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CHAPTER one

Sheriff’s Office purpose and mission

MISSION STATEMENT

The Purpose and Mission of the Whitman County Sheriff’s Office is to serve, protect, and provide the highest possible level of safety and security to all persons and property within the bounds of Whitman County;

To enforce Federal, State, and Local Laws in a professional and dignified manner, with emphasis on the protection of the rights of those we serve;

To realize the Whitman County Sheriff’s Office is a public service agency and we must strive to maintain the highest level of respect for the organization that we represent;

To carry out the mission with diligence, courtesy, and pride in the service we provide, using this manual as a guideline for conduct and action in accomplishing these objectives.

Pride through Performance...

POL-1-1 OATH OF OFFICE

Prior to any member of the Sheriff’s Office being a sworn Law Enforcement Officer they will take, sign, and comply with the following Oath of Office:

I do solemnly swear that I am a citizen of the United States of America and of the State of Washington; that I will support the Constitution and Laws of the United States and the Constitution and Laws of the State of Washington, and will to the best of my judgment, skill and ability, truly, faithfully, diligently and impartially perform the duties of the office of Deputy Sheriff in and for Whitman County, Washington, as such duties are prescribed by law, so help me God.

POL-1-2 THE CODE OF ETHICS

All members of the Sheriff’s Office shall become familiar with the below standards and abide by them.

LAW ENFORCEMENT CODE OF ETHICS

As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the constitutional rights of all men to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my office. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

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

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of law enforcement. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession.... law enforcement.

**POL-1-3 Use of Force**

**1-3-1 Purpose and Scope**

This policy is intended to provide clarity to officers and promote the highest levels of safety for all parties involved by ensuring that available and appropriate de-escalation techniques are used when possible, force is used appropriately and only when necessary, and the amount of force is used is proportional to the threat or resistance the officer encounters.

While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every deputy or officer of this office is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner.

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Control Devices and Techniques and Conducted Energy Device policies.

**1-3-2 DEFINITIONS**

Definitions related to this policy include:

**Force** - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when a person allows an officer to search, escort, handcuff, or restrain the person.

**Deadly Force** – The intentional application of force through the use of firearms or other means reasonably likely to cause death or serious physical injury.

**Feasible** - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person.

**Imminent** - Ready to take place; impending. Note that imminent does not mean immediate or instantaneous.

**Totality of the circumstances** - All facts and circumstances known to the officer at the time, taken as a whole, including the conduct of the officer and the subject leading up to the use of force (RCW 10.120.010).

**De-escalation tactics**- Actions used by a peace officer that are intended to minimize the likelihood of the need to use force during an incident (RCW 10.120.010). Using force is not a de-escalation tactic.

**Flight**- An act or instance of running away in an effort to leave and intentionally evade law enforcement.

**Immediate threat of serious bodily injury or death**.- Based on the totality of the circumstances, it is objectively reasonable to believe that a person has the present and apparent ability, opportunity, and intent to immediately cause death or serious bodily injury to the peace officer or another person (RCW 10.120.020).

**Neck restraint-** Any vascular compression or similar restraint. Hold, or other tactic in which pressure is applied to the neck for the purpose of constricting blood flow (RCW 10.116.020).

**Necessary-** Under the totality of the circumstances, a reasonably effective alternative to the use of force or deadly force does not appear to exist, and the type and amount of force use is a reasonable and proportional response to effect the legal purpose intended or to protect against the threat posed to the officer or others (RCW 10.120.010).

**Chokehold**- The intentional application of direct pressure to a person’s trachea or windpipe for the purpose of restricting another person’s airway (RCW (9A.16.010).

**1-3-3 POLICY**

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

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

The Whitman County Sheriff’s Office recognizes and respects the value of all human life without prejudice or bias of any kind to anyone. Vesting officers and deputies with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests. The proper use of force is essential to ensure impartial policing and build trust in the community. While there are circumstances where individuals will not comply with the law unless compelled or controlled by officers through the use of force, officers must remain mindful that they derive their authority from the community and that unreasonable force degrades the legitimacy of that authority.

**1-3-4 DUTY TO INTERVENE AND REPORT**

Any officer present and observing another law enforcement officer or a member using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intervene to prevent the use of unreasonable force (RCW 10.93.190).

Any officer who observes another law enforcement officer or a member use force that is potentially beyond that which is objectively reasonable under the circumstances shall report these observations to a supervisor as soon as feasible (RCW 10.93.190).

**1-3-5 PERSPECTIVE**

When observing or reporting force used by a law enforcement officer, each officer should take into account the totality of the circumstances and the possibility that other law enforcement deputies may have additional information regarding the threat posed by the subject.

**1-3-6 ADDITIONAL STATE REQUIREMENTS ON THE DUTY TO INTEREVENE AND REPORT**

An officer shall not be disciplined for or retaliated against in any way for intervening in good faith or for reporting in good faith the unreasonable use of force by another law enforcement officer (RCW 10.93.190) (see the Anti-Retaliation Policy).

**1-3-6-1- CRITICAL DECISION MAKING.**

Use of critical decision making can help officers achieve the expectations outlined in this manual. When safe and feasible, when making contact with the public officers shall;

1. Begin assessment and planning with available facts before arriving on scene.
2. Request available resources, as needed, such as a crisis intervention team

**1-3-7 USE OF FORCE**

Deputies shall use the least amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

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

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

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

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

**1-3-8 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE**

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include but are not limited to:

(a) Immediacy and severity of the threat to deputies or others.

(b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.

(c) Officer/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of deputies available vs. subjects).

(d) The effects of suspected drug or alcohol use (RCW 10.120.020). (e) The individual's mental state or capacity (RCW 10.120.020).

(f) The individual's ability to understand and comply with officer commands. (g) Proximity of weapons or dangerous improvised devices.

(h) The degree to which the individual has been effectively restrained and the individual's ability to resist despite being restrained.

(i) The availability of other reasonable and feasible options and their possible effectiveness.

(u) Seriousness of the suspected offense or reason for contact with the individual. (k) Training and experience of the officer.

(I) Potential for injury to deputies, suspects, and others.

(m) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.

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

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

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

(q) Prior contacts with the individual or awareness of any propensity for violence. (r) The individual is visibility pregnant or claims to be pregnant (RCW 10.120.020).

(s) The individual is a minor, appears to be a minor, or claims to be a minor (RCW

10.120.020).

(t) The individual is known to be a vulnerable adult or appears to be a vulnerable adult as defined by RCW 74.34.020 (RCW 10.120.020).

(u) The individual has limited English proficiency (RCW 10.120.020). (v) The individual is in the presence of a child (RCW 10.120.020).

(w) Any other exigent circumstances.

**1-3-10 PAIN COMPLIANCE TECHNIQUES**

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

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

(b) Whether the individual can comply with the direction or orders of the officer. (c) Whether the individual has been given sufficient opportunity to comply.

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

**1-3-11 USE OF FORCE TO SEIZE EVIDENCE**

In general, deputies may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, deputies are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, deputies should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Deputies are encouraged to use techniques and methods taught by the Whitman County Sheriff’s Office for this specific purpose.

**1-3-12 ALTERNATIVE TACTICS - DE-ESCALATION**

When circumstances reasonably permit, deputies should use non-violent strategies and techniques to decrease the intensity of a situation, improve decision-making, improve communication, reduce the need for force, and increase voluntary compliance (e.g., summoning additional resources, formulating a plan, attempting verbal persuasion) (RCW 10.120.010; RCW 10.120.020).

**1-3-13 RESTRICTIONS ON RESPIRATORY RESTRAINTS**

Deputies employed by the Whitman County Sheriff’s Office are not authorized to use respiratory restraints, also known as chokeholds or neck restraints (RCW 10.116.020).

**1-3-14 WASHINGTON STATE LAW- PHYSICAL FORCE**

Physical force means any act reasonably likely to cause physical pain or injury or any other act exerted upon a person's body to compel, control, constrain, or restrain the person's movement. Physical force does not include pat-downs, incidental touching, verbal commands, or compliant handcuffing where there is no physical pain or injury (RCW 10.120.010).

An officer may use physical force upon another person to the extent necessary to (RCW

10.120.020):

(a) Protect against a criminal offense when there is probable cause that the person has committed, is committing, or is about to commit the offense.

(b) Effect an arrest.

(c) Prevent an escape as defined under chapter 9A.76 RCW.

(d) Take a person into custody, transport a person for evaluation or treatment, or provide other assistance under RCW 10.77; RCW 71.05; or RCW 71.34.

(e) Take a minor into protective custody when authorized or directed by statute.

(f) Execute or enforce a court order authorizing or directing an officer to take a person into custody.

(g) Execute a search warrant.

(h) Execute or enforce an oral directive issued by a judicial officer in the courtroom or a written order where the court expressly authorizes an officer to use physical force to execute or enforce the directive or order.

(i) Prevent a person from fleeing or stop a person who is actively fleeing a lawful temporary investigative detention, provided that the person has been given notice that the person is being detained and is not free to leave.

(j) Take a person into custody when authorized or directed by statute.

(k) Protect against an imminent threat of bodily injury to the officer, another person, or the person against whom force is being used.

**Deputies shall terminate the use of physical force as soon as the necessity for such force ends**

(RCW 10.120.020).

**1-3-15 DEADLY FORCE APPLICATIONS**

When reasonable, deputies shall, prior to the use of deadly force, make efforts to identify themselves as peace officers and to warn that deadly force may be used, unless an officer has objectively reasonable grounds to believe the person is aware of those facts.

Use of deadly force is only justified when the officer reasonably believes it is necessary in the following circumstances (RCW 10.120.020):

(a) An officer may use deadly force to protect the officer or others from what the officer reasonably believes is an immediate threat of serious physical injury or death.

(b) An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the individual has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an immediate threat of serious bodily injury or death to any other person if the individual is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

For purposes of deadly force, an "immediate threat of serious physical injury or death" exists when, based on the totality of the circumstances, it is objectively reasonable to believe that a person has the present and apparent ability, opportunity, and intent to immediately cause death or serious bodily injury to the peace officer or another person (RCW 10.120.020).

**1-3-16 MOVING VEHICLES**

Shots fired at or from a moving vehicle involve additional considerations and risks, and are rarely effective.

When feasible, deputies should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants.

An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle or of deadly force other than the vehicle that is directed at the officer or others (RCW

10.116.060).

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

A vehicle is not considered a threat for purposes of this policy unless the operator is using it as a deadly weapon and there are no other reasonable means to immediately avoid that threat (RCW

10.116.060).

**1-3-17 REPORTING THE USE OF FORCE**

Any use of force by a member of this office shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances.

To collect data for purposes of training, resource allocation, analysis, and related purposes, the Sheriff’s Office may require the completion of additional report forms, as specified in office policy, procedure, or law. See the Report Preparation Policy for additional circumstances that may require documentation.

**1-3-18 NOTIFICATIONS TO SUPERVISORS**

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

(a) The application caused a visible injury.

(b) The application would lead a reasonable officer to conclude that the individual may have experienced more than short term or momentary discomfort.

(c) The individual subjected to the force complained of injury or continuing pain. (d) The individual indicates intent to pursue litigation.

(e) Any application of the TASER (TM) device or control device.

(f) Any application of a restraint device other than handcuffs, shackles, or belly chains.

(g) The individual subjected to the force was rendered unconscious.

(h) An individual was struck or kicked.

(i) An individual alleges unreasonable force was used or that any of the above has occurred.

**1-3-19 NOTIFICATION TO INDIAN AFFAIRS**

When the use of force by an officer results in the death of a person who is an enrolled member of a federally recognized Indian tribe, notification shall be made to the Governor's Office of Indian Affairs within a reasonable period of time, but not more than 24 hours after the office has good reason to believe the person was an enrolled member. Notice shall include sufficient information for the Governor's Office of Indian Affairs to attempt to identify the deceased person and tribal affiliation (RCW 10.114.021).

**1-3-20 USE OF FORCE REPORT FORM**

**Use of Force Form**

**1-3-21 NOTIFICATION TO CRIMINAL JUSTICE TRAINING COMMISSION (CJTC**) Notification shall be made to CJTC within 15 days of learning of the occurrence of any death or serious injury caused by the use of force by an officer (RCW 43.101.135).

**1-3-22 REPORTING TO WASHINGTON STATEWIDE USE OF FORCE DATA PROGRAM**

The Office shall submit reports regarding use of force incidents as provided by RCW

10.118.030 to the Washington statewide use of force data program in the format and time frame established by the program (RCW 10.118.030).

**1-3-23 MEDICAL CONSIDERATIONS**

Once it is reasonably safe to do so, medical assistance shall be obtained for any person who exhibits signs of physical distress, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until the individual can be medically assessed. Individuals should not be placed on their stomachs for an extended period, as this could impair their ability to breathe (RCW 10.93.190).

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

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

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

See the Medical Aid and Response Policy for additional guidelines.

**1-3-24 SUPERVISOR RESPONSIBILITIES**

A supervisor should respond to a reported application of force resulting in visible injury, if reasonably available. When a supervisor is able to respond to an incident in which there has been a reported application of force with visible injury, the supervisor is expected to:

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

(b) Ensure that any injured parties are examined and treated.

