the Human Resource Division for a determination of appropriate job assignment based on limitations identified by competent medical authority.

5. An employee charged with a drug- or alcohol-related crime shall immediately notify his/her supervisor, in writing. Upon notification of the charge, the supervisor shall, within 24 hours, notify the Office of Professional Standards (OPS) of the facts of the case, through the chain of command. When OPS is notified of an employee's criminal conviction in a drug- or alcohol-related crime, the conviction shall be reported to Budget and Fiscal Services within 24 hours (see **GRANTS**).

**G. Suspected Intoxication – Mandatory Testing**

1. Appearing for work when the odor of alcohol or any signs of intoxication are observed or reported by another employee or a member of the public shall be reasonable grounds to constitute being under the influence of intoxicants while on duty.
2. If a supervisor has reasonable grounds to believe that any employee, while on duty, is under the influence of alcohol, drugs, or any impairing substance, the supervisor shall immediately notify their division/district commander through their chain of command. The supervisor shall consult the procedures outlined in the *Human Resource Division Standard Operating Procedures Manual* and immediately require that employee to submit to testing of their breath, blood, and/or urine.
3. In the event that alcohol is suspected, the employee shall immediately be required to submit to a breath alcohol test on a **DataMaster, certified evidential breath test instrument**, administered by a department officer at the direction of a supervisor or transported by the department to a collection site. Results of these tests shall be reported in the DUI packet **Arrest Report**. A **DataMaster certified evidential breath test instrument** test result showing a breath alcohol concentration of 0.02g/210L or more shall be considered proof of violation of this policy.
  - a. For commissioned personnel, if impairment other than alcohol is suspected, an employee shall be transported to a collection site and shall be required to provide a blood sample in accordance with the procedures outlined in the *Human Resource Division Standard Operating Procedures Manual*.
  - b. For civil service personnel, if impairment other than alcohol is suspected, an employee shall be transported to a collection site and shall be required to submit to a urinalysis test in accordance with the procedures outlined in the *Human Resource Division Standard Operating Procedures Manual*.
4. The time lapse between the initial report of the employee's condition and the breath or blood test shall be accurately recorded. If a period of three hours or more pass before the first observed odor of alcohol or signs of intoxication are reported to a supervisor, the supervisor shall determine if an odor of alcohol or evidence of intoxication exists before implementing a test of blood or breath. The fact that a breath or blood test was not conducted does not mean that there cannot be a violation of this policy.

**H. Employees Covered by WFSE, WPEA, Coalition, and Local 17 Collective Bargaining Agreements**

1. Employees covered under the WFSE, WPEA, Coalition, and Local 17 Collective Bargaining Agreements will be subject to drug and alcohol testing procedures as outlined in the *Human Resource Division Standard Operating Procedures Manual*.
2. Employees required to possess a Commercial Drivers License will be subject to random drug and alcohol testing as provided in the procedures contained in the *Human Resource Division Standard Operating Procedures Manual*.

**I. Employee Drug and Alcohol Assistance**

1. The department is committed to a drug- and alcohol-free workplace for its employees. Drug and alcohol abuse is harmful to the employee, coworkers, and productivity. The costs associated with abuse include absenteeism, turnover, increased health care costs, and increased likelihood of accidents.
2. The department is committed to an abuse assistance program that encourages employees who recognize they have a problem to seek immediate help. The Department Psychologist, (360) 586-8492, is available to assist and/or make referrals. The Washington State Employee Assistance Program (EAP) is available in Seattle, (206) 281-6315; Spokane, (509) 482-3686; and Olympia, (360) 753-3260. All are confidential, professional, and free to employees (except outside referrals).
3. The department recognizes that alcohol and substance abuse are addictions requiring medical attention. Supervisors should make every effort to encourage an employee suspected with a drug or alcohol problem to voluntarily seek psychological services. However, if a supervisor has sufficient documentation of substandard performance that has not improved with previous counseling or disciplinary action and the employee refuses to seek help, the concerned supervisor may request, through the chain of command, mandatory participation authorization from the appropriate bureau director or assistant chief. The procedure for such referral is outlined in the **DEPARTMENT CLINICAL PSYCHOLOGIST** policy under **Mandatory Participation**. Nothing in the preceding information should be construed as a waiver of the department's right and/or obligation to take disciplinary action where misconduct has occurred, whether or not that misconduct involved alcohol or substance abuse.

**J. Entering Liquor or Marijuana Establishments**

1. An employee, when in uniform, shall not enter any place in which intoxicating beverages are furnished or sold, or marijuana is distributed, except in the performance of official duty requiring such action.
2. The provisions of this regulation do not apply to uniformed employees entering a restaurant or other food establishment, which serves intoxicating beverages incidental to food services, for the purpose of having a rest break or a meal during their tour of duty.

**Applies to:** All WSP Employees  
**See Also:** RCW 69.50.101, 69.51A.010; WAC 246-75-010; WSP Policies **Duty Weapons, Employee Conduct, Grants, Department Clinical Psychologist**; *Human Resource Division Standard Operating Procedures Manual*; **DUI Arrest Report**

**9.01.040**      **TECHNICAL SERVICES BUREAU (TSB) (CALEA 11.1.1, 11.2.2)**

**I. POLICY**

**A. Organizational Units in the Technical Services Bureau**

1. The Technical Services Bureau is headed by a sworn Assistant Chief, who reports directly to the Deputy Chief and commands the following organizational units:
  - a. **Communications Division:** One communications center in each of the eight district headquarters
  - b. **Electronic Services Division**
    - (1) Engineering Section
    - (2) Field Support Section
  - c. **Human Resource Division**
    - (1) Employee Services Team
    - (2) Employee Health and Safety Team
    - (3) Polygraph and Background Unit
    - (4) Cadet Recruiting and Testing Unit
  - d. **Information Technology Division**
    - (1) Application Development and Support Section
    - (2) Customer Services Section
    - (3) Integrated System Server Support Section
    - (4) Planning Section
  - ~~e. **Property Management Division**~~
    - ~~(1) Facilities Management Section~~
    - ~~(2) Fleet Section~~
    - ~~(3) Supply Section~~

**fe. Risk Management Division**

(1) — Audit Section

(21) Public Disclosure Section

(32) Strategic Planning and Accountability Section

(43) Audit function (reports directly to the Chief)

**gf. Training Division**

**Applies to:** All WSP Employees

**See Also:** --

**10.02.010 MEDIA AND PUBLIC RELATIONS (CALEA 54.1.1, 54.1.2)**

**I. DEFINITIONS**

- A. Headquarters Public Information Officer** – Is appointed by the Chief and is assigned to the Office of Government and Media Relations (GMR). The Headquarters Public Information Officer (commander of GMR) is responsible for the coordination and release of information to the print and broadcast media for the entire department and shall act as spokesperson for the Chief, along with the GMR headquarters staff. The Public Information Officers (PIOs) are located in each of the eight geographical districts and bureaus/divisions throughout the state to assist this position.
- B. Public Information Officer** – PIOs are appointed by an assistant chief/bureau director or the division/district commander in consultation with the commander of GMR. They shall coordinate media relations and public information on routine matters in their respective areas. PIOs shall coordinate their activities that impact the department as a whole through the Headquarters PIO to ensure a central point of contact for the Chief and Executive Staff. Information specific to the bureau/division/district shall be the responsibility of the appropriate director or commander.
- C. Public Information** – Information that may be of interest to the general public regarding department policy, procedures, and events or other noteworthy information that is not legally protected. It does not unduly interfere with the mission of the department, infringe upon the rights of any individual, or compromise the legitimate safety and privacy interests of officers, victims, witnesses, or others.
- D. News Media Representatives** – Those individuals who are directly employed by agencies of the electronic or print media such as radio, television, or newspapers. Freelance workers in this field are to be regarded as other members of the general public unless otherwise designated by GMR.

**II. POLICY**

**A. Cooperative Media Relations**

- 1. The department believes the public has the right to know what the department does in fulfilling its responsibilities. The department recognizes that cooperative

media relations are important in obtaining community support and in providing the public with information it is entitled to receive.

2. "News media" includes legitimate news gathering and disseminating agencies. The department recognizes authorized identification from all local, national, and international news organizations. Failure of media personnel to present authorized identification may provide grounds for restricting access to requested information or to incident scenes.

**B. Public Information and Media Relations Activities**

1. The Chief shall be responsible for the public information and media relations activities of the department.
2. Commanders and PIOs shall make the acquaintance of area media representatives and enlist their confidence and understanding.
3. PIOs shall make the acquaintance of their peers in other government agencies and stakeholder groups in their area.

**C. Cooperation with the Public and the Media**

1. Employees shall cooperate with the public and the media consistent with department policy. When information must be denied to a media representative, the basis for the denial shall be fully explained and the specific exemption shall be provided to the requestor. Employees shall not comment on personalities, discuss politics, or render opinions on policy.

**D. Critical and Major Incidents**

- ~~1. In any instance of a critical (life-threatening) injury or the loss of life involving members of the department, the affected assistant chief(s)/bureau director(s) involved shall be notified immediately by their chain of command.~~
21. Press inquiries or releases on any event of this type shall be coordinated through GMR before release. The commander of GMR and the bureau director(s) will actively prepare the release and discuss with the Chief before final release.
32. **Any major incident—such as a felony collision, officer-involved shooting, hazardous material spill, or other incident requiring notification to the Chief—also warrants notification of GMR. If the Headquarters PIO (commander of GMR) is on a scheduled absence or out of the area, his/her designee shall be informed.**

**Applies to:** All WSP Employees  
**See Also:** WSP Policies **Headquarters Public Information Officer,**  
**District/Division/Section Public Information Officer;** *Media Relations Manual*



**10.02.040**      **DISTRICT/DIVISION/SECTION PUBLIC INFORMATION OFFICER (CALEA 41.2.4, 54.1.1)**

**I. POLICY**

**A. Public Information Officer Duties**

1. District/division/section commanders, in consultation with the commander of the Office of Government and Media Relations (GMR), shall designate primary and backup personnel to perform duties of a district/division/section Public Information Officer (PIO), who shall:
  - a. Coordinate media relations (initiating contacts, responding to inquiries) and public information on routine matters in the district/division/section.
  - b. Develop and disseminate media releases and ensure copies are provided to GMR.
  - c. Develop media strategies and programs to support division and department goals.
  - d. Process requests for public information and speakers in the district/division/section.
  - e. Coordinate and authorize the release of information about victims, witnesses, and suspects in accordance with the policy **VICTIM/WITNESS ASSISTANCE PROGRAM**.
  - f. Function as media liaison at unusual incidents likely to attract significant media attention and supply timely, factual information.
  - g. Notify GMR two days before press events involving the district commander or designee. Notification shall be made before releasing information that may affect other areas of the department.
  - h. Immediately notify and brief GMR of events creating significant media attention. If media coverage of such events is not available via Internet, assist GMR in obtaining copies in appropriate format (hard copy, video, tape recording).
  - i. Assist in emergent situations within the department at the direction of the division/district commander.
  - j. With the concurrence of the district or division commander, maintain an agency presence on approved social media platforms
- B2.** Information relating to internal investigation of troopers and officers shall not be released by district/division/section PIOs; these requests shall be directed through GMR.

**B. Release of Information by Agency Public Information Officers (PIOs) – Prior to Submittal to Prosecutor**

1. In general, agency PIOs may release any information that would be disclosable if the agency were to receive a public disclosure request for the material. Confer with agency/district/division public disclosure coordinator for clarification.
2. When it is in the best interest of the agency to release information about a case, before the case has been submitted to a prosecutor, designated agency PIOs may release the following information:
  - a. Name (unless a juvenile), age, sex, and city of residence.
    - (1) For juveniles, name, age, sex, and city of residence can be released only in specific circumstances; in the following situations, juvenile information may **NOT** be released:
      - (a) When the juvenile is a suspect in a crime.
      - (b) When the juvenile is a victim of a crime.
      - (c) When the juvenile (or their guardian) has indicated a desire for anonymity.
  - b. Alleged offense.
  - c. Name of the investigating and arresting units/agencies and approximate length of the investigation.
  - d. Circumstances of the arrest or violation, including the time and place, resistance, pursuit, possession of weapons, etc.
  - e. The above information may be compiled and released by Communications in a Collision Memo.
  - f. Video or photographs may be taken at the scene of a collision/arrest to coincide with a media release and sent to the media (excluding in-car video) providing:
    - (1) No victim(s) is/are shown.
    - (2) No license plates are shown. All plates must be blocked out before dissemination.
    - (3) No drivers pictured are under the age of 18.
    - (4) No pictures of fatal collisions can be released prior to notification of next of kin.
    - (5) All materials shall be forwarded to the case investigator for inclusion in the case file as evidence. This includes the media release and any photos or video taken and distributed to the media.

- (6) Employees shall not prevent the photographing of defendants in public places outside the courtroom, nor encourage pictures, nor pose defendants.
  - (7) The department may release a suspect's photograph, to include booking or Department of Licensing photos, if release serves a significant law enforcement or public interest, such as to apprehend a fugitive.
  - (8) Government and Media Relations (GMR) shall receive a copy of all media releases, video, and photographs sent out from all divisions/districts/sections (see **DISTRICT/DIVISION/SECTION PUBLIC INFORMATION OFFICER**).
- 3. When releasing information, employees shall release it to all media on an equal basis.
- 4. Each PIO must keep a file of all media releases, video, and photographs sent out so they are available on an immediate basis if citizens request to see them. No public disclosure request is necessary for any person to view material from this file.
- 5. Employees shall advise their supervisor immediately when releasing information about a criminal investigation. If the information is newsworthy or there are requests for more details, the supervisor shall immediately notify the district/division/section PIO (see **DISTRICT/DIVISION/SECTION PUBLIC INFORMATION OFFICER**). Confer with agency/district/division public disclosure coordinator for clarification.
- 6. The following information shall not be released:
  - a. Opinions about a defendant's character, guilt, or innocence.
  - b. Admissions, confessions, or the contents of a statement or alibis attributable to a defendant.
  - c. References to the results of investigative procedures, such as fingerprints, polygraph examinations, ballistic tests, laboratory tests, and breath or blood alcohol levels.
  - d. Statements concerning the credibility or anticipated testimony of prospective witnesses and their identity.
  - e. Opinions concerning evidence or argument in the case, whether or not it is anticipated that such evidence or argument will be used at trial.
  - f. Information that could interfere with law enforcement proceedings, including pending investigations.

- g. Information that could reveal the identity of an individual who has furnished information to the department under confidential circumstances.
- h. Confidential investigative techniques and procedures, thereby impairing future effectiveness of the department.
- i. Information that could endanger the life or physical safety of any person.

### C. Restricted Areas

1. The news media shall not be allowed access to any area or scene of an incident or crime where there is a possibility that evidence may be damaged, altered, destroyed, or otherwise prejudiced by its existence being published or portrayed, or their presence might endanger department or other emergency personnel. Once evidence has been processed, removed, and secured by the department, the media may be allowed to enter by permission of the on-scene supervisor.
2. Employees shall warn the media of any dangers in an area and shall obtain an acknowledgment that the risk is understood. The department shall not be held responsible for the safety of media representatives who enter an area after being warned of the dangers.
3. Employees will not escort media onto private property without the permission of the owner or the owner's representative. Nothing in this policy prohibits the photographing of private property that is visible from an otherwise public location (see **AGENCY IMAGE POLICY**).

**Applies to:** All WSP Employees

**See Also:** WSP Policies **Public Records Requests, Victim/Witness Assistance Program, Headquarters Public Information Officer**; *Media Relations Manual*

## **10.04.080** **CONTRACTOR NON-DEPARTMENT PERSONNEL BACKGROUND CHECKS**

### I. POLICY

#### A. Authorization for Access

1. Criminal history Washington State and federal fingerprint-based background checks will be conducted on all non-department personnel who have unaccompanied access to department facilities, electronic equipment, computers, data bases, or other sensitive or restricted information. All non-department personnel who have unescorted access to a facility that contains Criminal Justice Information (CJI) or where ACCESS terminals are located must have a Washington State and federal fingerprint-based background check completed. This includes, but is not limited to, janitors/custodians, other public agency employees, computer hardware/software contractors, and information technology (IT) service providers.
2. All non-department personnel who have unescorted access and will be accessing a facility that contains CJI or where ACCESS terminals are located must view Security Awareness Training and complete the testing through the ACCESS online training application once every two years.

3. All non-department personnel who have unescorted access and will be accessing a facility that contains CJI or where ACCESS terminals are located must sign a security addendum document, which must be kept on file by the Washington State Patrol.

**B. Exceptions to Background Requirement**

1. The background check requirement does not include visitors, other agency employees, or vendors/contractors who are accompanied by department personnel. The background check requirement does not include vendors that service vehicles, weapons, equipment, electronic devices, or computers at the vendor's location.
2. Reasonable precautions will be used to ensure security of department equipment while at vendor locations.

**C. Conducting the Background Check**

1. The division or program manager requiring the contract is responsible for initiating the ~~contractor~~ non-department personnel background check.
2. The background checks will be fingerprint-based and conducted through the Washington State Identification System managed by the Criminal Records Division (CRD). CRD will forward the fingerprints to the Federal Bureau of Investigation (FBI) for a national criminal history background check.
3. The background check must be successfully completed before the individual is allowed unaccompanied access to these facilities, equipment, or data.
4. The Budget and Fiscal Services and Property Management Divisions will include the background check requirement in contracts and agreements, as appropriate.
5. Unless otherwise stated in the contract, ~~the vendor or contractor is~~ all non-department personnel are responsible for paying the costs of the background check. Division/district commanders may authorize the payment of these costs through their division/district budgets if they determine it is in the best interest of the agency to do so.

**Applies to:** All WSP Contractors Non-Department Personnel  
**See Also:** Criminal Records Division Contractor Fingerprint Background Checks Procedures; Contractor Qualification form; Contractor Instruction Sheet for Fingerprint Background Checks

**10.09.020** **CRISIS NEGOTIATION TEAM (CNT) (CALEA 12.1.2, 41.1.3, 43.1.5, 46.2.1)**

**I. POLICY**

**A. Crisis Negotiation Team (CNT) Response Situations**

1. CNT is part of the Special Weapons and Tactics (SWAT) Team and is comprised of up to eight team members.

2. CNT members are referred to as negotiators.
3. Negotiators respond to **all** situations involving SWAT response and/or to situations in which someone is threatening to inflict serious injury or death and can potentially be defused through dialogue. When responding, negotiators will:
  - a. Report to the Incident Command Post (ICP) upon arrival ~~and~~ **to** be briefed.
  - b. Confer with the on-scene SWAT Team **and/or Incident** Commander before being deployed.
  - c. Assess the situation before beginning negotiations or, if already started, assuming them.
  - d. Assign additional negotiators as needed.
  - e. ~~Ensure psychological profiles,~~ **Develop and update behavior charts,** time charts, and status charts ~~are prepared and constantly updated.~~
  - f. Be proficient with electronic equipment used for negotiation purposes.
  - g. Ensure vehicles ~~s operators~~ and vehicles **operators** are available in case the scene moves.
  - h. Assign the minimum number of negotiators needed in the inner perimeter.
  - i. Have sufficient funds for requested purchases.

**B. Requests for ~~SWAT~~ CNT Services**

1. Requests for SWAT CNT services shall be referred to the Chief, the Investigative Services Bureau Assistant Chief, or the SWAT Commander.
2. After authorization, the SWAT Team Commander shall notify the CNT Negotiator Team Leader (TL) of the situation. The Negotiator TL may contact the requesting person or agency to obtain more details.
3. The SWAT Team Commander or the Negotiator TL shall notify the affected **division/district** commander and ~~commanding~~ **affected** supervisor, then mobilize the SWAT CNT negotiators, advising of the mission particulars and ensuring transportation of needed equipment.
4. **Non-SWAT-related calls requiring a response by CNT for someone in crisis can be requested by a Field Operations Bureau (FOB) sergeant (or above). Communications will adhere to the call-out procedure for CNT, as time is of the essence in these situations. As soon as practical, Communications will notify the SWAT Commander of the CNT response.**

**Applies to:** All WSP Employees  
**See Also:** --

**10.13.010**      **POLICE CHAPLAIN PROGRAM**

**I. PURPOSE**

- A. The Washington State Patrol/Washington Department of Fish and Wildlife (WDFW) Police Chaplain Program is authorized by RCWs 41.22 and 77.15.075 and is established to provide support, counseling, training, and crisis intervention to Department employees, their families, and the public.
- B. The purpose of the program is to create an environment of trust, confidentiality, reliance, and professionalism in which employees and the public can feel comfortable with the support a police Chaplain can provide. It is the mission of this program to provide another option for the mental, physical, and spiritual well-being of employees, and to reach out with comfort, support, and counseling to anyone in need, especially those impacted by tragedy.
- C. The Washington State Patrol/WDFW Police Chaplain Program will herein be referred to as "Program." The WDFW and the Washington State Patrol are herein referred to as "Departments."

**II. POLICY**

- A. The Program shall be a non-denominational ministry provided by volunteer clergy without wages and benefits. Chaplains will provide support and counseling regardless of an individual's faith or belief. Chaplains will be sanctioned, supported, and equipped by the Departments.

**1. Reporting Structure**

- a. The Chiefs for both Departments, with recommendations from the Chaplain Advisory Board, shall appoint the Senior Chaplain, who will serve as the statewide Chaplain supervisor for the Regional/District Chaplains in the Program.

**2. Senior Chaplain**

- a. The Senior Chaplain is the lead Chaplain within the Departments and operates as a Chaplain under the duties and operational guidelines. The Senior Chaplain serves at the pleasure of the Department Chiefs and under their direct supervision, or a designee who is a senior member of their executive/command staff.
  - (1) The Senior Chaplain is responsible for recruiting and supervising the Volunteer Chaplain Unit and shall serve as the liaison between the Chaplains and the Department administrations.
  - (2) The Senior Chaplain may arrange meetings or calls for service, maintain records, coordinate activities, and suggest training opportunities to the Chaplains.
  - (3) Additional duties may be outlined in the Senior Chaplain volunteer position description.

**3. Senior Chaplain Candidate Requirements**

- a. In addition to meeting the same requirements for Chaplain candidates, as outlined in Section II.A.7, Senior Chaplain candidates shall also:
  - (1) Be a member in good standing with the International Conference of Police Chaplains (ICPC); and
  - (2) Be a graduate of an accredited Chaplain Academy.

**4. Selection Process**

- a. A Senior Chaplain candidate shall complete the following prior to being considered for selection:
  - (1) Submit a Letter of Interest to the Chaplain Advisory Board;
  - (2) Provide a letter of recommendation from his or her church or religious body elders, board, or council;
  - (3) Interview with the Chaplain Advisory Board; and
  - (4) Successfully complete a Washington State Patrol background investigation and polygraph exam, with review and concurrence by both Departments.
- b. After thorough review of the items above, the Chaplain Advisory Board will forward their recommendation for Senior Chaplain to the Department Chiefs. The Chiefs will make the final selection and appointment.

**5. Post-Appointment Requirements**

- a. A Chaplain who is appointed to the Senior Chaplain position shall:
  - (1) Maintain membership with the International Conference of Police Chaplains (ICPC);
  - (2) Complete a Volunteer Worker Registration for both Departments; and
  - (3) Possess and maintain first aid certification.

**6. Assistant Senior Chaplain**

- a. The Assistant Senior Chaplain (ASC) is second in command for the administration of and leadership for the volunteer chaplains serving in the program. The person assigned to this position serves under the direct supervision of the Senior Chaplain. In the Senior Chaplain's absence, this individual will report directly to the Department Chiefs or designee(s).
  - (1) The ASC serves as Senior Chaplain when called upon to act in that capacity.



- (2) The ASC attends board meetings for the Washington State Patrol/WDFW Chaplain Advisory Board and reports on volunteer chaplain activities.
- (3) The ASC is the first line supervisor for all volunteer chaplains serving in the program.
- (4) Additional duties may be assigned by the Senior Chaplain as required.

b. Requirements for the ASC are identical to that of the Senior Chaplain as outlined in Section II.A.3.

- (1) Provide a written resume.

#### **7. Selection Process for Assistant Senior Chaplain**

a. The ASC candidate shall possess the following prior to being considered for selection:

- (1) The ASC candidate must have at least five years of experience in Chaplaincy or full-time experience related to chaplaincy.
- (2) The ASC candidate will comply with all requirements for selection and appointment to this position, excluding the polygraph as outlined in Section II.A.4.

b. The ASC candidate will be recommended by the Senior Chaplain and approved by the Washington State Patrol/WDFW Chaplain Advisory Board and serves at their pleasure.

#### **68. Regional/District Chaplain**

- a. A Regional/District Chaplain, referred to hereafter as "Chaplain," is assigned to support Department employees within a specific WDFW region and Washington State Patrol district.
- b. The Chaplain should maintain a good rapport and working relationship with Department staff.
- c. The WDFW regional captain and Washington State Patrol district commander shall communicate with the Senior Chaplain regarding the performance of the Chaplain assigned to their region/district.
- d. The Chaplain may be removed from volunteer service upon mutual agreement between the regional captain, district commander, and Senior Chaplain.

#### **79. Chaplain Candidate Requirements**

- a. Candidates for the Program shall:

- (1) Be above reproach, temperate, prudent, respectable, hospitable, and able to teach;
- (2) Not be contentious, and be free from excessive debt;
- (3) Manage their household, family, and personal affairs well;
- (4) Have a good reputation with those outside of the church;
- (5) Be ecclesiastically certified and/or endorsed, ordained, licensed, or commissioned by a recognized religious body;
- (6) Have at least three years of successful ministry experience;
- (7) Be associated with a recognized religious body with their endorsement to serve as a Chaplain;
- (8) Possess a valid driver's license;
- (9) Provide proof of auto insurance;
- (10) Be willing to attend Department training as requested; and
- (11) Be willing to comply with all respective Department's rules, regulations, policies, and procedures.

**810. Selection Process**

- a. A Chaplain candidate shall complete the following prior to being considered for selection as a Chaplain:
  - (1) Submit a written application to the Senior Chaplain;
  - (2) Provide a letter of recommendation from his or her church or religious body elders, board, or council;
  - (3) Interview with the respective WDFW regional captain, Washington State Patrol district commander, and Senior Chaplain; and
  - (4) Successfully complete a Washington State Patrol background investigation (not to include a polygraph examination), with review and concurrence by both Departments. The Washington State Patrol will make the results available to WDFW. The respective WDFW regional captain, Washington State Patrol district commander, and Senior Chaplain will make the final selections.

**911. Post-Selection Requirements**

- a. A Chaplain who is selected to participate in the Program shall:
  - (1) Attain membership with the International Conference of Police Chaplains (if not already a member);

- (2) Graduate from an accredited Chaplain Academy within one year of selection;
- (3) Complete a Volunteer Worker Registration for both Departments; and
- (4) Possess and maintain first aid certification.

**4012. Duties and Responsibilities**

- a. A Chaplain's duties include, but are not limited to, the following:
  - (1) Comply with the respective Department's rules, regulations, policies, and procedures;
  - (2) Support the Department administrations in all matters that may affect employees or the public;
  - (3) Keep a daily notebook to track volunteer hours;
  - (4) On a monthly basis, report all volunteer hours on the Volunteer Worker timesheets to the respective Department;
  - (5) Assist when requested in making notification to families of Department members who have been seriously injured or killed;
  - (6) Upon request, participate in funerals for active or retired members of the Departments;
  - (7) Assist personnel with next of kin notifications;
  - (8) Be trained in Critical Incident Stress Management (CISM) and able to assist in critical incident stress debriefing or defusing when requested;
  - (9) Respond to any critical incident upon request;
  - (10) Respond to any other incident where the presence of a Chaplain may aid in the well-being of a Department employee;
  - (11) Be available to Department employees to provide counseling regarding personal issues;
  - (12) Attend Department ceremonies, social events, and academy graduations, and provide chaplaincy services when requested;
  - (13) Assist other agencies when called upon to render chaplaincy services;
  - (14) Assist any Department employee in any function of the clergy as requested;

- (15) Facilitate requests for representatives or ministers of other denominations or faiths; and
- (16) Make referrals in cases where specialized assistance/service is needed, or in those cases that are beyond the Chaplain's ability to assist.

**413. Department Training**

- a. When available, Chaplains should participate in Department-sponsored training when requested by the regional captain, district commander, or Senior Chaplain. Although participation is not required, Chaplains are encouraged to attend regional/district training sessions for their assigned WDFW region or Washington State Patrol district.

**4214. Operational Guidelines**

- a. Chaplains are encouraged to observe Department operations by riding with officers and/or troopers during their regular work shift and visiting with or working alongside other employees at Department installations, offices, and in the field.
- b. A Chaplain should be familiar with the weaponry and equipment inside the patrol vehicle and how to use it.
- c. A Chaplain may only carry a sidearm under the following conditions:
  - (1) If he or she is a current commissioned or retired commissioned law enforcement officer and riding with a WDFW officer;
  - (2) If he or she is a current commissioned law enforcement officer and riding with a Washington State Patrol trooper;
  - (3) The sidearm is concealed, unless the Chaplain is in departmental uniform.
- d. Each Chaplain will have access to current personnel rosters, addresses, telephone numbers, duty assignments, and other information that may assist in their duties. Such information shall be considered confidential and each Chaplain will exercise appropriate security measures to prevent distribution of the information.

**4315. Confidentiality**

- a. All agency and personal information gained by a Chaplain shall be considered privileged and shall remain confidential in accordance with RCW 5.60.060.
- b. Chaplains shall comply with both Departments' Confidentiality Code of Ethics policy and/or regulation. Failure to do so may result in removal from the Program.

**4416. Uniforms and Equipment**

- a. A badge, ID card, and other necessary equipment will be provided to the Chaplains.
- b. A dress uniform similar to that worn by a WDFW officer or Washington State Patrol trooper may be worn by the Senior Chaplain at special functions, including, but not limited to, funerals, Chaplain events, ceremonies, or special Department functions.
- c. A Chaplain may wear uniform items that identify him or her as a professional police Chaplain. The uniform items must be approved by the Senior Chaplain and the Chaplain Advisory Board.

**4517. Financial Compensation**

- a. The Departments shall not compensate a Chaplain in any way that is considered wages or benefits. Nothing in this section shall prohibit the Departments from reimbursing a Chaplain for expenses incurred for lodging, miles, or meals in certain circumstances that may be approved for official Department business.
  - (1) It shall be the responsibility of the individual Chaplain to raise financial support for their specific Chaplain Program.
  - (2) All fundraising shall be done through an appropriate foundation or church organization that is completely separate from the Departments.
  - (3) Department employees may donate to the Chaplain Program through payroll deduction or other appropriate means.
  - (4) Upon request, the Senior Chaplain will provide the Chiefs with a copy of any financial forms filed with the Internal Revenue Service.

**4618. Chaplain Advisory Board**

- a. The Chaplain Advisory Board, herein referred to as "the Board," is responsible for ensuring that the Program adheres to state statute and established policies, guidelines, and best practices to appropriately meet the needs and expectations of the Departments and their employees. Specifically, the Board will:
  - (1) Assist in the development of policy, procedures, and protocol for the Chaplain Program;
  - (2) Assist the Department Chiefs in the selection of a Senior Chaplain;
  - (3) Assist the Senior Chaplain in the Chaplain selection process;
  - (4) Work with the Senior Chaplain and Chaplains to define long-term goals, objectives, and strategies;

- (5) Approve Chaplain uniform items;
  - (6) Meet quarterly to discuss the Chaplain Program; and
  - (7) Review/update Chaplain Program policy manual.
- b. The Chaplain Advisory Board is comprised of the following ten members:
  - (1) One command staff from WDFW;
  - (2) One Executive Staff from the Washington State Patrol;
  - (3) Two captains from WDFW;
  - (4) Two captains from the Washington State Patrol;
  - (5) Two at-large employees from WDFW; and
  - (6) Two at-large employees from the Washington State Patrol.

**1719. Board Selection**

- a. All Department employees are eligible to participate on the Board.
- b. Board positions will be filled on an “as-needed” basis.
- c. Employees interested in serving on the Board shall submit a letter of interest through their chain of command to their respective Chief. The existing Chaplain Advisory Board, in collaboration with the Senior Chaplain and Department Chiefs, will appoint new Board members based upon a review of their letter of interest, command recommendations, and current performance evaluation.

**Applies to:** All WSP Employees  
**See Also:** RCW 5.60.060, 41.22, 77.15.075

**10.17.010 ACCESS CONTROL DEVICES (ACD) ACCOUNTABILITY (CALEA 17.5.2)**

**I. POLICY**

**A. ACD Issuance and Lock Assignments**

- 1. The ACD accountability system includes issuance and lock assignments to maintain the security of all areas. This includes, but is not limited to, brass keys, proximity cards, etc.
- 2. District or division commanders shall notify the Facilities Management Section (Property Management Division) immediately if there is a change in ACD custodian.

**B. ACD Logs and Responsibility**

1. The captain or commander shall assign an ACD custodian to be responsible for division/district level access control.
2. The ACD custodian is responsible for:
  - a. Requesting any ACD from the Facilities Management Section.
  - b. Issuing ACDs.
  - c. Ensuring a signature card is completed and returned to the Facilities Management Section.
  - d. Maintaining an ACD accountability log (see Access Control Device Log sample below).
  - e. Submit a copy of the ACD accountability log annually in February to the Facilities Management Section.

**ACCESS CONTROL DEVICE LOG**

ACD Custodian:				Division/Detachment:		
ACD #	Type of Device Issued	Date Assigned	Date Turned In	Print Name	Unique ID	ACD Owner's Signature

**C. Exceptions to the ACD Log**

1. Washington State Patrol officers issued department gas pump and weigh station keys (20-2A) and 20-1A are not listed in the log. The Supply Section issues and records these ACDs and Facilities Management Section tracks and retains these records.

**D. Requests for ACDs**

1. Requests for ACDs must be made in writing (either via IOC or e-mail) by the ACD custodian and indicate the purpose of the ACD, access desired, and to whom the ACD will be assigned. This correspondence must be approved by the division/district/section commander. The Facilities Management Section will then issue the ACD. Any ACD marking shall be noted on the request.
2. Persons requesting access to Washington State Patrol facilities from other agencies must contact the Facilities Management Section for ACD issuance. The Facilities Management Section shall notify the requesting agency in writing about ACD issuance policies. All outside agency personnel requesting an ACD must have passed a Washington State Patrol background check, federal background check, and be fingerprinted (see **CONTRACTOR NON-DEPARTMENT PERSONNEL BACKGROUND CHECKS**). Outside agency requests shall be on agency letterhead and shall have an agency manager's

signature. The Facilities Management Section requires the return of the ACD(s) if the person it was issued to transfers or separates from the requesting agency.

3. Outside companies requesting access to our facilities must contact the Facilities Management Section for ACD issuance. The Facilities Management Section shall notify the requesting company in writing about ACD issuance policies. All outside personnel requesting an ACD must have passed a Washington State Patrol background check, federal background check, and be fingerprinted (see **CONTRACTOR NON-DEPARTMENT PERSONNEL BACKGROUND CHECKS**). Requests shall be on company letterhead and shall have a manager's signature. The Facilities Management Section requires the return of the ACD(s) if the person it was issued to transfers or separates from the requesting company.

**E. Lost, Stolen or Broken ACDs**

1. Employees shall immediately notify their assigned ACD custodian and supervisor of any lost, stolen, or broken ACDs. The ACD custodian shall notify the Facilities Management Section and update their annual ACD log.

**F. Key Boxes**

1. Each section, unit, and/or detachment shall possess a locked key box with a set of keys for each vehicle assigned to the area and any other key used on a daily basis. The key box shall be in an area accessible only to Washington State Patrol employees.
2. ACD custodians shall keep a separate secure location (i.e., lock box, locked filing cabinet, or locked desk) for all Washington State Patrol ACDs.

**G. ACD Turn-In**

1. Separating employees shall return all ACDs to their district ACD custodian by their last work day. ACDs to specific district or division areas must be turned in before transfer or promotion.
2. Proximity cards stay with employees until separation from the agency. ~~The Facilities Management Section must be notified of all transfers and promotions.~~

**H. Inspections**

1. ACD accountability logs shall be reviewed during inspections.

**Applies to:** All WSP Employees  
**See Also:** WSP Policy **Contractor Non-Department Personnel Background Checks**;  
Access Control Device Log



**11.13.010      DEATHS AND FUNERALS (CALEA 22.2.3, 61.3.3)**

**I. POLICY**

**A. Death of WSP Employees**

1. When a retired member of the department dies, the Office of the Chief shall be notified through the chain of command. When an active employee dies in the line of duty, communications centers shall immediately notify the Chief, Deputy Chief, all assistant chiefs/bureau directors, Honor Guard Commander, and Government and Media Relations.
2. Information about the death of a person with other connections to the department shall be relayed to the appropriate assistant chief or bureau director by the local commander.
3. This policy shall be followed for funerals of uniformed officers. Additional information can be found in the *Funeral Protocol Reference Guide for Uniformed Officers*.
4. Any department involvement in funeral arrangements shall be determined in advance through coordination with the family. The wishes of the family will prevail over any of the following procedures.