(c) In cases where force is used which results in obvious or reported injury the supervising officer should consider obtaining a recorded interview with the individual upon whom force was applied. If this interview is conducted without the individual having voluntarily waived the individual's Miranda rights, the following shall apply:

1. The content of the interview should not be summarized or included in any related criminal charges.

2. The fact that a recorded interview was conducted should be documented in a property or other report.

3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.

(d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.

1. These photographs should be retained until all potential for civil litigation has expired.

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

(f) Review and approve all related reports.

(g) Determine if there is any indication that the individual may pursue civil litigation.

1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.

(h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate. In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

When an incident results in death, serious bodily harm, or great bodily harm, the supervisor shall immediately contact the Office of Independent Investigations pursuant to the procedures established by the Office of Independent Investigation (RCW 43.102.120).

**1-3-25 SHIFT SERGEANT RESPONSIBILITY**

The Shift Sergeant shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to address any training issues.

**1-3-26 TRAINING**

Deputies will receive periodic training on this policy and demonstrate their knowledge and understanding.

Deputies shall receive training and subsequent periodic training on (RCW 43.101.450; RCW

43.101.495; RCW 10.120.010; RCW 10.120.020):

(a) Guidelines regarding vulnerable populations, including but not limited to children, elderly, pregnant persons, and individuals with physical, mental, or intellectual disabilities.

(b) De-escalation tactics, including alternatives to force and legal requirements. (c) Duty to intercede.

**1-3-27 ANNUAL REVIEW**

Use of force incidents will be reviewed annually by the Patrol Sergeants and Undersheriff with the findings submitted to the Sheriff for approval.

**1-3-28 WASHINGTON STATE LAW- REASONABLE CARE**

Deputies shall use reasonable care when determining whether to use and when using any physical force or deadly force against another person. The least amount of physical force necessary shall be used to overcome resistance under the circumstances (RCW 10.

POL-1-4 LESS LETHAL WEAPONS

The use and possession of less lethal weapons by members of the Sheriff’s Office, both on and off duty, will be used as an alternative to deadly force. The use of these weapons is governed by POL-1-3 and this Policy.

USE OF LESS LETHAL WEAPONS

**FLASHLIGHTS -** Members will not use flashlights in subduing suspects or prisoners except in emergencies.

**BATON -** The baton, asp or straight stick is to be used in the manner taught by the certified instructor. If the member is not certified, he/she will not carry or use the baton. Members will employ batons only as a defensive weapon or to subdue a violent prisoner. In no case, except in a life threatening emergency, will a member use a baton as a club.

**CHEMICAL AGENTS -** Members will employ chemical agents in a manner consistent with Sheriff’s Office training and procedures.

CAPSTUN

All members of this Sheriff’s Office that desire to carry a chemical agent will use (Oleoresin Capsicum/OC) and will be trained in the use of the product by a certified trainer and exposed to the agent.

Training will be under the direction and supervision of the Range and/or Training Officer(s). The program will be approved by the Sheriff.

The member delivering the agent will have decided prior to using the product that the intended recipient is to be taken into custody for a criminal offense. The intended recipient of the agent will be taken into custody and incarcerated in a jail facility.

Any member that intends to use CAPSTUN (OC) will ask for a back-up unit to be sent to their location. This request will be, when practical, made prior to the member dispersing the product. This is to insure adequate assistance is enroute in the event a member inadvertently disables him/herself with the agent.

The incident will be reviewed by the member’s immediate supervisor. In the case of use by a supervisor, the Undersheriff will review the incident. All reports indicating use of a less lethal weapon will be directed to the appropriate Sergeant/Undersheriff for final review.

The Sergeant/Undersheriff is responsible for any necessary recommendations to the Sheriff should any use of a less lethal weapon appear to be improper.

**HANDCUFFS -** Members will handcuff all prisoners a member has reason to believe is possibly violent.

Correction members when transporting more than one prisoner to and from court will handcuff all prisoners in their charge.

**TASER -** Only members who have completed the Sheriff’s Office’s TASER Training Program will be issued and/or allowed to use the M26/X26 TASER. The member will utilize the X26/X26P/X2 TASER in the manner taught by the certified instructor and in a manner consistent with Sheriff’s Office training and procedures.

**INFORMATION**

All members of this Sheriff’s Office that desire to carry/utilize the M26/X26 TASER shall use only a TASER which has been authorized and has had the serial number recorded. The member will also be required to attend training in the use of the M26/X26 TASER. The training program will be approved by the Sheriff and administered by a certified X26/X26P/X2 TASER instructor.

A TASER may be used to control a subject who poses a threat of violence when attempts to subdue the subject by other conventional tactics have been, or will likely be, ineffective in the situation at hand; or there is reasonable expectation that it will be unsafe for officers to approach within contact range of the subject.

**PROCEDURE**

Only properly functioning and charged TASER’s shall be used.

Each discharge, including accidental discharges, of a TASER shall be reported and documented utilizing an ADVANCED TASER USE REPORT (ATUR).

1. The X26/X26P/X2 is programmed to give a 5-second “electrical current.” The operator can shorten or extend this time as the situation warrants. The probes should not be touched during this time period, as the operator would also receive the same “electrical current.” In addition, officers should avoid stepping on or tripping over the wires.
2. The preferred target area when deploying a TASER should be the center mass of the subject’s body. The face, neck and groin area is to be avoided if at possible. NEVER aim the TASER at the eyes of the subject. The TASER is laser sighted and could cause eye injury.
3. Keep hands away from the front of the unit at all times unless the safety is activated and the TASER is safe.
4. Always replace Air Cartridges by their expiration date (these may be used for training).
5. Consideration and care should be taken when deploying the TASER on suspect(s) who are in an elevated position or in other circumstances where a fall may cause substantial injury or death. Members must be prepared to justify such a deployment.
6. The TASER will never be used punitively or for the purposes of coercion. It is to be used as a way of averting a potentially injurious or dangerous situation.
7. The TASER should never be deployed following the use of alcohol based CAPSTUN (OC) on a suspect.

**MEMBERS DISCHARGING A TASER SHALL**

1. Determine if an EMS unit response is necessary. If the response is necessary, EMS personnel will be advised a subject has been subjected to a TASER stun.
2. Persons who have been subjected to the TASER stun or probe penetration, shall be treated as follows: The member or EMS personnel will remove the probes that have penetrated major muscle groups by utilizing the technique learned during certified training. The member will secure subject and inspect for any secondary injuries or excessive bleeding. The member will advise EMS personnel of the approximate time of the TASER discharge, location of probe penetration and secondary injuries if observed.
3. An immediate supervisor will be notified of any TASER discharge and assist in determining if an EMS unit response is necessary.
4. The member will obtain medical clearance from EMS personnel or escort EMS to the appropriate hospital if necessary.
5. The air cartridge and probes used, as well as a sample of discharged chads, shall be collected and entered into evidence. Since the probes will probably have blood on them (biohazard) the member should wear protective latex gloves when handling. Collection of Taser and all wires and probes as found (don’t stretch or spool.) Place Taser wires and cartridge in a box and process as evidence. The probes shall be inverted into the portals they originally were deployed from (this will prevent the sharp ends from penetrating the evidence envelope). Evidence tape should then be placed over the portals to secure the probes in the cartridge. Then place into an evidence envelope with a few serialized chads that were discharged by the air cartridge at the scene.

**TACTICAL DEPLOYMENT**

1. Use common sense.
2. Use clear verbal commands and point laser sight at subject prior to firing.
3. Have a second air cartridge present or a second X26/X26P/X2 ready to fire in case probes miss the target, a malfunction, or an air cartridge is a dud.

4. Have appropriate backup equipment and personnel available if possible.

5. Aim at center of mass and from the subject’s rear if possible.

6. Use cover and distance to ensure officer safety.

7. Use to avert violent confrontation.

**SERGEANT’S RESPONSIBILITIES**

1. Respond to scenes where the TASER has been deployed, if available.
2. Insure that officers who use the TASER complete an ATUR.
3. Insure ATUR, spent cartridge and chads are completed/collected.

**USE OF FORCE ISSUES**

1. The use of the TASER constitutes a Use of Force.
2. Every effort will be made to control the situation prior to TASER use. Including the use of effective communication skills and/or providing secondary options to subject.
3. The TASER should only be used when adequate backup is available. A minimum of two members is recommended but this does not negate use by one member when circumstances dictate such use.
4. Members will make every effort possible to insure all innocent citizens are clear of the situation or out of immediate proximity prior to TASER discharge.
5. The TASER is placed on the Use of Force Continuum at level ONE, and may be deployed prior to hands-on contact by members in an incident where the subject has threatened or shown signs of violence.
6. The TASER may be used from up to 21 feet away when: The member reasonably believes the subject poses a credible threat and lesser force options are ineffective, or likely to be ineffective given the situation at hand.
7. Member/Suspect Factors that may be considered: Age, Sex, Pregnancy, Skill Level, Multiple Suspects/Members, Relative Strength. Special Circumstances: Proximity of a Weapon, Injury or Exhaustion of Member, Member on Ground, Distance between Member and Suspect, Special Knowledge, and/or Availability of Other Options.

**REPORTING USE OF LESS LETHAL FORCE -** Whenever a member uses force capable of causing injury or does cause injury, the member will promptly submit an incident report that will be reviewed by the immediate supervisor and/or the Undersheriff and will comply with POL-26-1.

POL-1-5 FIREARMS AND AMMUNITION

All weapons meant to be carried or used by a member while on duty will be of the following calibers:

1. Handguns - .40 cal. semi-auto / .45 cal. semi-auto
2. Shotguns - 12 gauge
3. Rifles - .223 and .6.5 Creedmore (other guns as assigned)
4. Other firearms can be approved by the Sheriff on a case by case basis.

HANDGUN BARREL LENGTH - 3 to 6 inches for members in uniform and 1 to 6 inches in plainclothes.

AMMUNITION- Only ammunition issued and/or approved by the Sheriff’s Office will be carried on duty. Ammunition for duty and training will be provided by the Sheriff’s Office in the following caliber’s; .40 cal., .45 cal., 12 gauge., .223 cal., .38., 9mm and .6.5 cal. Additional ammunition or firearms can be approved by the Sheriff on a case by case basis.

THE SHERIFF’S OFFICE WILL PROVIDE DUTY AMMUNITION.

All duty weapons will be approved by the Sheriff prior to being carried on duty.

At all times when a field division member is on duty, he/she will carry a firearm that they have been qualified to carry.

EXCEPTIONS**:** Weapons may be locked in a gun locker while at the office. A member will not carry their firearm while in a Correctional Facility, where it is prohibited.

POL-1-6 FIREARMS PROFICIENCY

The Sheriff’s Office will approve all firearms that a member carries on duty, and the member will qualify with that weapon annually on a course approved by the Sheriff. A member will qualify with each weapon prior to carrying that weapon. Each member will qualify at a minimum of 70% on any approved course. Members will have on file with the Sheriff’s Office the serial number, make, and model of all weapons they carry on duty.

The firearms instructor will be a state or federally certified firearms instructor.

BACK-UP WEAPONS

Any member who carries a back-up weapon will qualify with that weapon. Back-up weapons must comply with provisions of Policy Pol-1-5 and Pol-1-6.

At no time will any member of the Sheriff’s Office carry or employ any type of weapon or potential weapon as a “throw away”.

OFF-DUTY WEAPONS

Sworn members of the Sheriff’s Office that carry off-duty weapons (under color of their badge) must qualify with that weapon annually. Initial qualification will be prior to carrying that weapon. The Sheriff’s Office Range Master will allow practice with these weapons on the range. However, the Sheriff’s Office will not purchase or provide ammunition for these weapons, other than for qualification.

Recreational weapons are excluded.

PRO-1-6-1 FAILURE TO QUALIFY

ACTION BY Sheriff’s Office Member

* 1. Fails to qualify on the Sheriff’s Office approved course and with the Sheriff’s Office approved firearms instructor.
  2. The member will have 30 days to re-qualify.
     1. The member may request additional training.
  3. On the second failure, members will have an additional 30 days to re-qualify. The member will submit to mandatory additional training and the Sheriff will be notified in writing.

ACTION BY Range Officer

* 1. Will provide as much training as is necessary for the member to qualify. If needed, another Range Officer may be selected for the training.

ACTION BY Sheriff’s Office Member

* 1. On the third failure, the member will be referred to the Sheriff for appropriate action.

POL-1-7 FIREARMS DISCHARGE WITHOUT INJURY

Any time that a member discharges a firearm, while on duty, he shall submit a detailed written report as soon as possible.

Exception**:** Sheriff’s Office recognized practice shooting.

Members may kill a dangerous animal or one that is so badly injured that humanity requires its removal to prevent further suffering. Members killing such animals will report the incident on the appropriate form. This policy in no way conflicts with lawful recreational discharges of firearms. While on duty no recreational discharges will be made.

Any incident where a firearm is discharged, except those listed above, will be investigated by a supervisor. A written report and recommendation will be submitted. Any action will follow the disciplinary policy.

POL-1-8 FIREARMS DISCHARGE WITH INJURY OR DEATH

Whenever a member discharges a firearm and injures or kills a person, he/she when feasible or safe to do so, will immediately:

1. Render first aid.
2. Notify dispatch of the shooting and its location.
3. Notify a supervisor.

PRO-1-8-1 POST SHOOTING

In the event that any member of the Sheriff’s Office uses deadly force which results in death or serious injury the on-duty supervisor will be notified immediately.

The on-duty supervisor will ascertain the available information concerning the incident and notify the Command Staff Personnel as soon as possible.

In all cases where a member uses force that causes death or serious injury, the scene will be preserved for an outside agency investigation. This investigation may be handled by several agencies depending on where it occurs, but a member of the Sheriff’s Office will be on that investigative team to give the team office support. This member will be of sergeant rank or above and he/she will compile reports and information on the incident, review those reports and provide to the Sheriff his/her findings and recommendations of what, if any, action should be taken with the member or members involved.

A member involved in a death or serious injury incident will be placed on mandatory administrative leave with pay for the duration of the shift and the following shift for a minimum of 48 consecutive hours. Administrative leave will be for a minimum of 48 hours and may continue pending administrative review. In some cases this review will be completed within the 48 hours. In other cases it may be much longer. This is in the best interest of the member and the Sheriff’s Office and will not be waived.

If the facts of the investigation are such to establish a basis for finding a violation of policy or if criminal charges are filed the matter will be acted upon according to the discipline policy.

PRO-1-8-2 POST TRAUMA

The involved member will meet for debriefing and counseling with a Sheriff’s Office designated psychologist, psychiatrist or post trauma team. This debriefing is mandatory and cannot be waived.

This debriefing will take place as soon as practical considering all circumstances including, the member’s medical condition.

All conversations between the member and the debriefing psychologist or psychiatrist are considered confidential and subject to the doctor-patient privilege.

PRO-1-8-3 POST TRAUMA - RETURN TO DUTY

In determining the appropriate administrative action to take in terminating the member’s administrative leave and returning the member to regular duty, the Sheriff may seek and consider the professional opinion of any psychological counselor and/or treating physician as to:

1. Whether the member should be expected to report to full duty, or whether more time is needed and if so, how much; and
2. Whether any modification of the members duties should be considered to facilitate the members speedy return and if so, the nature and duration of the modifications; and
3. Whether the member should, during modified duty, continue to be armed.

PRO-1-8-4 POST TRAUMA - RESOURCES AVAILABLE

1. REPLACEMENT SERVICE WEAPON**.**  If the death or serious injury incident involved the discharge of the member’s service weapon and it must be taken for examination, the on-duty supervisor will, with the Sheriff's or Undersheriff's approval, issue the member a like weapon as soon as possible. The Sheriff or Undersheriff may withhold approval if after reviewing facts he/she believes that this may not be in the best interest of safety.
2. CONSULTATION WITH PROSECUTOR**.**  The member may talk with a member of the prosecutor’s staff for information regarding the various legal actions, which may arise from the incident.
3. INTERFACE WITH OTHER COUNTY DEPARTMENTS**.** The member’s supervisor will see that all damaged equipment is replaced as soon as possible and will assist the member in responding to inquiries relating to administrative leave and other personnel adjustments necessitated by the death or serious injury.

PRO-1-8-5 POST TRAUMA - DEATH OR SERIOUS INJURY TO MEMBER

1. In the event of death or serious injury to a member, notification of the family shall be made in person by the administration or other person as deemed most appropriate by administration.
2. The supervisor shall advise the member’s family, when appropriate to do so, of professional assistance available and any benefits accruing to the family from the County and other governmental entities.
3. The Sheriff may grant administrative leave to a member of the Sheriff’s Office for the purposes of assisting the involved member’s family for such a length of time as deemed appropriate.

POL-1-9 RANGE RULES

Alcohol will not be allowed or consumed on the range. All Sheriff’s Office Policies and Procedures are in effect for members while on or at the Sheriff’s Office range.

All weapons are considered to be loaded at all times. Weapons will be holstered unless on the firing line or at the loading station where they will be pointed down-range at all times.

Only range designated targets will be fired upon. At no time will glass or rocks be used as targets.

Each member using the range is responsible for cleaning the range of used targets and other trash. Brass shall be picked up after each shoot.

POL-1-10 UNDERSTANDING THE FIREARMS POLICY

Every sworn member must have a working knowledge of the firearm policy and must qualify on the range before they are allowed to carry a weapon. The Range Officer will determine if the member has demonstrated understanding of the policy and has qualified.

POL-1-11 USE OF CHOKE HOLDS OR NECK RESTRAINTS

No member of the Whitman County Sheriff’s Office (Patrol or Corrections) will be authorized to use a choke-hold or neck restraint of any kind which blocks, obstructs or limits the airway of another.

CHAPTER TWO

AGENCY JURISDICTION, MUTUAL AID

AND REGIONAL SERVICES

POL-2-1 AGENCY JURISDICTION

*Commissioned personnel are sworn to enforce the ordinances of Whitman County, State and Federal law, uphold the Constitution of the United States and the Constitution of the State of Washington, and to protect public peace and safety within the County of Whitman.*



The jurisdiction of the Sheriff’s Office is the confines of Whitman County, including towns and communities with varying populations of 27,000 to less than 100. There are 2180 square miles with 1942 miles of county roads and 170 miles of state highways. A field member of the Sheriff’s Office has arrest authority anywhere within these confines. They may investigate a crime within any subdivision of the County. The Sheriff’s Office has concurrent jurisdiction with the Washington State Patrol, Pullman Police Department, Colfax Police Department, Washington State University Police Department, and the Marshals or Chiefs of Police of those towns or cities with police departments within the county. It is the policy of the Sheriff’s Office that the chain of command is utilized before any investigations are conducted within any municipal subdivision for any crime that originated within that subdivision.

The Sheriff’s Office handles all areas of law enforcement including traffic, criminal investigations, crime prevention, civil process, operation of a correctional facility, court security and keeping the peace.

POL-2-2 TASK FORCES

Anytime that a member of the Sheriff’s Office is assigned to work in any multi-agency task force, he/she will work under the charter and operating policies of that task force. However, in no case will that member violate any policy of the Sheriff’s Office unless so stated in those operating policies.

POL-2-3 PEACE OFFICERS POWERS ACT

Subsequent to the 1985 Mutual Aid Peace Officers Powers Act, Police Officers from all municipalities within Whitman County are authorized full exercise of police powers. Letters giving consent to the exercise of police power in the furtherance of official duties have been sent to the respective departments. Upon notification of the intent of the respective agencies to exercise their powers within Whitman County, verification shall be made of their authority, and any and all assistance necessary shall be afforded to them. Whitman County Deputies are instructed to become familiar with all aspects of the 1985 Mutual Aid Peace Officers Powers Act. They are further instructed to exercise discretion when exercising their police authority outside of the jurisdiction of Whitman County and to ensure that all actions fall within the Mutual Aid Peace Officers Powers Act.

A Deputy Sheriff may act in the following circumstances:

* With prior written consent of the Sheriff or Chief of Police in whose jurisdiction the authority is exercised.
* In response to an emergency involving immediate threat to human life or property.
* In response to a request for assistance either pursuant to a mutual aid agreement, or when responding to the request of a Peace Officer with enforcement authority in that jurisdiction.
* When transporting a prisoner.
* When executing an arrest or search warrant.
* When in fresh pursuit.

Reserve Deputies may act under all circumstances in which a Deputy Sheriff may act, but off-duty Whitman County Reserve Deputies do not have extra-territorial authority.

#### REPORTING REQUIREMENT

Whenever a Deputy Sheriff or Reserve Deputy Sheriff qualified to act extra- territorially does so, the acting officer shall report, in a timely fashion, to the agency with primary territorial jurisdiction as well as to the Whitman County Sheriff’s Office. The acting officer will report as required to the agency of jurisdiction and on appropriate Whitman County Sheriff’s Office forms. A report is required for any action taken under color of law or use of Sheriff’s Office authority whether an arrest occurs or not.

#### COMMAND NOTIFICATION

Upon receipt of a report of extra-territorial action by a Deputy Sheriff or Reserve Deputy Sheriff, the Undersheriff or Sheriff will be notified as soon as possible.

#### EXTRA-TERRITORIAL ACTION OFF DUTY, OUT OF UNIFORM

Only under circumstances outlined above in Policy 2.3, will a Deputy Sheriff be authorized to act. A deputy will not exercise extra-territorial authority if alcoholic beverages have been consumed, the offense is minor and/or when other options, such as, acting as an observer and notifying local authorities, is feasible.

#### PRIOR NOTIFICATION TO AGENCY

Whenever possible, deputies exercising extra-territorial authority shall make prior contact with the agency with primary jurisdiction and follow their directions.

#### DEPUTY CAUTION

Deputies should not act unless absolutely necessary, especially when they are not in possession of those systems designed to insure their safety; e.g., communications with the agency in whose territorial jurisdiction they are operating.

#### NOTIFICATION OF INVESTIGATION OR SERVICE OF WARRANT

Whenever possible, a Deputy Sheriff conducting an investigation or serving a warrant outside of the Whitman County Sheriff’s primary jurisdiction shall notify that agency and request their assistance or coordinate the activity to maximize inter-agency cooperation.

It should be noted that nothing in this act requires an officer, off-duty, outside of Whitman County to act.

POL-2-4 PARTICIPATION IN CHRI SYSTEM

The agency maintains full participation with the State Fingerprint/Criminal History Records System per RCW 10.97 and RCW 10.98. These are incorporated into this Policy manual through the adoption of the Law Enforcement Information and Records Associations RECORDS MANAGEMENT MANUAL as outlined in POL-34-1.

CHAPTER THREE

CONTRACTUAL SERVICES

POL-3-1 CONTRACTUAL SERVICES

Any services the Sheriff’s Office contracts for will comply with all the policies and procedures of the Sheriff’s Office. Any services rendered by the Sheriff’s Office will be set out in the contract and will be adhered to by those members affected. Whenever the Sheriff’s Office contracts for services, those contracts will be in writing and will be monitored by the appropriate sergeant or assigned administrator. Police service contracts will be the responsibility of the Undersheriff to enforce. Jail housing and medical contracts will be the responsibility of the Jail Administrator to enforce.

CHAPTER FOUR

LEGAL ADVICE AND LIABILITY

POL-4-1 LEGAL ADVICE AND LIABILITY

The civil attorney for the Prosecutor’s Office acts as the legal advisor for the Sheriff’s Office.

LIABILITY INSURANCE

The County provides liability coverage for all members of the Sheriff’s Office while acting within the scope of their duty and within the scope of Sheriff’s Office policies and procedures.

CHAPTER FIVE

ORGANIZATION

POL-5-1 PERSONNEL RESPONSIBILITIES

The qualifications and job responsibilities for each position within the Sheriff’s Office are set forth in Job Descriptions. These Job Descriptions are given to each new member of the Sheriff’s Office and are available to each member.

Anytime a change in the Job Description is effected, the affected members will be given the new Job Description as soon as possible.

All members of the Sheriff’s Office are expected to perform their job as stated in the Job Description and within the scope of their training.

POL-5-2 COMMAND PROTOCOL

In the absence of the Sheriff and Undersheriff where a joint operation within the county is conducted, a Sergeant is to take command of the situation.

Absence as used above refers to a situation where the Sheriff and Undersheriff cannot be reached in person, by phone, by pager, or by radio.

POL-5-3 ACCOUNTABILITY OF AUTHORITY

Each member of the Sheriff’s Office is accountable for the use of delegated authority, empowered to them under color of their badge, position and/or rank and to the use of delegated authority under all State of Washington and Whitman County laws/ordinances and commissions of authority.

CHAPTER SIX

COMMAND

POL-6-1 CHIEF EXECUTIVE OFFICER AND AUTHORITY

The Sheriff exercises command over all personnel within the Sheriff’s Office. The Sheriff has full authority and responsibility for the management, direction and control of the operations and administration of the Sheriff’s Office.

The Sheriff shall have the power and authority to discipline members of the Sheriff’s Office for non-compliance with the rules, regulations, procedures and lawful orders issued by him or any commanding officer.

In the absence of the Sheriff POL-6-2 is in effect from the top down.

POL-6-2 CHAIN OF COMMAND

**Sheriff** - Is elected by the citizens of the County. The Sheriff is the chief executive of the Sheriff’s Office, and is responsible for the general direction, administration, financial management and efficient operation of the Sheriff’s Office.

**Undersheriff** - Is appointed by the Sheriff. The Undersheriff exercises general supervision of Division Commander(s) and through them the personnel of their divisions. Directly supervises Administrative Staff and special operations as assigned.

**Sergeant** - Appointed by the Sheriff from a certified civil service list from those members of the Sheriff’s Office holding the rank of deputy. The Sergeant is a link between subordinate personnel and command staff. The Sergeant performs the first line supervision of commissioned or non-commissioned personnel as assigned.

**Officer/Deputy** - Appointed by the Sheriff from a certified civil service list. Officers will carry out such duties as indicated by their job description as directed by this manual and as legally ordered by higher-ranking personnel.

The authority of the chain of command shall be preserved in order to maintain principles of effective management and administration. All communication and/or directives shall follow the chain of command.

In the event it is necessary to circumvent the Chain of Command, the circumvented supervisor shall be notified at the earliest possible opportunity by the member circumventing the Chain of Command.

**Reserve Deputy** - Serves in a volunteer at-will capacity. Reserves follow the same chain of command as that of a full time Deputy.