**B. Death of an Active Department Member – Commander Responsibilities**

1. Along with the Honor Guard Commander or the assigned Honor Guard Detail Officer, make immediate contact with the family or family contact to determine the amount of department involvement that is wanted. The local district commander shall assign a department liaison to the family if one is requested. Depending on the size and scope of the funeral and level of department involvement, the district commander should also consider assigning an Incident Commander under an Incident Command Structure. Keep family informed regarding arrangements.
2. Notify the respective assistant chief/bureau director and Honor Guard Commander of time, location, and funeral details, and request the assistant chief/bureau director advise the Deputy Chief and Chief.
3. Notify the Department Psychologist and coordinate further services.
4. Notify the Department's Senior Chaplin to coordinate any assistance.
45. Notify the Human Resource Division and Budget and Fiscal Services.
56. Notify the Memorial Foundation, Spouses Association, and the appropriate labor organization.
67. Coordinate participation by department employees (uniforms, routes, parking,)
78. Arrange for appropriate Washington State Patrol representation.

- 89. Ensure traffic control and parking arrangements are adequate (motorcycles may be used).
- 910. Work with the Honor Guard Commander to determine Honor Guard participation and contact the Field Operations Bureau Assistant Chief to obtain the Chief's authorization to use the Honor Guard if requested by the family.
- 4011. Coordinate participation by employees from other agencies.
- 4412. Arrange for transportation of family to and from ceremonies, if necessary.
- 4213. Notify local retired members of all arrangements and schedules.
- 4314. Generate an electronic correspondence for next-day distribution. Include all funeral information, and update as needed.

**C. Human Resource Division Responsibilities**

- 1. The HRD Commander shall coordinate benefits with family and determine if the family desires a badge marker for the headstone.
- 2. The Supply Section shall be notified if a marker is desired.

**D. Uniforms**

- 1. The winter uniform will be worn at funerals, unless designated differently by the Chief. If jackets are worn, they shall be zipped up to the second brass button from the shirt top.
- 2. The Chief may direct the wearing of black mourning bands on the badges of all uniformed officers. When so ordered, bands will be worn until the day after the funeral.

**E. Attendance**

- 1. Employees who were personally acquainted with the deceased may be excused from regular duties to attend the funeral, and attendance may be on working time. Car pools are to be used as much as possible.
- 2. Districts/sections will furnish attendance estimates to the commander of the host district 48 hours before the funeral. Overtime compensation is not authorized for funeral attendance or travel time, except for employees who are directed to attend by a commanding officer.

**F. Funeral Protocol – Uniformed Employees**

- 1. All uniformed officers should assemble in formation in an area pre-determined by the Honor Guard Detail Officer and family liaison. Officers should fall in at relaxed parade rest and refrain from loud talking. The formation should be organized with the command staff in front by order of rank (left to right). Members of the deceased officer's detachment should assemble to the right of

the command staff. All uniformed commissioned officers should assemble behind the front row, followed by all other uniformed officers. An Honor Guard member may be assigned to the formation to provide briefing regarding commands and protocol.

2. All uniformed officers shall respond to verbal commands given by the Honor Guard Detail Officer.
3. The Honor Guard will form two lines for the family to walk through when entering the indoor facility (church, funeral home, etc.).
4. The Honor Guard member assigned to the formation will lead the formation into the facility. Personnel are to remove their uniform hats as they enter. The campaign hat shall be held by the strap with the right hand. The hat is held over the heart with the hat badge pointing to the left.
5. Remain standing as a group until signaled to sit by an usher or the Honor Guard Detail Officer. When seated, the hat is placed on the lap with the hat badge facing forward.
6. At the conclusion, officers shall rise, stand as a group when signaled, and file out as directed. If the procession passes the casket while exiting (within an arm's length), officers should touch the casket with their right hand in reverence to the deceased. Protocol dictates that only the right hand be used to touch the casket in this manner. Therefore, officers may need to hold their hats with their LEFT hands while exiting the venue. The Honor Guard Detail Officer will ensure all officers are advised if this will occur prior to entering the facility.
7. When outside, officers are to assemble as directed by the officer in charge. When the casket is brought from the building, officers should be called to attention and shall respond to further commands by the officer in charge.

**G. Processions – Other Services**

1. Motorcycle processions will be authorized only by the Chief or designee. In the event a procession is approved, it should be in the following order:
  - a. Hearse
  - b. Vehicles containing family/relatives
  - c. Detachment patrol vehicles
  - d. Headquarters and district command staff
  - e. All other Washington State Patrol vehicles
  - f. All other agency patrol vehicles
  - g. All other vehicles

2. Patrol vehicles shall travel together with headlights on (including wigwags). All emergency lights (except four-way flashers) should also be activated.
3. After arriving at any other location for services, officers shall park where directed, assemble (with hats on) where designated, stand in formation, and follow any commands given by the officer in charge until dismissed.
4. The local district is responsible for traffic control and parking.

**H. Plaques**

1. The family of a deceased active member of the department may be presented a plaque. The presentation shall be by the appropriate commander. The plaque is of a style approved by the Chief.

**I. Honor Guard Participation**

1. The Honor Guard will be used at funerals only upon the approval of the Chief.
2. Honor Guard participation is planned in accordance with proper protocols and family wishes. The assigned family liaison(s) shall meet with the Honor Guard Commander and/or assigned Detail Officer to coordinate a meeting with the family to explain the Honor Guard's capabilities to the family and discuss the family's wishes for the memorial services.
3. Inside churches and funeral homes, Honor Guard participation is normally limited to casket watches and escort. At gravesite services, the Honor Guard can provide flag-folding, 21-gun salutes, and the playing of Taps.
4. The Honor Guard Detail Officer has complete command and control of the Honor Guard Unit. Honor Guard-related questions and on-site coordination of Honor Guard usage shall be directed to the Honor Guard Detail Officer.

**J. Other**

1. The Chief may require department facilities fly United States and Washington flags at half-mast from the time of death until the day after the funeral.
2. A uniformed member may be buried in uniform with badge. A duty badge may be presented with the memorial plaque. All weapons are returned to the Supply Section.
3. The picture of any member killed on duty will be displayed at each Patrol facility for one year after death.
4. If there are questions regarding authority to make funeral arrangements (e.g., a divorced or widowed member, conflict within family), the Deputy Chief shall be consulted.

**K. Deaths and Funerals – Retired and Non-Department Employees**

1. The district commander shall notify Field Operations Bureau Headquarters of death/funeral arrangements for:
  - a. A family member of an active department employee.
  - b. A retired member of the Patrol.
  - c. An active member of another law enforcement agency.
  - d. State and local dignitaries.
  - e. Persons designated by the Chief.
2. The Chief may order use of the Honor Guard at non-department funerals. Attendance shall be guided on procedures outlined above under **Attendance**. The commander shall provide department representation, if necessary.
3. The Daily Bulletin will include information on funeral arrangements, times, and other information, if necessary.

**Applies to:** All WSP Employees

**See Also:** *Funeral Protocol Reference Guide for Uniformed Officers*

**11.22.010      COMPENSATION FOR EMPLOYEE-IN-CHARGE (CALEA 22.1.1)**

**I. POLICY**

**A. Compensation for Employee-In-Charge**

1. This policy covers non-represented, Washington Management Service (WMS), and exempt employees. These employees may be compensated for the performance of higher level supervisory duties as specified in this policy while temporarily assuming the full scope of duties and responsibilities of a supervisory position.
2. Those positions that are covered under a Collective Bargaining Agreement (CBA) may be compensated per their CBA.

**B. Conditions for Receiving Compensation for Employee-In-Charge**

1. To be compensated for temporarily assuming the duties of a supervisory position, as specified above, the supervisor must be gone for 40 or more consecutive hours. If more than one employee is appointed to work in the supervisor's position, each employee will be compensated for the actual time worked, provided each employee has worked at least 8 consecutive, non-leave or non-overtime hours in the position.

2. Employees will not be compensated at the higher level for time not worked while on any paid leave or while attending court in overtime status. If a holiday occurs during the appointed time period that qualifies for in-charge pay, the employee may be compensated at the higher level for the holiday.

**Applies to:** All Non-Represented, Exempt, and WMS Employees  
**See Also:** Applicable Collective Bargaining Agreements

**11.22.030**     **OVERTIME (CALEA 22.1.1)**

**I. POLICY**

**A. Authorization for Overtime**

1. Overtime is defined by collective bargaining agreements or applicable Civil Service Rule or law. Any overtime eligible employee may receive overtime with the prior approval of a supervisor, in accordance with a collective bargaining agreement, applicable Civil Service Rule, or law.
2. Any employee, ~~with prior authorization from the Chief,~~ may receive overtime on a weekly (over 40 hours) rather than a daily basis, subject to applicable laws and prior authorization from the Chief.

**B. Minimal Accrual of Overtime**

1. All supervisors will ensure that accrual of overtime is kept to a minimum.

**C. Reporting Overtime**

1. Overtime will be reported on the Time and Activity Report in accordance with the *Time and Activity Reporting (TAR) Manual*.

**Applies to:** All WSP Employees  
**See Also:** Applicable Collective Bargaining Agreements; *Time and Activity Reporting Manual*

**11.23.010**     **SELECTION FOR SPECIALTY POSITIONS (CALEA 16.2.2, 22.1.1)**

**I. POLICY**

**A. Specialty Positions**

1. All specialty positions are considered staff or technical appointments and, as such, are governed by RCW 43.43.370.
2. ~~There are many specialty positions in the department that can be a benefit to an officer's career. A specialty assignment may be an opportunity to a different career path. Specialty positions include technical, administrative, or investigative positions.~~

32. Selection to a specialty position is treated as a reassignment or transfer and is not considered a promotion. Officers selected to fill a specialty position do not have property rights to any benefits associated with that position. Because it is in the department's interest to select the best qualified candidate, minimum qualifications may be established for specialty positions.

**B. Advertising**

1. Specialty position openings will be advertised in the Daily Bulletin at least 5 business days prior to the start of the selection process. The advertisement shall include the number of openings to be filled in the specialty assignment, a brief job description, minimum qualifications, and a description of the testing procedure to be used. Supervisors shall ensure that each officer eligible is notified.

**C. Application/Requirements**

1. Specialty position announcements shall have specific application and selection requirements.

**D. Exceptions**

1. Specialty positions should not normally be filled on a temporary basis for longer than six months. Appointments made to positions under exigent circumstances are exempt from the selection procedure described above.
2. At the conclusion of the temporary assignment or when the exigent circumstances no longer prevail, the position(s) shall be advertised as required in this policy.

**E. Supplemental Compensation**

1. Any officer in an assignment for which staff and technical officer supplemental compensation is authorized shall receive such compensation during the officer's tenure in the position. Supplemental compensation will be paid only while the officer is actually working in the designated position for which the supplemental compensation is authorized. If the officer leaves the supplemental compensation position, the officer will no longer receive the compensation. Staff and technical officer compensation is an appurtenance of the position, not of the person who holds the position.
2. Officers placed in temporary assignments for which specialty pay is normally authorized shall not receive supplemental compensation if the assignment is expected to be 180 days or less in duration. Should such an assignment extend beyond 180 calendar days, supplemental compensation shall be authorized retroactively to the first day of the temporary assignment on the 181st day of the temporary assignment. The effective date of the assignment shall be counted as the first day.

**F. Review of Specialized Assignments**

1. It shall be the responsibility of the appropriate assistant chief/bureau director to ensure specialized assignments are reviewed on an annual basis. The purpose of the review is to avoid overspecialization and ensure the effective operation of department specialization.

**Applies to:** All WSP Employees  
**See Also:** RCW 43.43.370

**11.24.020 RECORDINGS AND MEDIA USE AND DISTRIBUTION**

**I. POLICY**

**A. Property of the Department**

1. Photographs, audio and video recordings, and other media, whether in hard copy, electronic, or other format, that are captured using agency equipment, are the property of the agency.

**B. Acquiring Devices**

1. Photographs, audio and video recordings, and other media, whether in hard copy, electronic, or other format, that are **related to the conduct of government** and captured using personal equipment, may be subject to public disclosure or legal discovery requests, and shall be furnished to the agency if:
  - a. Captured by on-duty personnel; or
  - b. Captured by off-duty personnel ~~while in uniform~~.

**C. Storage on Department Servers**

1. Photographs, audio and video recordings, and other media that are captured using personal equipment shall be copied to agency equipment **according to normal protocols as soon as possible**.

**D. Restrictions Regarding Use or Distribution**

1. Use and distribution of any photograph, audio or video recording, or other medium that was captured while on duty, or by off-duty personnel in uniform, is restricted. An employee may use or distribute such material for a purpose other than official department business, including use or distribution in publications or social networking Web sites, only if it is requested and obtained in compliance with subsection (D)(2) or other applicable laws and policies (see **PUBLIC RECORDS REQUESTS** and chapter 42.56 RCW).
2. An employee may request permission to use or distribute materials governed by this policy from the commander of the Risk Management Division or designee. The request must be accompanied by a copy of the material(s) to be used or distributed, an explanation of the intended use or distribution, and an explanation



of the contents of the material and/or circumstance under which the material was captured. An employee does not violate this policy if the employee transmits a photograph, audio or video recording, or other medium to another employee for the sole purpose of either employee requesting permission from the commander of the Risk Management Division or designee pursuant to this subsection.

**E. Collective Bargaining Agreements**

1. Nothing in this policy shall be construed to preclude an employee from a communication or transmission of materials that the employee is specifically authorized to make under an applicable collective bargaining agreement.

**Applies to:** All WSP Employees

**See Also:** RCW 42.56; WSP Policy **Public Records Requests**; Applicable Collective Bargaining Agreements

**15.15.010 ACCESS/WACIC/NCIC CERTIFICATION REQUIREMENTS (CALEA 41.3.7)**

**I. POLICY**

**A. Use of ACCESS System**

1. 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 administers all operating phases of the ACCESS system.
2. The ACCESS communications network shall only be used for official law enforcement business. The following rules and policies ensure proper and efficient use of the ACCESS communications system. All users will conform to these policies and rules. Any questions regarding these policies should be referred to the ACCESS Section Manager.

**B. Terminal Agency Coordinator (TAC)**

1. District commanders shall designate a TAC for each district and/or Communications Center and/or detachment or site where an ACCESS terminal is located. The individual designated to function as a TAC shall be responsible to ensure compliance with state and federal policies and regulations, including validation requirements. TACs must maintain ACCESS Level II and TAC certifications. Additionally, the TAC shall participate in and ensure that all appropriate records be available during the triennial audit, which is conducted by the ACCESS/NCIC Audit Staff. Responsibility for proper system usage, user certification, validations, and maintaining proper procedures belongs to the TAC.
2. All terminal users, including PMDC users, must be certified at their appropriate level every two years. The training for both Level I and Level II is a two-year certification. Users must recertify prior to their certification expiration date. This can be accomplished by recertifying online or attending a class.

3. All supervisors of ACCESS users and that are not ACCESS certified must view the Upper Management and Administrative Overview Training once during their career. They must sign a log indicating they viewed the training. The log must be kept with the TAC and be available for review at the audit.
4. All personnel that have physical access to Criminal Justice Information (CJI) that are not ACCESS certified must view the ~~baseline Security Awareness Training~~ **level 1 Criminal Justice Information Services (CJIS) Security Training** once every two years, **available in CJIS Online**. ~~They must sign a log indicating they viewed the training. The log must be kept with the TAC and be available for review at the audit.~~ This includes janitorial staff, all supervisors of ACCESS users that are not ACCESS certified, and all personnel that have access to the terminal areas that are not ACCESS certified.
5. All personnel that have physical and logical access to CJI that are not ACCESS certified must view ~~in addition to the baseline Security Awareness Training, the level two~~ **3 CJIS Security Awareness Training** once every two years, **available via CJIS Online**. ~~They must sign a log indicating they viewed the training. The log must be kept with the TAC or IT point of contact and be available for review at the audit.~~ This includes IT personnel and vendors.

**C. Information Access and Dissemination**

1. Each user must observe any restrictions placed on the use or dissemination of information from the source agency. Policies contained within the ACCESS Operations Manual or other related manuals must be adhered to. Some records may be public information; however, if the information is obtained over the ACCESS system it must be used in the administration of criminal justice.
2. Law enforcement may provide vehicle records to tow operators as specified by Washington State law.

**D. Terminal Security**

1. Security of the terminal site and information received on the terminal is the responsibility of the division/district operating the terminal. Terminal locations must be secure from unauthorized access, and all employees authorized to use the system shall be instructed on the proper use of equipment and the dissemination of information received. Federal and state laws governing the secrecy of communications apply to all messages transmitted over this system.

**E. System Misuse**

1. Persons shall not use any information obtained through the ACCESS system, including all Department of Licensing (DOL) information, for private business or personal reasons or furnish any information so obtained to any other person for such use. Road, weather, and pass information may be disseminated to the general public, as a public service, without restriction.
2. Violations of the rules, regulations, policies, or procedures developed by NCIC and adopted by the Washington State Patrol or any other misuse or abuse of the

system may result in disciplinary measures and/or criminal prosecution. Disciplinary measures may include revocation of individual certification, discontinuance of system access to the department, purging of agency record entries, or criminal prosecution.

3. Upon receipt of a concluded misuse investigation, the division/district commander or designee must notify the ACCESS Section of the following information pertaining to system misuse:
  - a. Employee name
  - b. Allegation
  - c. Founded or unfounded
4. The Criminal Records Division Commander, ACCESS Section Manager, and the division/district commander or designee will make a final decision regarding the future status of the employee's ACCESS certification and/or whether additional training should be scheduled.

**F. Visitor Control and Access to Criminal Justice Information**

1. Only authorized personnel will have access to physically secure non-public locations. All physical access points into Washington State Patrol secure areas will be authorized before granting access.
2. **For All** physical access to secure locations, **Washington State Patrol personnel** shall ensure visitors are escorted at all times ~~and monitor visitor activity.~~ ~~Agencies, district offices, and divisions must maintain visitor access records to the physically secure location that include:~~ **If visitors need unescorted access, they must have completed a fingerprint-based background check and review the Security Training on CJIS Online.**
  - ~~a. Name and agency of the visitor~~
  - ~~b. Form of identification~~
  - ~~c. Date of access~~
  - ~~d. Time of entry and departure~~
  - ~~e. Purpose of visit~~
    - ~~(1) Name and agency of person visited~~
- ~~3. Visitor access records shall be maintained for a minimum of one year. Designated officials within the agency shall review the visitor access records for accuracy and completeness.~~
- 43.** All criminal justice information obtained via ACCESS, in electronic format or paper, must be disposed of when no longer required. Appropriate means of

destruction include shredding or incineration. All destruction must be witnessed or carried out by authorized personnel. Electronic media shall be destroyed by the Information Technology Division.

**Applies to:** All WSP Employees

**See Also:** --

**16.00.020**     **AUTHORIZED UNIFORMS (CALEA 22.2.5, 41.3.4)**

**I. POLICY**

**A. Authorized Uniforms**

1. The department has authorized the following uniforms for troopers and mansion cadets:

**a. Winter Uniform**

- (1) The winter uniform consists of issued pants; long-sleeve shirt; black bow tie or issued navy blue dickey or the same navy color/dickey design long-sleeve turtleneck shirt (divorced of any brand markings); felt campaign hat; black socks; black belt; name plate; badge; marksmanship pin; and black shoes or black boots.
- (2) The long-sleeve shirt shall be worn with either a bow tie or issued dickey or the same navy color/dickey design long-sleeve turtleneck shirt (divorced of any brand markings). The top button of the shirt shall remain unbuttoned when the dickey is worn. Officers have the option of wearing the winter uniform year-round.

**b. Summer Uniform**

- (1) The summer uniform consists of issued pants; short-sleeve shirt; white round-neck T-shirt; straw or felt hat (troopers); black socks; black belt; name plate; badge; marksmanship pin; and black shoes or black boots. Officers have the option of wearing the summer uniform year-round; however, the straw hat may only be worn from April 1 to October 31.

**c. Formal Uniform**

- (1) The formal uniform is the winter uniform. Straw campaign hats, dickeys, and boots are not part of the formal uniform and shall not be worn when the formal uniform is required. The formal uniform shall be worn for superior court appearances, funerals, public speaking engagements, legislative duty, and when directed by the Chief.

**d. Dress Uniform**

- (1) The dress uniform shall consist of the tunic coat, issued pants with blue stripes and gold piping, gun, and gun belt.

- (2) The following accessories shall be on the dress uniform:
  - (a) The Washington State Patrol insignia shall be centered on the blue collar (right side) of the tunic coat one-half inch from the opening.
  - (b) Insignia of rank (TPR for troopers) shall be centered on the blue collar (left side) of the tunic coat one-half inch from the opening.
  - (c) Department-issued badge (left front in badge holder).
  - (d) Gold name plate (right front, aligned with center of badge).
  - (e) Black dress belt with brass Washington State Patrol buckle.
  - (f) Felt campaign hat.
  - (g) Black stockings without design.
  - (h) Black issued shoes.
  - (i) No other accessories shall be worn on the tunic. **Exception:** Honor Guard members shall wear the issued gold Honor Guard badge, white shoulder braid, white gloves, and white belt with brass buckle.
- (3) The dress uniform may be worn to funerals of active or retired department members or active officers of other agencies within the state. The dress uniform may also be worn to formal or semi-formal functions, with prior approval from the appropriate district/section commander (e.g., Governor's Inaugural Ball, Washington State Patrol Memorial Foundation dinner, a formal policeman's ball).

**e. Tactical Uniform**

- (1) The tactical uniform consists of the nylon jump suit, approved baseball cap, issued shoes or boots, badge, firearm, and gun belt with accessories. The tactical uniform shall be worn by officers during training exercises and unusual occurrences, or as directed by the district commander.
- (2) Personal athletic shoes may be added to the tactical uniform only during training in a gymnasium. During unusual occurrences, leather gloves, riot helmet, PR 24 ring, PR 24, and gas mask may be added to the tactical uniform.

**f. Motorcycle Uniform**

- (1) The motorcycle uniform consists of the officers' uniform of the day plus the following issued items:

- (a) Motorcycle helmet
- (b) Traffic whistle with chain
- (c) Motorcycle boots or rocky boots
- (d) Blue long-sleeve turtleneck sweater or dickey
- (e) Breeches
- (f) Motorcycle qualification pin worn above pistol qualification pin
- (g) Motorcycle rain gear
- (h) Aerostich jacket and pants
- (i) Summer or winter riding gloves
- (j) A wash and wear summer uniform

**g. Commercial Vehicle Division Uniform**

- (1) WSP commercial vehicle officers (CVEO, CVO) shall wear uniforms specifically designed for the Commercial Vehicle Division.
- (2) Officers shall be issued summer and winter uniforms. The uniforms shall be tailored and worn as outlined in this chapter.
- (3) Style requirements and list of accessories are on file at the Supply Section.

**h. VIN Specialist/Inspector Clothing**

- (1) VIN specialists/inspectors shall wear clothing designed for the VIN program.
- (2) Officers shall be given a choice between wearing a cotton jump suit or two-piece wash-and-wear clothing as outlined in their bargaining agreement.
- (3) Requirements and a list of accessories are on file with the Supply Section.

**i. Communications Officer Uniform**

- (1) Communications officers shall wear uniforms specifically designed for the Communications Division.
- (2) The uniform style requirements and list of accessories are on file with the Supply Section.

**j. Cadet Training Uniform**

- (1) Cadets who have not yet completed arming training and those cadets currently in the Academy shall wear a uniform specifically for cadets. The uniform shall include navy blue long- and short-sleeve shirts, navy blue pants with black clarino belt, black clarino shoes or boots, baseball cap, and dickie or bow tie.
- (2) The long-sleeve shirt shall be worn with either a bow tie or issued dickey. The top button of the shirt shall remain unbuttoned when the dickey is worn. The short-sleeve shirt shall be worn open-collared with a white round-neck T-shirt. Boots shall only be worn during inclement weather (i.e., snow and ice).

**Applies to:** All Uniformed Employees

**See Also:** --

**16.00.080      UNIFORM ISSUE, REPLACEMENT, OR REPAIR (CALEA 17.5.2, 22.2.5, 41.3.4)**

**I. POLICY**

**A. Issuance of Uniforms**

1. The Supply Section shall be responsible for the issue of all uniform and uniform-related items.

**B. Replacement of Uniforms**

1. Requests for uniform replacement shall be directed to the immediate supervisor using an Equipment Request/Return form for items requested. The supervisor shall inspect the used item and, if approved, forward the request through the district/section commander to the Supply Section.
2. Except as noted below, supervisors shall ensure all uniform items that are no longer serviceable are destroyed and disposed of properly. Uniforms shall have all markings removed prior to disposal. ~~All patches shall be returned to the Supply Section.~~ Items shall be cut up before disposal.
3. ~~When requesting replacement for hats, jackets, rocky boots, and any leather item, the Equipment Request/Return form shall be attached to the item and sent to the Supply Section.~~

**Applies to:** All Uniformed Employees

**See Also:** Equipment Request/Return Form

**17.19.010**      **COMMUTE TRIP REDUCTION**

**I. POLICY**

**A. Commute Trip Encouragement**

1. Because of growing traffic congestion and environmental concerns, employees (except employees subject to emergency call-out/responses) are encouraged to reduce commute trips whenever possible, using carpool, vanpool, mass transit, walking, teleworking, bicycles, or alternate work schedules (see **TELEWORKING**).
2. The department's Commute Trip Reduction Coordinator (CTRC):
  - a. Works with the department's Employee Transportation Coordinators (ETC) and applicable external agencies (e.g., Intercity Transit, Thurston Regional Planning Council, etc.) to satisfy the requirements of the Commute Trip Reduction law.
  - b. Ensures that the mandated Employer Annual Report and biennial survey are completed.
3. An ~~Employee Transportation Coordinator (ETC)~~ will be assigned to each affected worksite ~~employing over 100 full-time employees~~ in the Thurston County area. The ETC:
  - a. Works with the department's ~~Commute Trip Reduction Coordinator (CTRC)~~ to satisfy the requirements of the Commute Trip Reduction law.
  - b. Provides assistance to site employees, exploring possible alternatives for reducing single-occupant vehicle work trips.
  - c. ~~Registers employees for participation in the department's commute trip subsidy program, which includes carpooling, vanpooling, mass transit, ferries, bicycling, and walking to work. Teleworking and the use of alternate work schedules are not included in the subsidy program.~~

**Applies to:** All WSP Employees

**See Also:** RCW 41.04.390, 46.74.010, 70.94.521-551; WSP Policy **Teleworking**; Commute Trip Reduction internal Web site (see <http://iwspsp/sites/TSB/RMD/SPA/Pages/CTR.aspx>)

**20.00.080**      **COLLISION INVESTIGATION** (CALEA 61.2.1, 61.2.2, 61.3.2, 82.2.1, 83.2.1, 83.2.4)

**I. POLICY**

**A. Response to Collisions**

1. Collision investigation is an important function of the department. The public expects officers to conduct a fair and thorough investigation to document



collisions, as well as care for the injured and protect the rights and property of those involved. An integral part of a thorough investigation is interviewing all available participants and witnesses. When practical, each participant and witness should be given the opportunity to provide a written statement. A collision can be an emotional experience for all parties involved. Officers should understand these emotions and conduct themselves and the investigation in an impartial and professional manner.

2. Traffic collisions are investigated to determine the causes of collisions so methods of prevention may be developed, and to determine if evidence exists to support a charge. Enforcement should occur at the scene of the investigation when circumstances allow.
3. Officers shall respond to collisions in their area of responsibility involving death or injury, hit and run, impairment due to alcohol or drugs, damage to publicly owned vehicles/property, disturbances between the occupants, major traffic congestion as a result of a collision, and vehicles reported to be blocking the roadway.

**NOTE:** Areas of responsibility may be defined by agreements between the Chief and city/county officials.

4. Collisions that occur on private property are to be investigated when injury or death occurs, there is impairment due to alcohol or drugs, or there is major property damage (e.g., a tow is required). Communications officers shall advise citizens that if a law enforcement officer does not take a report and if the damage is in excess of \$700 **1,000**, the citizen is required to submit a collision report. District commanders may limit or direct the response to collisions in private parking lots during times of natural disasters or ice/snow emergencies.

## **B. Investigator's Report**

1. A Police Traffic Collision Report shall be completed for every investigated collision involving either of the following:
  - a. Injury to or death of any person.
  - b. Damage to the property of any one person to an apparent extent of \$700 **1,000** or more.
2. Reportable collisions are not limited to those occurring on public roadways.
3. The Police Traffic Collision Report shall be typewritten or printed in black ink or completed using Statewide Electronic Collision and Ticket Online Records (SECTOR) software. Supervisors shall review the reports for clarity and completeness.
4. The first copy of the Police Traffic Collision Report shall be sent to the Washington State Patrol, Collision Records Section, PO Box 47381, Olympia, Washington 98504-7381, within seven days of the date of collision. The second copy shall be retained by the **district**/detachment for two years, and the third copy

shall be kept by the officer for general information references. Collision reports completed and reviewed using SECTOR shall be transmitted electronically to the Washington State Patrol, Collision Records Section, within seven days of the date of collision.

5. Any additional information obtained during a collision investigation which does not have its own case file shall be kept by the investigating officer.

**C. Supplemental Report**

1. When corrections or additions or any question needs to be made, refer to the "General Instructions" in the Police Traffic Collision Report instruction manual. There are different procedures used, dependent on the information involved.

**D. Collision Scene Road Closures**

1. Partial or complete road closures are necessary on occasion. However, the department is charged with promoting the safe, expeditious flow of traffic. Opening the roadway is a primary concern to minimize the risk of additional collisions and/or injuries. The duration of road closures shall be as short as possible.
2. If a felony is involved or the investigation will be complex, Criminal Investigation Division detectives shall be utilized, where available. To facilitate the objective of clearing the roadway as soon as possible, the first officer at the scene shall be responsible for beginning the investigative process (e.g., taking statements, collecting evidence, etc.) and shall not wait for the arrival of certified investigators or Criminal Investigation Division detectives. The investigating officer shall coordinate with other employees as they arrive to avoid duplication of effort.

**E. Collision Memo Submittal**

1. It shall be the responsibility of the investigating officer of any fatality, injury, or major property damage collision to provide Communications with adequate information to complete a Collision Memo. The information shall be submitted by telephone or in person as soon as practical after the officer clears the scene or prior to the end of the officer's shift.
2. Collision Memos shall not be transmitted by mobile radio, except in exigent circumstances.

**F. School Bus Collisions**

1. A Commercial Vehicle Division trooper/commercial vehicle enforcement officer shall be called to the scene of a commercial vehicle-involved collision or School Bus involved collision.
2. If possible, if a School Bus Inspector is on duty, he or she could be called to the scene if a school bus is involved.

**Applies to:** WSP Officers  
**See Also:** RCW 46.52.070; Police Traffic Collision Report

**20.00.100**     **FATALITY – FELONY INVESTIGATIONS** (CALEA 12.1.2, 41.2.4, 42.1.3, 42.2.1, 61.2.1, 61.2.2, 61.2.3, 61.2.4, 81.2.3, 81.2.4, 82.2.1, 82.2.3, 83.1.1, 83.2.1, 83.2.4, 83.2.6)

**I. POLICY**

**A. First WSP Officer on the Scene**

1. The major part of a collision investigation rests with the first officer on the scene. Even if this is not the officer who completes the final report, the responsibilities remain the same. The first officer at the scene of a fatality or felony collision shall advise Communications to notify the detachment supervisor, who shall contact appropriate employees (e.g., certified investigator, Criminal Investigation Division detective, DRE Officer, Major Accident Investigation Team, etc.). The first officer is in command of, and responsible for, the investigation until a supervisor arrives.
2. To clear the roadway quickly, and to avoid future duplication of effort, the first officer at the scene shall begin the investigative process and coordinate with other employees as they arrive. The officer's responsibilities include:
  - a. Protecting the scene.
  - b. Caring for the injured.
  - c. Preserving evidence.
    - (1) Marking movable evidence.
    - (2) Marking or photographing temporary evidence which may disappear (e.g., tire marks in snow).
  - d. Locating involved persons (drivers, passengers, witnesses) and obtaining:
    - (1) Names and birth dates.
    - (2) Addresses.
    - (3) Phone numbers (home and work).
    - (4) Brief statements, including spontaneous remarks. Identify as many people as possible.
  - e. Noting location of people involved.
    - (1) Who was in the vehicles and where?
    - (2) Ask paramedics **Determine** the location of each occupant in the vehicle, if seat belt removed, etc.
  - f. Identifying assisting employees, aid crews, and other police officers. Try to identify the first person to arrive at the scene.

- g. Promptly requesting notification of street/highway department and/or public utilities employees to handle emergency repairs, if needed. Communications Centers maintain current lists for their area of responsibility.
  - h. Requesting coroner or medical examiner, if needed. Coordinating notification with on-scene medical personnel.
  - i. If probable cause exists, making the appropriate arrest at the scene and reading Miranda Rights.
  - j. If probable cause exists to believe the causing driver is intoxicated or impaired, arranging for a blood sample to be taken.
  - k. Noting weather and road conditions.
  - l. Notifying the news media (through the supervisor) to inform motorists of traffic congestion or detours resulting from the collision/incident.
  - m. Obtaining case number from Communications.
  - n. Completing investigator's Police Traffic Collision Report.
  - o. Completing the Collision Investigation forms.
  - p. Completing the Field Diagram form.
  - q. Filling out a Vehicle Inventory Record for any impounded vehicles.
  - r. Staying at scene until relieved.
3. The above criteria is a guideline to a thorough investigation.

**B. Assisting WSP Officers**

- 1. Each collision scene dictates the type of assistance needed to conduct a proper investigation. Any officer assisting at the scene of a collision is important to the investigation. When assigned a task, all appropriate reports or forms shall be completed and forwarded to the investigating officer.
- 2. The officer who accompanies the driver(s) to the hospital should:
  - a. Interview/interrogate:
    - (1) Driver(s) - If driver(s) is a criminal suspect, ensure Miranda Rights are given prior to interrogation.
    - (2) Passenger(s).
    - (3) Paramedics (e.g., what medications given, any statements made to them).

- b. Make observations:
  - (1) Note odor of intoxicants.
  - (2) Note speech and demeanor.
- c. Collect evidence:
  - (1) Coordinate with officer at the scene to develop probable cause in criminal cases.
  - (2) Obtain blood (and urine, if appropriate) from suspects, if appropriate. Take possession; mark and identify sample(s); include name of suspect. (Refer to the **BLOOD/URINE SAMPLE RETRIEVAL** policy.)
  - (3) Obtain clothing (if appropriate) from suspect and/or victim.

**C. Supervisor's Responsibility**

- 1. Supervisors are responsible for coordinating fatality and felony collision investigations. The detachment supervisor responds to the scene of such collisions to assist in the investigation. Clearing the roadway is a primary concern, but a proper investigation must not be jeopardized by losing or destroying evidence at a felony crime scene by prematurely opening the scene to traffic.
- 2. The on-scene supervisor shall notify the local Criminal Investigation Division (CID) supervisor of all potential felony collisions. The CID supervisor will determine whether an immediate CID response is required.
- 3. The detachment supervisor shall track the investigation and keeps commanders and Communications advised of status changes. The detective supervisor shall keep the local district advised of the case status, if a detective is assigned to the case.
- 4. Supervisors shall review the case file at the end of the investigation for completeness and accuracy. When criminal charges are possible, the supervisor shall forward copies of the investigator's report and all collision report forms to the local prosecutor. The supervisor shall maintain contact to monitor the case disposition (i.e., charges filed, final disposition). When all criminal proceedings are completed, the supervisor shall notify the division/district commander of the outcome.

**D. Detective's Responsibility**

- 1. Where available, a detective is assigned to a follow-up investigation if there is evidence of a felony. Follow-up investigations are assigned as outlined in the **PRELIMINARY AND FOLLOW-UP INVESTIGATION** policy.
- 2. In districts with CID detectives, the supervisor shall transfer responsibility for felony investigations to them. Field officers shall remain the responsibility of the

field supervisor. Detectives shall closely coordinate their activities with the field supervisor while at the scene.

**E. Collision Investigation Forms**

1. Officers shall have a access to collision investigation forms, either electronically or in a packet, containing the forms listed below:

Investigation Check List	Collision Investigation— Witness and General Information
Collision Investigation— Driver/Occupant Information	Collision Investigation—Vehicle Information
Field Diagram	WSP Spot Diagram/ Measurement Information
DUI Packet	Vehicle Inventory Record
Property/Evidence Report	Tape Recorded Defendant/Witness Statement Form
Case Report/Witness/Suspect	Consent to Search Waiver— English/Spanish (Form)
Report of Investigation	Supplemental Report of Investigation

2. These forms should be accessible electronically or packaged together in a manila envelope. During an investigation, each form shall be identified by case number. On felony or potential felony investigations, preliminary reports shall be submitted prior to going off shift.