**(All Jail positions are appointed from a Civil Service Employment list)**

**Jail Captain** – To oversee all jail functions and ensure daily operations are met.  Responsibility is to the Undersheriff and Sheriff.  Jail Captain is responsible for all aspects of their command. Within policy guidelines and legal constraints, the Jail Captain has the authority to direct and coordinate assigned personnel and allocate resources to achieve organizational needs and objectives.  The Jail Captain is also responsible to account for, and properly administrate the jail budget.

**Jail Sergeants** – Jail Sergeants are responsible for the general operations of the jail, and personnel under their direct command.  Jail Sergeant is a link between subordinate personnel and command staff.  The Sergeant performs the first line supervision of commissioned or non-commissioned personnel as assigned.  Responsibility of the Sergeant is to the Captain.

**Jail Officers** – Jail Officers are responsible for the general operations of the jail and are at the direction of their immediate supervisors.

POL-6-3 SUPERVISOR ACCOUNTABILITY

The Whitman County Sheriff's Office recognizes the Sergeant position as the first level of supervision within the Sheriff’s Office. These supervisory positions have the responsibility to guide, direct, motivate and train all personnel under their supervision. It is the supervisors’ responsibility to plan the work of personnel in an orderly manner; delegate authority and responsibility when appropriate, and to follow the progress of task assignments to a satisfactory completion. All supervisors of all ranks and/or levels within the shall be, at all times, responsible for the work performance of subordinate personnel under their control.

PRO-6-3-1 SUPERVISOR RESPONSIBILITY

ACTION BY ALL Supervisors

* 1. Are responsible and accountable for all aspects of their command. Within policy guidelines and legal constraints, a supervisor has the authority to direct and coordinate assigned personnel and allocate resources to achieve organizational goals and objectives.
  2. Shall rely on policy, directives, training and personal initiative to guide them in achieving the highest possible level of performance.
  3. Know that sergeants are the first level of supervision and have the responsibility to guide, direct, motivate and train those personnel under their supervision.
  4. Are aware that command and control is inherent and appropriate to all levels of a police organization.

ACTION BY Field Supervisors

* 1. Are to assist their assigned shift personnel in any way possible to ensure timely response and handling of calls. This includes, but is not limited to, taking quick complaints to give the members time to handle more complex calls and the serving of civil papers.

POL-6-4 DUTY TO OBEY LAWFUL ORDERS

All members of the Sheriff’s Office will obey all lawful orders given to them by a supervisor or senior officer within their chain of command or within the Command Protocol. If an employee is given an order or instruction by their immediate supervisor or other ranking officer, and another senior employee gives an order or instruction which conflicts with that, the member shall so inform the senior employee of the conflict. If the senior employee still desires that their order or instruction be carried out, the member receiving the conflicting order will do so. The senior officer giving the conflicting order will immediately notify the member’s immediate supervisor of the action. Members will also obey all lawful orders passed by a supervisor through any other member of the Sheriff’s Office as if it was received from the supervisor.

PRO-6-4-1 CONFLICTING ORDERS

ACTION BY Member

* 1. If issued a conflicting order that the member feels was improper they may bring that order up the chain the command after the fact.
  2. The member will write a memo to their supervisor citing the situation and why the order given was improper.

ACTION BY SUPERVISOR

* 1. Will forward the memo to the Undersheriff. A meeting will immediately be arranged between the Undersheriff, the supervisor and the member bringing up the questioned order.

ACTION BY UNDERSHERIFF

* 1. After the meeting the Undersheriff will resolve the situation and will notify the member of the resolution.

ACTION BY MEMBER

* 1. If the member does not get the meeting or is not advised of the resolution, he/she may then request a meeting with the Sheriff or Undersheriff to discuss the situation.

ACTION BY SHERIFF

* 1. The Sheriff will be advised of the conflict prior to the meeting and by written memo after the issue is resolved.

POL-6-5 WRITTEN DIRECTIVES

In addition to this manual, employees are expected to familiarize themselves with other official Sheriff’s Office publications. There are three (3) types of Sheriff’s Office Directives:

* 1. **Policy directives** that change and update the manual. These directives are in force for 30 days. They specify what policy or procedure is being modified and the modified policy or procedure is attached. These are posted on the Sheriff’s Office bulletin boards for 30 days. During that 30-day period members are encouraged to input in writing any constructive comments on that directive. After the 30-day period a meeting with all supervisors will be held to discuss and add input into the proposed Policy. If it is unchanged, it becomes Policy and all members of the Sheriff’s Office will receive a copy and it will replace the previous policy or procedure.
  2. **E-mail, or Memorandum directives** are directives meant to supplement, enhance and or provide additional guidance to employees in the performance of their duties.

It is the responsibility of all users of the Sheriff’s Office manuals and readers of written directives to note any discrepancies, errors or omissions and to notify the Undersheriff.

It is the responsibility of each user to purge and update their manuals, as required. These manuals are subject to inspection by a member’s immediate supervisor or any staff officer.

The Sheriff and Undersheriff are the only members of the Sheriff’s Office who may issue or modify or cause to be issued or modified, on their signatures, Policy and Temporary directives. Supervisor directives are issued or modified by Sergeants or above.

ACKNOWLEDGMENT OF RECEIPT

All directives and Policy changes are posted on the Sheriff’s Office bulletin boards or sent via Email. See PRO-6-5-1 and PRO-6-5-2.

PRO 6-5-1 SHERIFF’S OFFICE BULLETIN BOARDS

There are bulletin boards within the Sheriff’s Office. Each is conspicuously placed and the contents will be read and known by each member.

ACTION BY SERGEANT

* 1. Is responsible for maintaining a bulletin board where all directives will be posted that may affect that divisions operation.
  2. Sheriff’s Office directives will be posted for their life as described in policy. All others will be taken down after their effectiveness has passed.

ACTION BY Member

* 1. Will read and know the contents of the messages posted on the bulletin board in their area.

PRO-6-5-2 DIVISION DIRECTIVES / MEMOS

A Division Directive is aimed at members of only one Division. These Directives are operational by nature and are short term.

ACTION BY SERGEANT

* 1. Is responsible for writing and maintaining a log of these directives. If any of these directives need to be made policy they will be forwarded to the Sheriff or Undersheriff stating the same.
     1. The Sheriff or Undersheriff will determine if this directive is to be considered for Policy revision and if so, will move to make it so.
  2. Division directives will be posted for their life on the bulletin board and removed after their effectiveness has passed.

ACTION BY Member

* 1. Will read and know the contents of the messages posted on the bulletin board in their area.

POL-6-6 POLICY REVIEW

The Undersheriff will maintain the master Policy, Procedures and Directives manual.

The Undersheriff keeps the master copy of the manual and is responsible to place all Policy and Procedures in the Sheriff’s Office approved format. This format is the one that this Policy manual is in.

***Nothing in this policy manual takes away the Sheriff's right to make or alter policy.***

POL-6-7 CALL-OUT SUPERVISOR DUTIES

No specific supervisor will be assigned as an on-call supervisor. If the situation warrants or at a member’s request, dispatch will contact a sergeant or above when a call-out supervisor is needed.

The responsibilities of the Call-Out Supervisor are as follows:

* + 1. Make any further necessary notifications.
    2. Make family notifications of fatalities of officers, as directed.
    3. Authorize call outs of additional personnel.
    4. Respond and establish Emergency Tactical Command when any civil defense plan must be instituted.
    5. Confirm authorization for immediate relief from duty of any personnel for disciplinary reasons.
    6. Respond to assist the Shift Supervisor when this seems warranted by circumstances.

In cases where the Sheriff or Undersheriff are not the Call-Out Supervisor, the Call-Out Supervisor will notify the Sheriff and/or Undersheriff of the following types of calls:

* + 1. Barricaded suspects, sniper, hostage situation.
    2. Shots fired, officer or other subject shot.
    3. Unusual occurrences such as major fires, explosions, widespread utility interruption or other significant damage resulting from man made or natural causes.
    4. Kidnapping
    5. Major activity of another law enforcement agency within our jurisdiction.
    6. Any other situation where the On-Call Supervisor wishes immediate consultation with the Sheriff or Undersheriff.
    7. Shots fired officer involved, no injury.
    8. Serious injury to an officer requiring medical attention
    9. Murder or questionable suicide.
    10. Mass arrests involving eight or more people in one incident.
    11. Missing child, foul play suspected.
    12. Demonstrations.
    13. Police vehicles involved in an accident with either injury to an officer or other party, or major damage.
    14. Disciplinary action requiring relief from duty.
    15. Any significant call out of additional personnel, any SWAT call out, including mutual aid call outs.
    16. Fatalities (accidental death or negligent causes).

PRO-6-7-1 CALL-OUT SUPERVISOR NOT AVAILABLE

In the event that a Call-Out Supervisor is needed, Communications (Dispatch) or the requesting member shall see that alternate notification is made in the following order;

* 1. Sergeant
  2. Undersheriff
  3. Sheriff

PRO-6-7-2 CALL-OUT SUPERVISOR NOTIFICATION

The requesting member will notify, or request dispatch, notify a Call-Out Supervisor immediately under the following conditions:

* + 1. Shots fired officer involved.
    2. A serious injury to an officer requiring medical attention.
    3. Serious injury to another person as a result of police action.
    4. Barricaded suspect(s), sniper, and/or hostage situation.
    5. Murder, Questionable suicide, Armed Robbery,
    6. Kidnapping, missing child where a strong possibility of foul play is suspected.
    7. Mass arrests in a single or related incident (over four people).
    8. Major activity of another law enforcement agency within our jurisdiction (State or Federal raids, major arrests, etc.)
    9. Demonstrations, sabotage of utilities, labor disputes or strikes involving picketing, etc.
    10. Unusual occurrences such as major fires, explosions, widespread utility interruption or other significant damage resulting from man made or natural causes.
    11. Need for immediate disciplinary action (relief from duty).
    12. Fatalities (accidental death or negligent causes).
    13. Mutual Aid requests or other circumstances involving the call-out of off duty personnel, including a SWAT call out.
    14. Any problem the Shift Supervisor desires assistance with or believes should be brought to the attention of a Call-Out Supervisor.

CHAPTER SEVEN

ADMINISTRATIVE REPORTING PROGRAM

POL-7-1 RECORDS

All daily reports are either on computer or submitted in file folders. The appropriate Sergeant will review the daily reports.

The Records division will prepare, on monthly basis UCR or IBR reports and submit same to the appropriate agency.

CHAPTER EIGHT

Unassigned

CHAPTER NINE

CRIME ANALYSIS

POL-9-1 CRIME ANALYSIS FUNCTION

All members of the Sheriff’s Office participate in the gathering of Crime Analysis information by completing all reports required in the fulfillment of their assigned tasks. All complaint and report information is entered into the Sheriff’s Office Computer System as required. This data is reviewed by each Sergeant, the Undersheriff and Sheriff for use in developing tactics, strategies and long range plans to assist the Sheriff’s Office in successfully completing its mission.

The Sheriff/Undersheriff and Sergeants will remain current with regard to the trends and patterns shown with the information gathered. The Sheriff may call for special meetings with any or all of the Sergeants or members to discuss any new, unusual, or dangerous trends that are discovered through crime analysis.

CHAPTER TEN

ALLOCATION AND DISTRIBUTION OF PERSONNEL  
 AND PERSONNEL ALTERNATIVES

POL-10-1 AGENCY STAFFING TABLE

Full-time personnel:

|  |  |  |
| --- | --- | --- |
| ADMINISTRATION | Sheriff & Undersheriff | 2 |
| FIRST LINE SUPERVISORS | Sergeants | 4 |
| SWORN MEMBERS | Field Staff | 13 |
| RECORDS | Office Personnel | 4 |
| JAIL | Command | 1 |
| JAIL | Sergeants | 4 |
| JAIL | Officers | 9 |
| TOTAL |  | 37 |

The Sheriff’s Office recognizes the need for community involvement in law enforcement and the contributions made by the community to the furtherance of the Sheriff’s Office’s mission. This department sanctions:

1. Sheriff's Posse
2. Sheriff's Reserve
3. Other approved organizations and/or persons.

POL-10-2 FIELD RESERVES

Field Reserves of the Patrol Division are selected through the Reserve selection process which includes application, background, and criminal history checks and an interview by an oral board consisting of the Undersheriff, Sergeant(s), and Patrol Deputy(s). After that screening the applicant is screened by the Sheriff.

At no time will the Sheriff’s Office issue the applicant a Reserve Commission unless he/she has completed the State Training Commission Reserve Academy or Basic Law Enforcement Academy. Reserve members will abide by all the policy and procedures of the Sheriff’s Office.

Uniforms for the Reserves are the same as those for full-time commissioned members of the field staff.

Reserve Officers for the Sheriff’s Office perform regular deputy duties providing that they meet the written reserve guidelines to work alone. Reserves are equipped the same equipment as members whose function they are performing. Reserve Officer Commissions are only in effect and valid when that reserve is in the uniform of the day, checked into service and with the express permission of the on-duty Supervisor.

Reserve Officers must meet the same age requirements as regular deputies; minimum of 21 years of age at hiring and the maximum service age is dependent upon physical ability to meet the job requirements.

PRO-10-2-1 FIELD RESERVES CLASSIFICATION

The Sheriff’s Office has established three classifications of Reserve Officers for Field operations. A CLASS THREE Reserve is one that has completed the Basic Reserve Academy but has not completed the training criteria for a CLASS TWO or CLASS ONE Reserve. A CLASS TWO Reserve is not allowed to work alone to perform regular deputy duties. A CLASS TWO Reserve is allowed to partner with a second CLASS TWO Reserve to perform regular Deputy Sheriff duties. A CLASS ONE Reserve may work alone and perform regular Deputy Sheriff duties.