**F. Minimum Reporting Requirements**

1. When there is no major property damage or indication of homicide or suicide, the minimum requirements for a one-vehicle, driver-causing, fatality collision with no occupant passengers are:
  - a. Preliminary collision reports.
  - b. A Police Traffic Collision Report.
  - c. Vehicle Inventory Record.
  - d. Field Diagram form.
  - e. Witness Statement.

- f. A narrative report containing synopsis and details of the collision.
- g. Spot Diagram/Measurement Information.
- h. Autopsy report/death certificate.
- i. Toxicology report.
- j. Supplemental collision report, when applicable.
- k. Photographs.

**Applies to:** WSP Officers  
**See Also:** RCW 46.20.308; WSP Policies **Blood/Urine Sample Retrieval; Preliminary and Follow-Up Investigation**

**20.00.110**     **HIT-AND-RUN INVESTIGATIONS (CALEA 42.1.3, 42.2.1, 61.2.1, 61.2.2, 81.2.3, 82.2.1, 82.2.3, 83.2.1, 83.2.4, 83.3.1)**

**I. POLICY**

**A. Documentation of Hit-And-Run Collisions**

- 1. A hit-and-run collision involves damage to property or other vehicles, or death or injury in which an involved driver leaves the scene of the collision without providing the proper information. This includes collisions both on public highways and private property. All such collisions are investigated.
- 2. All hit-and-run collisions are:
  - a. Assigned a case number by Communications.
  - b. Documented in a case file.
- 3. Case file procedures are outlined under **CASE FILING SYSTEM**.
- 4. Preliminary investigations are made on all reported hit-and-run collisions. Complete the Police Traffic Collision Report on all hit-and-run collisions (i.e., collisions on public roadways and private property) involving either injury or death to any person or damage to one person's property of \$7001,000 or more. (If hit-and-run collisions involve serious injury or death, utilize Criminal Investigation Division detectives.)
- 5. Vehicles causing collisions without actually contacting other vehicles are considered involved in the collision. The driver of such a vehicle who fails to stop may be charged with hit-and-run. Drivers of such vehicles may not know they were involved, and probable cause must be present in order to file charges. Consult local prosecutors to determine whether follow-up investigation is warranted in these cases.

**B. Physical Evidence**

1. Physical evidence important to a hit-and-run investigation includes, but is not limited to:
  - a. Paint samples
    - (1) Loose paint chips and a paint sample in the areas damaged due to the incident from the running vehicle.
    - (2) A paint sample from the victim's vehicle.
    - (3) Chips and/or smeared areas that contain paint transfer.
  - b. Parts or glass fragments or other trace evidence from the running vehicle.
  - c. Dirt from the running vehicle.
  - d. Blood, hair, tissue, or clothing samples of an involved pedestrian.
  - e. Detail of skid marks, tire prints, or relevant pattern impressions should be photographed. Include a scale.
2. In some cases, a supervisor may have the traffic officer do both the preliminary and follow-up investigation.

**C. Use of Logs**

1. The Detachment Collision Log is used by the detachment supervisor to follow the status of hit-and-run collisions investigated by detachment employees.
2. Cases are sometimes assigned to detectives, where available. Any reassignment of a case is noted on all logs.
3. Investigated hit-and-run collisions are assigned case numbers for recordkeeping purposes. A case file is established on each such collision. Case file procedures are outlined in the **CASE FILING SYSTEM** policy.

**D. Follow-Up Investigations**

1. If any of the following criteria is met, a follow-up investigation is mandatory:
  - a. There is significant physical evidence.
  - b. The suspect vehicle can be identified.
  - c. The collision involved an injury, fatality, or other felony.
  - d. A suspect can be identified.
  - e. A suspect was arrested.



2. If none of the criteria are available, the investigation becomes inactive and remains in that status, unless further information is available that could assist in completing the investigation.
3. If the investigator feels a collision may be successfully investigated, even though none of the criteria are met, the supervisor may approve follow-up investigation.
4. When the investigation is complete, the supervisor reviews the case and forwards it to the prosecutor, if charges are to be recommended.

**E. Traffic Officer's Responsibility**

1. When beginning a hit-and-run investigation, obtain a case number from Communications. Complete the preliminary investigation of the hit-and-run case. For felony hit-and-run collisions, request a certified investigator for assistance. As soon as possible, provide Communications with all available information to complete the Master Log.

**F. Supervisor's Responsibility**

1. The supervisor tracks hit-and-run collisions through the Detachment Collision Log. Other responsibilities include ensuring pertinent additional data is submitted on a supplementary report and ensuring Communications is aware of any changes in the status of a hit-and-run investigation which would be pertinent to the Master Log.
2. The detective supervisor keeps the local district advised of the status of the case. If the case is not assigned to a detective, the detachment sergeant supervises the investigation.
3. If the case is placed on inactive status, the supervisor notifies the division/district commander.

**G. Commander's Responsibility**

1. Individuals involved in hit-and-run collisions are notified of the status of investigations through the commander's use of the "Case Status Letter" or by the investigating officer (documentation of notification is required within the officer's Report of Investigation). Case Status Letter files are maintained at the districts.

**Applies to:** WSP Officers

**See Also:** WSP Policy **Case Filing System**

**20.00.140     AUDIO RECORDINGS (CALEA 42.2.1, 83.2.1)**

**I. POLICY**

**A. Use of Recording Devices**

1. Use of recording devices shall be in strict accordance with the following guidelines:

- a. Recording devices may be used during interviews or interrogations only when the consent of all persons engaged in the conversation is first obtained.
- b. Interviews or interrogations begin with the time, date, and location.
- c. Each voice recorded on the tape **recording device** is identified by the name and address of the person speaking.
- d. If appropriate, record Constitutional Rights prior to obtaining a suspect's statement. If recording, ensure advisement is also recorded.
- e. State the time at the conclusion of the interview.
- f. The ~~Tape~~ Recorded Defendant/Witness Statement form is available for this process.
- g. All investigative photographs, negatives, audio tapes, and video ~~tapes~~ **recordings and electronic data** should be placed in a sealed envelope and stored in the Case File Tracking envelope, **an electronic file**, or attached to the pressboard binder. DO NOT enter as evidence. If any of the items DO become evidentiary, then they should be handled as evidentiary property.

**Applies to:** WSP Officers

**See Also:** **WSP Policy Mobile/In-Car Video**; Tape Recorded Defendant/Witness Statement Form

**22.00.040**     **VEHICLE RECOVERIES – REPORTING (CALEA 81.2.4, 82.2.1)**

**I. POLICY**

**A. Recovery of Stolen Vehicles**

1. When stolen vehicles are recovered, the following procedure shall be followed:

**II. PROCEDURES**

**A. Abandoned Stolen Vehicles**

1. Communications shall confirm the stolen "hit" with the originating agency.
2. Officers shall advise Communications of the location and condition of the vehicle and any related circumstances. Communications shall place a "recovery message" in the WACIC/NCIC file and notify the originating agency and the Criminal Investigation Division (CID) Auto Theft Section. The investigating agency shall call the reporting party with the above information to allow him/her the opportunity to take possession of the vehicle, unless it must be held for investigative purposes. If the owner is unavailable, the vehicle shall be impounded for safekeeping, regardless of the information contained on the theft report. All attempts to contact the owner shall be documented.

3. Officers shall collect all information reasonably available at the scene, using investigative techniques. The most current Motor Vehicle Recovery Report form found on the WSP Intranet shall be completed, outlining the circumstances, evidence, and other information that may be used by the originating investigating law enforcement agency. Officers shall indicate the stolen vehicle recovery on the Time and Activity Report.
4. When a recovered stolen vehicle in the possession of the department is to be released to the owner or the owner's authorized agent, a Hold Harmless Agreement form shall be completed. Only an officer in a supervisory position shall have the authority to release a recovered stolen motor vehicle.
5. Communications shall be notified of the storage location (if applicable), date of release (if applicable), person who released, and the case number (not property number) for inclusion in the WACIC/NCIC "recovery message."
6. Distribution of copies of the Motor Vehicle Recovery Report form is as follows:
  - a. The original shall be forwarded to the immediate supervisor within 48 hours of the recovery for review and approval.
  - b. After review and approval, the supervisor will forward one copy through the chain of command to the CID Auto Theft Section and one copy to the originating agency. Supervisors shall be responsible for the timely submission to ensure the report is received by the CID Auto Theft Section within ten calendar days of vehicle recovery.
  - c. One supervisor-approved copy shall be retained in the case file at the district/detachment. Once the case file is completed, the entire case file shall be sent to the district public disclosure coordinator.
  - d. Officers shall maintain photocopies **or electronic copies** for their records.
7. Appropriate notations shall be indicated on the bottom portion of the Motor Vehicle Recovery Report form indicating distribution of forms.

**B. Occupied Stolen Vehicle**

1. After securing and arresting the possessor of the vehicle as appropriate, the investigating officer shall follow the same reporting procedure as listed for abandoned stolen vehicles.
2. The officer shall provide Communications with the driver and occupant information for inclusion in the WACIC/NCIC "recovery message" sent to the originating agency and the CID Auto Theft Section. The officer shall make immediate notification to the regional CID Auto Theft Unit supervisor for possible response and follow-up.
3. In addition to the required distribution of the Motor Vehicle Recovery Report outlined in **Abandoned Stolen Vehicles**, the primary investigator shall gather the necessary documentation to be included in the case file for submission to the appropriate prosecutor for a charging decision. All cases shall be reviewed and

approved by the supervisor for accuracy, completeness, and inclusion of the necessary elements of the crime prior to submission to the prosecutor.

**C. Stolen Vehicle – Vehicle Identification Number (VIN) Removed, Altered, Defaced, or Destroyed**

1. After securing and arresting the possessor of the vehicle as appropriate, the investigating officer shall provide Communications with the available information outlined in **Abandoned/Occupied Stolen Vehicles** for inclusion in the WACIC/NCIC “recovery message.” The officer shall also make immediate notification to the regional CID Auto Theft Unit supervisor for possible response and follow-up.
2. If CID Auto Theft is unavailable to respond, using investigative techniques, the officer shall collect all information/evidence reasonably available at the scene.
3. When the on-scene investigation is completed, the vehicle shall be transported to the nearest Washington State Patrol bullpen following prescribed evidence procedures. The CID Auto Theft Unit supervisor will coordinate the identification of the vehicle, notifications to the VIN Program coordinator, and the subsequent investigation.
4. Within two working days, the local VIN Specialist and regional Auto Theft Unit supervisor shall be provided the supervisor-approved recovering officer’s report, outlining the circumstances, evidence, and any other information that would assist with the identification of the vehicle and further investigation.
5. Once the vehicle owner is positively identified, if applicable, a Motor Vehicle Recovery Report shall be completed in compliance with timelines outlined in **Abandoned/Occupied Stolen Vehicles** by the assigned primary investigator. The responsible supervisor shall ensure the name of the officer who positively identifies the vehicle as stolen is indicated in the “Recovery By” section of the form.
6. The primary investigator’s supervisor shall ensure the required notifications, the report completion, and the dissemination of the Motor Vehicle Recovery Report **in accordance with this regulation.**
7. **No vehicle held in evidence with a VIN removed, altered, defaced, or destroyed shall be released prior to being properly renumbered by the VIN Specialist and after written approval by the VIN Program coordinator.**

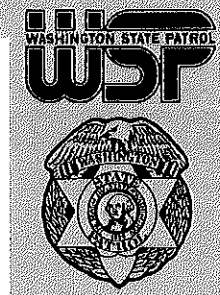
**Applies to:** All WSP Employees

**See Also:** Motor Vehicle Recovery Report; Hold Harmless Agreement

# INTEROFFICE COMMUNICATION

## WASHINGTON STATE PATROL

TO: All Employees  
FROM: Chief John R. Batiste  
SUBJECT: Regulation Manual Revision  
DATE: August 31, 2015



### GENERAL ORDER 15-002

General Order 15-002 is now available on Inside WSP within the *2015 Regulation Manual* at the following URL: <http://iwsp/sites/TSB/RMD/Pages/Regulation%20Manual.aspx>

General Order 15-002 contains revisions to existing policies and three new policies in the *2015 Regulation Manual*:

- 5.00.010 WORKPLACE SAFETY
- 5.00.020 BLOODBORNE PATHOGENS
- 5.00.030 AIRBORNE DISEASES
- 5.01.010 WELLNESS PROGRAM (NEW POLICY)
- 5.01.020 ERGONOMICS
- 5.01.040 SUPPORTING BREASTFEEDING EMPLOYEES AT WORK (NEW POLICY)
- 9.01.050 FIRE PROTECTION BUREAU (FPB) (CALEA 11.1.1, 11.2.2, 46.1.1)
- 11.01.030 EDUCATION VERIFICATION
- 11.06.010 MILITARY RESERVE/NATIONAL GUARD (CALEA 22.2.1, 22.2.8)
- 15.08.010 PORTABLE RADIOS (CALEA 22.2.5, 81.3.4)
- 17.19.010 COMMUTE TRIP REDUCTION
- 20.00.115 EYEWITNESS IDENTIFICATION (CALEA 42.2.11, 42.2.12) (NEW POLICY)
- 20.00.135 EMPLOYEE RESPONSIBILITIES WHEN INVOLVED IN COLLISIONS
- 20.01.020 VEHICLE COLLISIONS AND INCIDENTS, EMPLOYEE CONTACT WITH COLLISION VICTIMS
- 22.00.050 FIELD INFORMATION REPORTS (FIR) (CALEA 41.2.4, 42.1.6, 46.3.2, 82.2.1, 82.2.4, 83.2.1)
- 22.00.060 CHILD AND ADULT-DEPENDENT ABUSE REPORTING GUIDELINES (CALEA 55.2.2)

Commanders are responsible for distributing the General Order to all employees under their command. Employees are responsible for reading and understanding the new policies.

Employees shall acknowledge receipt of this General Order by signing a Directive Control Sheet. The signed Directive Control Sheet shall be maintained by the division/district as required by the retention schedule.

JRB:tlu  
Attachments



**5.00.010**      **WORKPLACE SAFETY**

**I. POLICY**

- A. This policy will be applied in a manner consistent with the Department of Labor and Industries Safety and Health Rules and any relevant federal regulations, RCWs, WACs, and collective bargaining agreements and in conjunction with all procedures located in the Human Resource Division *Safety and Wellness Manual*.
  - 1. The Washington State Patrol places a high value on the safety of its employees. The Washington State Patrol is committed to providing a safe workplace for all employees and has developed this program for injury prevention to involve management, supervisors, and employees in identifying and eliminating hazards that may develop during our work process.
  - 2. Employees are required to comply with all agency safety rules and are encouraged to actively participate in identifying ways to make our agency a safer place to work.
  - 3. Supervisors are responsible for the safety of their employees and as a part of their daily duties must check the workplace for unsafe conditions, watch employees for unsafe actions, and take prompt action to eliminate any hazards.

**Applies to:** All WSP Employees

**See Also:** Department of Labor and Industries Safety and Health Rules; applicable Collective Bargaining Agreements; Human Resource Division *Safety and Wellness Manual*

**5.00.020**      **BLOODBORNE PATHOGENS**

**I. POLICY**

**A. Exposure Control Plan**

- 1. It is the policy of the Washington State Patrol to eliminate or minimize occupational exposure to bloodborne pathogens by maintaining an Exposure Control Plan, contained within the agency's Accident Prevention Plan, the *Safety and Wellness Manual*.
- 2. Employees who have occupational exposure to blood or other potentially infectious material (OPIM) must follow the procedures and work practice controls contained in the Exposure Control Plan that is located in the Human Resource Division *Safety and Wellness Manual*.

**B. Exposure Determination**

- 1. The following employees have occupational exposure to blood or other potentially infectious material (OPIM) and are eligible for HBV vaccinations, issued/access to Quickits, and are provided annual training (see the Human Resource Division *Safety and Wellness Manual*):

- a. Commissioned employees
- b. Commercial vehicle enforcement officers and commercial vehicle officers
- c. Crime Laboratory personnel
- d. Toxicology Laboratory personnel
- e. Property and Evidence Custodians
- f. Fingerprint Technicians
- g. Fire Protection Bureau employees with field exposure
- h. Vehicle Identification Number Inspectors
- i. Trooper cadets
- j. Breath Test Technicians
- k. Equipment Technicians
- l. Maintenance Mechanic 1
- m. Custodian 2
- n. Property Management employees with field exposure
- o. Electronic Services Division employees with field exposure
- p. Information Technology Division employees with field exposure
- q. Electronic Services Division employees who work on patrol vehicles
- r. Information Technology Division employees who work on patrol vehicles
- s. Property Management Division employees who work on patrol vehicles

**Applies to:** All WSP Employees

**See Also:** Applicable Collective Bargaining Agreements; Human Resource Division *Safety and Wellness Manual*

**5.00.030**      **AIRBORNE DISEASES**

**I. POLICY**

**A. Exposure Control Plan**

- 1. It is the policy of the Washington State Patrol to eliminate or minimize occupational exposure to airborne diseases by maintaining an Exposure Control Plan, contained within the agency's Accident Prevention Plan, the *Safety and Wellness Manual*.

2. Employees who have occupational exposure to Tuberculosis (TB) and/or other airborne diseases (i.e., hantavirus) must follow the procedures and work practice controls contained in the Exposure Control Plan that is located in the Human Resource Division *Safety and Wellness Manual*.

**B. Exposure Determination – Tuberculosis**

1. The following job classes are eligible for annual skin testing, issued respirators, and annual training and fit-testing (see the Human Resource Division *Safety and Wellness Manual*):
  - a. Commissioned employees
  - b. Commercial vehicle enforcement officers and commercial vehicle officers
  - c. Fingerprint Technicians who respond to autopsies
  - d. Breath Test Technicians
  - e. Fire Protection Bureau employees with field exposure
  - f. Trooper cadets
  - g. Crime Scene Response Team (CSRT)
  - h. Toxicology Laboratory personnel

**C. Exposure Determination – Other Airborne Pathogens**

1. The following job classes with occupational exposure to airborne diseases (other than TB) are eligible for annual training and fit-testing and are issued respirators (see the Human Resource Division *Safety and Wellness Manual*):
  - a. Commissioned employees
  - b. Commercial vehicle enforcement officers and commercial vehicle officers
  - c. Maintenance Mechanic with field exposure
  - d. Custodian with field exposure
  - e. Trooper cadets
  - f. Fire Protection Bureau employees with field exposure
  - g. Fingerprint Technicians
  - h. Vehicle Identification Number Inspectors
  - i. Information Technology Division employees with field exposure
  - j. Electronic Services Division employees with field exposure



- k. Property Management employees with field exposure
- l. Crime Scene Response Team (CSRT)
- m. Toxicology Laboratory personnel
- n. Property and Evidence Custodians

**Applies to:** All WSP Employees

**See Also:** Applicable Collective Bargaining Agreements; Human Resource Division *Safety and Wellness Manual*

**5.01.010**      **WELLNESS PROGRAM**

**I. POLICY**

- A. This policy will be applied in a manner consistent with Washington Wellness initiatives; Healthy Nutrition Guidelines set by the Washington State Department of Health; any relevant federal regulations, RCWs, WACs, and collective bargaining agreements; and in conjunction with all procedures located in the Human Resource Division *Safety and Wellness Manual*.
  - 1. The Washington State Patrol is part of Team WorkWell through the state wellness program, Washington Wellness, under the authority of the Health Care Authority. The expectations of Team WorkWell are to support and promote policies and activities that fall within four main areas:
    - a. Increasing physical activity
    - b. Improving healthy eating and food selection
    - c. Living tobacco-free
    - d. Utilizing preventive care services effectively

**Applies to:** All WSP Employees

**See Also:** Applicable Collective Bargaining Agreements; Washington Wellness Initiatives; Healthy Nutrition Guidelines; Human Resource Division *Safety and Wellness Manual*

**5.01.020**      **ERGONOMICS**

**I. POLICY**

- A. This policy will be applied in a manner consistent with the Department of Labor and Industries Safety and Health Rules; any relevant federal regulations, RCWs, WACs, and collective bargaining agreements; and in conjunction with all procedures located in the Human Resource Division *Safety and Wellness Manual*.

**Applies to:** All WSP Employees

**See Also:** Applicable Collective Bargaining Agreements; Department of Labor and Industries Safety and Health Rules; Human Resource Division *Safety and Wellness Manual*

**5.01.040**      **SUPPORTING BREASTFEEDING EMPLOYEES AT WORK**

**I. POLICY**

- A. This policy will be applied in a manner consistent with The Patient Protection and Affordable Care Act of 2010; Section 7 of the Fair Labor Standards Act; Governor's Executive Order 13-06; The Pregnancy Discrimination Act of 1978; and in conjunction with all procedures located in the Human Resource Division *Safety and Wellness Manual*.
- B. Employers are required to protect breastfeeding in the workplace since the passage of the Patient Protection and Affordable Care Act of 2010. Section 7 of the Fair Labor Standards Act requires employers to provide reasonable break time for an employee to express breast milk for her nursing child. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion by coworkers and the public, which may be used by an employee to express breast milk.

**Applies to:** All WSP Employees

**See Also:** Applicable Collective Bargaining Agreements; The Patient Protection and Affordable Care Act of 2010; Section 7 of the Fair Labor Standards Act; Governor's Executive Order 13-06; The Pregnancy Discrimination Act of 1978; Human Resource Division *Safety and Wellness Manual*

**9.01.050**      **FIRE PROTECTION BUREAU (FPB) (CALEA 11.1.1, 11.2.2, 46.1.1)**

**I. POLICY**

**A. Organizational Units in the Fire Protection Bureau:**

- 1. The Fire Protection Bureau is headed by the State Fire Marshal (bureau director), who reports directly to the Deputy Chief and commands the following organizational units:
  - a. **Prevention Division**
    - (1) Licensing (Fireworks, Sprinklers, and Fire Safe Cigarettes)
    - (2) Inspections
    - (3) Plan Review
    - (4) Data Collection
    - (5) Novelty Lighters
    - (6) Basic Firefighter Training Program
    - (7) Standards and Accreditation
    - (8) Mobilization
    - (9) Hazardous Materials (HazMat)

**b. Fire Training Academy (FTA) Division**

- (1) Firefighter Training
- (2) Aircraft Rescue Firefighter Training
- (3) Marine Firefighter Training
- (4) Specialty/Technical Training

**Applies to:** All WSP Employees

**See Also:** --

**11.01.030 EDUCATION VERIFICATION**

**I. POLICY**

**A. Human Resource Division Responsibilities**

1. The Washington State Patrol Human Resource Division (HRD) is required to verify education on current and potential employees being considered for positions within the agency. Prior to being provided a job offer, education must be verified for position-required and applicant-specified education as outlined in the education verification procedures in the *Human Resource Division Standard Operating Procedures Manual*.
2. HRD is required to verify education for incentive pay requests for commissioned personnel as outlined in the education verification procedures.
3. If official transcripts and school accreditation have previously been verified as established by current policy/procedure, there is no need to solicit and/or verify transcripts.
4. The state of Washington recognizes degrees from U.S. colleges and universities whose accreditations are recognized by the U.S. Department of Education (USDE) <http://ope.ed.gov/accreditation/> and/or the Council for Higher Education Accreditation (CHEA) <http://www.chea.org> or <http://www.chea.org/search/default.asp>. HRD solicits and receives official sealed educational transcripts and verifies accreditation as recognized by USDE and/or CHEA or the National Association of Credential Evaluation Services (NACES) which evaluates foreign degree equivalencies as outlined in the education verification procedures.

**Applies to:** All WSP Employees and Applicants of the Washington State Patrol

**See Also:** *Human Resource Division Standard Operating Procedures Manual*

**11.06.010**      **MILITARY RESERVE/NATIONAL GUARD (CALEA 22.2.1, 22.2.8)**

**I. POLICY**

**A. Submission of Assignment Information to the Budget and Fiscal Services Payroll Unit**

1. Employees who are members of the military reserve or National Guard will annually submit names, addresses, and telephone numbers of their unit of assignment through the chain of command to the Budget and Fiscal Services (BFS) Payroll Unit on or before September 15 of each calendar year.
2. Upon transfer, promotion, or completion of formal military training programs, copies of certificates or orders will be sent to the Human Resource Division (HRD).

**B. Requests for Military Leave**

1. Unless precluded by military necessity, employees will submit scheduled military service or training dates, including annual training, at least 30 days in advance. Requests for military leave may be approved before receiving written orders or the training schedule, but a copy of either will be attached to the leave form when sent to HRD and the BFS Payroll Unit.

**C. Military Pre-Deployment**

1. Supervisors of employees departing on military leave exceeding 90 calendar days or more shall ensure the employee returns the following issued equipment to their division/district commander prior to the employee leaving on military leave:
  - a. All issued department weapons, including firearms and Electronic Control Weapons (Taser).
  - b. Issued department vehicle with vehicle issued equipment, including all issued electronic equipment installed in the vehicle (laptop, tablets, printers, radios, cameras, radars).
  - c. Issued portable radios.
  - d. Employee identification cards as well as badges are **not** required to be turned in.
  - e. Department canines will be either reassigned or retired upon the discretion of the canine training unit.
2. The supervisor will utilize the Vehicle Transfer/Assignment Sheet and the Notice of Receipt or Transfer of Tagged/Tracked Asset(s) to document these items on. The division/district commander will designate where to store the equipment and who to assign the equipment to. The division/district commander has discretion to require the equipment to be turned in earlier than ninety (90) calendar days.

**Applies to:** All WSP Employees  
**See Also:** Vehicle Transfer/Assignment Sheet; Notice of Receipt or Transfer of Tagged/Tracked Asset(s)

**15.08.010**      **PORTABLE RADIOS (CALEA 22.2.5, 81.3.4)**

**I. POLICY**

**A. Officers With Portable Radios**

1. Uniformed officers issued a portable radio and radio case shall maintain access to radio communication. Officers shall notify Communications of their location when leaving the vehicle for extended periods and when the portable radio is the only means of communication.
2. Officers may encounter areas of limited to no reception during the course of their duties. Due to the nature of radio communications, these areas may be known and may also shift due to a variety of environmental factors. When an officer is unable to clearly communicate via portable radio in these conditions, they should first attempt to communicate using the mobile radio. If this is not successful, they should consider the use of the Premier Mobile Data Computer (PMDC) or, as a last resort, cellular telephone. If none of these options are reasonable, officers must rely on their training, experience, and professional judgment.
3. When the portable is monitored in a public establishment, the volume should not be offensive or disturbing to others. Only one portable radio should be turned on.
4. Portable radios shall not be worn for formal occasions (funerals, ceremonies, etc.) or when directed by the Chief.

**B. Transfers**

1. When an officer transfers, the portable radio transfers with him/her, except when the radio was purchased with dedicated funding and cannot be transferred. In these cases, the portable radio shall be turned in to the Electronic Services Division (ESD) for reissue. The officer transferring will be issued another portable radio by ESD. In accordance with **RETURN OF ISSUED EQUIPMENT**, a Notice of Receipt or Transfer of Tagged/Tracked Asset(s) will be completed for each portable radio turned in or issued.

**C. Radio Maintenance**

1. All employees with an assigned portable radio shall have the radio checked for proper operation by an ESD technician every twelve months. The employee shall schedule this annual maintenance with the local technician. Supervisors shall inspect the Preventative Maintenance Inspection (PMI) tag on the portable radio at the annual equipment inspection and note the last PMI date on the inspection form. The last PMI tag date shall not be more than thirteen months old. This allows for a 30-calendar-day grace period to accomplish the PMI.
2. Division/district commanders are responsible to ensure their employees comply with this policy.

**Applies to:** WSP Officers

**See Also:** WSP Policy **Return of Issued Equipment**; Notice of Receipt or Transfer of Tagged/Tracked Asset(s)

**17.19.010**      **COMMUTE TRIP REDUCTION**

**I. POLICY**

**A. Commute Trip Encouragement**

1. Because of growing traffic congestion and environmental concerns, employees (except employees subject to emergency call-out/responses) are encouraged to reduce commute trips whenever possible, using carpool, vanpool, mass transit, walking, teleworking, bicycles, or alternate work schedules (see **TELEWORKING**).
2. The department's Commute Trip Reduction Coordinator (CTRC):
  - a. Works with applicable external agencies (e.g., Intercity Transit, Thurston Regional Planning Council, etc.) to satisfy the requirements of the Commute Trip Reduction law.
  - b. Ensures that the mandated Employer Annual Report and biennial survey are completed.
  - c. Provides assistance to Washington State Patrol employees, exploring possible alternatives for reducing single-occupant vehicle work trips.
  - d. Registers employees for participation in the department's commute trip subsidy program.

**B. Commute Trip Subsidy**

1. To qualify for a subsidy, employees must use an alternate mode of transportation round trip to work and back at least 8 days each month. "Alternate mode of transportation" is defined as riding public transit (bus, ferry, train), carpooling, vanpooling, bicycling, or walking.
2. Commute options not eligible for a CTR subsidy: Driving alone in a vehicle or on a motorcycle; carpooling with children not of legal driving age; getting a ride from someone who then returns home; participating less than 80 percent of the commute distance in a CTR eligible mode; or leaving work to pick up a coworker and returning to the worksite.
3. Telecommuting and compressed or alternate workweeks are not qualifiers for alternate modes of transportation.
4. In order to receive a CTR subsidy, the employee must **first** complete a Commute Trip Reduction (CTR) Registration form and submit it to the WSP CTRC at [CTRSubsidy@wsp.wa.gov](mailto:CTRSubsidy@wsp.wa.gov).
5. The employee must create a RideShareOnline account for tracking commutes by alternate mode (instructions are located on the registration form).

**Applies to:** All WSP Employees

**See Also:** RCW 41.04.390, 46.74.010, 70.94.521-551; WSP Policy **Teleworking**; Commute Trip Reduction internal Web site; Commute Trip Reduction (CTR) Registration Form

**20.00.115      EYEWITNESS IDENTIFICATION (CALEA 42.2.11, 42.2.12)**

**I. DEFINITIONS**

- A. Physical Lineup** – A procedure allowing an eyewitness to view a number of subjects bearing similar physical characteristics in an effort to identify the perpetrator of a crime. The suspect may or may not be present in the lineup.
- B. Photographic Lineup** – A procedure allowing an eyewitness to view photographs of a number of subjects bearing similar physical characteristics in an effort to identify the perpetrator of a crime. The photograph of the suspect of the crime may or may not be included in the lineup.
- C. Showup** – A procedure whereby an eyewitness is transported to the location where the suspect is detained to determine identification. This procedure is only used when a lineup is not practical and a prompt display is necessary.
- D. Independent Administrator** – The individual conducting the lineup who has no knowledge as to the identity of the suspect.
- E. Filler** – Members of a lineup (not the suspect) who generally fit the physical description of the suspect.
- F. Sequential Viewing** – Individuals or photographs presented to the witnesses separately, in a predetermined order, removing each individual or photograph after it is viewed.
- G. Simultaneous Viewing** – Individuals or photographs presented to the witnesses at the same time.

**II. POLICY**

- A.** The procedures outlined below provide a method to present suspects or suspect photographs to eyewitnesses of a crime in an attempt to produce reliable and accurate evidence. These procedures are supported by experts in social science research.

**III. PROCEDURES**

**A. Photographic Lineups**

1. Separate witnesses and give each the instructions listed on the Eyewitness Identification Admonition form. Witnesses should not be allowed to confer with each other at any time before, during, or after the viewing.
2. Ideally, an independent administrator will be used to conduct the lineup, unless circumstances dictate otherwise. In this case, photographs should be presented sequentially.
3. If an independent administrator is not used, photographs should be presented simultaneously. The investigating officer must exercise extreme caution to avoid inadvertent signaling to the witness as to the identification of the suspect.

4. With the exception of assigned counsel (as required by law), no one should be present during the viewing that knows the identity of the suspect.
5. A minimum of five fillers per suspect should be included in a photographic lineup. If multiple suspects match the identification of the perpetrator, at least five fillers per suspect should be used.
6. Fillers should resemble the witness's description of the perpetrator in significant features (face, profile, height, weight, build posture, gait, voice, specific articles of clothing, etc.). If the perpetrator was described as having an unusual identifying mark, all fillers should have similar markings or have markings covered.
7. The first lineup photograph shown should be a filler. Research suggests that witnesses are reluctant to identify the individual in the first position.
8. If multiple witnesses will be viewing the photographic lineup, place the suspect in a different position for each viewing and place the fillers randomly.
9. Witnesses should not know how many individuals will be presented during a sequential lineup and should be shown all individuals, even if the witness makes an identification before the last individual is shown.
10. Allow witnesses to view the lineup a second time only at their request. If a witness asks to see an individual a second time, do allow them; however, if they want to see more than one individual, repeat the entire presentation.
11. The administrator should not give witnesses any feedback regarding the individual selected or comment on the outcome of the procedure in any way.
12. At a minimum, administrators should document the following:
  - a. Date, time and location of viewing
  - b. Name of administrator
  - c. Names of those present during the procedure
  - d. Procedure employed (sequential or simultaneous)
  - e. Number of individuals shown
  - f. Source of photographs (if used)
  - g. Order of individuals or photographs shown
  - h. Number of times the lineup was viewed
  - i. Results of presentation
  - j. Witnesses' own words regarding how certain they are on their selection
  - k. Any words, conduct, or gestures required of lineup participants to aid in identification



**B. Showups**

1. Instructions to witness (see Eyewitness Identification Admonition form).
2. Showups should only be conducted when the suspect matching the description of the perpetrator is located in close proximity in time and place to the crime. A description of the perpetrator should be documented prior to the showup.
3. If practical, transport the witness to the location of the detained suspect to limit the legal impact of the suspect's detention.
4. If multiple witnesses are available, conduct the viewing one witness at a time and do not allow the witnesses to confer with each other before, during, or after the viewing.
5. If one witness makes a positive identification, conclude the showup and reserve the remaining witnesses for a lineup.
6. The administrator should not give witnesses any feedback regarding the individual selected or comment on the outcome of the procedure in any way.
7. At a minimum, administrators should document the following:
  - a. Date, time, and location of viewing
  - b. Name of administrator
  - c. Names of those present during the procedure
  - d. Procedure employed (sequential or simultaneous)
  - e. Number of individuals shown
  - f. Source of photographs (if used)
  - g. Order of individuals or photographs shown
  - h. Number of times the lineup was viewed
  - i. Results of presentation
  - j. Witnesses' own words regarding how certain they are on their selection
  - k. Any words, conduct, or gestures required of lineup participants to aid in identification

**C. Audio and/or Video Recordings**

1. Video and/or audio recording will be conducted according to prosecutor specifications.

**D. Physical Lineups**

1. Separate witnesses and give each the instructions listed on the Eyewitness Identification Admonition form. Witnesses should not be allowed to confer with each other at any time before, during, or after the viewing.
2. Ideally, an independent administrator will be used to conduct the lineup, unless circumstances dictate otherwise. In physical lineup cases, individuals should be presented sequentially.
3. If an independent administrator is not used, individuals should be presented simultaneously. The investigating officer must exercise extreme caution to avoid inadvertent signaling to the witness as to the identification of the suspect.
4. With the exception of assigned counsel (as required by law), no one should be present during the viewing who knows the identity of the suspect.
5. A minimum of five fillers per suspect should be included in a physical lineup. If multiple suspects match the identification of the perpetrator, at least five fillers per suspect should be used.
6. Fillers should resemble the witness's description of the perpetrator in significant features (face, profile, height, weight, build posture, gait, voice, specific articles of clothing, etc.). If the perpetrator was described as having an unusual identifying mark, all fillers should have similar markings or have markings covered.
7. The first lineup member shown should be a filler. Research suggests that witnesses are reluctant to identify the individual in the first position.
8. If multiple witnesses will be viewing the physical lineup, place the suspect in a different position for each viewing and place the fillers randomly.
9. The witness should not know how many individuals will be presented during a sequential lineup and should be shown all individuals, even if the witness makes an identification before the last individual is shown.
10. Allow witnesses to view the lineup a second time only at their request. If a witness asks to see an individual a second time, do allow them; however, if they want to see more than one individual, repeat the entire presentation.
11. The administrator should not give witnesses any feedback regarding the individual selected or comment on the outcome of the procedure in any way.
12. At a minimum, administrators should document the following:
  - a. Date, time, and location of viewing
  - b. Name of administrator
  - c. Names of those present during the procedure
  - d. Procedure employed (sequential or simultaneous)

- e. Number of individuals shown
- f. Source of photographs (if used)
- g. Order of individuals or photographs shown
- h. Number of times the lineup was viewed
- i. Results of presentation
- j. Witnesses' own words regarding how certain they are on their selection
- k. Any words, conduct, or gestures required of lineup participants to aid in identification

**Applies to:** WSP Officers  
**See Also:** Eyewitness Identification Admonition Form

**20.00.135**      **EMPLOYEE RESPONSIBILITIES WHEN INVOLVED IN COLLISIONS**

**I. POLICY**

**A. Reporting Vandalism or Collisions**

- 1. When a department vehicle or privately-owned/rental vehicle used for state business is vandalized or involved in a collision or incident, the vehicle's driver shall immediately notify Communications, who shall notify the supervisor/on-duty supervisor.

**B. Scene Responsibilities**

- 1. Employees involved in on-duty injury collisions shall comply with RCW 46.52.020(2)(a).  
  
(2)(a) The driver of any vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person or damage to other property must move the vehicle, as soon as possible, off the roadway or freeway main lanes, shoulders, medians, and adjacent areas to a location on an exit ramp shoulder, the frontage road, the nearest suitable cross street, or other suitable location. The driver shall remain at the suitable location until he/she has fulfilled the requirements of subsection (3) OF THIS SECTION.
- 2. Employees involved in injury collisions shall abide by RCW 46.52.020(1)(a)  
  
(1)(a) A driver of any vehicle involved in an accident resulting in the injury to or death of any person or involving striking the body of a deceased person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall then forthwith return to, and in every event remain at the scene of such accident until he/she has fulfilled the requirements of subsection (3) of this section; every such stop shall be made without obstructing traffic more than is necessary.

3. Officers shall ensure scene safety, render aide, locate witnesses, and protect evidence as appropriate to the circumstances involved.
4. Employees shall comply with department policy **VEHICLE COLLISIONS AND INCIDENTS, EMPLOYEE CONTACT WITH COLLISION VICTIMS** with regard to employee contact with collision victims.
5. Employees shall comply with department policy **MEDIA AND PUBLIC RELATIONS** with regard to employee contact with the media and public relations.

**C. Investigation**

1. The on-scene supervisor, as determined by policy, shall be responsible for the investigation and appropriate notifications as outlined in the notification procedures. Supervisors shall follow investigative procedures outlined in the *Administrative Investigation Manual*.
2. Supervisors conducting the on-scene investigation shall follow department policy **PATROL, PRIVATELY-OWNED RENTAL VEHICLE COLLISIONS/ INCIDENTS/VANDALISM** with regard to vehicle collisions/incidents while on official state business.
3. Whenever a department employee is involved in a collision, the other party shall be treated with fairness, compassion, and dignity.

**Applies to:** All WSP Employees

**See Also:** RCW 46.52.020; WSP Policies **Patrol, Privately-Owned Rental Vehicle Collisions/Incidents/Vandalism; Media and Public Relations; Vehicle Collisions and Incidents, Employee Contact With Collision Victims; *Administrative Investigation Manual***

**20.01.020**     **VEHICLE COLLISIONS AND INCIDENTS, EMPLOYEE CONTACT WITH COLLISION VICTIMS**

**I. POLICY**

**A. Employees Involved in a Collision**

1. Whenever a department employee is involved in a collision, the other party shall be treated with fairness, compassion, and dignity.

**B. Major Collisions**

1. One representative, as determined by the Chief or the Chief's designee, shall be assigned to interact with families as the single point of contact on behalf of the Chief for all major collisions. The Government and Media Relations (GMR) Captain shall be considered first.

**C. Moderate/Minor Collisions**

1. District and division commanders shall be the point of contact for all moderate and minor collisions. Within 48 hours, the district or division commander shall contact the other party involved or their family and advise them of the following:
  - a. The department's role in the investigation.
  - b. The name of the officer in charge of the investigation.
  - c. Telephone numbers to obtain information about the investigation.
  - d. Criminal justice and department administrative investigation procedures.
    - (1) At no time should charges or possible charges be discussed.
    - (2) Questions regarding charges shall be directed to the prosecuting attorney's office.
  - e. Provide forms and contact information for tort claims, if applicable.
  - f. Provide information on the Victim/Witness Assistance Program, if applicable.
  - g. Commanders shall follow the **PUBLIC RECORDS REQUESTS** policy with regard to public disclosure of employee information.
2. Contact shall be initiated first by personal appearance. If personal appearance is not practical, contact shall be initiated via letter.
3. District and division commanders shall re-contact the other party or their family within 10 days of the initial contact and ascertain whether their needs are being met and determine if there is any other assistance the department can provide pertaining to the investigation. Contact shall be maintained with the other party or their family as needed. All contacts with collision victims shall be documented in the case log by the contacting party.

**D. Criminal Investigation Division Responsibilities**

1. Whenever the Criminal Investigation Division (CID) assumes the responsibility for an investigation involving another agency, the detective sergeant or designee shall provide the other agency with the name of the detective in charge of the case and a contact telephone number.
  - a. Detectives shall ensure that the involved agency's contact person is kept apprised of the case and informed of any important aspects as soon as possible.
  - b. All contacts shall be noted in the case log.
  - c. Detectives shall ensure that all property belonging to the other party involved is returned. The family shall be informed if property has been retained as evidence and is not available for release.

**E. Training Division Responsibilities**

1. The Training Division shall provide officer-involved collision training to all officers.

**Applies to:** All WSP Employees

**See Also:** WSP Policies **Public Records Requests; Vehicle Collisions and Incidents, Victim/Witness Assistance Program**

**22.00.050**     **FIELD INFORMATION REPORTS (FIR) (CALEA 41.2.4, 42.1.6, 46.3.2, 82.2.1, 82.2.4, 83.2.1)**

**I. POLICY**

**A. Obtaining Criminal Activity Data From the Field**

1. An important crime prevention and information-gathering technique is the creation of a legitimate system to obtain criminal activity data from the field. An innocuous piece of information could assist in officer safety or breaking a seemingly unrelated criminal enterprise.

**B. Collecting Field Information**

1. Field information may be collected from individuals who are in custody and from individuals who are not in custody (e.g., "free to leave"). When requesting information from suspects who are not in custody, the officer must remember that the individual has the right to refuse to divulge the information and to leave at any time.

**C. Field Information Report Submission**

1. Employees shall submit a Field Information Report to their immediate supervisor when they have knowledge or suspicion of any of the following:
  - a. Narcotics activity.
  - b. Auto theft activity.
  - c. Motorcycle or street gang movement or activity.
  - d. Officer safety information.
  - e. Any other signs or indications of felony movement or activity.
  - f. SARs (Suspicious Activity Reporting) shall be reported in accordance with the Suspicious Activity Reporting initiative.

**NOTE:** FIRs shall not be submitted solely to report persons with outstanding warrants.

**D. Field Information Report Distribution**

1. Upon receipt of a FIR, supervisors shall determine if the information is of local, state, regional, national, or international importance.

2. Local information that is critical time-wise or pertains to officer safety shall be immediately disseminated to local officers, sheriffs' offices, and police departments through the appropriate district or, if of an exigent nature, through the local detachment. Local FIRs shall then be forwarded to the Homeland Security Division for filing, analysis, and/or further dissemination, if applicable.
3. Information with state, regional, national, or international implications shall be forwarded directly to the Homeland Security Division for analysis and dissemination. All information on narcotics, auto theft, gangs, or felony movement and activity and any suspicious activity shall be forwarded to the Homeland Security Division.
4. If an officer has completed a felony case report dealing with a significant felony arrest, a copy of the case report may be submitted as an attachment to the FIR.

**E. Employee Responsibility**

1. FIRs shall be submitted within 24 hours of the initial knowledge or suspicion of felony activity. If the employee's immediate supervisor is not available and the information is of a critical nature, it shall be the employee's responsibility to ensure the information is forwarded to another supervisor or to the next level of supervision.
2. SARs (Suspicious Activity Reporting) shall be reported in accordance with the Suspicious Activity Reporting initiative.

**Applies to:** All WSP Employees  
**See Also:** Field Information Report Form

**22.00.060**      **CHILD AND ADULT-DEPENDENT ABUSE REPORTING GUIDELINES**  
**(CALEA 55.2.2)**

**I. POLICY**

**A. Child and Adult-Dependent Suspect Physical Abuse Requirements**

1. If an officer suspects the possibility that a child or adult-dependent is the object of physical abuse, the officer is responsible for obtaining and forwarding the following information:
  - a. Verify the address of the parents/legal guardians and the victim.
  - b. Notify CPS and local law enforcement jurisdiction of (a) address of parent/legal guardians and victim; (b) nature, location, and extent of injuries; (c) nature and extent of neglect and/or sexual abuse; and (d) any evidence the officer may have observed; or
  - c. Notify the district investigative officers of the same information. The detectives assigned to the follow-up shall ensure that Department of Social and Health Services (DSHS) or CPS and local law enforcement are notified of the investigation.

- d. Ensure the parents or legal guardians are advised of the investigation.

**B. Investigation of Child Abuse**

1. If DSHS or a law enforcement agency responds to a complaint of child abuse or neglect and discovers that another agency has also responded to the complaint, the agencies shall coordinate the investigation and keep each other apprised of the progress.
2. DSHS, and any other agency involved in a child abuse case, shall make, as soon as practicable, a written record, and shall maintain records of all incidents of suspected child abuse reported to that person or agency. Records kept under this section shall be identifiable by means of an agency code for child abuse. Therefore, records of all abuse cases involving children and adult-dependent persons shall be maintained by the department. Upon the receipt of a report concerning the possible occurrence of abuse or neglect, it shall be the duty of the law enforcement agency to investigate and provide CPS with a report.
3. When an officer responds to a call alleging that a child or adult-dependent has been subjected to sexual or physical abuse and has probable cause to believe that a crime has been committed, or responds to a call alleging that a temporary restraining order or preliminary injunction has been violated, the peace officer has the authority to arrest the person without a warrant.
4. An officer may take, or cause to be taken, a child or adult-dependent into protective custody without a court order if there is probable cause to believe that the child or adult-dependent is abused or neglected and that the victim will be further subjected to injury if the officer does not immediately remove the victim.
5. To comply with legislatively-mandated responsibilities, officers shall be familiar with definitions related to sexual assault/abuse and the details of RCW 26.44, Abuse of Children Procedure.
6. Officers shall be aware that sexual exploitation of children is defined as allowing, permitting, or encouraging a child to engage in prostitution; or allowing, permitting, encouraging, or engaging in obscene or pornographic photographing, filming, or depicting of a child as those acts are defined by state law by any person.
7. Child abuse or neglect is defined as the injury, sexual abuse, sexual exploitation, or negligent treatment or maltreatment of a child (a person under the age of 18 years) by any person under circumstances which indicate that the child's health, welfare, and safety are harmed thereby. An abused child is a child who has been subjected to child abuse or neglect as defined in RCW 26.44. PROVIDED, however, RCW 26.44 shall not be construed to authorize interference with child-raising practices, including reasonable parental discipline, which is not proved to be injurious to the child's health, welfare, and safety as per RCW 9A.16.100. FURTHER, nothing in RCW 26.44 shall be used to prohibit the reasonable use of corporal punishment as a means of discipline if in accordance with RCW 9A.16.100. No parent or guardian shall be deemed abusive or neglectful solely by reason of the parent's or child's blindness, deafness, developmental disability, or other handicap.



**C. Interviewing Victims of Abuse**

1. It is imperative that victims of abuse be interviewed in an open, honest setting. The child must feel safe and comfortable enough to speak freely. Therefore, identifying a suitable interview site is the most critical aspect of the interviewing process. Depending on the nature of the investigation, the interviewing officer can contact the child at his/her school, home, or other appropriate location.
2. The interviewing officer should possess a camera, Kid Kit (for interviewing), and a copy of human figure drawings. The interviewer should allow the child to describe the incident in his/her own words and then follow up with non-leading questions. The officer should utilize the drawings to have the child illustrate the places where the child was touched or injured.
3. Child abuse injuries require medical attention and formal documentation of evidence. This process enables the uniform collection of evidence and the subsequent testimony of the attending physician.
4. Photographs shall be taken to illustrate the injuries received and to be used as evidence in court.

**Applies to:** All WSP Employees  
**See Also:** RCW 9A.16.100, 10.31.100, 26.44.050

**5.00.010**      **WORKPLACE SAFETY**

**I. POLICY**

- A. This policy will be applied in a manner consistent with the ~~Washington Industrial Safety and Health Act (WISHA) and Occupational Safety and Health Administration (OSHA)~~ **Department of Labor and Industries Safety and Health Rules** and any relevant federal regulations, RCWs, WACs, and collective bargaining agreements and in conjunction with all procedures located in the Human Resource Division *Safety and Wellness Manual*.
1. The Washington State Patrol places a high value on the safety of its employees. The Washington State Patrol is committed to providing a safe workplace for all employees and has developed this program for injury prevention to involve management, supervisors, and employees in identifying and eliminating hazards that may develop during our work process.
  2. Employees are required to comply with all agency safety rules and are encouraged to actively participate in identifying ways to make our agency a safer place to work.
  3. Supervisors are responsible for the safety of their employees and as a part of their daily duties must check the workplace for unsafe conditions, watch employees for unsafe actions, and take prompt action to eliminate any hazards.

**Applies to:** All WSP Employees

**See Also:** **Department of Labor and Industries Safety and Health Rules** ~~Washington Industrial Safety and Health Act; Occupational Safety and Health Administration;~~ applicable Collective Bargaining Agreements; Human Resource Division *Safety and Wellness Manual*

**5.00.020**      **BLOODBORNE PATHOGENS**

**I. POLICY**

**A. Exposure Control Plan**

1. It is the policy of the Washington State Patrol to eliminate or minimize occupational exposure to bloodborne pathogens by maintaining an Exposure Control Plan, contained within the agency's Accident Prevention Plan, the *Safety and Wellness Manual*.
2. Employees who have occupational exposure to blood or other potentially infectious material (OPIM) must follow the procedures and work practice controls contained in the Exposure Control Plan that is located in the Human Resource Division *Safety and Wellness Manual*.

**B. Exposure Determination**

1. The following employees have occupational exposure to blood or other potentially infectious material (OPIM) and are eligible for HBV vaccinations,

issued/access to Quickits, and are provided annual training (see the Human Resource Division *Safety and Wellness Manual*):

- a. Commissioned employees
- b. Commercial vehicle enforcement officers and commercial vehicle officers
- c. Crime lab Laboratory personnel
- d. Toxicology Laboratory personnel
- e. Property and Evidence Custodians
- f. Fingerprint Technicians
- g. ~~Deputy State Fire Marshal Inspectors~~ Fire Protection Bureau employees with field exposure
- h. Vehicle Identification Number Inspectors
- i. Trooper cadets
- j. Breath Test Technicians
- k. Equipment Technicians
- l. Maintenance Mechanic 1
- m. Custodian 2
- n. Property Management employees with field exposure
- o. Electronic Services Division employees with field exposure
- p. Information Technology Division employees with field exposure
- q. Electronic Services Division employees who work on patrol vehicles
- r. Information Technology Division employees who work on patrol vehicles
- s. Property Management Division employees who work on patrol vehicles
- t. ~~Fire Training Academy Staff~~

**Applies to:**

All WSP Employees

**See Also:**

Applicable Collective Bargaining Agreements; Human Resource Division *Safety and Wellness Manual*

**5.00.030**      **AIRBORNE DISEASES**

**I. POLICY**

**A. Exposure Control Plan**

1. It is the policy of the Washington State Patrol to eliminate or minimize occupational exposure to airborne diseases by maintaining an Exposure Control Plan, contained within the agency's Accident Prevention Plan, the *Safety and Wellness Manual*.
2. Employees who have occupational exposure to Tuberculosis (TB) and/or other airborne diseases (i.e., hantavirus) must follow the procedures and work practice controls contained in the Exposure Control Plan that is located in the Human Resource Division *Safety and Wellness Manual*.

**B. Exposure Determination – Tuberculosis**

1. The following job classes are eligible for annual skin testing, issued respirators, and annual training and fit-testing (see the Human Resource Division *Safety and Wellness Manual*):
  - a. Commissioned employees
  - b. Commercial vehicle enforcement officers and commercial vehicle officers
  - bc. Fingerprint Technicians who respond to autopsies
  - ed. Breath Test Technicians
  - de. ~~Deputy State Fire Marshals Inspectors~~ Fire Protection Bureau employees with field exposure
  - ef. Trooper cadets
  - fg. Crime Scene Response Team (CSRT)
  - gh. Toxicology Laboratory personnel

**C. Exposure Determination – Other Airborne Pathogens Diseases**

1. The following job classes with occupational exposure to airborne diseases (other than TB) are eligible for annual training and fit-testing and are issued respirators (see the Human Resource Division *Safety and Wellness Manual*):
  - a. Commissioned employees
  - b. Commercial vehicle enforcement officers and commercial vehicle officers
  - c. Maintenance Mechanic 4 with field exposure
  - d. Custodian 2 with field exposure

- e. Trooper cadets
- f. ~~Deputy State Fire Marshals Inspectors~~ Fire Protection Bureau employees with field exposure
- g. Fingerprint Technicians
- h. Vehicle Identification Number Inspectors
- i. Information Technology Division employees with field exposure
- j. Electronic Services Division employees with field exposure
- k. Property Management employees with field exposure
- l. Crime Scene Response Team (CSRT)
- m. Toxicology Laboratory personnel
- n. Property and Evidence Custodians

**Applies to:** All WSP Employees

**See Also:** Applicable Collective Bargaining Agreements; Human Resource Division *Safety and Wellness Manual*

#### **5.01.010 WELLNESS PROGRAM**

##### **I. POLICY**

A. This policy will be applied in a manner consistent with Washington Wellness initiatives; Healthy Nutrition Guidelines set by the Washington State Department of Health; any relevant federal regulations, RCWs, WACs, and collective bargaining agreements; and in conjunction with all procedures located in the Human Resource Division *Safety and Wellness Manual*.

1. The Washington State Patrol is part of Team WorkWell through the state wellness program, Washington Wellness, under the authority of the Health Care Authority. The expectations of Team WorkWell are to support and promote policies and activities that fall within four main areas:

- a. Increasing physical activity
- b. Improving healthy eating and food selection
- c. Living tobacco-free
- d. Utilizing preventive care services effectively

**Applies to:** All WSP Employees

**See Also:** Applicable Collective Bargaining Agreements; Washington Wellness Initiatives; Healthy Nutrition Guidelines; Human Resource Division *Safety and Wellness Manual*

**5.01.020**      **ERGONOMICS**

**I. POLICY**

- A. This policy will be applied in a manner consistent with ~~Washington Wellness initiatives; Healthy Nutrition Guidelines set by the Washington State Department of Health~~ **the Department of Labor and Industries Safety and Health Rules**; and any relevant federal regulations, RCWs, WACs, and collective bargaining agreements; and in conjunction with all procedures located in the Human Resource Division *Safety and Wellness Manual*.

**Applies to:** All WSP Employees

**See Also:** **Applicable Collective Bargaining Agreements; Department of Labor and Industries Safety and Health Rules; Human Resource Division *Safety and Wellness Manual***

**5.01.040**      **SUPPORTING BREASTFEEDING EMPLOYEES AT WORK**

**I. POLICY**

- A. This policy will be applied in a manner consistent with **The Patient Protection and Affordable Care Act of 2010; Section 7 of the Fair Labor Standards Act; Governor's Executive Order 13-06; The Pregnancy Discrimination Act of 1978; and in conjunction with all procedures located in the Human Resource Division *Safety and Wellness Manual*.**
- B. **Employers are required to protect breastfeeding in the workplace since the passage of the Patient Protection and Affordable Care Act of 2010. Section 7 of the Fair Labor Standards Act requires employers to provide reasonable break time for an employee to express breast milk for her nursing child. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion by coworkers and the public, which may be used by an employee to express breast milk.**

**Applies to:** All WSP Employees

**See Also:** **Applicable Collective Bargaining Agreements; The Patient Protection and Affordable Care Act of 2010; Section 7 of the Fair Labor Standards Act; Governor's Executive Order 13-06; The Pregnancy Discrimination Act of 1978; Human Resource Division *Safety and Wellness Manual***

**9.01.050**      **FIRE PROTECTION BUREAU (FPB) (CALEA 11.1.1, 11.2.2, 46.1.1)**

**I. POLICY**

**A. Organizational Units in the Fire Protection Bureau:**

1. The Fire Protection Bureau is headed by the State Fire Marshal (bureau director), who reports directly to the Deputy Chief and commands the following organizational units:

a. **Prevention Division**

- (1) Licensing (Fireworks, Sprinklers, and Fire Safe Cigarettes)
- (2) Inspections
- (3) Plan Review
- (4) Data Collection
- (5) Novelty Lighters
- (6) Basic Firefighter Training Program
- (7) Standards and Accreditation
- (8) Mobilization
- (9) Hazardous Materials (HazMat)

b. **Preparedness Fire Training Academy (FTA) Division**

- (1) ~~Basic Firefighter Training Program~~
- (2) ~~Standards and Accreditation~~
- (3) ~~Mobilization~~
- (4) ~~Hazardous Materials (HazMat)~~
- (2) Aircraft Rescue Firefighter Training
- (3) Marine Firefighter Training
- (4) Specialty/Technical Training

**Applies to:** All WSP Employees

**See Also:** --

**11.01.030**     **EDUCATION VERIFICATION**

**I. POLICY**

**A. Human Resource Division Responsibilities**

1. The Washington State Patrol Human Resource Division (HRD) is required to verify education on current and potential employees being considered for positions within the agency. Prior to being provided a job offer, education must be verified for position-required and applicant-specified education as outlined in the education verification procedures in the *Human Resource Division Standard Operating Procedures Manual*.

2. HRD is required to verify education for incentive pay requests for ~~trooper cadets~~ and commissioned personnel as outlined in the education verification procedures.
3. If official transcripts and school accreditation have previously been verified as established by current policy/procedure, there is no need to solicit and/or verify transcripts.
4. The state of Washington recognizes degrees from U.S. colleges and universities whose accreditations are recognized by the U.S. Department of Education (USDE) <http://ope.ed.gov/accreditation/> and/or the Council for Higher Education Accreditation (CHEA) <http://www.chea.org> or <http://www.chea.org/search/default.asp>. HRD solicits and receives official sealed educational transcripts and verifies accreditation as recognized by USDE and/or CHEA or the National Association of Credential Evaluation Services (NACES) which evaluates foreign degree equivalencies as outlined in the education verification procedures.

**Applies to:** All WSP Employees and Applicants of the Washington State Patrol  
**See Also:** *Human Resource Division Standard Operating Procedures Manual*

**11.06.010      MILITARY RESERVE/NATIONAL GUARD (CALEA 22.2.1, 22.2.8)**

**I. POLICY**

**A. Submission of Assignment Information to the Budget and Fiscal Services Payroll Unit**

1. Employees who are members of the military reserve or National Guard will annually submit names, addresses, and telephone numbers of their unit of assignment through the chain of command to the Budget and Fiscal Services (BFS) Payroll Unit on or before September 15 of each calendar year.
2. Upon transfer, promotion, or completion of formal military training programs, copies of certificates or orders will be sent to the Human Resource Division (HRD).

**B. Requests for Military Leave**

1. Unless precluded by military necessity, employees will submit scheduled military service or training dates, including annual training, at least 30 days in advance. Requests for military leave may be approved before receiving written orders or the training schedule, but a copy of either will be attached to the leave form when sent to HRD and the BFS Payroll Unit.

**C. Military Pre-Deployment**

1. Supervisors of employees departing on military leave exceeding 90 calendar days or more shall ensure the employee returns the following issued equipment to their division/district commander prior to the employee leaving on military leave:



- a. All issued department weapons, including firearms and Electronic Control Weapons (Taser).
  - b. Issued department vehicle with vehicle issued equipment, including all issued electronic equipment installed in the vehicle (laptop, tablets, printers, radios, cameras, radars).
  - c. Issued portable radios.
  - d. Employee identification cards as well as badges are **not** required to be turned in.
  - e. Department canines will be either reassigned or retired upon the discretion of the canine training unit.
2. The supervisor will utilize the Vehicle Transfer/Assignment Sheet and the Notice of Receipt or Transfer of Tagged/Tracked Asset(s) to document these items on. The division/district commander will designate where to store the equipment and who to assign the equipment to. The division/district commander has discretion to require the equipment to be turned in earlier than ninety (90) calendar days.

**Applies to:** All WSP Employees

**See Also:** Vehicle Transfer/Assignment Sheet; Notice of Receipt or Transfer of Tagged/Tracked Asset(s)

**15.08.010      PORTABLE RADIOS (CALEA 22.2.5, 81.3.4)**

**I. POLICY**

**A. Officers With Portable Radios**

1. Uniformed officers issued a portable radio and radio case shall maintain access to radio communication. Officers shall notify Communications of their location when leaving the vehicle for extended periods and when the portable radio is the only means of communication.
2. Officers may encounter areas of limited to no reception during the course of their duties. Due to the nature of radio communications, these areas may be known and may also shift due to a variety of environmental factors. When an officer is unable to clearly communicate via portable radio in these conditions, they should first attempt to communicate using the mobile radio. If this is not successful, they should consider the use of the Premier Mobile Data Computer (PMDC) or, as a last resort, cellular telephone. If none of these options are reasonable, officers must rely on their training, experience, and professional judgment.
23. When the portable is monitored in a public establishment, the volume should not be offensive or disturbing to others. Only one portable radio should be turned on.
34. Portable radios shall not be worn for formal occasions (funerals, ceremonies, etc.) or when directed by the Chief.

**B. Transfers**

1. When an officer transfers, the portable radio transfers with him/her, except when the radio was purchased with dedicated funding and cannot be transferred. In these cases, the portable radio shall be turned in to the Electronic Services Division (ESD) for reissue. The officer transferring will be issued another portable radio by ESD. In accordance with **RETURN OF ISSUED EQUIPMENT**, a Notice of Receipt or Transfer of Tagged/Tracked Asset(s) will be completed for each portable radio turned in or issued.

**C. Radio Maintenance**

1. All employees with an assigned portable radio shall have the radio checked for proper operation by an ESD technician every twelve months. The employee shall schedule this annual maintenance with the local technician. Supervisors shall inspect the Preventative Maintenance Inspection (PMI) tag on the portable radio at the annual equipment inspection and note the last PMI date on the inspection form. The last PMI tag date shall not be more than thirteen months old. This allows for a 30-calendar-day grace period to accomplish the PMI.
2. Division/district commanders are responsible to ensure their employees comply with this policy.

**Applies to:** WSP Officers

**See Also:** WSP Policy **Return of Issued Equipment**; Notice of Receipt or Transfer of Tagged/Tracked Asset(s)

**17.19.010**     **COMMUTE TRIP REDUCTION**

**I. POLICY**

**A. Commute Trip Encouragement**

1. Because of growing traffic congestion and environmental concerns, employees (except employees subject to emergency call-out/responses) are encouraged to reduce commute trips whenever possible, using carpool, vanpool, mass transit, walking, teleworking, bicycles, or alternate work schedules (see **TELEWORKING**).
2. The department's Commute Trip Reduction Coordinator (CTRC):
  - a. Works with ~~the department's Employee Transportation Coordinators (ETC)~~ and applicable external agencies (e.g., Intercity Transit, Thurston Regional Planning Council, etc.) to satisfy the requirements of the Commute Trip Reduction law.
  - b. Ensures that the mandated Employer Annual Report and biennial survey are completed.
3. ~~An ETC will be assigned to each affected worksite in the Thurston County area. The ETC:~~

- a. ~~Works with the department's CTRC to satisfy the requirements of the Commute Trip Reduction law.~~
- b.c. Provides assistance to site **Washington State Patrol** employees, exploring possible alternatives for reducing single-occupant vehicle work trips.
- d. Registers employees for participation in the department's commute trip subsidy program.

## **B. Commute Trip Subsidy**

1. To qualify for a subsidy, employees must use an alternate mode of transportation round trip to work and back at least 8 days each month. "Alternate mode of transportation" is defined as riding public transit (bus, ferry, train), carpooling, vanpooling, bicycling, or walking.
2. Commute options not eligible for a CTR subsidy: Driving alone in a vehicle or on a motorcycle; carpooling with children not of legal driving age; getting a ride from someone who then returns home; participating less than 80 percent of the commute distance in a CTR eligible mode; or leaving work to pick up a coworker and returning to the worksite.
3. Telecommuting and compressed or alternate workweeks are not qualifiers for alternate modes of transportation.
4. In order to receive a CTR subsidy, the employee must **first** complete a Commute Trip Reduction (CTR) Registration form and submit it to the WSP CTRC at [CTRSubsidy@wsp.wa.gov](mailto:CTRSubsidy@wsp.wa.gov).
5. The employee must create a RideShareOnline account for tracking commutes by alternate mode (instructions are located on the registration form).

**Applies to:** All WSP Employees

**See Also:** RCW 41.04.390, 46.74.010, 70.94.521-551; WSP Policy **Teleworking**; Commute Trip Reduction internal Web site (~~see~~ <http://iwspsp/sites/TSB/RMD/SPA/Pages/CTR.aspx>); Commute Trip Reduction (CTR) Registration Form

## **20.00.115 EYEWITNESS IDENTIFICATION (CALEA 42.2.11, 42.2.12)**

### **I. DEFINITIONS**

- A. Physical Lineup** – A procedure allowing an eyewitness to view a number of subjects bearing similar physical characteristics in an effort to identify the perpetrator of a crime. The suspect may or may not be present in the lineup.
- B. Photographic Lineup** – A procedure allowing an eyewitness to view photographs of a number of subjects bearing similar physical characteristics in an effort to identify the perpetrator of a crime. The photograph of the suspect of the crime may or may not be included in the lineup.

- C. Showup** – A procedure whereby an eyewitness is transported to the location where the suspect is detained to determine identification. This procedure is only used when a lineup is not practical and a prompt display is necessary.
- D. Independent Administrator** – The individual conducting the lineup who has no knowledge as to the identity of the suspect.
- E. Filler** – Members of a lineup (not the suspect) who generally fit the physical description of the suspect.
- F. Sequential Viewing** – Individuals or photographs presented to the witnesses separately, in a predetermined order, removing each individual or photograph after it is viewed.
- G. Simultaneous Viewing** – Individuals or photographs presented to the witnesses at the same time.

## II. POLICY

- A.** The procedures outlined below provide a method to present suspects or suspect photographs to eyewitnesses of a crime in an attempt to produce reliable and accurate evidence. These procedures are supported by experts in social science research.

## III. PROCEDURES

### A. Photographic Lineups

1. Separate witnesses and give each the instructions listed on the Eyewitness Identification Admonition form. Witnesses should not be allowed to confer with each other at any time before, during, or after the viewing.
2. Ideally, an independent administrator will be used to conduct the lineup, unless circumstances dictate otherwise. In this case, photographs should be presented sequentially.
3. If an independent administrator is not used, photographs should be presented simultaneously. The investigating officer must exercise extreme caution to avoid inadvertent signaling to the witness as to the identification of the suspect.
4. With the exception of assigned counsel (as required by law), no one should be present during the viewing that knows the identity of the suspect.
5. A minimum of five fillers per suspect should be included in a photographic lineup. If multiple suspects match the identification of the perpetrator, at least five fillers per suspect should be used.
6. Fillers should resemble the witness's description of the perpetrator in significant features (face, profile, height, weight, build posture, gait, voice, specific articles of clothing, etc.). If the perpetrator was described as having an unusual identifying mark, all fillers should have similar markings or have markings covered.

7. The first lineup photograph shown should be a filler. Research suggests that witnesses are reluctant to identify the individual in the first position.
8. If multiple witnesses will be viewing the photographic lineup, place the suspect in a different position for each viewing and place the fillers randomly.
9. Witnesses should not know how many individuals will be presented during a sequential lineup and should be shown all individuals, even if the witness makes an identification before the last individual is shown.
10. Allow witnesses to view the lineup a second time only at their request. If a witness asks to see an individual a second time, do allow them; however, if they want to see more than one individual, repeat the entire presentation.
11. The administrator should not give witnesses any feedback regarding the individual selected or comment on the outcome of the procedure in any way.
12. At a minimum, administrators should document the following:
  - a. Date, time and location of viewing
  - b. Name of administrator
  - c. Names of those present during the procedure
  - d. Procedure employed (sequential or simultaneous)
  - e. Number of individuals shown
  - f. Source of photographs (if used)
  - g. Order of individuals or photographs shown
  - h. Number of times the lineup was viewed
  - i. Results of presentation
  - j. Witnesses' own words regarding how certain they are on their selection
  - k. Any words, conduct, or gestures required of lineup participants to aid in identification

**B. Showups**

1. Instructions to witness (see Eyewitness Identification Admonition form).
2. Showups should only be conducted when the suspect matching the description of the perpetrator is located in close proximity in time and place to the crime. A description of the perpetrator should be documented prior to the showup.
3. If practical, transport the witness to the location of the detained suspect to limit the legal impact of the suspect's detention.

4. If multiple witnesses are available, conduct the viewing one witness at a time and do not allow the witnesses to confer with each other before, during, or after the viewing.
5. If one witness makes a positive identification, conclude the showup and reserve the remaining witnesses for a lineup.
6. The administrator should not give witnesses any feedback regarding the individual selected or comment on the outcome of the procedure in any way.
7. At a minimum, administrators should document the following:
  - a. Date, time, and location of viewing
  - b. Name of administrator
  - c. Names of those present during the procedure
  - d. Procedure employed (sequential or simultaneous)
  - e. Number of individuals shown
  - f. Source of photographs (if used)
  - g. Order of individuals or photographs shown
  - h. Number of times the lineup was viewed
  - i. Results of presentation
  - j. Witnesses' own words regarding how certain they are on their selection
  - k. Any words, conduct, or gestures required of lineup participants to aid in identification

**C. Audio and/or Video Recordings**

1. Video and/or audio recording will be conducted according to prosecutor specifications.

**D. Physical Lineups**

1. Separate witnesses and give each the instructions listed on the Eyewitness Identification Admonition form. Witnesses should not be allowed to confer with each other at any time before, during, or after the viewing.
2. Ideally, an independent administrator will be used to conduct the lineup, unless circumstances dictate otherwise. In physical lineup cases, individuals should be presented sequentially.

3. If an independent administrator is not used, individuals should be presented simultaneously. The investigating officer must exercise extreme caution to avoid inadvertent signaling to the witness as to the identification of the suspect.
4. With the exception of assigned counsel (as required by law), no one should be present during the viewing who knows the identity of the suspect.
5. A minimum of five fillers per suspect should be included in a physical lineup. If multiple suspects match the identification of the perpetrator, at least five fillers per suspect should be used.
6. Fillers should resemble the witness's description of the perpetrator in significant features (face, profile, height, weight, build posture, gait, voice, specific articles of clothing, etc.). If the perpetrator was described as having an unusual identifying mark, all fillers should have similar markings or have markings covered.
7. The first lineup member shown should be a filler. Research suggests that witnesses are reluctant to identify the individual in the first position.
8. If multiple witnesses will be viewing the physical lineup, place the suspect in a different position for each viewing and place the fillers randomly.
9. The witness should not know how many individuals will be presented during a sequential lineup and should be shown all individuals, even if the witness makes an identification before the last individual is shown.
10. Allow witnesses to view the lineup a second time only at their request. If a witness asks to see an individual a second time, do allow them; however, if they want to see more than one individual, repeat the entire presentation.
11. The administrator should not give witnesses any feedback regarding the individual selected or comment on the outcome of the procedure in any way.
12. At a minimum, administrators should document the following:
  - a. Date, time, and location of viewing
  - b. Name of administrator
  - c. Names of those present during the procedure
  - d. Procedure employed (sequential or simultaneous)
  - e. Number of individuals shown
  - f. Source of photographs (if used)
  - g. Order of individuals or photographs shown
  - h. Number of times the lineup was viewed

- i. Results of presentation
- j. Witnesses' own words regarding how certain they are on their selection
- k. Any words, conduct, or gestures required of lineup participants to aid in identification

**Applies to:** WSP Officers

**See Also:** Eyewitness Identification Admonition Form

**20.00.135      EMPLOYEE RESPONSIBILITIES WHEN INVOLVED IN COLLISIONS**

**I. POLICY**

**A. Reporting Vandalism or Collisions**

- 1. When a department vehicle or privately-owned/rental vehicle used for state business is vandalized or involved in a collision or incident, the vehicle's driver shall immediately notify Communications, who shall notify the supervisor/on-duty supervisor.

**B. Scene Responsibilities**

- 1. Employees involved in on-duty injury collisions shall comply with RCW 46.52.020(2)(a).  
  
(2)(a) The driver of any vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person or damage to other property must move the vehicle, as soon as possible, off the roadway or freeway main lanes, shoulders, medians, and adjacent areas to a location on an exit ramp shoulder, the frontage road, the nearest suitable cross street, or other suitable location. The driver shall remain at the suitable location until he/she has fulfilled the requirements of subsection (3) OF THIS SECTION.
- 2. Employees involved in injury collisions shall abide by RCW 46.52.020(1)(a)  
  
(1)(a) A driver of any vehicle involved in an accident resulting in the injury to or death of any person or involving striking the body of a deceased person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall then forthwith return to, and in every event remain at the scene of such accident until he/she has fulfilled the requirements of subsection (3) of this section; every such stop shall be made without obstructing traffic more than is necessary.
- 3. Officers shall ensure scene safety, render aide, locate witnesses, and protect evidence as appropriate to the circumstances involved.
- 4. Employees shall comply with department policy **VEHICLE COLLISIONS AND INCIDENTS, EMPLOYEE CONTACT WITH COLLISION VICTIMS** with regard to employee contact with ~~accident~~ collision victims.