1. Requirements to advance to SECOND CLASS RESERVE:

* Completion of the FTO Manual
* 150 hours of FTO Ride Time
* Radar certification
* 50 documented traffic stops
* 10 NOI’s issued
* 3 criminal citations issued
* 2 criminal cases forwarded to the Prosecutor
* Approval from the Review Board

2. Requirements to advance to FIRST CLASS RESERVE

* 150 additional hours Patrol Time
* BAC Certification
* Working knowledge/understanding of the Summit/Spillman system. This includes entering and retrieving information, completing reports, forms, NOI’s and criminal citations.
* 50 additional documented traffic stops (minimum of 25 as Primary Deputy)
* 10 additional NOI’s issued
* 3 additional criminal citations issued
* 2 additional criminal cases forwarded to the Prosecutor
* Approval from the Review Board

CHAPTER ELEVEN

FISCAL MANAGEMENT

POL-11-1 CHIEF EXECUTIVE OFFICER

The Sheriff exercises complete authority and responsibility for the fiscal management of the Sheriff’s Office.

The Undersheriff has the authority to sign vouchers and expend Sheriff’s Office funds. The Sheriff has the responsibility to monitor the budget on a month-to-month basis.

The monthly budget status sheets are available from the County Auditors Office. These status sheets and the accounting system are based on the Washington State Budget Accounting and Reporting System (BARS). The Sheriff is responsible to examine these status sheets to see how much of the budget is unencumbered. This is to allow for planning.

POL-11-2 BUDGET PREPARATION

Sergeants will submit to the Sheriff any recommended Budget revisions by the first of September of each year for the next year. These Budget revisions will be based upon operational and activity analysis.

POL-11-3 ACCOUNTING SYSTEM / AUDIT

The Sheriff is responsible for the fiscal management of the agency. The Records Personnel have the responsibility to voucher expenditures for the Sheriff’s or Undersheriff's signature and to maintain an accounting system. This system will be compatible with the BARS. The Record’s Personnel will obtain monthly budget expenditure status reports from the Auditors office and these will be gone over with the Sheriff or Undersheriff when requested.

The Sheriff or Undersheriff may audit the Sheriff’s Office expenditures at any time. The County Auditor’s Office contains all expenditure records.

POL-11-4 CASH

Cash Received

Civil fee, CWP, fingerprints and miscellaneous fees, etc. are received by the Whitman County Records Personnel or designee, who in turn issues a duplicate, consecutive numbered receipt to the individual and then all moneys are transmitted along with a transmittal form to the Whitman County Treasurer.

POL-11-5 INVENTORY CONTROL

The Administrative Sergeant is charged with the responsibility to perform inventories and record audits of both, property owned and used, by the Whitman County Sheriff's Office.

The Sergeant may delegate the inventory to another member however that employee shall not be one who is responsible for the maintenance, care and control of the property in the inventory.

Each member who is issued equipment will maintain individual property inventory sheets. This inventory will be updated by the member. Copies will be maintained by both the member and the Sergeant.

POL-11-6 PURCHASING

The Sheriff’s Office will comply with RCW 36.32.250 and all applicable county resolutions:

Expenditures:

* + 1. Under $2500.00 need not be submitted for bid.
    2. Between $2500.00 and $25,000.00 will be submitted to the telephonic bid process requiring three (3) bids and posting a notice of intent to purchase.
    3. In excess of $25,000.00 must be submitted to the sealed bid process.

All items purchased by the Sheriff’s Office will be approved by a Sergeant. If the item is over $100.00 the Sheriff/Undersheriff must give prior approval for the expenditure.

If an emergency arises which requires large unexpected expenditures, or the renting of equipment, the Sheriff will be notified immediately. All expenditures made by any member of the Sheriff’s Office will be with the approval of their supervisor. All expenditure requests will follow the Chain of Command.

Any requests for supplemental appropriations shall be submitted through the Chain of Command to the Sheriff in written form.

**POL- 11-6-1 Employee Use of Sheriff’s Office Credit Cards or Charge Accounts**

**Use of Sheriff’s Office Credit Cards** – The use of company credit cards or charge accounts is subject to the following restrictions:

**Credit Cards** are to be used only for Official Sheriff’s Office related expenditures (including but not limited to travel, food, lodging, uniform and equipment items, repair parts, fuel, etc.).  Credit Cards are issued to administrative staff; or secured in the front office with a general checkout sheet.  All expenditures over 100.00 dollars shall be approved by the Sheriff or Supervisor.

Credit Cards are issued to administrative staff for control purposes.  All credit card purchases or uses must be approved and accounted for by the holder of the card and/or his/her supervisor.  Each employee who is issued a bank-issued credit card is accountable for the documentation of each purchase made with that card during the billing cycle, regardless of who physically made the purchase.  Each employee using a bank issued company credit card must obtain consent/approval from his/her supervisor and provide documentation of the item purchased by way of an itemized receipt.

Each expense charged (except for fuel card purchases) should be accompanied by the actual itemized receipt and brief explanation. (For example, if the expense is for meals or food, note on the receipt that it was for a luncheon meeting, the purpose of the meeting, list of people if the cardholder paid for others (ensuring it is not over per diem), and the name of the person who used the credit card). Any purchase of fuel made with a general credit card should have an accompanying receipt. If there is no other accompanying documentation available, then please note on the receipt why the purchase was made (i.e.: attended a Sheriff’s meeting in Ellensburg on April 10, 2019, or list a case number). An expense in excess of $100.00 should be approved by the supervisor.

**Documentation** of each expense shall be submitted as soon as possible, and no later than 10 days from the date of purchase.   Any lost receipt should be approved by the supervisor. This lost receipt documentation should include a completed *Affidavit of Lost Receipt* form per item.

**Affidavits of Lost Receipt** must be submitted for purchases without proper documentation to support the purchase of each individual item.

No cash advances will be permitted on a company credit card.

**Charge Accounts** are to be used by employees for authorized purchases only at locations where prior credit has been established.  Any charge over 100.00 should have authorization by the supervisor. An itemized receipt or invoice should clearly show a description of the item. If not, it may be hand-written beside the receipt.

No personal or private expenditures shall be to be charged to a Sheriff’s Office or County account.

**Fuel Cards** are issued to certain employees or divisions who routinely purchase fuel for the work they perform.  Fuel cards are to only be used for legitimate company use.  Routine audits of the fuel card accounts will be performed by administration. The Sheriff and/or his appointed supervisor designee, will periodically review and sign-off on the fuel card statements/invoices.

If issues come up that are not specifically noted in this policy, then please refer to the Whitman County policy on credit cards, payments on account and employee reimbursements.

**Charge Accounts** are to be used by employees for authorized purchases only at locations where prior credit has been established. Any charge over 100.00 should have prior authorization.

No personal or private expenditure shall be to be charged to a Sheriff’s Office or County account.

**Fuel Cards** are issued to certain employees or divisions who routinely purchase fuel for the work they perform. Fuel cards are to only be used for legitimate company use. Routine audits of the fuel card accounts will be performed by administration.

**Violations of the Sheriff’s Office credit use policy may result in disciplinary action.**

PRO-11-6-2 EXPENSES INCURRED FOR COMPENSATION

When members are required to be out of county, they will be compensated for reasonable expenses incurred, with the approval of a supervisor. This compensation includes meals, hotel/motels, parking, taxi, vehicle rental, and travel tickets. These expenses will be approved prior to the member leaving the county on county business.

EXPENSE ACCOUNTS

Members requesting compensation for expenses incurred will keep all receipts and complete a voucher for submission to the supervisor for approval. Receipts must accompany all vouchers. Meal expenses will not exceed the per diem rate, according to the Auditor’s Office or the Collective Bargaining Agreement.

A member will turn in separate cash vouchers for county funds and personal funds.

When using the Sheriff’s Office Credit Card, members will keep an ongoing credit card voucher and turn the voucher and receipts into the Records Personnel. Credit card vouchers and cash vouchers will be kept separate.

Prior to a member attending out of county training, they will attempt to secure a county vehicle from their supervisor. The supervisor will make every effort to provide a vehicle. In the case where a vehicle cannot be secured, the member will be given permission to use their personal vehicle.

When a personal vehicle is used, the Sheriff’s Office will only pay mileage at the counties current reimbursement rate for one round trip. That is the actual mileage to and from the training site.

CHAPTER TWELVE

CLASSIFICATION AND ASSIGNMENT

POL-12-1 ASSIGNMENT OPENINGS

Position openings within the Sheriff’s Office will adhere to the Civil Service rules.

Assignments made within the job classification will be made by the Sheriff.

Special assignment opportunities will be offered to all qualified members.

These assignment openings will be announced by posting the information on the Sheriff’s Office bulletin board for a minimum of 30 days prior to position selection. The announcements will include all pertinent information and any required applicant response.

Employees selected and assigned to any job assignment may be removed from that assignment at any time by the Sheriff.

GENERAL DUTIES OF SPECIAL ASSIGNMENTS

All assignments are indefinite and will be reviewed following the guidelines in **Pol-20-1.**

**Task Force Detective:** Position works dangerous drugs and narcotic cases as assigned and governed by the Quad Cities Drug Task Force Manual.

**Dare Officer:** Position often works in a classroom setting with children. Promotes anti-substance abuse lifestyles and refusal skills with children. Position responsible for program coordination with assigned schools, material acquisition and scheduling of curriculum.

**Range Officer:** Position is responsible for training and qualification, range maintenance, safety and education. Position will maintain current certification as a firearms instructor.

CHAPTER THIRTEEN

COMPENSATION, BENEFITS AND CONDITIONS OF WORK

POL-13-1 COMPENSATION AND BENEFITS

All compensation including pay, salaries and benefits are per the Bargaining Unit, Labor contract. A copy of the current labor contract is available from the Bargaining Unit Representative. A copy of the Labor Contract is posted on the Sheriff’s Office Bulletin Board. The Sheriff’s Office will comply with all sections of the Fair Labor Standards Act and all other State and Federal laws governing hours of work and compensation.

**LEAVE --** Leave is regulated by the current Bargaining Agreement.

**INSURANCE/RETIREMENT** -- Insurance is covered by the current Bargaining Agreement. Retirement for members is through the appropriate plan provided through the Washington State Department of Retirement systems. Information on the retirement systems, insurance plans, or offers for new insurance plans, is made available by the Auditors Office.

Each paycheck stub contains information regarding the status of leave, overtime and comp-time. In addition, each month every employee is given a computer printout from the County Auditor’s Office containing this information.

PRO-13-1-1 LEAVE REQUESTS

ACTION BY Member

* 1. All members requesting leave will send such request via e-mail or speak in person to their supervisor and the Undersheriff. Up to two days of leave may be approved by a supervisor without requiring an e-mail.

ACTION BY Supervisor

* 1. The supervisor will make every attempt to approve requested leave after reviewing the schedule. The supervisor will notify the member in person or via e-mail if the leave is approved or not approved.
  2. If approved, the supervisor will mark the schedule and, if possible, advise the Undersheriff.
  3. In no case will a member take a day off other than his regularly scheduled days off, without receiving approval from a supervisor.

PRO-13-1-2 TYPES OF LEAVE

* 1. **VACATION LEAVE** **--** Is leave taken by the member and is submitted by the member to his supervisor. This is the official vacation schedule for the Sheriff’s Office and every effort will be made to see that each member of the Sheriff’s Office receives his vacation-requested time. Seniority shall prevail on only one vacation schedule request per calendar year. Vacation schedules will be approved or denied and the member will be advised.
  2. **ANNUAL LEAVE --** All other leave requests that members may submit which uses their vacation time. No seniority prevails. Supervisors will make every effort to approve annual leave. See PRO 13-1-1
  3. **ADMINISTRATIVE LEAVE** -- Administrative leave is leave with pay or suspension without pay that is forced upon a member under certain specified conditions. Administrative Leave can be given to a member by a Sergeant, Undersheriff, or Sheriff in cases where immediate disciplinary action is called for and it is felt the member should not remain on the job for the remainder of the shift. In this case a pre-disciplinary hearing will be held as soon as possible.

Another use of administrative leave is in cases specified elsewhere in policy such as in post shooting situations.

* 1. **SICK LEAVE** -- Is granted to members with pay who are absent from work for any of the following reasons;
     1. Medical treatments of all types. This includes but is not limited to doctor, dentist, chiropractor, vision care, therapy and hospitalization.
     2. Maternity, including adoptions. Refer to the Federal Family and Medical Leave Act. When a member is directly involved in the birth process they may take up to twelve weeks of accumulated time. Additional leave may be granted if a doctor recommends it in writing. A member may take leave when a spouse is involved in childbirth or complications arising from childbirth. This also applies to adoptions.
     3. Bereavement. A member may take leave to attend to arrangements and/or funerals in the immediate family. No longer than 5 days is normally allowed.
     4. Illness or injury of member or immediate family member.
     5. Contagious disease. Exposure to contagious disease such as would jeopardize the health of fellow workers or the public.
     6. Mental illness or job-related stress. A member may take leave for mental illness or stress if they are unable to perform their assigned duties.
     7. Family Leave -- See Bargaining Contract

In all cases, a member will advise his/her supervisor of their intent to use sick leave in person, via telephone or via e-mail. The notification will be done prior to taking the leave. For sick leave taken over 2 days a doctor’s statement verifying illness may be required and after 5 working days this statement is required.