5. Employees shall comply with department policy **MEDIA AND PUBLIC RELATIONS** with regard to employee contact with the media and public relations.

**C. Investigation**

1. The on-scene supervisor, as determined by policy, shall be responsible for the investigation and appropriate notifications as outlined in the notification procedures. Supervisors shall follow investigative procedures outlined in the *Administrative Investigation Manual*.
2. Supervisors conducting the on-scene investigation shall follow department policy **PATROL, PRIVATELY-OWNED RENTAL VEHICLE COLLISIONS/ INCIDENTS/VANDALISM** with regard to vehicle collisions/incidents while on official state business.
3. Whenever a department employee is involved in a collision, the other party shall be treated with fairness, compassion, and dignity.

**Applies to:** All WSP Employees

**See Also:** RCW 46.52.020; WSP Policies **Patrol, Privately-Owned Rental Vehicle Collisions/Incidents/Vandalism; Media and Public Relations; Vehicle Collisions and Incidents, Employee Contact With Collision Victims; *Administrative Investigation Manual***

**20.01.020**     **VEHICLE COLLISIONS AND INCIDENTS, EMPLOYEE CONTACT WITH COLLISION VICTIMS**

**I. POLICY**

**A. Employees Involved in a Collision**

1. Whenever a department employee is involved in a collision, the other party shall be treated with fairness, compassion, and dignity.

**B. Major Collisions**

1. One representative, as determined by the Chief **or the Chief's designee**, shall be assigned to interact with families as the single point of contact on behalf of the Chief for all major collisions. The Government and Media Relations (GMR) Captain shall be considered first.

**C. Moderate/Minor Collisions**

1. District and division commanders shall be the point of contact for all moderate and minor collisions. Within 48 hours, the district or division commander shall contact the other party involved or their family and advise them of the following:
  - a. The department's role in the investigation.
  - b. The name of the officer in charge of the investigation.

- c. Telephone numbers to obtain information about the investigation.
  - d. Criminal justice and department administrative investigation procedures.
    - (1) At no time should charges or possible charges be discussed.
    - (2) Questions regarding charges shall be directed to the prosecuting attorney's office.
  - e. Provide forms and contact information for tort claims, if applicable.
  - f. Provide information on the Victim/Witness Assistance Program, if applicable.
  - g. Commanders shall follow the **PUBLIC RECORDS REQUESTS** policy with regard to public disclosure of employee information.
- 2. Contact shall be initiated first by personal appearance. If personal appearance is not practical, contact shall be initiated via letter.
  - 3. District and division commanders shall re-contact the other party or their family within 10 days of the initial contact and ascertain whether their needs are being met and determine if there is any other assistance the department can provide pertaining to the investigation. Contact shall be maintained with the other party or their family as needed. All contacts with collision victims shall be documented in the case log by the contacting party.

**D. Criminal Investigation Division Responsibilities**

- 1. Whenever the Criminal Investigation Division (CID) assumes the responsibility for an investigation involving another agency, the detective sergeant or designee shall provide the other agency with the name of the detective in charge of the case and a contact telephone number.
  - a. Detectives shall ensure that the involved agency's contact person is kept apprised of the case and informed of any important aspects as soon as possible.
  - b. All contacts shall be noted in the case log.
  - c. Detectives shall ensure that all property belonging to the other party involved is returned. The family shall be informed if property has been retained as evidence and is not available for release.

**E. Training Division Responsibilities**

- 1. The Training Division shall provide officer-involved collision training to all officers.

**Applies to:** All WSP Employees

**See Also:** WSP Policies **Public Records Requests; Vehicle Collisions and Incidents, Victim/Witness Assistance Program**

**22.00.050**      **FIELD INFORMATION REPORTS (FIR)** (CALEA 41.2.4, 42.1.6, 46.3.2, 82.2.1, 82.2.4, 83.2.1)

**I. POLICY**

**A. Obtaining Criminal Activity Data From the Field**

1. An important crime prevention and information-gathering technique is the creation of a legitimate system to obtain criminal activity data from the field. An innocuous piece of information could assist in officer safety or breaking a seemingly unrelated criminal enterprise.

**B. Collecting Field Information**

1. Field information may be collected from individuals who are in custody and from individuals who are not in custody (e.g., "free to leave"). When requesting information from suspects who are not in custody, the officer must remember that the individual has the right to refuse to divulge the information and to leave at any time.

**C. Field Information Report Submission**

1. Employees shall submit a Field Information Report to their immediate supervisor when they have knowledge or suspicion of any of the following:
  - a. Narcotics activity.
  - b. Auto theft activity.
  - c. Motorcycle or street gang movement or activity.
  - d. Officer safety information.
  - e. Any other signs or indications of felony movement or activity.
  - f. SARs (Suspicious Activity Reporting) shall be reported in accordance with the Suspicious Activity Reporting initiative.

**NOTE:** FIRs shall not be submitted solely to report persons with outstanding warrants.

**D. Field Information Report Distribution**

1. Upon receipt of a FIR, supervisors shall determine if the information is of local, state, regional, national, or international importance.
2. Local information that is critical time-wise or pertains to officer safety shall be immediately disseminated to local officers, sheriffs' offices, and police departments through the appropriate district or, if of an exigent nature, through the local detachment. Local FIRs shall then be forwarded to the Homeland Security Division for filing, analysis, and/or further dissemination, if applicable.

3. Information with state, regional, national, or international implications shall be forwarded directly to the Homeland Security Division for analysis and dissemination. All information on narcotics, auto theft, gangs, or felony movement and activity and any suspicious activity shall be forwarded to the Homeland Security Division.
4. If an officer has completed a felony case report dealing with a significant felony arrest, a copy of the case report may be submitted as an attachment to the FIR.

**E. Employee Responsibility**

1. FIRs shall be submitted within 24 hours of the initial knowledge or suspicion of felony activity. If the employee's immediate supervisor is not available and the information is of a critical nature, it shall be the employee's responsibility to ensure the information is forwarded to another supervisor or to the next level of supervision.
2. SARs (Suspicious Activity Reporting) shall be reported in accordance with the Suspicious Activity Reporting initiative.

**Applies to:** All WSP Employees  
**See Also:** Field Information Report Form

**22.00.060**      **CHILD AND ADULT-DEPENDENT ABUSE REPORTING GUIDELINES**  
**(CALEA 55.2.2)**

**I. POLICY**

**A. Child and Adult-Dependent Suspect Physical Abuse Requirements**

1. If an officer suspects the possibility that a child or adult-dependent is the object of physical abuse, the officer is responsible for obtaining and forwarding the following information:
  - a. Verify the address of the parents/legal guardians and the victim.
  - b. Notify CPS and local law enforcement jurisdiction of (a) address of parent/legal guardians and victim; (b) nature, location, and extent of injuries; (c) nature and extent of neglect and/or sexual abuse; and (d) any evidence the officer may have observed; or
  - c. Notify the district investigative officers of the same information. The detectives assigned to the follow-up shall ensure that Department of Social and Health Services (DSHS) or CPS and local law enforcement are notified of the investigation.
  - d. Ensure the parents or legal guardians are advised of the investigation.

**B. Investigation of Child Abuse**

1. If DSHS or a law enforcement agency responds to a complaint of child abuse or neglect and discovers that another agency has also responded to the complaint,

the agencies shall coordinate the investigation and keep each other apprised of the progress.

2. DSHS, and any other agency involved in a child abuse case, shall make, as soon as practicable, a written record, and shall maintain records of all incidents of suspected child abuse reported to that person or agency. Records kept under this section shall be identifiable by means of an agency code for child abuse. Therefore, records of all abuse cases involving children and adult-dependent persons shall be maintained by the department. Upon the receipt of a report concerning the possible occurrence of abuse or neglect, it shall be the duty of the law enforcement agency to investigate and provide CPS with a report.
3. When an officer responds to a call alleging that a child or adult-dependent has been subjected to sexual or physical abuse and has probable cause to believe that a crime has been committed, or responds to a call alleging that a temporary restraining order or preliminary injunction has been violated, the peace officer has the authority to arrest the person without a warrant.
4. An officer may take, or cause to be taken, a child or adult-dependent into protective custody without a court order if there is probable cause to believe that the child or adult-dependent is abused or neglected and that the victim will be further subjected to injury if the officer does not immediately remove the victim.
5. To comply with legislatively-mandated responsibilities, officers shall be familiar with definitions related to sexual assault/abuse and the details of RCW 26.44, Abuse of Children and Adult-Dependent or Developmentally Disabled Person; Protection; Children Procedure.
6. Officers shall be aware that sexual exploitation of children is defined as allowing, permitting, or encouraging a child to engage in prostitution; or allowing, permitting, encouraging, or engaging in obscene or pornographic photographing, filming, or depicting of a child for commercial purposes as those acts are defined by state law by any person.
7. Child abuse or neglect is defined as the injury, sexual abuse, sexual exploitation, or negligent treatment or maltreatment of a child (a person under the age of 18 years) by any person under circumstances which indicate that the child's health, welfare, and safety are harmed thereby. An abused child is a child who has been subjected to child abuse or neglect as defined in RCW 26.44. PROVIDED, however, RCW 26.44 shall not be construed to authorize interference with child-raising practices, including reasonable parental discipline, which is not proved to be injurious to the child's health, welfare, and safety **as per RCW 9A.16.100**. FURTHER, nothing in RCW 26.44 shall be used to prohibit the reasonable use of corporal punishment as a means of discipline **if in accordance with RCW 9A.16.100**. No parent or guardian shall be deemed abusive or neglectful solely by reason of the parent's or child's blindness, deafness, developmental disability, or other handicap.

### **C. Interviewing Victims of Abuse**

1. It is imperative that victims of abuse be interviewed in an open, honest setting. The child must feel safe and comfortable enough to speak freely, ~~or he/she will~~

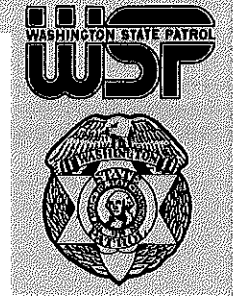
~~not respond~~. Therefore, identifying a suitable interview site is the most critical aspect of the interviewing process. Depending on the nature of the investigation, the interviewing officer can contact the child at his/her school, home, or other appropriate location.

2. The interviewing officer should possess a camera, Kid Kit (for interviewing), and a copy of human figure drawings. The interviewer should allow the child to describe the incident in his/her own words and then follow up with non-leading questions. The officer should utilize the drawings to have the child illustrate the places where the child was touched or injured.
3. Child abuse injuries require medical attention and formal documentation of evidence. This process enables the uniform collection of evidence and the subsequent testimony of the attending physician.
4. Photographs shall be taken to illustrate the injuries received and to be used as evidence in court.

**Applies to:** All WSP Employees  
**See Also:** RCW 9A.16.100, 10.31.100, 26.44.050

**INTEROFFICE COMMUNICATION**  
**WASHINGTON STATE PATROL**

**TO:** All Employees  
**FROM:** Chief John R. Batiste  
**SUBJECT:** Regulation Manual Revision  
**DATE:** September 10, 2015



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**GENERAL ORDER**  
**15-002A**

General Order 15-002A is now available on Inside WSP within the *2015 Regulation Manual* at the following URL: <http://wsp/sites/TSB/RMD/Pages/Regulation%20Manual.aspx>

General Order 15-002A contains revisions to existing policies and one new policy in the *2015 Regulation Manual*:

- 15.01.010 TELEPHONE COMMUNICATIONS
- 15.16.020 REGIONAL INFORMATION SHARING SYSTEMS PROGRAM AND NETWORK (RISSNET)
- 20.00.015 DECONFLICTION PROCEDURE (RISSAFE) (CALEA 46.1.10) (NEW POLICY)

Commanders are responsible for distributing the General Order to all employees under their command. Employees are responsible for reading and understanding the new policies.

Employees shall acknowledge receipt of this General Order by signing a Directive Control Sheet. The signed Directive Control Sheet shall be maintained by the division/district as required by the retention schedule.

JRB:tlu  
Attachments



**15.01.010      TELEPHONE COMMUNICATIONS**

**I. POLICY**

**A. Handling Telephone Calls**

1. All employees shall answer calls promptly, courteously, and in a businesslike manner, identifying the department (or subdivision) and themselves.
2. Every reasonable attempt shall be made to supply callers with requested information, assistance, or proper referrals.
3. Return calls should be made within 24 hours, unless circumstances require a longer time.
4. Communications officers shall follow their section procedures for answering calls.
5. Employees shall remain attentive to those people they contact in performance of their duties. Cellular telephones should not be used and Bluetooth earpieces should not be worn while in contact with violators or the public, except in extenuating circumstances.

**B. Use of VoIP/Micro Lines, SLD System, and Calling Cards**

1. Employees shall use department Voice over Internet Protocol (VoIP) or Microwave Lines (Micro) or the Switched Long Distance (SLD) system whenever possible for intra-departmental long-distance calls.
2. SLD is the state of Washington's system consisting of leased lines providing low-cost telephone services for business calls. Employees shall use the SLD system whenever possible to place business-related long-distance calls from the office. The SLD option is automated when dialing toll calls on department VoIP phones.
3. Departmental employees may be issued calling cards for making calls while away from the office.

**C. Use of Local Telephone Service**

1. Occasional use of the department's telephone service is permissible when deemed not to cost the state time or money (e.g., local call on a break).

**D. Personal Calls**

1. Cellular telephones, telephone credit cards, and the SLD system are for official state business only. It is not permissible to make personal telephone calls on these systems or to receive personal calls on department cellular telephones. The only exception is that brief calls to home regarding an emergency, a change in travel plans, or a change in duty hours are allowed. All other personal calls shall be made at the employee's expense on public or personal equipment.
2. Personal cellular service shall remain separated from department cellular devices.



**E. Control of SLD Number**

1. Employees shall maintain strict control of their seven-digit SLD access and long-distance calling card number and will be held accountable for their use. Lost or stolen seven-digit SLD access or calling card numbers shall be promptly reported to the immediate supervisor.
2. The Electronic Services Division (ESD) will provide monthly SLD reports to each division/district for review.

**F. Toll-Free Numbers**

1. Agency toll-free numbers are for business use only.

**Applies to:** All WSP Employees

**See Also:** --

**15.16.020 REGIONAL INFORMATION SHARING SYSTEMS PROGRAM AND NETWORK (RISSNET)**

**I. DEFINITIONS**

- A. Deconfliction** – The process or system used to determine whether multiple law enforcement agencies are investigating the same person, place, or crime that provides notification to each agency involved of the shared interest in the case, as well as providing contact information. This is an information and intelligence-sharing process that seeks to minimize conflicts between agencies and maximize the effectiveness of an investigation to help ensure officer safety and the effective use of resources (see **DECONFLICTION PROCEDURE (RISSafe)**).
- B. RISSNET** – The Regional Information Sharing Systems (RISS): A law enforcement information-sharing system managed by RISS. RISSNET is a secure, sensitive, but unclassified law enforcement information-sharing cloud provider.
- C. RISSafe** – The deconfliction system within RISSNET utilizing the 24-hour High-Intensity Drug Trafficking Area (HIDTA)/RISS Watch Center.
- D. RISSafe Mobile** – Officers can access RISSafe from an approved mobile device, enter events, and receive immediate notification of conflicts.
- E. RISSIntel** – The system utilized within the RISSNET system by law enforcement to enter information into the RISSNET database.

**II. PURPOSE**

- A.** The Washington State Patrol recognizes the importance of deconfliction during investigations and the sharing of information between law enforcement agencies. The utilization of case deconfliction and information-sharing about the case will enhance officer safety and efficiency during criminal investigations. RISSNET procedures will be adhered to when executing a planned operation or conducting all felony-level criminal investigations.

**III. POLICY**

**A. RISSNET Users**

1. All RISSNET users must attend RISSNET training.
  - a. **Training and Access:** All detectives, officers, and administrative staff assignments that could require them to perform case activation or deconfliction should receive RISS training, enabling them to navigate through the computer program as well as obtain security access to the system within RISS policy. Detectives, officers, or administrative staff who do not have Western States Information Network (WSIN) training and/or security access to the RISS system will partner with a detective/officer who does have training and access to comply with the case activation or deconfliction requirements of this procedure.
  - b. Officers can also accomplish case activation by calling their RISS Watch Center at 800-952-5258 or NW HIDTA at 888-388-3784.

**B. Security**

1. Security of the computer site and information received on the computer is the responsibility of the operator using the computer.
2. Computer locations must be secure from unauthorized access, and all employees authorized to use the system shall be instructed on the proper use of equipment and the dissemination of information received. RISSNET shall only be installed on work-assigned computer systems, tablets, and cellular devices.
3. All RISSNET users must ensure confidentiality of the information received through this program. Because RISSNET is an Internet-based program, authorized RISSNET users must acknowledge that all use of the RISSNET database will be in a secure environment (i.e., police squad room, a secure office, police vehicle with obscured vision of the computer screen by the public, etc.). Unsecured areas would include, but are not limited to, the employee's residence, coffee shops, restaurants, or fire departments.
4. The RISSNET user's immediate supervisor should have final review and approval prior to data being sent to RISSNET. Supervisors will receive approval notification by the Washington State Patrol CITE system.

**C. Use of Information**

1. Information obtained from the RISSNET system shall only be used for the administration of criminal justice, except as otherwise required by law.
2. RISSNET information is to enhance officer safety by notifying a central location (RISSNET) of a planned event prior to its execution. User inquiries will receive information from stored RISSNET law enforcement intelligence to prevent the compromise of other related investigations.

3. Dissemination:
  - a. Information that is obtained from the RISSNET system may be printed, but shall not be included in an investigative case file and shall be purged from such file.
  - b. The RISSIntel database has three levels of confidentiality: full release, limited release, and no release (restricted). Officers making entries may select either full or limited release. Before an entry is labeled as no release or restricted, it must first be reviewed and approved by a supervisor. As noted above, any exemptions to the case activation procedure must be reviewed on an individual basis and approved by the Chief of the Washington State Patrol or designee.
  - c. The information submitted to the RISSIntel database remains the property of the submitting agency, which controls the input and dissemination of its information in accordance with current laws and the agency's disclosure policies.
4. Positive results from RISSNET shall not be referred to in case reports or affidavits without first contacting the originating law enforcement agency and obtaining their express permission and the verification of the original information.
5. Persons shall not use any information obtained through the RISSNET database for private business or personal reasons or furnish any information so obtained to any other person for such use except as otherwise required by law.
6. Sanctions apply for system misuse of RISSNET information. Violations of the rules, regulations, policies, or procedures developed by RISSNET and adopted by the Washington State Patrol or any other misuse or abuse of the system may result in disciplinary measures.

**D. Case Activation Procedure**

1. **For Trained, Certified RISS Users:** Upon the assignment of an active felony investigation on a named suspect, officers shall run all suspects thorough the RISSIntel database along with consideration of other state and regional intelligence databases to search for other investigations that may be underway.
2. **Non-Trained Resource:** Upon the assignment of an active felony investigation on a named suspect, officers should partner with detectives or fellow trained officers to run all suspects through the RISSIntel database.
3. In cases meeting the criteria listed below, officers should enter the suspect and all associated suspects and case identifiers into the RISSIntel database. This information shall take place by either entering the information directly into the CITE database or by completing the appropriate departmental Field Information Report (FIR) and checking the RISSNET notification box.

4. Entry into the FIR/RISSIntel database should be guided by, but not necessarily limited to, the following types of cases:
  - a. Suspects in all UCR Part 1 crimes (*murder and non-negligent homicide, forcible rape, robbery, aggravated assault, burglary, motor vehicle theft, larceny-theft, and arson*).
  - b. Suspects or groups engaged in ongoing criminal activities involving serial property crimes such as auto theft rings, financial crime rings, burglary rings, and organized retail theft.
  - c. Subjects involved in drug trafficking, weapons trafficking, human trafficking, and/or manufacturing of controlled substances.
  - d. Subjects belonging to or associated with criminal gangs.
    - (1) Criminal gangs are defined in RCW 9.94A.030 and summarized as follows: "Criminal street gang" means any ongoing organization, association, or group of three or more persons, whether formal or informal, having a common name or common identifying sign or symbol, having as one of its primary activities the commission of criminal acts, and whose members or associates individually or collectively engage in or have engaged in a pattern of criminal street gang activity. This definition does not apply to employees engaged in concerted activities for their mutual aid and protection, or to the activities of labor and bona fide non-profit organizations or their members or agents.
    - (2) "Criminal street gang associate or member" means any person who actively participates in any criminal street gang and who intentionally promotes, furthers, or assists in any criminal act by the criminal street gang.
  - e. Any other time an officer has reasonable suspicion of criminal activity and would like to share and connect intelligence reference that activity with law enforcement at all levels of government, nationally.

**NOTE:** This list is not designed to be all-inclusive. Officers shall consult with their immediate supervisor if there is any doubt over whether or not to make an entry.

**E. WSIN Agency Representative**

1. Each division and district shall select one WSIN representative who will be the WSIN point of contact (POC). The representative shall contact WSIN or the WSIN Law Enforcement Coordinator of any changes to the division/district WSIN Roster. The selected WSIN representative will also be the POC for required WSIN Agency Audits.

**Applies to:** WSP Officers  
**See Also:** RCW 9.94A.030

**20.00.015      DECONFLICTION PROCEDURE (RISSafe) (CALEA 46.1.10)**

**I. DEFINITIONS**

- A. Deconfliction** – The process or system used to determine whether multiple law enforcement agencies are investigating the same person, place, or crime that provides notification to each agency involved of the shared interest in the case, as well as providing contact information. This is an information and intelligence-sharing process that seeks to minimize conflicts between agencies and maximize the effectiveness of an investigation to help ensure officer safety and the effective use of resources.
- B. Line Officer (see CHAIN OF COMMAND)**
1. Officers assigned to traffic duty work traffic enforcement or in direct support of traffic enforcement more than 50 percent of the work time.
  2. Such positions include traffic officers, traffic sergeants, traffic support officers, traffic support sergeants, traffic assistance detectives, traffic assistance detective sergeants, tow and wrecking troopers, commercial vehicle enforcement officers, and those lieutenants and command staff assigned to the Field Operations Bureau.

**II. PURPOSE**

- A.** The Washington State Patrol recognizes the importance of deconfliction during investigations and the sharing of information between law enforcement agencies. The utilization of case deconfliction and information-sharing about the case will enhance officer safety and efficiency during criminal investigations.

**III. POLICY**

**A. Deconfliction Procedure**

1. Anytime an officer contacts a suspect address, the assigned detective or officer shall deconflict and report all planned operations to their local Washington State Patrol Communications Center. Deconfliction should occur at least two hours prior to the planned operation to allow sufficient time for the Communications staff to identify potential conflicts and/or case overlaps and make notification, except when exigent circumstances exist.
2. The case officer will provide the following information at a minimum to the Watch Center:
  - a. Date and time of planned operation.
  - b. Nature of operation.
  - c. Location of operation, including any staging areas.
  - d. Information about the suspect(s), including full names, aliases, or street names, physical descriptors, vehicle information, phone numbers, contraband to be purchased, and amount of money involved.

- e. Lead and participating agency names and officer.
  - f. Name and office of the assigned case officer, including agency contact telephone number, along with a secondary point of contact for the operation.
- 3. The case officer should request to be notified of any other planned law enforcement activities occurring within the radius they specify of the planned operation. Should the Watch Center detect other law enforcement activity occurring within the designated area, the Watch Center will notify both agencies and encourage contact with one another to deconflict. Any Washington State Patrol personnel receiving positive event conflict information from the Watch Center will immediately notify the case officer and a supervisor.
  - 4. If the event will occur in another jurisdiction, prior notice will be given to the Communications Center of that agency. If it occurs in the service area of another task force, notice should be given to any law enforcement officer from that task force.
  - 5. Detectives' deconfliction efforts will be documented on the Investigative Services Bureau (ISB) Safety Plan, when required, indicating deconfliction was completed by checking the deconfliction box on page 1 of the ISB Safety Plan.
  - 6. Line officers or their designee shall request all deconfliction efforts through Communications. Line officers shall consult with a supervisor regarding delays caused by deconfliction that may influence the outcome of an investigation prior to making contact with a suspect. Line officers' deconfliction efforts will be documented on the Investigative Checklist and in the officer's case log. Supervisors shall ensure line officers utilize the deconfliction procedures in accordance with policy.
  - 7. Deconfliction should be utilized for, but not be limited to, officer contact of a non-custodial suspect who is suspected of criminal activity away from the scene. This may include the contact of a hit-and-run suspect at a residential or business property such as a motel or workplace.
  - 8. Line officer investigations requiring the contact of a non-custodial suspect at a residential or business property shall be deconflicted. Communications shall ensure deconfliction is completed upon request and shall notify officers of delays that would prevent the officer's timely contact of the suspect. Deconfliction shall include the use of RISSafe. Deconfliction may also include:
    - a. Criminal History (III)
    - b. Local Law Enforcement (Premise Check)
    - c. LInX
  - 9. The nature of the deconfliction information shall be considered when determining the most appropriate manner of notification to the line officer. Alternative notification methods may include Premier Mobile Data Computer (PMDC) messaging, e-mail, or the use of a telephone.

10. The Deconfliction (RISSafe) Procedure and ISB Safety Plan requirements should be utilized for, but not be limited to, the following types of cases:
  - a. Prior to the service of search/arrest warrants.
  - b. Prior to the planned arrest of a person immediately after criminal activities.
  - c. All contraband investigations involving buy-bust, buy-walks, and knock and talks.
  - d. Prior to any surveillance, whether stationary or mobile, particularly occurring in jurisdictions of a non-participating law enforcement agency or outside task force service area.
  - e. Covert activity that could initiate a response from citizens or local law enforcement who may reasonably believe that a crime is in progress.
  - f. Consideration for any residence, business, or suspect contacts.
  - g. Hit-and-run investigations where officers need to contact suspect, suspect vehicle, and suspect residence.
  - h. Officer contact of a non-custodial suspect who is suspected of criminal activity.

**NOTE:** An ISB Safety Plan and Risk Analysis (located on the last page of the ISB Safety Plan) is required for any event described in a through e.

**Applies to:** WSP Officers

**See Also:** Investigative Services Bureau Safety Plan; Investigative Checklist

**15.01.010**     **TELEPHONE COMMUNICATIONS**

**I. POLICY**

**A. Handling Telephone Calls**

1. All employees shall answer calls promptly, courteously, and in a businesslike manner, identifying the department (or subdivision) and themselves.
2. Every reasonable attempt shall be made to supply callers with requested information, assistance, or proper referrals.
3. Return calls should be made within 24 hours, unless circumstances require a longer time.
4. Communications officers shall follow their section procedures for answering calls.
5. Employees shall remain attentive to those people they contact in performance of their duties. Cellular telephones should not be used and Bluetooth earpieces should not be worn while in contact with violators or the public, except in extenuating circumstances.

**B. Use of ~~SCAN~~ VoIP/Micro Lines, SLD System, and Calling Cards, and ~~Micro Lines~~**

1. ~~The State Controlled Area Network (SCAN) is the state of Washington's system consisting of leased lines providing low-cost telephone services for business calls. Employees shall use the SCAN system~~ department Voice over Internet Protocol (VoIP) or Microwave Lines (Micro) or the Switched Long Distance (SLD) system whenever possible to place business-related long-distance calls from the office for intra-departmental long-distance calls.
2. SLD is the state of Washington's system consisting of leased lines providing low-cost telephone services for business calls. Employees shall use the SLD system whenever possible to place business-related long-distance calls from the office. The SLD option is automated when dialing toll calls on department VoIP phones.
23. Departmental employees may be issued calling cards for making calls while away from the office.
3. ~~Employees shall use department microwave phones (Micro) whenever possible for intra-departmental long-distance calls. Microwave phone lines should also be used to call local numbers in the Olympia/Lacey/Tumwater area from outside of the area, saving SCAN charges. Personal long-distance calls shall be charged to the employee's home telephone or personal credit card.~~

**C. Use of Local Telephone Service**

1. Occasional use of the department's telephone service is permissible when deemed not to cost the state time or money (e.g., local call on a break).



**D. Personal Calls**

1. Cellular telephones, telephone credit cards, and the SCAN SLD system are for official state business only. It is not permissible to make personal telephone calls on these systems or to receive personal calls on department cellular telephones. The only exception is that brief calls to home regarding an emergency, a change in travel plans, or a change in duty hours are allowed. All other personal calls shall be made at the employee's expense on public or personal equipment.
2. Personal cellular service shall ~~not be installed on~~ remain separated from department cellular telephones devices.

**E. Control of SCAN SLD Number**

1. Employees shall maintain strict control of their seven-digit SCAN SLD access and long-distance calling card number and will be held accountable for their use. Lost or stolen seven-digit SCAN SLD access or calling card numbers shall be promptly reported to the immediate supervisor.
- ~~2. Supervisors shall review all telephone records, printouts, and bills on a monthly basis to ensure compliance with departmental communications and telephone usage guidelines. Telephone printouts shall be given to the employee to be reviewed, signed, dated, and returned to the supervisor. All telephone calls in excess of 10 minutes shall require a written explanation.~~
2. The Electronic Services Division (ESD) will provide monthly SLD reports to each division/district for review.
- ~~3. Occasionally, additional explanation of an individual call may be needed. If this happens, the supervisor shall highlight the telephone number in question and return the printout to the employee for a brief written explanation. The supervisor may file all printouts in a location separate from the employee's performance records.~~

**F. Toll-Free Numbers and Foreign Exchange Lines**

1. Agency Toll-free 800 numbers and foreign exchange lines answered by Communications are for reporting emergencies or for out-of-area callers business use only. Toll-free 800 numbers available for employee use begin with the number 1-800-777-xxxx. These numbers are for business use only. Calls on the toll-free 800 line ring into the Inter-Tel Telephone Direct Inward System Access (DISA) system.

**Applies to:** All WSP Employees  
**See Also:** --

**15.16.020 REGIONAL INFORMATION SHARING SYSTEMS PROGRAM AND NETWORK (RISSNET)**

**I. DEFINITIONS**

- A. **Deconfliction** – The process or system used to determine whether multiple law enforcement agencies are investigating the same person, place, or crime that provides notification to each agency involved of the shared interest in the case, as well as providing contact information. This is an information and intelligence-sharing process that seeks to minimize conflicts between agencies and maximize the effectiveness of an investigation to help ensure officer safety and the effective use of resources (see **DECONFLICTION PROCEDURE (RISSafe)**).
- B. **RISSNET** – The Regional Information Sharing Systems (RISS): A law enforcement information-sharing system managed by RISS. RISSNET is a secure, sensitive, but unclassified law enforcement information-sharing cloud provider.
- C. **RISSafe** – The deconfliction system within RISSNET utilizing the 24-hour **High-Intensity Drug Trafficking Area (HIDTA)**/RISS Watch Center.
- D. **RISSafe Mobile** – Officers can access RISSafe from an approved mobile device, enter events, and receive immediate notification of conflicts.
- E. **RISSIntel** – The system utilized within the RISSNET system by law enforcement to enter information into the RISSNET database.

**II. PURPOSE**

- A. The Washington State Patrol recognizes the importance of deconfliction during investigations and the sharing of information between law enforcement agencies. The utilization of case deconfliction and information-sharing about the case will enhance officer safety and efficiency during criminal investigations. RISSNET procedures will be adhered to when executing a planned operation or conducting all felony-level criminal investigations.

**III. POLICY**

**A. RISSNET Users**

- 1. All RISSNET users must attend RISSNET training.
  - a. **Training and Access:** All detectives, officers, and administrative staff assignments that could require them to perform case activation or deconfliction should receive RISS training, enabling them to navigate through the computer program as well as obtain security access to the system within RISS policy. Detectives, officers, or administrative staff who do not have **Western States Information Network (WSIN)** training and/or security access to the RISS system will partner with a detective/officer who does have training and access to comply with the case activation or deconfliction requirements of this procedure.

- b. Officers can also accomplish case activation by calling their RISS Watch Center at 800-952-5258 or NW HIDTA at 888-388-3784.

**B. Security**

1. Security of the computer site and information received on the computer is the responsibility of the operator using the computer.
2. Computer locations must be secure from unauthorized access, and all employees authorized to use the system shall be instructed on the proper use of equipment and the dissemination of information received. RISSNET shall only be installed on work-assigned computer systems, tablets, and cellular devices.
3. All RISSNET users must ensure confidentiality of the information received through this program. Because RISSNET is an Internet-based program, authorized RISSNET users must acknowledge that all use of the RISSNET database will be in a secure environment (i.e., police squad room, a secure office, police vehicle with obscured vision of the computer screen by the public, etc.). Unsecured areas would include, but are not limited to, the employee's residence, coffee shops, restaurants, or fire departments.
4. The RISSNET user's immediate supervisor should have final review and approval prior to data being sent to RISSNET. Supervisors will receive approval notification by the Washington State Patrol CITE system.

**C. Use of Information**

1. Information obtained from the RISSNET system shall only be used for the administration of criminal justice, except as otherwise required by law.
2. RISSNET information is to enhance officer safety by notifying a central location (RISSNET) of a planned event prior to its execution. User inquiries will receive information from stored RISSNET law enforcement intelligence to prevent the compromise of other related investigations.
3. Dissemination:
  - a. Information that is obtained from the RISSNET system may be printed, but shall not be included in an investigative case file and shall be purged from such file.
  - b. The RISSIntel database has three levels of confidentiality: full release, limited release, and no release (restricted). Officers making entries may select either full or limited release. Before an entry is labeled as no release or restricted, it must first be reviewed and approved by a supervisor. As noted above, any exemptions to the case activation procedure must be reviewed on an individual basis and approved by the Chief of the Washington State Patrol or designee.
  - c. The information submitted to the RISSIntel database remains the property of the submitting agency, which controls the input and dissemination of its information in accordance with current laws and the agency's disclosure policies.

4. Positive results from RISSNET shall not be referred to in case reports or affidavits without first contacting the originating law enforcement agency and obtaining their express permission and the verification of the original information.
5. Persons shall not use any information obtained through the RISSNET database for private business or personal reasons or furnish any information so obtained to any other person for such use except as otherwise required by law.
6. Sanctions apply for system misuse of RISSNET information. Violations of the rules, regulations, policies, or procedures developed by RISSNET and adopted by the Washington State Patrol or any other misuse or abuse of the system may result in disciplinary measures.

**~~D. Deconfliction Procedure (RISSafe)~~**

- ~~1. Anytime an officer contacts a suspect address, the assigned detective or officer shall report all planned operations to the WSIN Watch Center at 800-952-5258 or NW HIDTA at 888-388-3784 or their local Washington State Patrol Communications Center. Event information can be transmitted electronically using RISSafe or RISSafe Mobile. When completing online submissions, officers should print a copy of the RISSafe submission and attach it to the safety plan. In either case, deconfliction should occur at least two hours prior to the planned operation to allow sufficient time for the Watch Center staff to identify potential conflicts and/or case overlaps and make notification, except when exigent circumstances exist.~~
- ~~2. The case officer will provide the following information at a minimum to the Watch Center:~~
  - ~~a. Date and time of planned operation.~~
  - ~~b. Nature of operation.~~
  - ~~c. Location of operation, including any staging areas.~~
  - ~~d. Information about the suspect(s), including full names, aliases, or street names, physical descriptors, vehicle information, phone numbers, contraband to be purchased, and amount of money involved.~~
  - ~~e. Lead and participating agency names and officer.~~
  - ~~f. Name and office of the assigned detective, including cellular telephone number, along with a secondary point of contact for operation.~~
- ~~3. The case officer should request to be notified of any other planned law enforcement activities occurring within the radius they specify, of the planned operation. Should the Watch Center detect other law enforcement activity occurring within the designated area, the Watch Center will notify both agencies and encourage contact with one another to de-conflict. Any Washington State Patrol personnel receiving positive event conflict information from the Watch Center will immediately notify the case officer and a supervisor.~~

- ~~4. If the event will occur in another jurisdiction, prior notice will be given to the Communications Center of that agency. If it occurs in the service area of another task force, notice should be given to any law enforcement officer from that task force.~~
- ~~5. All deconfliction efforts will be documented on the safety plan, to include name, title, and agency personnel notified, and the time and date of the notification.~~
- ~~6. Deconfliction (RISSafe) process and Washington State Patrol Safety Plan requirements should be guided by, but not limited to, the following types of cases:~~
  - ~~a. Prior to the service of search/arrest warrants.~~
  - ~~b. Prior to the planned arrest of a person immediately after criminal activities.~~
  - ~~c. Hit and run investigations where officers need to contact suspect, suspect vehicle, and suspect residence.~~
  - ~~d. All contraband investigations involving buy-bust, buy-walks, and knock and talks.~~
  - ~~e. Officer contact of a non-custodial suspect who is suspected of criminal activity.~~
  - ~~f. Prior to any surveillance, whether stationary or mobile, particularly occurring in jurisdictions of a non-participating law enforcement agency or outside task force service area.~~
  - ~~g. Covert activity that could initiate a response from citizens or local law enforcement who may reasonably believe that a crime is in progress.~~
  - ~~h. Consideration for any residence, business, or suspect contacts.~~

**NOTE:** A Washington State Patrol Safety Plan is required for any event described in a through h.

#### **ED. Case Activation Procedure**

- 1. For Trained, Certified RISS Users:** Upon the assignment of an active felony investigation on a named suspect, officers shall run all suspects thorough the RISSIntel database along with consideration of other state and regional intelligence databases to search for other investigations that may be underway.
- 2. Non-Trained Resource:** Upon the assignment of an active felony investigation on a named suspect, officers should partner with detectives or fellow trained officers to run all suspects through the RISSIntel database.
- 3.** In cases meeting the criteria listed below, officers should enter the suspect and all associated suspects and case identifiers into the RISSIntel database. This information shall take place by either entering the information directly into the CITE database or by completing the appropriate departmental Field Information Report (FIR) and checking the RISSNET notification box.