The employer has the right to check on any member while on sick leave.

If a question arises as to a member’s ability to perform regular duties due to an apparent low level of health or fitness, the member may be required to submit to a physician's examination and to bring their fitness to an acceptable standard. Such an examination will be the financial responsibility of the Sheriff’s Office.

POL-13-2 OVERTIME / COMP-TIME

Members under certain conditions may be required to remain past the end of their regular assigned shift, or to work in excess of 40 hours in a work-week. Compensatory time off at the overtime rate may be used in lieu of payment for overtime in accordance with the Bargaining Agreement.

Overtime and Comp-time are paid at time and one-half. The overtime must be documented on the monthly timesheet by the member working the overtime and turned into a supervisor.

**STANDBY TIME** **--** Members may be placed on standby status in cases when it is anticipated that they may be called to work when off duty. When placed on standby status members will remain near a telephone and will keep the Sheriff’s Office advised of their exact location.

**OFF-DUTY POLICE ACTIONS** **--** Members are to take only necessary enforcement action in emergency situations while not on their assigned shift. The situation will be referred to on-duty members as soon as possible.

POL-13-3 UNIFORMS

The purpose of a uniform is to identify the person wearing it as a law enforcement officer. The uniform helps citizens in need of law enforcement to identify our members. It also indicates to those who are being arrested or detained that the action is being taken by a law enforcement officer. Finally, it provides a high level of visibility.

Refer to the Bargaining Unit Contract for Equipment/Uniform Allowance amounts. Employees are required to receive approval for equipment/uniform allowance purchases from their immediate supervisor. If requested, upon termination of employment, items purchased using equipment/uniform allowance will be returned to the Sheriff’s Office.

The Sheriff’s Office will purchase initial issue uniforms to be worn by members. Members are responsible for wearing the proper and complete uniform as issued by the Sheriff’s Office. Incomplete or partial uniforms will not be worn without prior supervisory approval.

Uniforms will only be worn while on duty, to and from duty stations or while attending a function sanctioned by the Sheriff’s Office.

**Exceptions:** members working undercover, special assignment or administrative details may not be required to wear uniforms as directed by the Sheriff’s Office.

Members will immediately report any damaged, lost, inoperative or inoperable equipment or uniforms assigned to them, in writing to their supervisor.

Members, when requested, will return any Sheriff’s Office equipment to the Sheriff’s Office. If requested, upon termination of employment, all Sheriff’s Office-owned property in the member’s possession will be promptly returned.

Members will not alter Sheriff’s Office equipment without direct written approval from their supervisor.

PRO 13-3-1 UNIFORM TYPES

RECORDS AND COMMUNICATION DIVISION MEMBERS

Will wear civilian attire. Records Division member’s attire will be suitable for meeting and dealing with the public.

FIELD DIVISION MEMBERS

The regulation uniform of patrol deputies of the Sheriff’s Office will consist of a clean white or black T-shirt, issued shirt, badge, name tag, trousers, hat (appropriate for seasonal uniforms), belt, holster, weapon, ammunition cases, handcuff case, handcuffs with key, Sheriff’s Office patches and black smooth shoes or boots.

Each deputy in the Sheriff’s Office will have one winter uniform and one summer uniform. The uniforms wardrobe for deputies shall consist of the below described items in the listed quantities.

**1. Trousers**.

One pair. Officer pink with British green commission stripes.

1. **Shirts.**

Winter Shirt. One. Long sleeves, British green with Officer pink pocket flaps and shoulder straps. Shirts will be as delivered by the manufacturer.

Summer Shirt. One. Short sleeve. British green with Officer pink pocket flaps and shoulder straps. Shirts will be as delivered by the manufacturer.

Black or white T-shirt supplied by the employee. To be worn under the uniform shirt. A black turtle neck or dickey may also be worn.

1. **Coats or Jackets**

Combination Coat. Cruiser jacket, hip length, removable liners with two way front zipper. Olive drab green or black in color. Side zippers for firearm.

A black leather coat as authorized by the Sheriff. A waist length jacket, approved by the sheriff.

Raincoat. One. Water repellant, reversible with orange safety on one side and green or olive drab on the other. Snaps and zipper, full length.

**4. Tie**. One. Ready-tied, clip-on. Officer pink in color, military width.

**5. Winter Hat.** One. To be a color close to jacket color. Winter hat will be worn without badge.

**6. Trooper style Hat**. One. Black in color. The hat shall be worn at the discretion of each deputy. The Sheriff or Undersheriff may order the hats be worn at specialized functions.

**7. Baseball Cap**. One. Black in color with Sheriff’s Office patch. They will be worn in conjunction with a uniform. They will not be worn with civilian attire. The following uniforms are appropriate for a baseball cap:

* 1. Marine Uniform
  2. Jumpsuits
  3. SWAT attire

d. Patrol uniform

Hats that become unserviceable will be turned in for replacement from the uniform allowance. Hats lost in the line of duty will be replaced by the Sheriff’s Office. Cleaning of hats will be the responsibility of each deputy.

**8. Leather Gloves**. One pair. Five finger, black with winter insulation. Other black gloves (driving, etc.) will be supplied by the employee.

**9. Coveralls**. One pair. Jumpsuit-type with front two-way zipper, to be fitted so they may be worn with or without a uniform underneath. Black or Green in color.

PRO 13-3-2 UNIFORM ACCESSORIES

**Badges -** Will be worn by all uniformed members on the left side above the breast pocket. Members assigned plainclothes duty will carry their badges while on duty (if appropriate).

**Shoulder Patches -** Will be worn on the upper arms one-inch below the shoulder seam. The pressed crease in the sleeve will divide the patch evenly.

**Name Tags -** Will be worn above the right breast pocket but no more than one inch above. The nametag will be centered on the right breast pocket.

**Merit Pins -** Will be worn one-half inch above the nametag. All successive pins will be centered at one-half inch intervals to the side and above. Only pins approved by the Sheriff will be worn.

**Other Pins -** Will be worn when approved and as directed by the Sheriff.

**Footwear -** Shoes or boots are required. Winter insulated boots supplied by the Sheriff’s Office to patrol deputies only. Other shoes or boots will be available through the employee’s clothing allowance. All acceptable shoes or boots will be of a smooth toe and black in color. They will be clean and maintained.

PRO-13-3-3 WORN-OUT UNIFORMS / EQUIPMENT

Employees’ equipment/uniform allowance shall be for maintenance, replacement, or upgrade of uniforms and/or equipment for normal wear and tear and not for direct consequences of an employee’s action in the line of duty. Refer to the Bargaining Unit Contract.

PRO-13-3-4 BODY ARMOR / VESTS

All field members will wear bulletproof vests or MOLLE (Modular Lightweight Load-carrying Equipment) or similar system approved by the Sheriff when in uniform and will wear their vest when they are involved in raids and/or search warrants and arrests. This includes undercover members.

The only exceptions are administrative and detective personnel whose job location and function is not first response enforcement. However, a bulletproof vest shall be readily available to all administrative and detective personnel. Otherwise, these personnel will wear a protective vest as outlined above.

PRO 13-3-5 EQUIPMENT

Members will only use personal equipment that has been approved by their supervisor while on assigned duty.

Members shall not borrow or knowingly use non-Sheriff’s Officeal equipment without the direct approval of a supervisor.

Members are responsible for the condition of all issued Sheriff’s Office equipment. If any equipment becomes damaged or missing, they are to report it to their supervisor, explaining the circumstances, as soon as possible.

If it is determined that the equipment was lost or damaged due to negligence on the part of the member, that member may be required to pay for the replacement of the lost or damaged equipment.

PRO 13-3-6 DRESS CODE

In order for the Sheriff’s Office to present the best possible image to the public and its peers, the Sheriff’s Office has set a dress code while members are on duty.

TRAINING

When any member of the Sheriff’s Office goes to any training, the appropriate clothing will be worn. The appropriate clothing at a minimum is a clean pair of jeans without stains or uneven fading and a sport shirt with a collar. If a tie is worn, it will be worn with a dress shirt and full length slacks with dress shoes or boots. Female members may substitute a dress or skirt and blouse. Clothing is to have no writing on it but for pocket monograms.

**POL-13-4 MEDICAL EXAMINATIONS**

All medical, physical and psychological examinations that are required by the Sheriff’s Office, whether at time of hire or during the course of employment, will be at no cost to the prospective member or member.

Members are required to maintain a level of physical/mental fitness that allows them to perform their duties effectively. If a question arises as to a member’s ability to perform regular duties due to an apparent low level of health, mental health or fitness, the member may be required to submit to a physician’s examination and bring their fitness to an acceptable standard. Such an examination will be the financial responsibility of the Sheriff’s Office.

CHAPTER FOURTEEN

COLLECTIVE BARGAINING

POL 14-1 COLLECTIVE BARGAINING UNIT

The Whitman County Deputy Sheriff’s Association is the bargaining unit for all full-time commissioned officers except the Sheriff and his appointed positions. The Sheriff or his designee will negotiate working conditions and the Whitman County Board of County Commissioners or their designee will negotiate wages and benefits.

Refer to Deputy Sheriff’s Association By-Laws and current contract for membership regulations.

DISSEMINATION OF AGREEMENT

Any agreement between the Association and the County Commissioners will be posted on the Sheriff’s Office bulletin board or via Email and is available from the Association or Undersheriff. The Association provides each member of the bargaining unit a copy of the current Association contract. This document is also available as a public record in the Whitman County Commissioners Office, and the Human Resources Office.

SUPERVISORY PERSONNEL

Supervisory members are kept abreast of any terms of the bargaining agreement that may affect any personnel under their supervision, by the Sheriff.

COMPLIANCE

All members of the Sheriff’s Office will comply with the provisions of the current bargaining agreement.

CHAPTER FIFTEEN

GRIEVANCE PROCEDURES

SCOPE OF GRIEVANCE

A member may grieve any action that is a violation of the Association contract, civil service rules, or policy.

All grievances must be implemented in the time frame specified in the bargaining agreement.

HOW TO FILE A GRIEVANCE

All grievance procedures must be in accordance with current Civil Service rules or current bargaining contract. Only one avenue for any given grievance is allowed. A member may take a grievance through the bargaining unit or through Civil Service. A member may be represented by an attorney (Civil Service), a bargaining unit representative or by neither. The grievance must contain, in writing, the information upon which it is based including specification of the wrongful act and resulting harm. In addition, it should include a description of the remedy, adjustment or other corrective action sought.

RESPONSE TO A GRIEVANCE

The supervisor who receives a grievance will respond to the grievance in the time specified in the bargaining agreement. If the person making the grievance wishes to appeal the supervisor’s decision, or if the supervisor does not respond, the grievance will go directly to the Sheriff. The Sheriff or his designated representative will respond to the grievance within the allotted time.

The Sheriff's designee maintains all grievance records in the grievance file until the grievance is resolved. At that point, the grievance is moved into the personnel file. In no way does this infringe on a member for using other avenues that may be available.

The Sheriff’s Office does not have a grievance board.

PRO-15-1-1 GRIEVANCES

The Undersheriff is responsible for coordinating grievance procedures. Any supervisor who receives a grievance in writing shall submit it to the Undersheriff and keep him advised of any developments. The Undersheriff will see that the grievance is dealt with.

Grievances, after going up the chain of command to the Sheriff or his designee, may be appealed further by the Association process or the Civil Service Commission.

CHAPTER SIXTEEN

DISCIPLINARY PROCEDURES

POL 16-1 CODE OF CONDUCT

To assist members of the Sheriff’s Office in specific and general conduct and appearance, the Sheriff’s Office has adopted a Code of Conduct. The Code of Conduct is detailed in procedure PRO-16-1-1. All members of the Sheriff’s Office are to abide by this Code.

APPEARANCE FOR DUTY

* 1. All members will report for duty at their designated time unless other arrangements have been made with their immediate supervisor.
  2. All members appearing for duty will be in the proper dress for that unit.
  3. All members will be clean and well groomed about their person and appropriate clothing will be clean and pressed/ironed.
     1. The only exception being in undercover operations.

APPEARANCE FOR COURT

* 1. Members will report for court at the designated time.
  2. Members will be clean and well groomed about their person, and appropriate clothing will be clean and pressed/ironed. Proper court attire is the uniform of the day or slacks/skirt, shirt/blouse and tie with sports jacket or suit. Jumpsuits are normally considered not acceptable in court, when providing testimony.
  3. While in court, members will avoid any indication of bias, prejudice or anger. Testimony will be in a clear, concise manner. Questions shall be answered promptly, truthfully and without a trace of evasion. Personal behavior shall be exemplary, both while in court, awaiting call and while on the witness stand.

SHERIFF’S OFFICE

* 1. Member, whether on duty or off, shall be governed by the ordinary rules of good conduct and behavior and shall not commit any act or omission tending to bring reproach or discredit upon the Sheriff’s Office.
  2. No member who has the odor of or is under the influence of alcohol shall report for duty unless the member’s supervisor has been given this information and the supervisor then orders the member to report.
  3. No member while on-duty shall consume any alcoholic beverage. On-duty includes schools attended in lieu of a normal shift. The only exception is when necessary in performance of duty.
  4. No member will transport alcoholic beverages in a Sheriff’s Office vehicle except for evidence or property. The only exception is when necessary in performance of duty.
  5. No member while off-duty and in uniform or partial uniform dress shall drink alcohol or be under the influence of alcohol.
  6. No member off-duty shall drink alcohol to an extent that would render the member unfit to report for the next assigned shift or which results in the commission of an obnoxious or offensive act that may bring discredit upon the Sheriff’s Office.
  7. No member shall smoke in an area where smoking is prohibited.
  8. No member shall chew tobacco products or gum in public in such a manner as to draw attention (spitting/blowing bubbles, etc.).
  9. No member shall solicit political help or pressure from outside the Sheriff’s Office, directly or indirectly, or permit it to be done to improve rank, position, assignment or to change or retain a post of duty. No member shall engage in any activity or solicit such to be done in order to affect the status of any other member of the Sheriff’s Office.
  10. Members shall not knowingly or intentionally speak slightingly of any nationality, race, religion or sex.
  11. Members shall treat all other members with respect.
  12. Members shall at all times be courteous and civil to the public and one another. Members shall exercise patience and discretion in the performance of duties.
  13. Members shall not perform any acts or make statements oral or written for publication or otherwise which; a) destructively criticizes the Sheriff’s Office or its administrative officers in the performance of their duties. b) may disrupt or impair the performance of official duties and obligations as officers of the Sheriff’s Office, c) may interfere with or subvert the reasonable supervision or proper discipline of officers of the Sheriff’s Office.
  14. Members shall not engage in political activities or services of any nature using their uniform or title that may imply endorsement by the Sheriff’s Office.
  15. Members shall not belong to, or participate in, the activities of any organization, association, society, or other group activities, the purpose of which is subversive in nature, or which in any way may adversely influence or control the work or services of such member in their official capacity, unless approved by the Sheriff.
  16. Prior to members of the Sheriff’s Office participating as public speakers, as representatives of the Sheriff’s Office, they shall get the permission of their supervisor.
  17. Sheriff’s Office business cards shall be used by members only in connection with official business.
  18. Members shall not permit the use of their photographs or names for advertising purposes or by testimonial recommendation or other means participate in any advertising scheme or enterprise related to or based upon their employment with the Sheriff’s Office .
  19. Members shall arrange their personal financial affairs so that creditors and collection agencies will not have to make chronic use of the county offices for the purpose of making collections.
  20. Members shall refrain from using coarse, profane, or insolent language with any member of the Sheriff’s Office or to citizens.
  21. Members shall obey the laws of the United States and the State of Washington, Ordinances of Whitman County and lawful orders of the Court.
  22. Members shall obey the lawful orders of supervisory/administrative members at all times.
  23. Members shall enforce laws in a fair and impartial manner.
  24. Members shall not interfere unnecessarily with the lawful business of any person.
  25. Members shall not knowingly make a false report.
  26. Members shall acquaint themselves daily when on-duty and immediately upon return from an absence from duty, with information on the Sheriff’s Office bulletin boards, e-mail and training bulletins pertinent to themselves, or their assignments.
  27. Members shall report any change of their address or telephone number as soon as possible, preferably within one (1) day of the change.
  28. Members shall remain awake during their tour of duty. If unable to do so, they should report to their supervisor, who will determine the proper course of action.
  29. Off-duty members shall report for duty immediately upon notification, providing other stipulated rules of conduct are met.
  30. Members shall not knowingly or intentionally incur Sheriff Office’s expense or liability without prior approval.
  31. Members on official business, shall, upon request, identify themselves immediately by giving their name and displaying their badge or credentials unless such action is likely to jeopardize the successful completion of a Sheriff’s Office assignment.
  32. Members shall not purchase, convert to their own use or have any claim in any found, abandoned or recovered property, or property held as evidence except in the case of a public auction.
  33. Members shall not enter into correspondence with any person concerning their official activities except as provided by Sheriff Office’s policy, nor use Sheriff’s Office stationary or forms for any purpose other than the transaction of official business.
  34. Members of the Sheriff’s Office shall be responsible for and maintain all equipment issued or assigned to that member.
  35. Members shall not use or have in their possession any controlled substances, narcotics or hallucinogens except as prescribed by a physician or dentist. An exception to this would be drug-related arrests and undercover operations as related to possession/sale of narcotics only.
  36. Members shall not use their official position or identification for personal financial gain, or obtaining privileges not otherwise available to them except in the performance of duty or to avoid consequences of unlawful acts.
  37. Members shall not solicit or accept any gift, gratuities, loan or fee either directly or indirectly in relation to their status as a member of the Sheriff’s Office.
  38. Members shall not develop close personnel associations with any inmate, practicing criminal, or develop or maintain a close personal association with any person where such association affronts the community standards and norms.
  39. Members' hair will be neat, clean and trimmed. Hairstyles that present an unkempt and untidy appearance, which detract from the wearing of the uniform or the desired image of the Sheriff’s Office will not be permitted.
  40. Members will not be allowed to wear beards unless they are on undercover assignments or specifically approved by the Sheriff. Posse members will be allowed to wear beards only in a neat, clean and trimmed manner.
  41. Members wearing mustaches will keep them neatly trimmed. They will not cover the mouth or extend below the corners of the mouth
  42. Members will promptly respond to calls for service in a manner appropriate to the circumstances when notified by dispatch or any other member.
  43. Members will perform their duties in a complete and competent manner.
  44. Members will remain attentive to their assigned responsibilities. They will not malinger or shirk their duties.
  45. All members of the Sheriff’s Office will cooperate with all other members in meeting the goals and objectives of the Sheriff’s Office.

POL-16-2 DISCIPLINARY SYSTEM

Discipline is a means of enforcing the policies, procedures and directives of the Sheriff’s Office. Discipline is a positive, corrective influence meant to encourage members to meet the Sheriff’s Office mission.

DISCIPLINARY ACTIONS

Disciplinary action will fit the offense not the result of the offense. If a complaint is found to be sustained, disciplinary action will be taken. Depending on the seriousness of the violation involved and the members past record, such action could include:

* 1. Verbal reprimand
  2. Written reprimand
  3. Suspension without pay or loss of leave
  4. Lowering of rank
  5. Termination of employment

POL-16-3 SUPERVISION & DISCIPLINARY SYSTEM

All supervisors of the Sheriff’s Office will stay current with the Civil Service rules, Bargaining Agreement and Employee Rights that all members of the Sheriff’s Office enjoy.

SUPERVISORY AND COMMAND STAFF

**SERGEANTS -** have the authority to issue verbal and written reprimands. Also to temporarily relieve a member from duty with pay.

**UNDERSHERIFF -** will have the additional authority to suspend a member for up to two (2) weeks without pay, demote a member and terminate a member's employment.

**SHERIFF -** has the authority to do any or all the above.

Prior to any disciplinary action being taken, a member will have the opportunity to explain, comment on, or defend his alleged actions.

COUNSELING

For a first offense of a minor violation of Policy a first line supervisor will use counseling as a means of discipline. During this counseling session, the member will be informed of the violation of policy, means to accomplish the goal without violating policy, attempt to work out the problem that caused the violation and the consequences of violating that policy in the future.

EMPLOYEE RIGHTS RECOGNITION

All members of the Sheriff’s Office will recognize the employment rights of all other members.

INTERNAL INVESTIGATIONS

Upon the initiation of an internal investigation a written notice outlining the nature of the complaint will be prepared and delivered to the involved employee within seven working days from the initiation of the investigation. However, if the Undersheriff believes the investigation will be hampered by such written notice, the notice will be held with a notation by the Undersheriff authorizing such action. This pre-disciplinary hearing notice to the employee will also include:

1. The employee’s right to representation (Weingarten Rule).

2. An order to answer all questions fully and truthfully (Garrity Rights).

3. An order not to discuss the matter with Sheriff’s Office employees and/or potential witnesses other than those assisting you with your contractually afforded rights.

PRE-DISCIPLINARY HEARING

A pre-disciplinary hearing will be held in any situation where a member is accused of violating any section of this policy manual, the Bargaining Agreement or Civil Service Rules where the disciplinary action that may result is demotion, suspension without pay, or discharge.

A pre-disciplinary hearing can be held by a Sergeant or higher-ranking member. A member may have legal counsel or Association representation present at a hearing. All hearings will take place as soon as possible. The hearing will give the accused member an opportunity to explain their actions.

Pre-disciplinary hearings are administrative hearings and preponderance is the level of proof.

DUE PROCESS

Within 5 days of the conclusion of the hearing, a member will receive a letter explaining the outcome.

If dismissal is the result, the member will be informed, in writing as to the reason(s) for the dismissal, the effective date of the dismissal and will be advised of their right to appeal.

SUPERVISORS’ AUTHORITY

This policy in no way removes an immediate supervisor’s ability to discipline a member with a letter of reprimand without having a pre-disciplinary hearing. Any situation that does not warrant a pre-disciplinary hearing is handled by the member’s supervisor or another supervisor, if more appropriate, and does not normally fall under the Internal Affairs section of this policy manual.

DISCIPLINARY APPEAL PROCEDURES

A member may appeal any disciplinary action through either the Civil Service or Association but not both. Refer Association/Union Contract.

MAINTENANCE OF INTERNAL INVESTIGATION FILES

Internal investigation files will be maintained in a locked cabinet. Internal findings only will be entered in the personnel files. The retention of internal investigation allegations is as follows:

1. SUSTAINED – may be retained indefinitely, at the discretion of the Sheriff.

2. EXONERATED – retained for the remainder of the current year, plus three more years.

3. UNFOUNDED – retained for the remainder of the current year.

4. NOT SUSTAINED – retained for the remainder of the current year.

CHAPTER SEVENTEEN

RECRUITMENT

POL-17-1 SELECTION PROCESS FOR APPLICANTS

The selection process for the Sheriff’s Office is conducted by the Civil Service Commission as explained in the Civil Service Rules. It shall incorporate defensible minimum employment standards; job related written tests of mental ability and aptitude, oral interview, physical proficiency battery, medical examination and an in-depth background investigation.

EQUAL EMPLOYMENT OPPORTUNITY

The Sheriff’s Office participates in and supports equal employment opportunity in its recruiting and hiring practices.

MINORITIES

Whitman County prohibits discrimination based on age, sex, race, color, creed or national origin. Whitman County has an Affirmative Action Plan.

Refer to State Of Washington, Chapter 49.60 RCW

CHAPTER EIGHTEEN

TRAINING

BASIC ACADEMY

The Sheriff’s Office requires that each member having responsibility for the enforcement of the criminal laws in general or working as a corrections officer, must receive a basic training certificate issued by the Washington State Criminal Justice Training Commission, prior to the exercise of such authority. Unless this member is accompanied by, and under the direct supervision of, a certified member who is serving as a Field Training Officer.

FIRST LEVEL SUPERVISORS

Every member that is promoted to a first level supervisor position must successfully complete 40 hours of supervisory training approved by the Training Commission, prior to, or within one year of such promotion. (First Level Supervision)

MID-MANAGEMENT POSITIONS

Every member promoted or appointed to a mid-management position must successfully complete at least 40 hours of management training approved by the Training Commission, prior to or within two years of the appointment or promotion. (Middle Management)

ANNUAL TRAINING

In the interest of keeping all members of the Criminal Division (sworn members) current in the changes of Laws and Court rulings, the monthly LED is mandatory reading by those members. All members will attend a minimum of 24 hours of in-service training per calendar year.

CHAPTER NINETEEN

PROMOTION

Every member of the Sheriff’s Office, regardless of position, requires a one year probationary period for all new hires and promotions.

WRITTEN PROMOTION ANNOUNCEMENT

The Civil Service Commission will issue a promotion announcement for all classified positions. These announcements are posted on the bulletin boards. This announcement will conform to Civil Service Rules for content and any questions that a member has can be addressed to the Commission.

The promotion announcement will contain the following information and will be distributed to every member of the division;

* 1. The positions description,
  2. Requirements to be met,
  3. Schedule for dates and times of all tests and the locations for each,
  4. Description of the process for the selection

PROMOTION ADMINISTRATION

Promotion Administration is handled by the Civil Service Commission and the secretary of that Commission is responsible for administering the testing process. The Sheriff will make the final selection per Civil Service Rules. The Undersheriff is charged with overseeing the process.

PROMOTION PROCEDURES

The procedures used by the Civil Service Commission are job-related and non-discriminatory. These procedures are found in RCW 41.14 and the local Civil Service Rules.

CHAPTER TWENTY

PERFORMANCE EVALUATIONS

POL-20-1       ANNUAL PERFORMANCE EVALUATION

The Annual Evaluation System utilizes a self-evaluation form found within the WCSO templates. The Annual Evaluation System will be the rating system used upon completion of an employee’s field training period.

INSTRUCTIONs FOR PERFORMANCE EVALUATIONS

The employee being evaluated will complete the Self-Evaluation section of this form and forward it to his/her immediate supervisor. The immediate supervisor will complete the immediate supervisor’s comments section of this form and schedule a time to meet with the employee to discuss the self-evaluation. If, at the completion of this discussion, the employee requests to amend the Self-Evaluation, the employee will be granted that request.

When the employee is satisfied with the Self-Evaluation section, the employee and his/her immediate supervisor will place their signatures at the bottom of the last page. The employee’s signature does not necessarily indicate agreement with the immediate supervisor’s evaluation.