4. Entry into the FIR/RISSIntel database should be guided by, but not necessarily limited to, the following types of cases:
  - a. Suspects in all UCR Part 1 crimes (*murder and non-negligent homicide, forcible rape, robbery, aggravated assault, burglary, motor vehicle theft, larceny-theft, and arson*).
  - b. Suspects or groups engaged in ongoing criminal activities involving serial property crimes such as auto theft rings, financial crime rings, burglary rings, and organized retail theft.
  - c. Subjects involved in drug trafficking, weapons trafficking, human trafficking, **and/or** manufacturing of controlled substances.
  - d. Subjects belonging to or associated with criminal gangs.
    - (1) Criminal gangs are defined in RCW 9.94A.030 and summarized as follows: "Criminal street gang" means any ongoing organization, association, or group of three or more persons, whether formal or informal, having a common name or common identifying sign or symbol, having as one of its primary activities the commission of criminal acts, and whose members or associates individually or collectively engage in or have engaged in a pattern of criminal street gang activity. This definition does not apply to employees engaged in concerted activities for their mutual aid and protection, or to the activities of labor and bona fide non-profit organizations or their members or agents.
    - (2) "Criminal street gang associate or member" means any person who actively participates in any criminal street gang and who intentionally promotes, furthers, or assists in any criminal act by the criminal street gang.
  - e. Any other time an officer has reasonable suspicion of criminal activity and would like to share and connect intelligence reference that activity with law enforcement at all levels of government, nationally.

**NOTE:** This list is not designed to be all-inclusive. Officers shall consult with their immediate supervisor if there is any doubt over whether or not to make an entry.

**FE. WSIN Agency Representative**

1. Each division and district shall select one WSIN representative who will be the WSIN point of contact (POC). The representative shall contact WSIN or the WSIN Law Enforcement Coordinator of any changes to the division/district WSIN Roster. The selected WSIN representative will also be the POC for required WSIN Agency Audits.

**Applies to:** WSP Officers  
**See Also:** RCW 9.94A.030

**20.00.015 DECONFLICTION PROCEDURE (RISSafe) (CALEA 46.1.10)**

**I. DEFINITIONS**

**A. Deconfliction** – The process or system used to determine whether multiple law enforcement agencies are investigating the same person, place, or crime that provides notification to each agency involved of the shared interest in the case, as well as providing contact information. This is an information and intelligence-sharing process that seeks to minimize conflicts between agencies and maximize the effectiveness of an investigation to help ensure officer safety and the effective use of resources.

**B. Line Officer (see CHAIN OF COMMAND)**

1. Officers assigned to traffic duty work traffic enforcement or in direct support of traffic enforcement more than 50 percent of the work time.
2. Such positions include traffic officers, traffic sergeants, traffic support officers, traffic support sergeants, traffic assistance detectives, traffic assistance detective sergeants, tow and wrecking troopers, commercial vehicle enforcement officers, and those lieutenants and command staff assigned to the Field Operations Bureau.

**II. PURPOSE**

**A.** The Washington State Patrol recognizes the importance of deconfliction during investigations and the sharing of information between law enforcement agencies. The utilization of case deconfliction and information-sharing about the case will enhance officer safety and efficiency during criminal investigations.

**III. POLICY**

**A. Deconfliction Procedure**

1. Anytime an officer contacts a suspect address, the assigned detective or officer shall **deconflict and** report all planned operations **to the WSIN Watch Center at 800-952-5258 or NW HIDTA at 888-388-3784 or their local Washington State Patrol Communications Center. Event information can be transmitted electronically using RISSafe or RISSafe Mobile. When completing online submissions, officers should print a copy of the RISSafe submission and attach it to the safety plan. In either case, d**Deconfliction should occur at least two hours prior to the planned operation to allow sufficient time for the **Watch Center Communications** staff to identify potential conflicts and/or case overlaps and make notification, except when exigent circumstances exist.
2. The case officer will provide the following information at a minimum to the Watch Center:
  - a. Date and time of planned operation.
  - b. Nature of operation.
  - c. Location of operation, including any staging areas.

- d. Information about the suspect(s), including full names, aliases, or street names, physical descriptors, vehicle information, phone numbers, contraband to be purchased, and amount of money involved.
  - e. Lead and participating agency names and officer.
  - f. Name and office of the assigned **case officer** ~~detective or line officer~~, including ~~cellular~~ **agency contact** telephone number, along with a secondary point of contact for **the** operation.
3. The case officer should request to be notified of any other planned law enforcement activities occurring within the radius they specify of the planned operation. Should the Watch Center detect other law enforcement activity occurring within the designated area, the Watch Center will notify both agencies and encourage contact with one another to deconflict. Any Washington State Patrol personnel receiving positive event conflict information from the Watch Center will immediately notify the case officer and a supervisor.
  4. If the event will occur in another jurisdiction, prior notice will be given to the Communications Center of that agency. If it occurs in the service area of another task force, notice should be given to any law enforcement officer from that task force.
  5. All **Detectives'** deconfliction efforts will be documented on the **Investigative Services Bureau (ISB) s** ~~Safety p~~ **Plan, to include name, title, and agency personnel notified, and the time and date of the notification when required, indicating deconfliction was completed by checking the deconfliction box on page 1 of the ISB Safety Plan.**
  6. **Line officers or their designee shall request all deconfliction efforts through Communications. Line officers shall consult with a supervisor regarding delays caused by deconfliction that may influence the outcome of an investigation prior to making contact with a suspect. Line officers' deconfliction efforts will be documented on the Investigative Checklist and in the officer's case log. Supervisors shall ensure line officers utilize the deconfliction procedures in accordance with policy.**
  7. **Deconfliction should be utilized for, but not be limited to, officer contact of a non-custodial suspect who is suspected of criminal activity away from the scene. This may include the contact of a hit-and-run suspect at a residential or business property such as a motel or workplace.**
  8. **Line officer investigations requiring the contact of a non-custodial suspect at a residential or business property shall be deconflicted. Communications shall ensure deconfliction is completed upon request and shall notify officers of delays that would prevent the officer's timely contact of the suspect. Deconfliction shall include the use of RISSafe. Deconfliction may also include:**
    - a. **Criminal History (III)**
    - b. **Local Law Enforcement (Premise Check)**
    - c. **LInX**



9. The nature of the deconfliction information shall be considered when determining the most appropriate manner of notification to the line officer. Alternative notification methods may include Premier Mobile Data Computer (PMDC) messaging, e-mail, or the use of a telephone.
10. The Deconfliction (RISSafe) process Procedure and Washington State Patrol ISB Safety Plan requirements should be guided by utilized for, but not be limited to, the following types of cases:
- a. Prior to the service of search/arrest warrants.
  - b. Prior to the planned arrest of a person immediately after criminal activities.
  - c. ~~Hit-and-run investigations where officers need to contact suspect, suspect vehicle, and suspect residence.~~
  - dc. All contraband investigations involving buy-bust, buy-walks, and knock and talks.
  - e. ~~Officer contact of a non-custodial suspect who is suspected of criminal activity.~~
  - fd. Prior to any surveillance, whether stationary or mobile, particularly occurring in jurisdictions of a non-participating law enforcement agency or outside task force service area.
  - ge. Covert activity that could initiate a response from citizens or local law enforcement who may reasonably believe that a crime is in progress.
  - Hf. Consideration for any residence, business, or suspect contacts.
  - Gg. Hit-and-run investigations where officers need to contact suspect, suspect vehicle, and suspect residence.
  - Hh. Officer contact of a non-custodial suspect who is suspected of criminal activity.

**NOTE:** An Washington State Patrol ISB Safety Plan and Risk Analysis (located on the last page of the ISB Safety Plan) is required for any event described in a through he.

**Applies to:** WSP Officers


**See Also:** Investigative Services Bureau Safety Plan; Investigative Checklist

# INTEROFFICE COMMUNICATION

## WASHINGTON STATE PATROL



**TO:** All Employees

**FROM:** Chief John R. Batiste 

**SUBJECT:** Regulation Manual Revision

**DATE:** December 31, 2015

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### GENERAL ORDER 15-003

General Order 15-003 is now available on Inside WSP within the *2015 Regulation Manual* at the following URL: <http://iwsp/sites/TSB/RMD/Pages/Regulation%20Manual.aspx>

General Order 15-003 contains revisions to existing policies and 15 deleted policies in the *2015 Regulation Manual*:

- 6.01.060 CRIMINAL HISTORY RECORD INFORMATION (CALEA 42.2.2, 82.1.1)
- 8.00.250 CODE OF ETHICS – OFFICERS (CALEA 1.1.2, 1.2.7, 26.1.1, 55.1.3)
- 10.04.080 NON-DEPARTMENT PERSONNEL BACKGROUND CHECKS
- 10.12.020 TRAINING DIVISION (CALEA 1.3.13, 33.1.1, 33.1.2, 33.1.3, 33.1.4, 33.1.6, 33.1.7, 33.2.1, 33.4.2)
- 13.00.010 POLICY STATEMENT (CALEA 26.1.4, 26.1.6)
- 13.00.020 BOARD MEMBERS (DELETED POLICY)
- 13.00.030 DUTIES OF THE TRIAL BOARD MEMBERS (DELETED POLICY)
- 13.00.040 HUMAN RESOURCE DIVISION COMMANDER (DELETED POLICY)
- 13.00.050 DEFENSE ADVOCATE (DELETED POLICY)
- 13.00.060 TRIAL BOARD DRAWING (DELETED POLICY)
- 13.00.070 TRIAL BOARD HEARING (DELETED POLICY)
- 13.00.080 TRIAL BOARD PROCEDURES (DELETED POLICY)
- 13.00.090 DELIBERATIONS OF BOARD (DELETED POLICY)
- 13.00.110 RESIGNATION OR RETIREMENT OF ACCUSED BEFORE COMPLETION OF HEARING (DELETED POLICY)
- 13.00.120 GENERAL REGULATIONS – BOARD HEARING (DELETED POLICY)
- 13.00.130 CONTINUANCES (DELETED POLICY)
- 13.00.140 AMENDING COMPLAINTS (DELETED POLICY)
- 13.00.150 EVIDENCE (DELETED POLICY)
- 13.00.160 DISCOVERY (DELETED POLICY)



- 13.00.170 EFFECT OF CRIMINAL PROCEEDINGS (DELETED POLICY)
- 14.00.120 UNIT ACTIVITY AND STATUS
- 15.01.010 TELEPHONE COMMUNICATIONS
- 15.02.030 ELECTRONIC RECORDS STORAGE
- 15.05.010 DEPARTMENT INTERNET SITE
- 15.05.020 DEPARTMENT INTRANET SITE
- 15.15.010 ACCESS/WACIC/NCIC CERTIFICATION REQUIREMENTS (CALEA 41.3.7)
- 15.16.010 LAW ENFORCEMENT INFORMATION EXCHANGE (LINX)/NATIONAL DATA EXCHANGE (N-DEX)
- 16.04.010 PURCHASE OF REPLICAS AND WALLET BADGES (POLICY TITLE REVISED)
- 17.05.010 VEHICLE MAINTENANCE FILES
- 17.16.010 CAR WASH
- 18.00.040 PURCHASE OF SERVICE PISTOL UPON RETIREMENT (CALEA 1.2.1, 41.3.4)

Commanders are responsible for distributing the General Order to all employees under their command. Employees are responsible for reading and understanding the new policies.

Employees shall acknowledge receipt of this General Order by signing a Directive Control Sheet. The signed Directive Control Sheet shall be maintained by the division/district as required by the retention schedule.

JRB:tlu  
Attachments

**6.01.060**      **CRIMINAL HISTORY RECORD INFORMATION (CALEA 42.2.2, 82.1.1)**

**I. POLICY**

**A. Use of Criminal History Record Information (CHRI)**

1. CHRI shall only be requested for criminal justice purposes. All requestors accessing criminal history (WASIS and III) shall ensure they include the following information in each request:
  - a. Person's last name, first name, and middle initial
  - b. Date of birth
  - c. Sex
  - d. Race
  - e. Purpose Code ("C" for criminal, "J" for criminal justice employment, "F" for federal firearms dealer licenses, suppressors and silencers)
  - f. Attention Field (the requestor's first initial and last name or employee identification number and case number or specific reason for the request; i.e., DUI, Theft, etc.). Generic reasons such as "Investigation" are not considered specific.
    - (1) If abbreviations are used for the specific reason, the district must maintain the list of appropriate abbreviations for review during audits.
2. CHRI information shall only be disseminated to a second party when necessary to further a criminal investigation or to provide amplifying information for prosecution. When a CHRI is included in the Case File Tracking Envelope, employees shall indicate the CHRI's inclusion by checking the appropriate box under the "FILE CONTENTS" heading on the face of the envelope. When a case file is released with the CHRI, employees shall note the name and office of the person receiving the file under the remarks section on the face of the envelope. CHRIs shall be destroyed when no longer of use.
3. For all evidentiary return of firearms, evidence custodians must use the National Instant Criminal Background Check System (NICS) query "QNP" with the following mandatory information:
  - a. Person's last name, first name, middle initial
  - b. Date of birth
  - c. Sex
  - d. Race
  - e. State of residence

- f. Purpose code
  - (1) 22 – Return Handgun
  - (2) 23 – Return of Long gun
  - (3) 24 – Return of Other

## **II. PROCEDURES**

### **A. Requesting a CHRI Check**

1. Officers shall request a CHRI check from Communications using the following information:
  - a. Last name, first name, middle initial
  - b. Date of birth
  - c. Sex
  - d. Race
  - e. Specific reason for the inquiry (i.e., DUI, Theft, etc.). Generic reasons such as “Investigation” are not considered specific.
2. Include other identifiers, if known:
  - a. Social Security number
  - b. FBI Number
  - c. State Identification number (SID)
3. All CHRI obtained is based on descriptors provided. Positive identification can be based ONLY on fingerprint identification.

### **B. Methods of Retrieval**

1. CHRI inquiries will generate a positive or negative automated response:
  - a. Upon receipt of a response, the communications officer shall advise the requesting officer: “(Subject’s last name), negative Triple I.”
  - b. Upon receipt of CHRI, the inquiry shall be identified by the suspect’s last name. The communications officer shall advise the requesting officer: “(Subject’s last name), positive Triple I.”
  - c. Audio response terminals and radio devices shall not be used for the transmission of criminal history information, beyond that information necessary to effect an immediate identification or to ensure adequate safety for officers and the general public.

**C. Exceptions**

1. If all known searches produce "No Hits" and there is sufficient reason to believe the subject has a criminal history record, a terminal message requesting assistance may be routed to the Identification and Criminal History Section.
2. CHRI may be obtained via telephone on an emergency basis; however, the Identification and Criminal History Section will respond only to telephone numbers listed on the official department directory on a call-back basis.

**Applies to:** All WSP Employees

**See Also:** --

**8.00.250      CODE OF ETHICS – OFFICERS (CALEA 1.1.2, 1.2.7, 26.1.1, 55.1.3)**

**I. POLICY**

**A. Ethical Responsibilities**

1. Officers must be fully aware of the ethical responsibilities of their position and strive constantly to live up to the highest standards of professional policing.
2. It is important that officers have clear advice and counsel available to assist them in performing their duties consistent with these ethical standards. The department has adopted the following ethical guidelines to meet these ends.
3. Ethics training will be conducted for all personnel at least biennially.

**B. Primary Responsibilities of an Officer**

1. An officer acts as an official representative of government who is required and trusted to work within the law. The powers and duties of an officer are defined by statute. The fundamental duties of an officer include serving the community, safeguarding lives and property, protecting the innocent, keeping the peace, and ensuring the rights of all to liberty, equality, and justice.

**C. Performance of the Duties of an Officer**

1. Officers shall perform all duties impartially, without favor, affection, or ill will and without regard to marital status, gender, race, religion, or political belief. All citizens will be treated equally with courtesy, consideration, and dignity at all times.
2. Officers will never allow personal feelings, animosities, or friendships to influence official conduct. Laws will be enforced appropriately and courteously. They will conduct themselves in appearance and behavior in such a manner as to inspire confidence and respect for the position they hold and strive to obtain maximum cooperation from the public.

**D. Discretion**

1. An officer will responsibly use the discretion vested in the position and exercise it within the law. The principle of reasonableness will guide the officer's determinations. The officer will consider all surrounding circumstances in determining whether any legal action shall be taken.
2. Consistent and wise use of discretion, based on professional policing competence, will do much to preserve positive relationships and retain the confidence of the public. There can be difficulty in choosing between conflicting courses of action. It is important to remember a timely word of advice, rather than an arrest, which may be correct in appropriate circumstances, can be a more effective means of achieving the desired end.

**E. Confidentiality**

1. Citizens have a right to security and privacy.
2. If officers observe or learn of any information that is confidential, the information shall remain confidential, unless the performance of duty or legal provisions require otherwise.

**F. Integrity**

1. An officer will not engage in acts of corruption or bribery, nor will an officer condone such acts by other police officers. The public demands the integrity of officers be above reproach. Officers must therefore avoid any conduct that might compromise integrity and thus undercut public confidence in the agency.
2. Officers will refuse to accept any gifts, presents, subscriptions, favors, gratuities, or promises that could be interpreted as seeking to cause the officer to refrain from performing official responsibilities honestly and within the law.
3. Officers must not receive private or special advantage from their official status and shall follow the ethics laws of the state of Washington as contained in RCW 42.52. Respect from the public cannot be bought; it can only be earned and cultivated.

**G. Cooperation With Other Officers and Agencies**

1. Officers will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.
2. An officer or agency may be one among many organizations that may provide law enforcement services to a jurisdiction. It is imperative an officer assist colleagues fully and completely with respect and consideration at all times.

**H. Personal Professional Capabilities**

1. Officers will be responsible for their own standard of professional performance and will take every reasonable opportunity to enhance and improve their level of knowledge and competence.

2. Through study and experience, an officer can acquire the high level of knowledge and competence that is essential for the efficient and effective performance of duty. The acquisition of knowledge is a never-ending process of personal and professional development that should be pursued constantly.

**I. Application of the Rules of Conduct – Private Life**

1. Officers will behave in a manner that does not bring discredit to the department or to themselves.
2. An officer's character and conduct while off duty must always be exemplary, thus maintaining a position of respect in the community in which he or she lives and serves. The officer's personal behavior must be beyond reproach.
3. Officers will not post or publish items or information that may adversely affect the efficacy, efficiency, morale, confidence, and public respect of the department. This prohibition includes, but is not limited to, publication in print (e.g., in newspapers or handbills); or electronically (e.g., on social networking sites such as Facebook, MySpace, LinkedIn, Internet blogs, message boards, microblogging sites such as Twitter, as well as other Web sites and "chat" forums). This policy shall not prohibit an officer from posting or publishing truthful items concerning the officer's terms and conditions of employment, provided the officer is otherwise in compliance with applicable laws and Washington State Patrol regulations (see chapter 42.52 RCW and **RULES OF CONDUCT**, **ELECTRONIC-MESSAGING SYSTEMS**, and **INTERNET ACCESS**).

**Applies to:** WSP Officers

**See Also:** RCW 42.52; WSP policies **Rules of Conduct**, **Electronic- Messaging Systems**, **Internet Access**

**10.04.080 NON-DEPARTMENT PERSONNEL BACKGROUND CHECKS**

**I. POLICY**

**A. Authorization for Access**

1. Washington State and federal fingerprint-based background checks will be conducted on all non-department personnel who have unaccompanied access to department facilities, electronic equipment, computers, data bases, or other sensitive or restricted information. All non-department personnel who have unescorted access to a facility that contains Criminal Justice Information (CJI) or where ACCESS terminals are located must have a Washington State and federal fingerprint-based background check completed. This includes, but is not limited to, janitors/custodians, other public agency employees, computer hardware/software contractors, and information technology (IT) service providers.
2. All non-department personnel who have unescorted access and will be accessing a facility that contains CJI or where ACCESS terminals are located must sign a CJIS Security Addendum, view Security Awareness Training, and complete the testing through the ACCESS online training application once every two years.



3. All non-department personnel who have unescorted access and will be accessing a facility that contains CJI or where ACCESS terminals are located must sign a security addendum document, which must be kept on file by the Washington State Patrol.

**B. Exceptions to Background Requirement**

1. The background check requirement does not include visitors, other agency employees, or vendors/contractors who are accompanied by department personnel. The background check requirement does not include vendors that service vehicles, weapons, equipment, electronic devices, or computers at the vendor's location.
2. Reasonable precautions will be used to ensure security of department equipment while at vendor locations.

**C. Conducting the Background Check**

1. The division or program manager requiring the contract is responsible for initiating the non-department personnel background check.
2. The background checks will be fingerprint-based and conducted through the Washington State Identification System managed by the Criminal Records Division (CRD). CRD will forward the fingerprints to the Federal Bureau of Investigation (FBI) for a national criminal history background check.
3. The background check must be successfully completed before the individual is allowed unaccompanied access to these facilities, equipment, or data.
4. The Budget and Fiscal Services and Property Management Divisions will include the background check requirement in contracts and agreements, as appropriate.
5. Unless otherwise stated in the contract, all non-department personnel are responsible for paying the costs of the background check. Division/district commanders may authorize the payment of these costs through their division/district budgets if they determine it is in the best interest of the agency to do so.

**Applies to:** All Non-Department Personnel

**See Also:** Criminal Records Division Contractor Fingerprint Background Checks Procedures; Contractor Qualification form; Contractor Instruction Sheet for Fingerprint Background Checks

**10.12.020** **TRAINING DIVISION** (CALEA 1.3.13, 33.1.1, 33.1.2, 33.1.3, 33.1.4, 33.1.6, 33.1.7, 33.2.1, 33.4.2)

**I. POLICY**

**A. Responsibilities of the Training Division Commander**

1. The following are the Training Division Commander responsibilities:

- a. Conduct and coordinate Academy and Regional training.
- b. Conduct and coordinate training for outside agency employees, as requested.
- c. Administer the training records management system (eTrain) for Washington State Patrol personnel.
- d. Continuously review, evaluate, update, and implement department training.
- e. Administer the Career Development Program.
- f. Select Academy instructors.
- g. Notify department employees of required Academy and Regional training.
- h. Set guidelines, format, and approval process for Academy and Regional lesson plans, which are required for all courses.
- i. Identify department training goals.
- j. Establish performance objectives for all training programs.
- k. Review of Career Development objectives.

**B. Training Committee Requirements**

- 1. The Training Division Commander shall also serve as a member of the Training Committee, which is chaired by the Technical Services Bureau Assistant Chief or designee.
- 2. The committee shall also include representatives from the Human Resource Division, Office of Professional Standards, Field Operations Bureau, Investigative Services Bureau, Technical Services Bureau, Fire Protection Bureau, Forensic Laboratory Services Bureau, the Labor and Policy Advisor, and any other person appointed by the Chief.
- 3. The Training Committee meets at least annually to review and evaluate department training programs and to make recommendations to the Training Division of the training needs of the department.
- 4. The Training Committee:
  - a. Analyzes, updates, and prioritizes all training needs based on reports from inspections, staff meetings, training needs surveys, training evaluations, field observations, job task analysis, employee interviews, or needs identified by the Chief, Human Resource Division, or Office of Professional Standards.
  - b. Analyzes overall training needs of employees relating to career development.
  - c. Helps identify the department's training goals.

**C. Out-of-State Training**

1. For training only available outside the state, employees shall submit a Training/Travel Request with information describing the training attached through the chain of command to the assistant chief or bureau director.
2. If approved, the request shall be forwarded through the assistant chief or bureau director to the Chief to review.
3. All attempts will be made to return the request to the employee within fifteen working days of the initial request.

**D. Advanced Training**

1. The following criteria are used to select Washington State Patrol sergeants and lieutenants for advanced training:
  - a. Rank of lieutenant or above (sergeants high on the lieutenant's promotional list may be considered).
  - b. Outstanding leadership potential, based on past performance, education, and individual goals and objectives.
  - c. Recommendation by the Chief, assistant chief or bureau director, and commander.

**E. In-State Training Requests**

1. To attend in-state training, an employee shall submit a Training/Travel Request and course description through the chain of command to the division/district commander, who approves or denies the request and returns it within five working days. Additionally:
  - a. For a Criminal Justice Training Commission (CJTC) course, the CJTC registration is sent directly to CJTC, after command approval.
  - b. For a Department of Personnel, Training and Development Services (TDS) course, once the employee receives command approval, they shall have their division/district/section TDS coordinator enroll them in the course.

**F. Training Records**

1. The Training Division maintains/administers the training records management system (eTrain). Training transcripts include course title, date of completion, hours, and sponsor.
2. Each employee's transcript is available, upon request, from the local eTrain user or the Training Division.

**G. Reporting Training**

1. Employees attending training outside the department will submit a Report of Training (using the Training/Travel Request) to their local eTrain user within ten days of completion. The Report of Training must include a copy of a certificate of completion or, if not available, the signature of the employee's supervisor verifying training was attended. Copies of diplomas or certificates should be sent to the Human Resource Division.
2. Employees instructing or coordinating Washington State Patrol training shall contact the Training Division eTrain Administrator to provide course information and to obtain a course code. Employees attending these training events shall pre-register with their local eTrain user. At the conclusion of training, the instructors shall submit the initialed rosters to their local eTrain users or to the Training Division eTrain Administrator.
3. All training documentation entered in the division/district shall be maintained at the division/district level until the end of the calendar year, at which time it will be forwarded to the Training Division for retention.

**H. Non-Compliance Reports**

1. Division/district eTrain users should run quarterly non-compliance reports of required training to verify attendance by division/district personnel. The information should be submitted to the division/district commander for review to ensure personnel attend mandatory training.

**I. Department-Sponsored Training**

1. Department-sponsored training sessions are mandatory for all persons or groups for which the specific training is designed. Employees on departmental-approved leave who miss training may:
  - a. Be exempt.
  - b. Attend modified training.
  - c. Attend a subsequent session.
2. Exemptions, modifications, or special sessions are at the discretion of the Chief, employee's commander, Training Division Commander, or Human Resource Division Commander.

**J. Training Materials**

1. Training materials (books, manuals, and pamphlets) obtained during a course will not be paid for by the department, unless the training is mandated by the department.

**K. Rules and Regulations for Instructors**

1. All Academy training curriculums must be submitted, prior to training, to the Training Division Lesson Plan Coordinator for approval.
2. Coordinators and instructors of non-Academy programs (HazMat, Peer Support, Motors, K-9, etc.) and guest instructors who provide training at the Academy will be responsible for maintaining their outlines for a minimum of seven years for public disclosure purposes. (The Academy does not have custodial responsibility for outlines that are not developed by Academy staff.)

**L. Training Reimbursement**

1. If an employee is a classified employee, then the Civil Service Rules on reimbursement for training and education shall apply if any part of this regulation conflicts with the Civil Service System Rule. (See WAC 357-34-030.)
2. If an employee is not a classified employee and that employee is covered by a collective bargaining agreement, then that bargaining agreement will control if any part of this regulation conflicts with the bargaining agreement.

**Applies to:** All WSP Employees

**See Also:** WAC 357-34-030; Training/Travel Request

**13.00.010      POLICY STATEMENT (CALEA 26.1.4, 26.1.6)**

**I. POLICY**

- A. It is the policy of the department to administer all trial board processes and obligations in accordance with applicable RCWs and WACs.

**Applies to:** WSP Officers

**See Also:** RCW 43.43.070 and chapter 446-08 WAC

**14.00.120      UNIT ACTIVITY AND STATUS**

**I. POLICY**

**A. Use of the Computer Aided Dispatch (CAD) System to Track and Report Status**

1. Communications officers shall use the CAD system to track the current status of field personnel.
2. CAD time card reports and unit activity reports shall be used by supervisors to monitor performance of duty. This shall include, but not be limited to, time in and out of the car, services provided, beat coverage, and breaks.
3. Data for CAD reports is kept as required by the Communications Division retention schedule.

**Applies to:** Field Supervisors and All Communications Employees

**See Also:** --

**15.01.010**     **TELEPHONE COMMUNICATIONS**

**I. POLICY**

**A. Handling Telephone Calls**

1. All employees shall answer calls promptly, courteously, and in a businesslike manner, identifying the department (or subdivision) and themselves.
2. Every reasonable attempt shall be made to supply callers with requested information, assistance, or proper referrals.
3. Return calls should be made within 24 hours, unless circumstances require a longer time.
4. Communications officers shall follow their section procedures for answering calls.
5. Employees shall remain attentive to those people they contact in performance of their duties. Cellular telephones should not be used and Bluetooth earpieces should not be worn while in contact with violators or the public, except in extenuating circumstances.

**B. Use of VoIP/Micro Lines, SLD System, and Calling Cards**

1. Employees shall use department Voice over Internet Protocol (VoIP) or Microwave Lines (Micro) or the Switched Long Distance (SLD) system whenever possible for intra-departmental long-distance calls.
2. SLD is the state of Washington's system consisting of leased lines providing low-cost telephone services for business calls. Employees shall use the SLD system whenever possible to place business-related long-distance calls from the office. The SLD option is automated when dialing toll calls on department VoIP phones.
3. Departmental employees may be issued calling cards for making calls while away from the office.

**C. Use of Local Telephone Service**

1. Occasional use of the department's telephone service is permissible when deemed not to cost the state time or money (e.g., local call on a break).

**D. Use and Control of Blackberries, Cell Phones, and Air Cards**

1. The Information Technology Division shall provide reports to each division/district for review of voice and data usage, as well as charges.
2. It shall be the responsibility of each division/district commander or his/her appointed designee to monitor cellular device usages. Upon request, a full detail report of usage can be provided.

**E. Personal Calls**

1. Cellular devices, telephone credit cards, and the SLD system are for official state business only. It is not permissible to make personal telephone calls on these systems or to receive personal calls on department cellular telephones. The only exception is that brief calls to home regarding an emergency, a change in travel plans, or a change in duty hours are allowed. All other personal calls shall be made at the employee's expense on public or personal equipment.
2. Personal cellular service shall remain separated from department cellular devices.

**F. Control of SLD Number**

1. Employees shall maintain strict control of their seven-digit SLD access and long-distance calling card number and will be held accountable for their use. Lost or stolen seven-digit SLD access or calling card numbers shall be promptly reported to the immediate supervisor.
2. The Electronic Services Division (ESD) will provide monthly SLD reports to each division/district for review.

**G. Toll-Free Numbers**

1. Agency toll-free numbers are for business use only.

**Applies to:** All WSP Employees

**See Also:** --

**15.02.030 ELECTRONIC RECORDS STORAGE**

**I. DEFINITIONS**

- A. **Electronic Media** – The device or medium that computer records or files are stored on.
- B. **Records** – Electronic records are subject to the Public Records Act, 42.56 RCW. These records may include writings, drawings, graphs, charts, photographs, video, audio recordings, metadata, etc., as defined in RCW 40.14.010, RCW 42.56.010(2), RCW 42.56.070, WAC 434-662, case law and any other RCW or WAC that defines “public records.”

**II. POLICY**

**A. Summary of Responsibilities**

1. It shall be the responsibility of each division/district commander or his/her appointed designee to monitor electronic records storage. The Information Technology Division will provide specific reports and recommendations as needed or on request by division/district commanders.

2. Each division/district shall have a current electronic media storage procedure in their division/district Standard Operating Procedures Manual.
3. Each division/district shall be responsible for identifying and monitoring which employees have department-issued equipment with camera functionality.
  - a. This includes, but is not limited to, cell phones, BlackBerrys, Smartphones, and Personal Digital Assistants (PDA).

**Applies to:** All WSP Employees

**See Also:** RCW 40.14.010, 42.56.010(2), 42.56.070; WAC 434-662

**15.05.010**      **DEPARTMENT INTERNET SITE**

**I. DEFINITIONS**

- A. Government and Media Relations** – Coordinates agency legislation with legislators, committees, and other state agencies, as well as managing the statewide media relations on behalf of the Chief.
- B. Information Technology Division Customer Services** – ITD support unit that responds to requests for technical assistance supporting Internet use, including troubleshooting, feature questions, installation services, driver downloads, inventory, and surplus as they relate to department desktop and laptop computers, software, applications, and peripherals.
- C. ITD Web Support** – Web development team that is responsible for the technical support, maintenance, enhancement, design, and construction of the department Web sites.
- D. Internet** – The worldwide collection of computers, networks, and gateways used to communicate with one another through high-speed data communication lines.
- E. Web Site** – A home page and its associated pages, graphics, documents, multimedia, and other files that are stored on a Web server or a computer's hard drive.
- F. Web Page** – A single document in a Web site written in hypertext markup language (HTML) or a combination of HTML and server-side scripting code (such as JavaScript or PHP).
- G. Publish** – The process of making Web content public on the World Wide Web or an intranet by copying Web pages and files to the Web server connected to the Internet or the local area network.

**II. POLICY**

**A. Distributing Information on the Internet Web site**

1. The Internet Web site is designed and focused at providing information about the agency to the public. Information published on the Web site must be for general public viewing that originates from within the agency and pertains to agency business. This site cannot be used for disclosing personal information, or publishing information from other organizations as the agency does not own the information.



2. The Internet Web site is not an open public forum, and external content provided on any Web page operated by the department will only be permitted at the discretion of the Chief.

**B. Accuracy and Appropriateness of Information**

1. Each section, division, district, and bureau is accountable for the accuracy and appropriateness of the information submitted and will be responsible for providing periodic reviews and updates for their Web content.
2. The Office of Government and Media Relations has business oversight of the department's Internet Web site.

**III. PROCEDURES**

**A. Updates and Enhancements**

1. Updates and enhancements must be approved at the delegated level of authority before being submitted to ITD Web Support for processing.
2. The requestor will generate a work order for requests to update the Internet Web site via the ITD Help Desk at [ITDHelp@wsp.wa.gov](mailto:ITDHelp@wsp.wa.gov).
3. Approved updates will be completed and published to the Internet Web server by ITD Web Support.

**B. Web Site Development Approval**

1. Requests for new Web site development or major enhancements must be reviewed and approved as a function of the IT Project Initiation Process. ITD will consult with Government and Media Relations on all new Web site development to ensure department guidelines, standards, and business requirements are met.

**C. Critical or Emergency Situations**

1. To provide all department employees instructions during a critical event or emergency situation, a special page may be placed on the department Internet Web site with appropriate instructions for employees. An example would be instructions for office employees informing them when to report to work during or after storms, fires, earthquakes, or any other serious disasters.

**Applies to:** All WSP Employees

**See Also:** WSP Policies **Agency Image Policy, Department Intranet Site**; WSP Internet Guidelines (*contact "ITD Web Support" via e-mail*); Project Initiation Process

**15.05.020      DEPARTMENT INTRANET SITE**

**I. DEFINITIONS**

- A. Intranet** – A network created within an organization that is accessible only to members of that organization and designed for information sharing and processing within the organization or company using many of the same technologies available on the Internet.

- B. Intranet site or Intranet Web site** – A Web site created within an organization and placed on the organization's Intranet. The Web site is only accessible to members of the organization.
- C. Inside WSP** – The name of the department's Intranet site, which is also referred to as iWSP.

## **II. POLICY**

### **A. Information on the Intranet Site**

- 1. Information provided on the department Intranet site shall be directed to the needs of the Washington State Patrol audience with the interest of disseminating and sharing information internally between the various divisions and staff.
- 2. All information published on the Intranet site shall be accessible by Washington State Patrol employees only and shall be permitted at the discretion of the Chief.

### **B. Accuracy and Appropriateness of Information**

- 1. Each section, division, district, and bureau is accountable for the accuracy and appropriateness of the information they provide and will be responsible for periodically reviewing and updating their content on Inside WSP.

**Applies to:** All WSP Employees

**See Also:** WSP Policies **Agency Image Policy, Department Internet Site; On Inside WSP, see Internal WSP Intranet Guidelines**  
[http://iwsp/sites/TSB/ITD/Shared%20Documents/Manuals%20and%20Reports/Web\\_Guidelines\\_v2.doc](http://iwsp/sites/TSB/ITD/Shared%20Documents/Manuals%20and%20Reports/Web_Guidelines_v2.doc); and Web Author List  
[http://mosstdrawingboard/2013\\_Upgrade/Lists/Web%20Authors%20List/Web%20Authors.aspx](http://mosstdrawingboard/2013_Upgrade/Lists/Web%20Authors%20List/Web%20Authors.aspx)

## **15.15.010 ACCESS/WACIC/NCIC CERTIFICATION REQUIREMENTS (CALEA 41.3.7)**

## **I. POLICY**

### **A. Use of ACCESS System**

- 1. 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 administers all operating phases of the ACCESS system.
- 2. The ACCESS communications network shall only be used for official law enforcement business. The following rules and policies ensure proper and efficient use of the ACCESS communications system. All users will conform to these policies and rules. Any questions regarding these policies should be referred to the ACCESS Section Manager.

**B. Terminal Agency Coordinator (TAC)**

1. District commanders shall designate a TAC for each district and/or Communications Center and/or detachment or site where an ACCESS terminal is located. The individual designated to function as a TAC shall be responsible to ensure compliance with state and federal policies and regulations, including validation requirements. TACs must maintain ACCESS Level II and TAC certifications. Additionally, the TAC shall participate in and ensure that all appropriate records be available during the triennial audit, which is conducted by the ACCESS Audit Staff. Responsibility for proper system usage, user certification, and validations belongs to the TAC.
2. All terminal users, including PMDC users, must be certified at their appropriate level every two years. The training for both Level I and Level II is a two-year certification. Users must recertify prior to their certification expiration date. This can be accomplished by recertifying online or attending a class.
3. All supervisors of ACCESS users that are not ACCESS certified must view the Upper Management and Administrative Overview Training once during their career. They must sign a log indicating they viewed the training. The log must be kept with the TAC and be available for review at the audit.
4. All personnel that have physical access to Criminal Justice Information (CJI) that are not ACCESS certified must view the Level 1 Security Awareness Training and complete the test through CJIS Online once every two years. This includes janitorial staff, all supervisors of ACCESS users that are not ACCESS certified, and all personnel that have access to the areas where CJI is located that are not ACCESS certified.
5. All personnel that have physical and logical access to CJI that are not ACCESS certified must view the Level 3 Security Awareness Training and complete the test through CJIS Online once every two years. This includes IT personnel and vendors.

**C. Information Access and Dissemination**

1. Each user must observe any restrictions placed on the use or dissemination of information from the source agency. Policies contained within the ACCESS Operations Manual or other related manuals must be adhered to. Some records may be public information; however, if the information is obtained over the ACCESS system it must be used in the administration of criminal justice.
2. Law enforcement may provide vehicle records to tow operators as specified by Washington State law.

**D. Terminal Security**

1. Security of the terminal site and information received on the terminal is the responsibility of the division/district operating the terminal. Terminal locations must be secure from unauthorized access, and all employees authorized to use the system shall be instructed on the proper use of equipment and the

dissemination of information received. Federal and state laws governing the secrecy of communications apply to all messages transmitted over this system.

**E. System Misuse**

1. Persons shall not use any information obtained through the ACCESS system, including all Department of Licensing (DOL) information, for private business or personal reasons or furnish any information so obtained to any other person for such use. Road, weather, and pass information may be disseminated to the general public, as a public service, without restriction.
2. Violations of the rules, regulations, policies, or procedures developed by NCIC and adopted by the Washington State Patrol or any other misuse or abuse of the system may result in disciplinary measures and/or criminal prosecution.
3. Upon receipt of a concluded misuse investigation, the division/district commander or designee must notify the ACCESS Section of the following information pertaining to system misuse:
  - a. Employee name
  - b. Allegation
  - c. Founded or unfounded
4. The Criminal Records Division Commander, ACCESS Section Manager, and the division/district commander or designee will make a final decision regarding the future status of the employee's ACCESS certification and/or whether additional training should be scheduled.

**F. Visitor Control and Access to Criminal Justice Information**

1. Only authorized personnel will have access to physically secure non-public locations. All physical access points into Washington State Patrol secure areas will be authorized before granting access.
2. For all physical access to secure locations, Washington State Patrol personnel shall ensure visitors are escorted at all times. Monitoring via cameras is not considered escorting. If visitors need unescorted access, they must have completed a fingerprint-based background check and review the Security Training on CJIS Online.
3. All criminal justice information obtained via ACCESS, in electronic format or paper, must be disposed of when no longer required. Appropriate means of destruction include shredding or incineration. All destruction must be witnessed or carried out by authorized personnel. Electronic media shall be destroyed by the Information Technology Division.

**Applies to:** All WSP Employees

**See Also:** --

**15.16.010**      **LAW ENFORCEMENT INFORMATION EXCHANGE (LInX)/NATIONAL DATA EXCHANGE (N-DEx)**

**I. POLICY**

**A. LInX/N-DEx Users**

1. All LInX/N-DEx users must review LInX/N-DEx training once every two years.

**B. Security**

1. Security of the computer site and information received on the computer is the responsibility of the division/district/operator using the computer.
2. Computer locations must be secure from unauthorized access, and all employees authorized to use the system shall be instructed on the proper use of equipment and the dissemination of information received.
3. All users must ensure confidentiality of the information received through this program. Because LInX/N-DEx is an Internet-based program, authorized users must acknowledge that all use of these programs will be in a secure environment (i.e., police squad room, a secure office, police vehicle with obscured vision of the computer screen by the public). Unsecured areas would include, but are not limited to, the employee's residence, coffee shops, restaurants, or fire departments.

**C. Use of Information**

1. Information obtained from the LInX/N-DEx programs shall only be used for the administration of criminal justice. LInX/N-DEx can provide information if a person or vehicle is named in a police report as a victim, suspect, witness, complainant, or has been arrested or issued a citation.
2. Information that is obtained from the LInX/N-DEx programs may be printed, but shall NOT be used in an investigation case file.
3. Positive results from LInX/N-DEx shall not be referred to in case reports or affidavits without first contacting the originating law enforcement agency and obtaining permission to use the information.
4. Persons shall not use any information obtained through the LInX/N-DEx programs for private business or personal reasons or furnish any information so obtained to any other person for such use.
5. Sanctions apply for system misuse of LInX/N-DEx information. Violations of the rules, regulations, policies, or procedures developed by LInX and/or N-DEx and adopted by the Washington State Patrol or any other misuse or abuse of the system may result in disciplinary measures.
6. Whenever a user inquires on information, he/she must ensure they provide a specific reason or case number and the employee's personal identification number or first initial and last name. All queries through LInX/N-DEx are subject to audit.

**D. Point of Contact (POC)**

1. Each division/district has its own administrators for LInX/N-DEx. One administrator is named at each location as the point of contact (POC) for the annual audit administered by the ACCESS audit team.
2. The POC must fulfill the tasks as outlined in the Duty Requirements (provided by the ACCESS Section).

**Applies to:** All WSP Employees

**See Also:** --

**16.04.010 PURCHASE OF REPLICA AND WALLET BADGES**

**I. POLICY**

**A. Retired Employees Requesting Replica Badges**

1. Retired uniformed employees may purchase one replica of each departmental badge issued to them during their service.
2. Retired uniformed employees shall submit a letter to the Supply Section requesting authorization to purchase replica badges. The letter shall include the rank(s) and applicable badge numbers(s) and shall also include the requester's contact phone number and mailing address.

**B. Active Employees Requesting Replica Badges**

1. Active uniformed employees may purchase one replica of each departmental badge issued to them during their service.
2. Active uniformed employees shall submit a completed Replica Badge Request form and forward through their chain of command to the Supply Section.

**C. Purchasing Replica Badges**

1. Upon receipt of requests for replica badges, a letter of authorization will be sent to the requester and a copy to the current badge vendor. The letter shall specifically identify the badges(s) to be purchased and current vendor contact information.
2. The purchase of replica badges shall be considered a private transaction between the authorized purchaser and the vendor. Purchase arrangements shall be the responsibility of the requester.
3. Replica badges shall not be used, displayed, or represented as a departmental badge for official use. A unique number is engraved on the back of the badge by the vendor, identifying the badge as a replica.
4. Requests for badges not personally assigned during service shall be reviewed on a case by case basis by the requester's chain of command and the Supply Section Manager.

**D. Purchasing Wallet Badges**

1. Active officers may purchase one flat wallet badge representing their current rank.
2. Active officers shall submit a completed Wallet Badge Request form through their chain of command to the Supply Section.
3. Upon receipt of requests for a wallet badge, a letter of authorization will be sent to the requester and a copy to the current badge vendor. The letter shall specifically identify the badge to be purchased and current vendor contact information.
4. A wallet badge may be utilized with a current commission card as authorized identification. Only a wallet badge representing the officer's current rank is authorized.
5. An authorized wallet badge shall be documented on the current year's Equipment Inspection form (Part B) under Additional Items. An authorized wallet badge is subject to inspection in accordance with the **INSPECTIONS** policy. Wallet badges shall be visually inspected annually and prior to their addition and removal from the Equipment Inspection form.
6. Loss of a wallet badge shall be reported to a supervisor immediately. Supervisors shall ensure the chain of command is notified.
7. Wallet badges are not considered issued equipment. Accountability for wallet badges is similar to that of an agency-authorized backup weapon.

**Applies to:** All Uniformed Employees

**See Also:** Replica Badge Request, Wallet Badge Request, Equipment Inspection/Reinspection (Part A) and Tagged/Tracked Equipment Audit (Part B)

**17.05.010**     **VEHICLE MAINTENANCE FILES**

**I. POLICY**

**A. Vehicle Maintenance File Format**

1. All vehicle maintenance files shall be in an electronic format in Remedy.
  - a. The Fleet Section shall be responsible for creating all electronic vehicle files.
  - b. Only one vehicle file shall be maintained for each agency vehicle.

**B. Documentation in Vehicle Maintenance Files**

1. Supervisors shall be responsible for monitoring vehicle repairs and costs by periodically reviewing vehicle maintenance files. Vehicle maintenance files shall include, at a minimum:

- a. A copy of each individual vehicle's required service intervals.
  - b. A copy of each individual vehicle's warranty.
  - c. A copy of all U.S. Bank Fleet Maintenance card receipts and invoices for service.
  - d. Fuel and car wash receipts do not need to be maintained in vehicle maintenance files.
2. Divisions, districts, and sections shall be responsible for maintaining the vehicle maintenance files

**Applies to:** All WSP Employees

**See Also:** *Budget and Fiscal Services Standard Operating Procedures; Property Management Division Standard Operating Procedures (Fleet Section)*

**17.16.010**      **CAR WASH**

**I. POLICY**

**A. Car Wash Authorization**

1. The cost of a car wash shall be the minimum available in the immediate local area. Officers shall be allowed two car washes a month. The supervisor may authorize additional car washes under extenuating circumstances or when vendors offer unlimited car washes for a set monthly fee.

**Applies to:** All WSP Employees

**See Also:** --

**18.00.040**      **PURCHASE OF SERVICE PISTOL UPON RETIREMENT (CALEA 1.2.1, 41.3.4)**

**I. POLICY**

**A. Career Service Pistol Available for Purchase**

1. Upon retirement from state service, officers may purchase their career service pistol as a keepsake. Only one service pistol may be purchased.
2. To be eligible to purchase the retiring officer's career service pistol, the retiring officer must be a resident of Washington State, possess a valid Washington State driver's license, and be eligible to possess a firearm under chapter 9.41 RCW at the time of retirement.

**B. Purchase Procedure**

1. To purchase a career service pistol:



- a. If retiring officers choose to purchase their service pistol, the Supply Section shall be notified by the retiring officers at the time they notify the Human Resource Division of their intent to retire.
- b. The immediate supervisor is responsible for ensuring all state equipment, including the service pistol, issued to the retiring officer shall be returned to the Supply Section prior to the officer's last official work day. If the retiring officer is not purchasing their issued pistol and is unable to return the pistol to the Supply Section, the pistol (three grips; gun lock; case; and three magazines) shall be turned in to the local firearms specialist or the Supply Section with a completed Notice of Receipt or Transfer of Tagged/Tracked Asset(s) form. If the department has not received any notification of intent to purchase, the weapon shall be held for 30 days after the officer's official retirement date. After that time, it may be reissued. At any time during the 30-day hold, the retiring officer may purchase the pistol by contacting the Supply Section.
- c. Prior to retirement, the retiring officer will have a department firearms specialist inspect the pistol and place a value on it based on its condition. Value will be determined by using the most current edition of the Blue Book of Gun Values by S.P. Fjestad. The firearms specialist will complete the Sale of Career Service Pistol to Retiring WSP Officer form and provide a cost for the pistol to the retiree. The retiree or firearms specialist will provide the original form and method of payment to the Supply Section to purchase the pistol.
- d. The Supply Section shall also maintain a record of the sale in the electronic asset inventory system and copy of disposal paperwork according to records retention requirements.
- e. A description of the pistol, including the manufacturer, serial number, the cost or trade value when originally purchased or traded by the agency, and the purchaser's name shall be sent to the Surplus Property Section, Department of Enterprise Services.
- f. The Supply Section shall transfer possession of the pistol when payment by the purchaser is received, along with the completed form.
- g. The retiring officer's immediate supervisor shall ensure the pistol is turned in or payment and the required forms are completed and submitted to the Supply Section for the sale prior to the retiring officer's last official work day.

**Applies to:** WSP Officers

**See Also:** Chapter 9.41 RCW; WAC 236-48-198; Notice of Receipt or Transfer of Tagged/Tracked Asset(s), Sale of Career Service Pistol to Retiring Washington State Patrol Officer form

**6.01.060**      **CRIMINAL HISTORY RECORD INFORMATION (CALEA 42.2.2, 82.1.1)**

**I. POLICY**

**A. Use of Criminal History Record Information (CHRI)**

1. CHRI shall only be requested for criminal justice purposes. All ~~terminals~~ requestors accessing criminal history (WASIS and III) through shall ensure they include the following information in each request:
  - a. Person's last name, first name, and middle initial
  - b. Date of birth
  - c. Sex
  - d. Race
  - e. Purpose Code ("C" for criminal, "J" for criminal justice employment, "F" for federal firearms dealer licenses, suppressors and silencers)
  - f. Attention Field (the requestor's first initial and last name or employee identification number and case number or specific reason for the request; i.e., DUI, Theft, etc.). Generic reasons such as "Investigation" are not considered specific.
    - (1) If abbreviations are used for the specific reason, the district must maintain the list of appropriate abbreviations for review during audits.
2. CHRI information shall only be disseminated to a second party when necessary to further a criminal investigation or to provide amplifying information for prosecution. When a CHRI is included in the Case File Tracking Envelope, employees shall indicate the CHRI's inclusion by checking the appropriate box under the "FILE CONTENTS" heading on the face of the envelope. When a case file is released with the CHRI, employees shall note the name and office of the person receiving the file under the remarks section on the face of the envelope. CHRIs shall be destroyed when no longer of use.
3. For all evidentiary return of firearms, evidence custodians must use the National Instant Criminal Background Check System (NICS) query "QNP" with the following mandatory information:
  - a. Person's last name, first name, middle initial
  - b. Date of birth
  - c. Sex
  - d. Race
  - e. State of residence

- f. Purpose code
  - (1) 22 – Return Handgun
  - (2) 23 – Return of Long gun
  - (3) 24 – Return of Other

## **II. PROCEDURES**

### **A. Requesting a CHRI Check**

1. Officers shall request a CHRI check from Communications using the following information:
  - a. Last name, first name, middle initial
  - b. Date of birth
  - c. Sex
  - d. Race
  - e. Specific reason for the inquiry (i.e., DUI, Theft, etc.). Generic reasons such as “Investigation” are not considered specific.
2. Include other identifiers, if known:
  - a. Social Security number
  - b. FBI Number
  - c. State Identification number (SID)
3. All CHRI obtained is based on descriptors provided. Positive identification can be based ONLY on fingerprint identification.

### **B. Methods of Retrieval**

1. CHRI inquiries will generate a positive or negative automated response:
  - a. ~~A negative response will provide a short automated message noting no records found.~~
  - b. ~~A positive response received by a “QH” or “QWH” inquiry will provide a candidate list of names that are algorithmically closest to the query.~~
  - c. ~~Upon receipt of a negative response, Communications shall advise the requesting officer “(subject's last name), no criminal history record.”~~
  - d. ~~Upon receipt of a positive response, Communications shall advise the requesting officer “(subject's last name), response forthcoming.” This will indicate to the officer that the subject may have a criminal record.~~

- e. ~~Upon receipt of CHRI, the inquiry will be identified by the subject's last name. Communications will advise the requesting officer "(subject's last name), prior record."~~
- f. ~~Upon acknowledgment, the officer will be advised of the CHRI.~~
- a. Upon receipt of a response, the communications officer shall advise the requesting officer: "(Subject's last name), negative Triple I."
- b. Upon receipt of CHRI, the inquiry shall be identified by the suspect's last name. The communications officer shall advise the requesting officer: "(Subject's last name), positive Triple I."
- c. Audio response terminals and radio devices shall not be used for the transmission of criminal history information, beyond that information necessary to effect an immediate identification or to ensure adequate safety for officers and the general public.

### C. Exceptions

1. If all known searches produce "No Hits" and there is sufficient reason to believe the subject has a criminal history record, a terminal message requesting assistance may be routed to the Identification and Criminal History Section.
2. CHRI may be obtained via telephone on an emergency basis; however, the Identification and Criminal History Section will respond only to telephone numbers listed on the official department directory on a call-back basis.

**Applies to:** All WSP Employees

**See Also:** --

## **8.00.250      CODE OF ETHICS – OFFICERS (CALEA 1.1.2, 1.2.7, 26.1.1, 55.1.3)**

### I. POLICY

#### A. Ethical Responsibilities

1. Officers must be fully aware of the ethical responsibilities of their position and ~~must~~ strive constantly to live up to the highest possible standards of professional policing. ~~Ethics training will be conducted for all personnel at least biennially.~~
2. ~~The department believes it~~ is important that officers have clear advice and counsel available to assist them in performing their duties consistent with these ethical standards and. The department has adopted the following ethical ~~mandates as~~ guidelines to meet these ends.
3. Ethics training will be conducted for all personnel at least biennially.

#### B. Primary Responsibilities of an Officer

1. An officer acts as an official representative of government who is required and trusted to work within the law. The powers and duties of an officer are ~~conferred~~

**defined** by statute. The fundamental duties of an officer include serving the community, safeguarding lives and property, protecting the innocent, keeping the peace, and ensuring the rights of all to liberty, equality, and justice.

**C. Performance of the Duties of an Officer**

1. Officers shall perform all duties impartially, without favor, **or affection**, or ill will and without regard to marital status, gender, race, religion, or political belief. All citizens will be treated equally with courtesy, consideration, and dignity **at all times**.
2. Officers will never allow personal feelings, animosities, or friendships to influence official conduct. Laws will be enforced appropriately and courteously. ~~In carrying out responsibilities, officers will strive to obtain maximum cooperation from the public.~~ They will conduct themselves in appearance and ~~department~~ **behavior** in such a manner as to inspire confidence and respect for the position of public trust they hold **and strive to obtain maximum cooperation from the public**.

**D. Discretion**

1. An officer will responsibly use the discretion vested in the position and exercise it within the law. The principle of reasonableness will guide the officer's determinations. The officer will consider all surrounding circumstances in determining whether any legal action shall be taken.
2. Consistent and wise use of discretion, based on professional policing competence, will do much to preserve ~~good~~ **positive** relationships and retain the confidence of the public. There can be difficulty in choosing between conflicting courses of action. It is important to remember ~~that~~ a timely word of advice, rather than an arrest, which may be correct in appropriate circumstances, can be a more effective means of achieving a **the** desired end.

**E. Confidentiality**

1. Citizens have a right to security and privacy. ~~Any information obtained about anyone must not be improperly divulged.~~
2. If officers observe or learn of any information that is confidential, the information shall remain confidential, unless the performance of duty or legal provisions require otherwise.

**F. Integrity**

1. An officer will not engage in acts of corruption or bribery, nor will an officer condone such acts by other police officers. The public demands ~~that~~ the integrity of officers be above reproach. Officers must therefore avoid any conduct that might compromise integrity and thus undercut ~~the~~ public confidence in ~~a law enforcement~~ **the** agency.
2. Officers will refuse to accept any gifts, presents, subscriptions, favors, gratuities, or promises that could be interpreted as seeking to cause the officer to refrain from performing official responsibilities honestly and within the law.

3. Officers must not receive private or special advantage from their official status and shall follow the ethics laws of the state of Washington as contained in RCW 42.52. Respect from the public cannot be bought; it can only be earned and cultivated.

**G. Cooperation With Other Officers and Agencies**

1. Officers will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.
2. An officer or agency may be one among many organizations that may provide law enforcement services to a jurisdiction. It is imperative ~~that~~ an officer assist colleagues fully and completely with respect and consideration at all times.

**H. Personal Professional Capabilities**

1. Officers will be responsible for their own standard of professional performance and will take every reasonable opportunity to enhance and improve their level of knowledge and competence.
2. Through study and experience, an officer can acquire the high level of knowledge and competence that is essential for the efficient and effective performance of duty. The acquisition of knowledge is a never-ending process of personal and professional development that should be pursued constantly.

**I. Application of the Rules of Conduct – Private Life**

1. Officers will behave in a manner that does not bring discredit to ~~their agency~~ **the department** or to themselves.
2. An officer's character and conduct while off duty must always be exemplary, thus maintaining a position of respect in the community in which he or she lives and serves. The officer's personal behavior must be beyond reproach.
3. Officers will not post or publish items or information that may adversely affect the efficacy, efficiency, morale, confidence, and public respect of the department. This prohibition includes, but is not limited to, publication in print (e.g., in newspapers or handbills); or electronically (e.g., on social networking sites such as Facebook, MySpace, LinkedIn, Internet blogs, message boards, microblogging sites such as Twitter, as well as other Web sites and "chat" forums). This policy shall not ~~be construed to~~ prohibit an officer from posting or publishing truthful items concerning the officer's terms and conditions of employment, provided the officer is otherwise in compliance with applicable laws and Washington State Patrol regulations (see chapter 42.52 RCW and **RULES OF CONDUCT**, **ELECTRONIC-MESSAGING SYSTEMS**, and **INTERNET ACCESS**).

**Applies to:** WSP Officers

**See Also:** RCW 42.52; WSP policies **Rules of Conduct, Electronic- Messaging Systems, Internet Access**

**10.04.080**      **NON-DEPARTMENT PERSONNEL BACKGROUND CHECKS**

**I. POLICY**

**A. Authorization for Access**

1. Washington State and federal fingerprint-based background checks will be conducted on all non-department personnel who have unaccompanied access to department facilities, electronic equipment, computers, data bases, or other sensitive or restricted information. All non-department personnel who have unescorted access to a facility that contains Criminal Justice Information (CJI) or where ACCESS terminals are located must have a Washington State and federal fingerprint-based background check completed. This includes, but is not limited to, janitors/custodians, other public agency employees, computer hardware/software contractors, and information technology (IT) service providers.
2. All non-department personnel who have unescorted access and will be accessing a facility that contains CJI or where ACCESS terminals are located must sign a CJIS Security Addendum, view Security Awareness Training, and complete the testing through the ACCESS online training application once every two years.
3. All non-department personnel who have unescorted access and will be accessing a facility that contains CJI or where ACCESS terminals are located must sign a security addendum document, which must be kept on file by the Washington State Patrol.

**B. Exceptions to Background Requirement**

1. The background check requirement does not include visitors, other agency employees, or vendors/contractors who are accompanied by department personnel. The background check requirement does not include vendors that service vehicles, weapons, equipment, electronic devices, or computers at the vendor's location.
2. Reasonable precautions will be used to ensure security of department equipment while at vendor locations.

**C. Conducting the Background Check**

1. The division or program manager requiring the contract is responsible for initiating the non-department personnel background check.
2. The background checks will be fingerprint-based and conducted through the Washington State Identification System managed by the Criminal Records Division (CRD). CRD will forward the fingerprints to the Federal Bureau of Investigation (FBI) for a national criminal history background check.
3. The background check must be successfully completed before the individual is allowed unaccompanied access to these facilities, equipment, or data.

4. The Budget and Fiscal Services and Property Management Divisions will include the background check requirement in contracts and agreements, as appropriate.
5. Unless otherwise stated in the contract, all non-department personnel are responsible for paying the costs of the background check. Division/district commanders may authorize the payment of these costs through their division/district budgets if they determine it is in the best interest of the agency to do so.

**Applies to:** All Non-Department Personnel  
**See Also:** Criminal Records Division Contractor Fingerprint Background Checks Procedures; Contractor Qualification form; Contractor Instruction Sheet for Fingerprint Background Checks

**10.12.020**     **TRAINING DIVISION (CALEA 1.3.13, 33.1.1, 33.1.2, 33.1.3, 33.1.4, 33.1.6, 33.1.7, 33.2.1, 33.4.2)**

## **I. POLICY**

### **A. Responsibilities of the Training Division Commander**

1. The following are the Training Division Commander responsibilities:
  - a. Conduct and coordinate Academy and Regional training.
  - b. Conduct and coordinate training for outside agency employees, as requested.
  - c. Administer the training records management system (eTrain) for Washington State Patrol personnel.
  - d. Continuously review, evaluate, update, and implement department training.
  - e. Administer the Career Development Program.
  - f. Select Academy instructors.
  - g. Notify department employees of required Academy and Regional training.
  - h. Set guidelines, format, and approval process for Academy and Regional lesson plans, which are required for all courses.
  - i. Identify department training goals.
  - j. Establish performance objectives for all training programs.
  - k. Review of Career Development objectives.

### **B. Training Committee Requirements**

1. The Training Division Commander shall also serve as a member of the Training Committee, which is chaired by the Technical Services Bureau Assistant Chief or designee.



2. The committee shall also include representatives from the Human Resource Division, Office of Professional Standards, Field Operations Bureau, Investigative Services Bureau, Technical Services Bureau, Fire Protection Bureau, Forensic Laboratory Services Bureau, the Labor and Policy Advisor, and any other person appointed by the Chief.
3. The Training Committee meets at least annually to review and evaluate department training programs and to make recommendations to the Training Division of the training needs of the department.
4. The Training Committee:
  - a. Analyzes, updates, and prioritizes all training needs based on reports from inspections, staff meetings, training needs surveys, training evaluations, field observations, job task analysis, employee interviews, or needs identified by the Chief, Human Resource Division, or Office of Professional Standards.
  - b. Analyzes overall training needs of employees relating to career development.
  - c. Helps identify the department's training goals.

**C. Out-of-State Training**

1. For training only available outside the state, employees shall submit a Training/Travel Request with information describing the training attached through the chain of command to the assistant chief or bureau director.
2. If approved, the request shall be forwarded through the assistant chief or bureau director to the Chief to review.
3. All attempts will be made to return the request to the employee within fifteen working days of the initial request.

**D. Advanced Training**

1. The following criteria are used to select Washington State Patrol sergeants and lieutenants for advanced training:
  - a. Rank of lieutenant or above (sergeants high on the lieutenant's promotional list may be considered).
  - b. Outstanding leadership potential, based on past performance, education, and individual goals and objectives.
  - c. Recommendation by the Chief, assistant chief or bureau director, and commander.

**E. In-State Training Requests**

1. To attend in-state training, an employee shall submit a Training/Travel Request and course description through the chain of command to the division/district commander, who approves or denies the request and returns it within five working days. Additionally:
  - a. For a Criminal Justice Training Commission (CJTC) course, the CJTC registration is sent directly to CJTC, after command approval.
  - b. For a Department of Personnel, Training and Development Services (TDS) course, once the employee receives command approval, they shall have their division/district/section TDS coordinator enroll them in the course.

**F. Training Records**

1. The Training Division maintains/administers the training records management system (eTrain). Training transcripts include course title, date of completion, hours, and sponsor.
2. Each employee's transcript is available, upon request, from the local eTrain user or the Training Division.

**G. Reporting Training**

1. Employees attending training outside the department will submit a Report of Training (using the Training/Travel Request) to their local eTrain user within ten days of completion. The Report of Training must include a copy of a certificate of completion or, if not available, the signature of the employee's supervisor verifying training was attended. Copies of diplomas or certificates should be sent to the Human Resource Division.
2. Employees instructing or coordinating Washington State Patrol training shall contact the Training Division eTrain Administrator to provide course information and to obtain a course code. Employees attending these training events shall pre-register with their local eTrain user. At the conclusion of training, the instructors shall submit the initialed rosters to their local eTrain users or to the Training Division eTrain Administrator.
3. All training documentation entered in the division/district shall be maintained at the division/district level until the end of the calendar year, at which time it will be forwarded to the Training Division for retention.

**H. ~~Exception Reports~~ Non-Compliance Reports**

1. Division/district eTrain users should run quarterly ~~exception reports~~ non-compliance reports of required training to verify attendance by division/district personnel. The information should be submitted to the division/district commander for review to ensure personnel attend mandatory training.

**I. Department-Sponsored Training**

1. Department-sponsored training sessions are mandatory for all persons or groups for which the specific training is designed. Employees on departmental-approved leave who miss training may:
  - a. Be exempt.
  - b. Attend modified training.
  - c. Attend a subsequent session.
2. Exemptions, modifications, or special sessions are at the discretion of the Chief, employee's commander, Training Division Commander, or Human Resource Division Commander.

**J. Training Materials**

1. Training materials (books, manuals, and pamphlets) obtained during a course will not be paid for by the department, unless the training is mandated by the department.

**K. Rules and Regulations for Instructors**

1. All Academy training curriculums must be submitted, prior to training, to the Training Division Lesson Plan Coordinator for approval.
2. Coordinators and instructors of non-Academy programs (HazMat, Peer Support, Motors, K-9, etc.) and guest instructors who provide training at the Academy will be responsible for maintaining their outlines for a minimum of seven years for public disclosure purposes. (The Academy does not have custodial responsibility for outlines that are not developed by Academy staff.)

**L. Training Reimbursement**

1. If an employee is a classified employee, then the Civil Service Rules on reimbursement for training and education shall apply if any part of this regulation conflicts with the Civil Service System Rule. (See WAC 357-34-030.)
2. If an employee is not a classified employee and that employee is covered by a collective bargaining agreement, then that bargaining agreement will control if any part of this regulation conflicts with the bargaining agreement.

**Applies to:** All WSP Employees  
**See Also:** WAC 357-34-030; Training/Travel Request

**13.00.010**      **POLICY STATEMENT (CALEA 26.1.4, 26.1.6)**

**I. POLICY**

- A. It is the policy of the department to administer all trial board processes and obligations in accordance with applicable RCWs and WACs.

**A. ~~Implementing Discipline~~**

1. ~~If positive discipline becomes ineffective, it becomes necessary to implement negative discipline. Negative discipline is designed to rehabilitate and re-educate or, in serious cases, to remove an employee. Discipline is essential when it has been determined that an officer has acted contrary to law, rule, regulation, policy, procedure, or training.~~

**B. ~~Trial Board~~**

1. ~~A Trial Board hearing is conducted under administrative law. Administrative hearings are fact-finding hearings to appraise all of the information accumulated concerning a given situation.~~
2. ~~The Trial Board also reaches factual conclusions without interference from unduly restrictive legal provisions and recommends a penalty to the Chief.~~

**Applies to:** ~~WSP Officers~~

**See Also:** ~~---~~

**13.00.020**      **BOARD MEMBERS**

**I. ~~POLICY~~**

**A. ~~Board Membership~~**

1. ~~The board shall consist of two captains and a peer of the accused drawn. An administrative law judge shall preside over the hearing, rule on evidentiary questions, give oaths to witnesses, and open and close the proceedings.~~
2. ~~All board members shall be present during the actual hearing while testimony is given.~~

**Applies to:** ~~WSP Officers~~

**See Also:** ~~---~~

**13.00.030**      **DUTIES OF THE TRIAL BOARD MEMBERS**

**I. ~~POLICY~~**

**A. ~~Board Member Responsibilities~~**

1. ~~The purpose of the Trial Board is to determine all relevant facts. Board members may question witnesses after direct and cross-examination by counsel. Such questions are subject to evidentiary rulings by the administrative law judge, upon the proper motions by the parties.~~

- ~~2. Board members may also request additional investigation of the allegations if, at the conclusion of the presentation of evidence by both parties, issues remain unresolved. Such requests are subject to evidentiary rulings by the administrative law judge.~~
- ~~3. Only board members, excluding the administrative law judge, shall deliberate and vote on the findings of fact and recommended penalty.~~
- ~~4. Each member shall sign the findings or indicate his/her dissent and state the reasons for such dissent.~~

**Applies to:** ~~WSP Officers~~

**See Also:** ~~-----~~

**13.00.040 HUMAN RESOURCE DIVISION COMMANDER**

**I. POLICY**

**A. Arrangements for Hearing**

- ~~1. The Commander of the Human Resource Division (HRD) shall make all necessary arrangements for the hearing.~~
- ~~2. The Commander of HRD is not a member of the board and does not vote, assist, or engage in deliberations.~~

**B. Duties**

- ~~1. The duties of the Commander of HRD include the following:
  - ~~a. Assist in the Trial Board drawing.~~
  - ~~b. Arrange for a hearing room through the Office of Administrative Hearings.~~
  - ~~c. Arrange for a court reporter.~~~~

**Applies to:** ~~WSP Officers~~

**See Also:** ~~HRD Commander~~

**13.00.050 DEFENSE ADVOCATE**

**I. POLICY**

**A. Choosing a Defense Advocate**

- ~~1. The accused has the right to select any officer of the department, except the Labor and Policy Advisor, to act as Defense Advocate once formal written charges have been served. If such officer agrees and is reasonably available, the Chief shall assign the requested officer to act as Defense Advocate. If the selected officer does not agree or is not reasonably available, the accused shall be so advised and may select another officer. The assigned officer shall assist~~

the accused throughout the Trial Board process. If the accused is represented by counsel, all rules of professional conduct shall apply.

- ~~2. The assigned officer and appropriate commander shall be notified in writing of the appointment of the Defense Advocate. The officer assigned as Defense Advocate shall remain responsible to the commander for the conduct of regularly assigned duties. The officer is expected to perform such duties, whenever possible, while acting as Defense Advocate.~~
- ~~3. Unless previous permission has been granted, the Defense Advocate shall report for work as normally scheduled.~~

**~~B. Responsibilities of the Defense Advocate~~**

- ~~1. The Defense Advocate shall be directly responsible to the assistant chief in charge of the Investigative Services Bureau or designee with respect to all activities involving performance of duties as Defense Advocate.~~
- ~~2. All travel, overtime, and any expenses incurred as a result of being a Defense Advocate shall be pre-approved by the assistant chief or designee.~~
- ~~3. All Defense Advocate tasks that are of a clerical nature shall normally be performed at the Washington State Patrol facility to which the Defense Advocate is assigned. If there is substantial reason for tasks to be performed elsewhere, prior approval shall be obtained from the assistant chief/bureau director or designee.~~
- ~~4. The Defense Advocate shall account for time away from normally scheduled duty in a chronological log showing the time spent working on the defense of the case and a general description of activities. The log is to be made available to the Investigative Services Bureau Assistant Chief upon request.~~

**~~C. Duties~~**

- ~~1. The duties of the Defense Advocate include the following:~~
  - ~~a. Understand and assist the accused with board procedures and applicable RCW, WAC, and Regulation Manual provisions.~~
  - ~~b. May be present during the selection of members of the board.~~
  - ~~c. Assist in interviewing witnesses prior to the Trial Board, prepare evidence for use in the Trial Board, and assist counsel for the accused as requested. PROVIDED: the request does not conflict with department regulations, constitute a violation of state or federal laws, or conflict with the attorney's rules of professional conduct.~~
  - ~~d. If the accused is represented by counsel, all discovery requests should be made through counsel consistent with the rules governing discovery.~~

**Applies to:** ~~WSP Officers~~

**See Also:** ~~---~~

**13.00.060 TRIAL BOARD DRAWING**

**I. POLICY**

**A. Conducting the Drawing**

1. ~~The drawing will be conducted at Headquarters in Olympia, Washington. The Commander of the Human Resource Division (HRD) will conduct the drawing and provide a neutral officer to draw, by lot, the two captains and a peer and alternatives to sit on the board, should the accused or designee not attend.~~
2. ~~There will be an alternate captain and an alternate peer drawn, but not disclosed until required, for the Trial Board.~~
3. ~~The accused and the department shall have one pre-emptory challenge per Trial Board. The accused shall exercise his/her pre-emptory challenge first. This pre-emptory challenge must be made on the day of—or, if not present, as soon as he/she can be contacted after—the Trial Board drawing. If a pre-emptory challenge is exercised, the alternate then becomes the board member. At this time, then another alternate is chosen by lot. Any member may be challenged for cause at any time and subsequently replaced by the alternate. If needed, an additional drawing may be held. A challenge for cause shall be made by motion and ruled upon by the administrative law judge.~~
4. ~~The Commander of HRD shall immediately contact prospective board members drawn to determine their availability to serve on the board. In the event that a prospective member is unavailable, the alternate shall serve in the unavailable member's place. A second alternate must then be selected by drawing.~~
5. ~~At the drawing of the Trial Board, the date the Trial Board shall convene shall be determined. The board shall not convene any earlier than at least 30 days after the Trial Board drawing.~~

**Applies to:** ~~WSP Officers~~

**See Also:** ~~---~~

**13.00.070 TRIAL BOARD HEARING** (CALEA 26.1.6)

**I. POLICY**

**A. Trial Board Members**

1. ~~The hearing shall be held before an administrative law judge, appointed under RCW 43.43.090.~~
2. ~~The board shall consist of two captains and a peer of the accused.~~

**B. Trial Board Location**

1. ~~The Trial Board shall convene in the district where the accused was employed during the time the incident alleged in the charges arose.~~

- ~~2. Venue can be changed upon a motion, supported for good cause, submitted to the administrative law judge.~~

**~~C. Trial Board Conduct~~**

- ~~1. The conduct of the Trial Board shall be governed by department policy and other state regulations and laws.~~

**~~D. Appeals~~**

- ~~1. All appeals of the final order of the Chief in matters heard by the Trial Board shall be in accordance with RCW 43.43.100 or RCW 34.05.~~

**~~Applies to:~~** ~~WSP Officers~~

**~~See Also:~~** ~~RCW 34.05, 43.43.090~~

**13.00.080 TRIAL BOARD PROCEDURES** (CALEA 26.1.6)

**~~I. POLICY~~**

**~~A. Open Hearing~~**

- ~~1. RCW 43.43.070 affords the accused the right to a public hearing.~~
- ~~2. The administrative law judge may rule upon motion from either the accused or the department to exclude any and all witnesses from the hearing prior to testifying, in accordance with WAC 10-08-190.~~

**~~B. Convening the Board~~**

- ~~1. The administrative law judge shall determine if the hearing is ready to proceed and ascertain if the witnesses are present.~~

**~~C. Record of Proceedings~~**

- ~~1. The proceedings shall be recorded by a certified court reporter.~~

**~~D. Opening Statements~~**

- ~~1. The department may present an opening statement. The accused or retained counsel may present an opening statement.~~

**~~E. Order of Presentation of Evidence~~**

- ~~1. As the party with the burden of proof, department witnesses shall be heard first.~~
- ~~2. The accused employee's witnesses are presented after the department rests its case.~~
- ~~3. The department may call rebuttal witnesses at the conclusion of the accused employee's case. The same procedures for witnesses shall be followed in examining the rebuttal witnesses as set forth in Order of Examination below.~~



4. ~~The accused may also call rebuttal witnesses, with the same procedures for witnesses following in examining them as set forth in Order of Examination below.~~

**F. ~~Order of Examination~~**

1. ~~Direct examination by the party calling the witness.~~
2. ~~Cross-examination by the adverse party.~~
3. ~~The party calling the witness may conduct redirect examination, and if done, the adverse party may conduct recross-examination of the witness.~~
4. ~~Each board member may ask additional questions of the witness after direct, cross, redirect, and recross-examination.~~
5. ~~The parties may not ask additional questions of the witness after the question(s) from the board members.~~
6. ~~Witnesses may then be excused by the administrative law judge if no longer required by the board or not reserved by a party.~~

**G. ~~Motions by the Defense~~**

1. ~~When the department has presented all the evidence and had all witnesses testify on behalf of the department, the accused may at this time make any motions relevant to any or all charges.~~
2. ~~The members of the Trial Board may grant, deny, or dismiss any motion under consideration. They will evaluate all the facts and laws applicable to the motion and will reach a majority decision as to whether or not the motion shall be granted or denied.~~
3. ~~When the voting members of the Trial Board take a motion to dismiss under consideration, they shall deliberate alone, without parties to the hearing present nor any members of the public or the administrative law judge.~~
4. ~~Questions regarding the legal aspects involved in the motion shall be directed to the administrative law judge.~~

**H. ~~Two-Phase Trial Board~~**

1. ~~The Trial Board serves to determine the facts and to recommend penalties to the Chief. The process has two purposes:~~
  - a. ~~Fact-Finding~~
    - (1) ~~Fact-finding is the first part of the Trial Board where the investigation facts are presented, both by the department and the accused, through various witnesses with knowledge of the allegations set forth in the charges served on the accused.~~

b. ~~Penalty~~

- ~~(1) The penalty is the second part of the Trial Board where the parties present evidence which shows the disciplinary history of prior actions, both of the accused and/or other employees whose conduct was sustained for the same or similar actions.~~
- ~~(2) The accused may also present evidence in mitigation of the recommended penalty.~~

- ~~2. The two purposes are to occur consecutively, without initial deliberation on the fact-finding part of the process.~~

**~~I. Closing Arguments~~**

- ~~1. Upon completion of all testimony, the department may present a closing argument. If waived, the department retains the right to make rebuttal argument if the accused makes a closing argument.~~
- ~~2. The accused or retained counsel may present a closing argument.~~
- ~~3. The department, since it has the burden of proof, may make rebuttal closing argument. The accused is not allowed to make any additional closing remarks.~~

**~~Applies to:~~** ~~WSP Officers~~

**~~See Also:~~** ~~RCW 43.43.070; WAC 10-08-190~~

**13.00.090 DELIBERATIONS OF BOARD** (CALEA 26.1.6)

**~~I. POLICY~~**

**~~A. Participants in Deliberations~~**

- ~~1. The administrative law judge shall not participate in deliberations nor vote on findings of the Trial Board.~~
- ~~2. The senior ranking member of the board shall act as chairperson during deliberations.~~

**~~B. Rules During Deliberations~~**

- ~~1. The acting chairperson shall ensure that the room is clear of all persons except board members during the deliberation on the findings.~~
- ~~2. The deliberation shall not be recorded.~~
- ~~3. Deliberations shall be conducted as soon as possible after closing arguments.~~
- ~~4. A majority vote of the board members must agree to a finding of whether the charges are sustained or unfounded, based upon the evidence provided. The vote need not be unanimous; however, the dissenting member shall attach a minority report.~~

**C. ~~Finding of the Fact~~**

- ~~1. Written findings of fact and recommended penalty shall be prepared and submitted to the Chief for final action.~~

**Applies to:** ~~WSP Officers~~

**See Also:** ~~RCW 42.52~~

**13.00.110 ~~RESIGNATION OR RETIREMENT OF ACCUSED BEFORE COMPLETION OF HEARING~~**

**I. ~~POLICY~~**

**A. ~~Resignation or Retirement of Accused Prior to Completion of Hearing~~**

- ~~1. In the event an officer submits a resignation or retires after convening the board, but prior to the completion of the board hearing on the charges, the Chief shall notify the board members in writing of the termination of the officer's employment and instruct the board to close the file and adjourn.~~
- ~~2. The case will neither be dismissed nor a finding made, but the board will adjourn and the file will merely be closed.~~

**Applies to:** ~~WSP Officers~~

**See Also:** ~~---~~

**13.00.120 ~~GENERAL REGULATIONS – BOARD HEARING~~**

**I. ~~POLICY~~**

**A. ~~Joint Board Hearing~~**

- ~~1. Accused officers may have a joint board hearing if the Chief determines it is in the interest of justice.~~

**B. ~~Single Board Hearing~~**

- ~~1. Single board may be drawn to hear the charges against more than one officer arising out of the same circumstances.~~
- ~~2. The board shall be selected, except that each accused officer shall be entitled to the same number of challenges as if they were tried alone.~~

**C. ~~Failing to Appear~~**

- ~~1. In the event the accused officer fails to appear before a board properly empanelled, the Chief shall enter an order of default against the accused and shall impose the discipline which constitutes the final action of the department.~~

**Applies to:** ~~WSP Officers~~

**See Also:** ~~---~~

**13.00.130 — CONTINUANCES**

**I. POLICY**

**A. Granting Continuances**

1. ~~An administrative law judge, once assigned the case, shall determine if continuances may be granted.~~
2. ~~Continuances may be requested by board members, the department, or the accused.~~
3. ~~Continuances may be granted for good cause.~~

**B. Consecutive Daily Sessions**

1. ~~When it is estimated that a hearing will require three or more days to complete, consideration may be given to limiting consecutive daily sessions to a maximum of three days.~~

**C. Delays in Hearing**

1. ~~If a board member becomes unable to continue, thus causing an extended or unreasonable delay of the hearing, another entire Trial Board shall be selected and the entire matter shall be heard from the beginning.~~

**Applies to:** ~~WSP Officers~~

**See Also:** ~~---~~

**13.00.140 — AMENDING COMPLAINTS**

**I. POLICY**

**A. Amending Original Charges**

1. ~~If, during the course of a hearing, evidence is disclosed in proof of any offense relative to the original charges but not included therein, or if it is determined that a material fact has been improperly stated on the original charge, the department shall request the board to amend such charges so as to include specifications embodying such offense, which shall then become a part of the original charges.~~
2. ~~The accused shall be allowed reasonable opportunity, if needed, to prepare a defense for such amended charges, and the hearing shall be continued for that purpose.~~
3. ~~If, during the course of a hearing, evidence is disclosed against the accused in proof of any offense not associated to the original charges in type or time and place, the board shall not grant amendment of the charges. A separate investigation shall be conducted, and if warranted, new charges shall be prepared by the assistant attorney general on the new offense(s).~~

**Applies to:** ~~WSP Officers~~

**See Also:** ~~---~~

**13.00.150 — EVIDENCE**

**I. — POLICY**

**A. — Admitting Relevant Evidence**

1. ~~The hearing need not be conducted according to technical rules relating to evidence. Relevant evidence shall be admitted if it is information on which responsible persons are accustomed to relying on in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which may limit the admission of such evidence over objection in civil or criminal actions. Evidence is relevant when it has a tendency in reason to prove or disprove any disputed fact that is of consequence to the determination of the action. Hearsay evidence shall be admissible, but shall be given the weight deemed appropriate by the Trial Board.~~
2. ~~Witnesses shall be allowed to refresh their memories respecting a fact, by anything they have written or which was written at their direction when the fact was fresh in their memory and was known to them to be correctly stated in writing.~~
3. ~~Admissions against interest made by the accused to another person who testifies at a board hearing are admissible. A board may accept any evidence which tends to prove a pattern of conduct or is connected with the charges. Evidence of the character or work performance of the accused shall not be heard by the board, unless it is an issue or relevant to an issue.~~
4. ~~A Trial Board may take official notice of any generally accepted technical or scientific matter within its special field, and of any fact which may be judicially noticed by the courts of this state. The parties shall be informed of matters so noticed, given a reasonable opportunity to refute the officially noticed matters, and such matters shall be noted in the record.~~
5. ~~A finding that the violation was committed by the accused shall be supported by a preponderance of the evidence before the board. A preponderance of the evidence means that, more likely than not, an issue in contest occurred. The department, as the party with the burden of proof, shall demonstrate that the evidence presented shows that, by a preponderance, the accused did the acts or omissions alleged in the charges. Physical evidence shall remain in the custody of the board, or as directed by it, during the hearing.~~
6. ~~Upon final completion of the hearing and disposition of court appeals, physical evidence received shall be released by the department to the owner. An appropriate and sufficient description of such evidence shall be read by the administrative law judge into the record during the hearing.~~

**B. — Witness Testimony**

1. ~~Witnesses who are to testify as expert witnesses shall first qualify as experts in the considered opinion of a majority of the board, unless a stipulation has been entered.~~

**Applies to: — WSP Officers**

**See Also: —**

**13.00.160 — DISCOVERY**

**I. POLICY**

**A. Discovery Procedures**

1. ~~Discovery procedures shall be in accord with WAC 446-08-230 et seq.~~
2. ~~The accused shall be provided a copy of the investigation including addenda, which resulted in the charges against the accused. The Commander of HRD shall make this material available at the time the members of the Trial Board are selected.~~

**Applies to:** ~~WSP Officers~~

**See Also:** ~~---~~

**13.00.170 — EFFECT OF CRIMINAL PROCEEDINGS**

**I. POLICY**

**A. Criminal Proceedings**

1. ~~The purpose of criminal proceedings is the adjudication of crime, and the purpose of a board hearing is the adjudication of rule and regulation violations, maintenance of the morale and efficiency of the department, and its good repute in the community. Therefore, the fact that a jury has acquitted an officer of a criminal charge does not relieve the accused from any departmental charge arising out of the same matter.~~
2. ~~Criminal proceedings and a board hearing out of the same charge are entirely independent of each other. A board hearing need not be restricted to the evidence given in the criminal proceedings. The criminal court trial transcript may be used by the board.~~

**Applies to:** WSP Officers

**See Also:** RCW 43.43.070 and chapter 446-08 WAC

**14.00.120 — UNIT ACTIVITY AND STATUS**

**I. POLICY**

**A. Use of the Computer Aided Dispatch (CAD) System to Track and Report Status**

1. Communications officers shall use the CAD system to track the current status of field personnel.
2. CAD time card reports and unit activity reports shall be used by supervisors to monitor performance of duty. This shall include, but not be limited to, time in and out of the car, services provided, beat coverage, and breaks.

3. **Data for** CAD reports ~~are maintained on the server at the Information Technology Division (ITD) and~~ **is** kept as required by the Communications Division retention schedule.

**Applies to:** Field Supervisors and All Communications Employees

**See Also:** --

**15.01.010      TELEPHONE COMMUNICATIONS**

**I. POLICY**

**A. Handling Telephone Calls**

1. All employees shall answer calls promptly, courteously, and in a businesslike manner, identifying the department (or subdivision) and themselves.
2. Every reasonable attempt shall be made to supply callers with requested information, assistance, or proper referrals.
3. Return calls should be made within 24 hours, unless circumstances require a longer time.
4. Communications officers shall follow their section procedures for answering calls.
5. Employees shall remain attentive to those people they contact in performance of their duties. Cellular telephones should not be used and Bluetooth earpieces should not be worn while in contact with violators or the public, except in extenuating circumstances.

**B. Use of VoIP/Micro Lines, SLD System, and Calling Cards**

1. Employees shall use department Voice over Internet Protocol (VoIP) or Microwave Lines (Micro) or the Switched Long Distance (SLD) system whenever possible for intra-departmental long-distance calls.
2. SLD is the state of Washington's system consisting of leased lines providing low-cost telephone services for business calls. Employees shall use the SLD system whenever possible to place business-related long-distance calls from the office. The SLD option is automated when dialing toll calls on department VoIP phones.
3. Departmental employees may be issued calling cards for making calls while away from the office.

**C. Use of Local Telephone Service**

1. Occasional use of the department's telephone service is permissible when deemed not to cost the state time or money (e.g., local call on a break).

**D. Use and Control of Blackberries, Cell Phones, and Air Cards**

1. The Information Technology Division shall provide reports to each division/district for review of voice and data usage, as well as charges.

2. It shall be the responsibility of each division/district commander or his/her appointed designee to monitor cellular device usages. Upon request, a full detail report of usage can be provided.

**DE. Personal Calls**

1. Cellular telephones **devices**, telephone credit cards, and the SLD system are for official state business only. It is not permissible to make personal telephone calls on these systems or to receive personal calls on department cellular telephones. The only exception is that brief calls to home regarding an emergency, a change in travel plans, or a change in duty hours are allowed. All other personal calls shall be made at the employee's expense on public or personal equipment.
2. Personal cellular service shall remain separated from department cellular devices.

**EF. Control of SLD Number**

1. Employees shall maintain strict control of their seven-digit SLD access and long-distance calling card number and will be held accountable for their use. Lost or stolen seven-digit SLD access or calling card numbers shall be promptly reported to the immediate supervisor.
2. The Electronic Services Division (ESD) will provide monthly SLD reports to each division/district for review.

**FG. Toll-Free Numbers**

1. Agency toll-free numbers are for business use only.

**Applies to:** All WSP Employees

**See Also:** --

**15.02.030 ELECTRONIC RECORDS STORAGE**

**II. DEFINITIONS**

- A. **Electronic Media** – The device or medium that computer records or files are stored on.
- B. **Records** – Electronic records are subject to the Public Records Act, 42.56 RCW. These records may include writings, drawings, graphs, charts, photographs, video, audio recordings, metadata, etc., as defined in RCW 40.14.010, RCW 42.56.010(2), RCW 42.56.070, WAC 434-662, case law and any other RCW or WAC that defines “public records.”

**III. POLICY**

**A. Summary of Responsibilities**

1. It shall be the responsibility of each division/district commander or ~~their~~ **his/her** appointed designee to monitor electronic records storage. The Information



Technology Division shall **will** provide **specific** reports and recommendations to ~~the respective commanders periodically and upon request~~ **as needed or on request by division/district commanders.**

2. Each division/district shall have a current electronic media storage procedure in their division/district Standard Operating Procedures Manual.
3. Each division/district shall be responsible for identifying and monitoring which employees have department-issued equipment with camera functionality.
  - a. This includes, but is not limited to, cell phones, BlackBerrys, Smartphones, and Personal Digital Assistants (PDA).

**Applies to:** All WSP Employees

**See Also:** RCW 40.14.010, 42.56.010(2), 42.56.070; WAC 434-662

### **15.05.010 DEPARTMENT INTERNET SITE**

#### **I. DEFINITIONS**

- A. Government and Media Relations** – Coordinates agency legislation with legislators, committees, and other state agencies, as well as managing the statewide media relations on behalf of the Chief.
- B. Information Technology Division Customer Services** – ITD support unit that responds to requests for technical assistance supporting Internet use, including troubleshooting, feature questions, installation services, driver downloads, inventory, and surplus as they relate to department desktop and laptop computers, software, applications, and peripherals.
- C. ITD Web Support** – Web development team that is responsible for the technical support, maintenance, enhancement, design, and construction of the department Web sites.
- D. Internet** – The worldwide collection of computers, networks, and gateways used to communicate with one another through high-speed data communication lines.
- E. Web Site** – A home page and its associated pages, graphics, documents, multimedia, and other files that are stored on a Web server or a computer's hard drive.
- F. Web Page** – A single document in a Web site written in hypertext markup language (HTML) or a combination of HTML and server-side scripting code (such as JavaScript or PHP).
- G. Publish** – The process of making Web content public on the World Wide Web or an intranet by copying Web pages and files to the Web server connected to the Internet or the local area network.

#### **II. POLICY**

##### **A. Distributing Information on the Internet Web site**

1. The Internet Web site is designed and focused at providing information about the agency to the public. Information published on the Web site must be for general

public viewing that originates from within the agency and pertains to agency business. This site cannot be used for disclosing personal information, or publishing information from other organizations as the agency does not own the information.

2. The Internet Web site is not an open public forum, and external content provided on any Web page operated by the department will only be permitted at the discretion of the Chief.

**B. Accuracy and Appropriateness of Information**

1. Each section, division, district, and bureau is accountable for the accuracy and appropriateness of the information submitted and will be responsible for providing periodic reviews and updates for their Web content.
2. The Office of Government and Media Relations has business oversight of the department's Internet Web site.

**III. PROCEDURES**

**A. Updates and Enhancements**

1. Updates and enhancements must be approved at the delegated level of authority before being submitted to ITD Web Support for processing.
2. The requestor will generate a work order for requests to update the Internet Web site **via the ITD Help Desk at [ITDHelp@wsp.wa.gov](mailto:ITDHelp@wsp.wa.gov).**
3. Approved updates will be completed and published to the Internet Web server by ITD Web Support.

**B. Web Site Development Approval**

1. Requests for new Web site development or major enhancements must be reviewed and approved as a function of the IT Project Initiation Process. ITD will consult with Government and Media Relations on all new Web site development to ensure department guidelines, standards, and business requirements are met.

**C. Critical or Emergency Situations**

1. To provide all department employees instructions during a critical event or emergency situation, a special page may be placed on the department Internet Web site with appropriate instructions for employees. An example would be instructions for office employees informing them when to report to work during or after storms, fires, earthquakes, or any other serious disasters.

**Applies to:** All WSP Employees

**See Also:** WSP Policies **Agency Image Policy, Department Intranet Site**; WSP Internet Guidelines (*contact "ITD Web Support" via e-mail*); Project Initiation Process

**15.05.020**      **DEPARTMENT INTRANET SITE**

**I. DEFINITIONS**

- A. Intranet** – A network created within an organization that is accessible only to members of that organization and designed for information sharing and processing within the organization or company using many of the same technologies available on the Internet.
- B. Intranet site or Intranet Web site** – A Web site created within an organization and placed on the organization's Intranet. The Web site is only accessible to members of the organization.
- C. Inside WSP** – The name of the department's Intranet site, which is also referred to as iWSP.

**II. POLICY**

**A. Information on the Intranet Site**

- 1. Information provided on the department Intranet site shall be directed to the needs of the Washington State Patrol audience with the interest of disseminating and sharing information internally between the various divisions and staff.
- 2. All information published on the Intranet site shall be accessible by Washington State Patrol employees only and shall be permitted at the discretion of the Chief.

**B. Accuracy and Appropriateness of Information**

- 1. Each section, division, district, and bureau is accountable for the accuracy and appropriateness of the information they provide and will be responsible for periodically reviewing and updating their content on Inside WSP.

**Applies to:** All WSP Employees

**See Also:** WSP Policies **Agency Image Policy, Department Internet Site; On Inside WSP, see Internal WSP Intranet Guidelines**  
([http://iwspsp/sites/TSB/ITD/Shared%20Documents/Manuals%20and%20Reports/](http://iwspsp/sites/TSB/ITD/Shared%20Documents/Manuals%20and%20Reports/Web_Guidelines_v2.doc)  
[http://iwsp/sites/TSB/ITD/Shared%20Documents/Manuals%20and%20Reports/](http://iwsp/sites/TSB/ITD/Shared%20Documents/Manuals%20and%20Reports/Web_Guidelines_v2.doc)  
[Web\\_Guidelines\\_v2.doc](http://iwsp/sites/TSB/ITD/Shared%20Documents/Manuals%20and%20Reports/Web_Guidelines_v2.doc)); and Web Author List  
([http://helpme/SP\\_Help/Lists/iWSP%20Web%20Authors/AllItems.aspx](http://helpme/SP_Help/Lists/iWSP%20Web%20Authors/AllItems.aspx))([http://mosstdrawingboard/2013\\_Upgrade/Lists/Web%20Authors%20List/Web%20Authors.aspx](http://mosstdrawingboard/2013_Upgrade/Lists/Web%20Authors%20List/Web%20Authors.aspx))

**15.15.010**      **ACCESS/WACIC/NCIC CERTIFICATION REQUIREMENTS (CALEA 41.3.7)**

**I. POLICY**

**A. Use of ACCESS System**

- 1. 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 administers all operating phases of the ACCESS system.

2. The ACCESS communications network shall only be used for official law enforcement business. The following rules and policies ensure proper and efficient use of the ACCESS communications system. All users will conform to these policies and rules. Any questions regarding these policies should be referred to the ACCESS Section Manager.

**B. Terminal Agency Coordinator (TAC)**

1. District commanders shall designate a TAC for each district and/or Communications Center and/or detachment or site where an ACCESS terminal is located. The individual designated to function as a TAC shall be responsible to ensure compliance with state and federal policies and regulations, including validation requirements. TACs must maintain ACCESS Level II and TAC certifications. Additionally, the TAC shall participate in and ensure that all appropriate records be available during the triennial audit, which is conducted by the ACCESS/NCIC Audit Staff. Responsibility for proper system usage, user certification, **and** validations, ~~and maintaining proper procedures~~ belongs to the TAC.
2. All terminal users, including PMDC users, must be certified at their appropriate level every two years. The training for both Level I and Level II is a two-year certification. Users must recertify prior to their certification expiration date. This can be accomplished by recertifying online or attending a class.
3. All supervisors of ACCESS users ~~and~~ that are not ACCESS certified must view the Upper Management and Administrative Overview Training once during their career. They must sign a log indicating they viewed the training. The log must be kept with the TAC and be available for review at the audit.
4. All personnel that have physical access to Criminal Justice Information (CJI) that are not ACCESS certified must view the ~~Level 1 Criminal Justice Information Services (CJIS) Security~~ **Awareness Training and complete the test through CJIS Online** once every two years, ~~available in CJIS Online~~. This includes janitorial staff, all supervisors of ACCESS users that are not ACCESS certified, and all personnel that have access to the ~~terminal~~ areas **where CJI is located** that are not ACCESS certified.
5. All personnel that have physical and logical access to CJI that are not ACCESS certified must view the ~~Level 3 CJIS Security~~ **Awareness Training and complete the test through CJIS Online** once every two years, ~~available via CJIS Online~~. This includes IT personnel and vendors.

**C. Information Access and Dissemination**

1. Each user must observe any restrictions placed on the use or dissemination of information from the source agency. Policies contained within the ACCESS Operations Manual or other related manuals must be adhered to. Some records may be public information; however, if the information is obtained over the ACCESS system it must be used in the administration of criminal justice.

2. Law enforcement may provide vehicle records to tow operators as specified by Washington State law.

**D. Terminal Security**

1. Security of the terminal site and information received on the terminal is the responsibility of the division/district operating the terminal. Terminal locations must be secure from unauthorized access, and all employees authorized to use the system shall be instructed on the proper use of equipment and the dissemination of information received. Federal and state laws governing the secrecy of communications apply to all messages transmitted over this system.

**E. System Misuse**

1. Persons shall not use any information obtained through the ACCESS system, including all Department of Licensing (DOL) information, for private business or personal reasons or furnish any information so obtained to any other person for such use. Road, weather, and pass information may be disseminated to the general public, as a public service, without restriction.
2. Violations of the rules, regulations, policies, or procedures developed by NCIC and adopted by the Washington State Patrol or any other misuse or abuse of the system may result in disciplinary measures and/or criminal prosecution. ~~Disciplinary measures may include revocation of individual certification, discontinuance of system access to the department, purging of agency record entries, or criminal prosecution.~~
3. Upon receipt of a concluded misuse investigation, the division/district commander or designee must notify the ACCESS Section of the following information pertaining to system misuse:
  - a. Employee name
  - b. Allegation
  - c. Founded or unfounded
4. The Criminal Records Division Commander, ACCESS Section Manager, and the division/district commander or designee will make a final decision regarding the future status of the employee's ACCESS certification and/or whether additional training should be scheduled.

**F. Visitor Control and Access to Criminal Justice Information**

1. Only authorized personnel will have access to physically secure non-public locations. All physical access points into Washington State Patrol secure areas will be authorized before granting access.
2. For all physical access to secure locations, Washington State Patrol personnel shall ensure visitors are escorted at all times. **Monitoring via cameras is not considered escorting.** If visitors need unescorted access, they must have completed a fingerprint-based background check and review the Security Training on CJIS Online.

3. All criminal justice information obtained via ACCESS, in electronic format or paper, must be disposed of when no longer required. Appropriate means of destruction include shredding or incineration. All destruction must be witnessed or carried out by authorized personnel. Electronic media shall be destroyed by the Information Technology Division.

**Applies to:** All WSP Employees  
**See Also:** --

**15.16.010**     **LAW ENFORCEMENT INFORMATION EXCHANGE (LInX)/NATIONAL DATA EXCHANGE (N-DEx)**

**I. POLICY**

**A. LInX/N-DEx Users**

1. All LInX/N-DEx users must review LInX/N-DEx training once every two years.

**B. Security**

1. Security of the computer site and information received on the computer is the responsibility of the division/district/operator using the computer.
2. Computer locations must be secure from unauthorized access, and all employees authorized to use the system shall be instructed on the proper use of equipment and the dissemination of information received.
3. All LInX users must ensure confidentiality of the information received through this program. Because LInX/N-DEx is an Internet-based program, authorized LInX users must acknowledge that all use of the LInX database these programs will be in a secure environment (i.e., police squad room, a secure office, police vehicle with obscured vision of the computer screen by the public). Unsecured areas would include, but are not limited to, the employee's residence, coffee shops, restaurants, or fire departments.

**C. Use of Information**

1. Information obtained from the LInX/N-DEx system programs shall only be used for the administration of criminal justice. LInX/N-DEx can provide information if a person or vehicle is named in a police report as a victim, suspect, witness, complainant, or has been arrested or issued a citation.
2. Information that is obtained from the LInX/N-DEx system programs may be printed, but shall NOT be used in an investigation case file.
3. Positive results from LInX/N-DEx shall not be referred to in case reports or affidavits without first contacting the originating law enforcement agency and obtaining the information permission to use the information.
4. Persons shall not use any information obtained through the LInX/N-DEx database programs for private business or personal reasons or furnish any information so obtained to any other person for such use.

5. Sanctions apply for system misuse of LInX/N-DEx information. Violations of the rules, regulations, policies, or procedures developed by LInX and/or N-DEx and adopted by the Washington State Patrol or any other misuse or abuse of the system may result in disciplinary measures.
6. Whenever a user inquires on information, he/she must ensure they provide a specific reason or case number and the employee's personal identification number or first initial and last name. All queries through LInX/N-DEx are subject to audit.

**D. Point of Contact (POC)**

1. Each division/district has its own administrators for LInX/N-DEx. One administrator is named at each location as the point of contact (POC) for the annual LInX audit administered by the ~~A Central Computerized Enforcement Service System (ACCESS)~~ audit team.
2. The POC must fulfill the tasks as outlined in the Duty Requirements (provided by the ACCESS Section).

**Applies to:** All WSP Employees  
**See Also:** --

**16.04.010 PURCHASE OF REPLICA AND WALLET BADGES**

**I. POLICY**

**A. Retired Employees Requesting Replica Badges**

1. Retired uniformed employees may purchase one replica of each departmental badge issued to them during their service.
2. Retired uniformed employees shall submit a letter to the Supply Section requesting authorization to purchase replica badges. The letter shall include the rank(s) and applicable badge numbers(s) and shall also include the requester's contact phone number and mailing address.

**B. Active Employees Requesting Replica Badges**

1. Active uniformed employees may purchase one replica of each departmental badge issued to them during their service.
2. Active uniformed employees shall submit a completed Replica Badge Request form and forward through their chain of command to the Supply Section.

**C. Purchasing Replica Badges**

1. Upon receipt of requests for replica badges, a letter of authorization will be sent to the requester and a copy to the current badge vendor. The letter shall specifically identify the badges(s) to be purchased and current vendor contact information.
2. The purchase of replica badges shall be considered a private transaction between the authorized purchaser and the vendor. Purchase arrangements shall be the responsibility of the requester.



3. Replica badges shall not be used, displayed, or represented as a departmental badge for official use. A unique number is engraved on the back of the badge by the vendor, identifying the badge as a replica.
4. Requests for badges not personally assigned during service shall be reviewed on a case by case basis by the requester's chain of command and the Supply Section Manager.

**D. Purchasing Wallet Badges**

1. Active officers may purchase one flat wallet badge representing their current rank.
2. Active officers shall submit a completed Wallet Badge Request form through their chain of command to the Supply Section.
3. Upon receipt of requests for a wallet badge, a letter of authorization will be sent to the requester and a copy to the current badge vendor. The letter shall specifically identify the badge to be purchased and current vendor contact information.
4. A wallet badge may be utilized with a current commission card as authorized identification. Only a wallet badge representing the officer's current rank is authorized.
5. An authorized wallet badge shall be documented on the current year's Equipment Inspection form (Part B) under Additional Items. An authorized wallet badge is subject to inspection in accordance with the **INSPECTIONS** policy. Wallet badges shall be visually inspected annually and prior to their addition and removal from the Equipment Inspection form.
6. Loss of a wallet badge shall be reported to a supervisor immediately. Supervisors shall ensure the chain of command is notified.
7. Wallet badges are not considered issued equipment. Accountability for wallet badges is similar to that of an agency-authorized backup weapon.

**Applies to:** All Uniformed Employees

**See Also:** Replica Badge Request, Wallet Badge Request, Equipment Inspection/Reinspection (Part A) and Tagged/Tracked Equipment Audit (Part B)

**17.05.010 VEHICLE MAINTENANCE FILES**

**I. POLICY**

**A. Vehicle Maintenance File Format**

1. All vehicle maintenance files shall be in an electronic format in Remedy.
  - a. The Fleet Section shall be responsible for creating all electronic vehicle files.
  - b. Only one vehicle file shall be maintained for each agency vehicle.



**A.B. Documentation in Vehicle Maintenance Files**

1. Supervisors shall be responsible for monitoring vehicle repairs and costs by periodically reviewing vehicle maintenance files. ~~Only one set of files shall be maintained.~~ Vehicle maintenance files shall include, at a minimum:
  - a. A copy of each individual vehicle's required service intervals.
  - b. A copy of each individual vehicle's warranty.
  - c. A copy of all Voyager U.S. Bank Fleet Maintenance card receipts and invoices for service and all Vehicle Repair Authorizations and accompanying invoices for repairs on the vehicle since it was assigned to the division/district. Fuel receipts do not need to be maintained in the vehicle maintenance file.
  - d. A copy of a Vehicle Maintenance Record, containing a chronological list of repairs performed on the vehicle since its assignment to the division/district. Fuel and car wash receipts do not need to be maintained in vehicle maintenance files.
2. Divisions, districts, and sections shall be responsible for maintaining the vehicle maintenance files

**Applies to:** All WSP Employees

**See Also:** *Budget and Fiscal Services Standard Operating Procedures ("Voyager Card" and "Vehicle Repair Authorization Form"); Property Management Division Standard Operating Procedures (Fleet Section)*

**17.16.010      CAR WASH**

**I. POLICY**

**A. Car Wash Authorization**

1. The cost of a car wash shall be the minimum available in the immediate local area. Officers shall be allowed two car washes a month, and ~~t.~~ The supervisor may authorize additional wash jobs car washes under extenuating circumstances or when vendors offer unlimited car washes for a set monthly fee.

**Applies to:** All WSP Employees

**See Also:** --

**18.00.040      PURCHASE OF SERVICE PISTOL UPON RETIREMENT (CALEA 1.2.1, 41.3.4)**

**I. POLICY**

**A. Career Service Pistol Available for Purchase**

1. Upon retirement from state service, officers may purchase their career service pistol as a keepsake. Only one service pistol may be purchased.

2. To be eligible to purchase the retiring officer's career service pistol, the retiring officer must be a resident of Washington State, possess a valid Washington State driver's license, and be eligible to possess a firearm under chapter 9.41 RCW at the time of retirement.

**B. Purchase Procedure**

1. To purchase a career service pistol:
  - a. If retiring officers choose to purchase their service pistol, the Supply Section shall be notified by the retiring officers at the time they notify the Human Resource Division of their intent to retire.
  - b. The immediate supervisor is responsible for ensuring all state equipment, including the service pistol, issued to the retiring officer shall be returned to the Supply Section prior to the officer's last official work day. If the retiring officer is not purchasing their issued pistol and is unable to return the pistol to the Supply Section, the pistol (three grips; gun lock; case; and three magazines) shall be turned in to the local firearms specialist or the Supply Section with a completed Notice of Receipt or Transfer of Tagged/Tracked Asset(s) form. If the department has not received any notification of intent to purchase, the weapon shall be held for 30 days after the officer's official retirement date. After that time, it may be reissued. At any time during the 30-day hold, the retiring officer may purchase the pistol by contacting the Supply Section.
  - c. ~~Upon receiving notification of a retiree purchase, the department shall provide the cost of the weapon based on the original purchase price paid/traded by the agency.~~ Prior to retirement, the retiring officer will have a department firearms specialist inspect the pistol and place a value on it based on its condition. Value will be determined by using the most current edition of the Blue Book of Gun Values by S.P. Fjestad. The firearms specialist will complete the Sale of Career Service Pistol to Retiring WSP Officer form and provide a cost for the pistol to the retiree. The retiree or firearms specialist will provide the original form and method of payment to the Supply Section to purchase the pistol.
  - d. ~~The Supply Section or Firearms Specialist and retiring officer shall complete a pistol transfer application (FIR-652-004) in accordance with RCW 9.41.090 (application to purchase) and the Sale of Career Service Pistol to Retiring Washington State Patrol Officer form.~~ The Supply Section shall also maintain a record of the sale in the electronic asset inventory system and copy of disposal paperwork according to records retention requirements.
  - e. A description of the pistol, including the manufacturer, serial number, the cost or trade value when originally purchased or traded by the agency, and the purchaser's name shall be sent to the Surplus Property Section, Department of Enterprise Services.

- f. The Supply Section shall transfer possession of the pistol when payment by the purchaser is received, along with the completed ~~state firearms~~ forms.
- g. The retiring officer's immediate supervisor shall ensure the pistol is turned in or payment and the required forms are completed and submitted to the Supply Section for the sale prior to the retiring officer's last official work day.

**Applies to:** WSP Officers

**See Also:** Chapter 9.41 RCW; WAC 236-48-198; Notice of Receipt or Transfer of Tagged/Tracked Asset(s), Sale of Career Service Pistol to Retiring Washington State Patrol Officer form

Employees are responsible for indicating they have read and understand all written directives throughout the year. They must do this by dating and initialing the filled-in General/Special Order number.

[illegible]

NAME	DIVISION/DISTRICT/SECTION
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## This image shows a single page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page, leaving small margins at the top and bottom. There are no vertical margin lines, and the page is completely blank except for the lines themselves.