The employee will place the date and their signature below agreeing with the evaluation or disagreeing with the evaluation. If the employee wishes to discuss the evaluation with the undersheriff the employee has that option. The immediate supervisor will place the date and their signature in the respective signature area. The undersheriff will review the evaluation and initial each page and place the date and his/her signature on the final page. The employee’s, immediate supervisor’s, and undersheriff’s signatures verify this evaluation was finalized.

The Sheriff will review the completed evaluation prior to placement into the employee’s personnel file.

EVALUATION OF SPECIFIC PERIOD

All evaluations will be for a specified period of time. The Annual Performance Evaluation will be for the preceding 12 months.

SIGNATURE ON PERFORMANCE EVALUATION

Each employee will be given the opportunity to sign the evaluation upon final review. The employee will sign the evaluation form, either agreeing with all comments made in the evaluation or disagreeing with comments made in the evaluation. If the employee signs in disagreement, the employee will provide an attachment detailing the disagreement.

RATED BY IMMEDIATE SUPERVISOR

Each employee will be rated by their immediate supervisor for the rating period except in the case of an unforeseen absence of the rater from the Office.

UTILIZATION OF PERFORMANCE EVALUATIONS

The progress/evaluation reports will be utilized to measure an employee’s development and training needs.  They may also be reviewed as part of the process for promotions, special assignments, or discipline.

RETENTION PERIOD

The evaluation reports will be retained as long as the member is employed by the Sheriff’s Office plus one-year after separation.

COPIES OF PERFORMANCE EVALUATIONS

Copies of the progress/evaluation report will be given to the member at the completion of the report, if requested.

 PROBATIONARY MEMBERS

Employees on probation will complete the Performance Evaluation every six months.

PRO-20-1-1  PROGRESS REPORTS / EVALUATION FOR

EMPLOYEES IN FIELD TRAINING

field training performance evaluation system

The Field Training Performance Evaluation System utilizes the “Daily Observation Report Form”.

INSTRUCTIONS FOR FIELD TRAINING EVALUATIONS

The Field Training Officer will complete the Daily Observation Report Form following each shift the employee in field training is observed. The Daily Observation Report Form uses a rating scale to numerically score several standardized evaluation guidelines. The form includes a written narrative section which is used to detail the occurrences of the shift and any necessary remedial training. The Field Training Officer will review the Daily Observation Report Form with the employee in field training upon its completion.

EVALUATION OF SPECIFIC PERIOD

All evaluations will be for a specified period of time. The Daily Observation Report Form will be completed following each shift the employee in field training is observed.

SIGNATURE ON PERFORMANCE EVALUATION

Each employee in field training will be given the opportunity to sign the Daily Observation Report Form after completion. The employee’s signature does not necessarily indicate agreement with the evaluation, but merely indicates the Field Training Officer and the employee in field training did discuss the Daily Observation Report Form.

RATED BY IMMEDIATE SUPERVISOR

Each employee in field training will be rated by their Field Training Officer for the shift being rated.

UTILIZATION OF PERFORMANCE EVALUATIONS

The progress/evaluation reports will be utilized to measure an employee’s development and training needs.  They may also be reviewed as part of the process for promotions, special assignments, or discipline.

RETENTION PERIOD

The evaluation reports will be retained as long as the member is employed by the Sheriff’s Office plus one-year after separation.

COPIES OF PERFORMANCE EVALUATIONS

Copies of the progress/evaluation report will be given to the member at the completion of the report, if requested.

CHAPTER TWENTY-ONE

PATROL

POL-21-1 COMMUNICATION, COORDINATION & COOPERATION

Information to be passed on to other shifts within the Field Division will be by use of the briefing bulletin board in the deputies’ office and/or the e-mail system. In this manner all shifts will obtain the same information and have a standardized location for availability.

The passing of complaints or follow-up from one shift to another will be done through supervisors, if possible.

All members of the Sheriff’s Office will cooperate with all other members in meeting the goals and objectives of the Sheriff’s Office.

SHIFT CHANGES

The changing of shifts will generally occur on a 4 month basis unless manpower allocations and shift coverage prohibit this change. The selection process is made on an altering of shift basis. No one should work more than 6 months continuous on any shift. Days off change with the shift assigned. Exception is the administrative sergeant.

SCHEDULES

The Undersheriff is responsible for the creation and distribution of schedules that specify the working hours and days off of each person in that Division.

POL-21-2 SPECIAL PURPOSE VEHICLES

Any Special Purpose Vehicle owned/rented by the Sheriff’s Office will only be operated by those members who have had operation and safety training for those vehicles. Each time these vehicles are used, the operator is responsible for the condition and operation of that vehicle. All special purpose vehicles will be operated in a manner consistent with applicable laws, policies and with the training received.

The following are specialized vehicles owned and operated by the Sheriff’s Office:

|  |  |
| --- | --- |
| VEHICLE | TRAINING REQUIRED |
| Jet Boat  Peacekeeper  Command Post  Swat Van  Motorcycles | 40 hrs. State Parks & Recreation Course  Orientation  Orientation  Orientation  80 hrs Washington CJCT |

POL-21-3 ON-SCENE SUPERVISOR

Sergeants are the first level of supervision and have the responsibility to guide, direct, motivate and train those personnel under their supervision. Command and control is inherent in, and appropriate to, all levels of the Sheriff’s Office.

* 1. When two or more members are dispatched to, or are present at any activity, the primary member assigned by radio to respond to the complaint shall assume control of the situation until it is concluded or until relieved by a supervisor.
  2. The mere presence of a supervisor does not indicate that they have relieved the member assigned to the complaint. The member-in-charge of the complaint may request a supervisor and the supervisor upon their arrival will evaluate the scene and assume command, as they deem necessary. The supervisor may further request a command level member at the scene as the situation dictates.
  3. The supervisor will respond and take control of all situations involving;
     1. Damage to Sheriff’s Office equipment, civil unrest, murder scenes and other major crimes.
     2. Shots fired officer involved,
     3. Death or serious injury to an officer requiring medical attention,
     4. Death or serious injury to another person as a result of police action,
     5. Barricaded suspect(s), sniper, hostage situation,
     6. Questionable death, armed robbery, kidnapping, forcible rape, first degree burglary
     7. Missing person where strong possibility of foul play is suspected.

POL-21-4 MEMBERS RESPONSIBLE FOR INVESTIGATIONS

All members of the Criminal Division are responsible for the full investigation of any complaints that they receive from dispatch, unless a Sergeant or command level member specifically removes that responsibility by direct order.

FIELD INTERVIEWS

Field interviews will be conducted and recorded in the member’s notebook for high crime areas or in situations involving unusual circumstances. These interviews will be conducted in a courteous and professional manner. The purpose of the interview is to develop suspects/witnesses for follow-up investigations. Each member will make any other member charged with investigating a complaint aware of any information that may assist him/her.

POL-21-5 RADIO COMMUNICATIONS

Whitcom is the primary communications link, both emergency and non-emergency, between the community and the Sheriff’s Office’s mobile units. Due to the vast area covered by Whitcom and the number of other agencies using the system, all members are to use one of the three repeaters at all times when communicating with Whitcom.

Radio communications will be brief and concise and of a business nature only. The radio is to assure:

* 1. Receiving prompt, accurate dispatches of all calls directed to mobile units;
  2. That radio transmissions may be promptly and accurately received and acted upon;
  3. Effective use of the radio to coordinate information to activities both intra-Sheriff’s Office and inter-Office; and
  4. To facilitate prompt, accurate reception of criminal justice information.

CAR TO CAR FREQUENCY

The Sheriff’s Office allows virtually unrestricted use of the Car-to-Car frequency by deputies. The requirements that must be met are that the communications are of a business nature and are professional. The radio Policies and Procedures are in effect for this frequency as with any frequency.

On situations where deputies are responding to a situation, the Car-to-Car frequency may be used for coordination between Sheriff’s Office members. Other units are to suspend Car-to-Car traffic until the situation is over or the units needing the frequency are out of the Car-to-Car range which is about 15 miles.

PRO-21-5-1 RADIO USAGE BY FIELD DIVISION

REPORTING LOCATION, SERVICE STATUS

Field members will keep Communication advised of their location and 'in-service' or 'out-of-service' status.

ANSWERING CALLS

Members will promptly answer radio communications directed to them.

PRO-21-5-2 PORTABLE RADIO USE

Every field member is issued a portable radio in working condition that is capable of activating the repeaters.

When field members are out of the car, they are to have their portable radios with them and have them selected to the main operating frequency.

POL-21-6 EMERGENCY RADIO TRAFFIC

Communication and field members have the authority to call for a restricted frequency and will state the reason. A restricted frequency is used to minimize radio traffic and normally will be restricted to emergency situations.

**COMMON SENSE SHALL PREVAIL**

The main frequency will be returned to normal traffic as soon as possible. In lengthy situations the members will use an alternate frequency to allow the main frequency to re-open.

As soon as the emergency situation is controlled, the requesting party will notify Communications to broadcast that normal traffic may resume.

Emergency Codes

* 1. Clear for traffic
  2. Mary {misdemeanor warrant}

10-13 frank {felony warrant}

10-6 OFFICER NEEDS ASSISTANCE

POL-21-7 VEHICULAR PURSUIT

A vehicular pursuit is an attempt by a uniformed law enforcement officer in a clearly identifiable patrol vehicle (vehicle equipped with emergency lights and siren) to stop a moving vehicle where the driver of such vehicle is aware the officer is signaling the vehicle to stop and is resisting the stop by increasing speed, making evasive maneuvers, or operating the vehicle in a manner that endangers the safety of the community or the officer by ignoring the officer’s attempt to stop the vehicle.

Sheriff’s Office personnel are authorized to use vehicular pursuit as a necessary means of performing his/her duty to apprehend criminal offenders who are believed to have committed a “Violent Offense” a “Sex Offense”, “Escape” or under conditions of reasonable suspicion of DUI (Drugs or Alcohol).

Upon initiation of a pursuit, the involved member shall request a supervisor be notified and seek authorization for the pursuit. Upon notification and authorization, the supervisor shall assume supervisory command of the pursuit and direct the pursuit or change tactics as deemed necessary. The supervisor in command of the pursuit shall coordinate the resources necessary to end the pursuit as quickly as possible and by the most safe and effective means available.

A supervisor may order the termination of a pursuit at any time. Supervision of a pursuit that leads from our county into another jurisdiction should be transferred to a supervisor from that jurisdiction, if a supervisor is available.

EVALUATION OF CIRCUMSTANCES

The decision to pursue or not to pursue a fleeing vehicle shall be made by the member involved within the guidelines above. The decision to pursue or not, requires a member to consider a number of factors and to exercise extremely good judgment. The member must avoid any tendency to overreact to the urgency or excitement of the situation, a tendency that tends to inhibit good judgment.

Factors needed to pursue include but are not limited to, the following:

**VEHICLE PURSUITS WHEN A and B and C and D ARE ALL PRESENT:**

1. PC for “Violent Offense” or “Sex Offense” per 9.94A.030, or for Escape; OR Reasonable Suspicion for DUI;
2. Necessary to Identify or Apprehend; and
3. Suspect poses Imminent Threat to safety of others, AND Threat to others outweigh

the risks of this Vehicular Pursuit;

1. Have approval of supervisor, and supervisor remains in “control”
   * 1. The pursuing member should be aware of their driving abilities;
     2. Likelihood of apprehension without pursuit; and
     3. The degree of hazard to public safety generated by the fleeing violator and/or the pursuing member(s) if pursuit is initiated.

Members shall not initiate pursuit if they conclude from the nature of the circumstances that the potential risk to human safety would not be worth the value of the apprehension. A primary responsibility of a member in the apprehension of violators is to accomplish such apprehension without unnecessarily endangering him/herself or any other person.

A member shall not be censured if a violator is not apprehended because the member deemed pursuit to be unwise under existing conditions.

DECISION TO CONTINUE PURSUIT

Once the pursuit is underway the decision to continue or terminate the pursuit is a continuous exercise in judgment on the pursuing member. The member not only must continually consider the same factors as when deciding to pursue but also must consider new factors that will arise during the pursuit. Remember; a primary responsibility of a member in the apprehension of violators is to accomplish such apprehension without unnecessarily endangering him/her self or any other person.

* 1. Members must guard against becoming mesmerized by their desire to apprehend the violator.
  2. Members shall use all reasonable means to identify the violator being pursued; and if he can be identified, and after a reasonable attempt has been made to apprehend him, consideration should be given to terminating the pursuit. Once identified, the continued pursuit would be justified only by the most serious circumstances.
  3. Conditions of traffic, weather and road conditions through which the pursuit is traveling shall be continually considered.
  4. The nature of the violators driving shall be taken into consideration in deciding whether to terminate. No member will be censured for discontinuing a pursuit because he considered it unwise to continue under existing conditions.

PRO-21-7-1 PURSUIT DRIVING - RESPONSIBILITY OF UNITS

**PRIMARY UNIT** **--** The initiating member shall be responsible for the broadcasting of the progress of the pursuit and the ongoing decision to continue or terminate the pursuit. This member is also responsible for pursuit tactics until relieved by his supervisor.

Upon initiating a pursuit, the member shall activate emergency lights and siren and keep them activated throughout the duration of the pursuit. This member shall notify Dispatch of:

* 1. The initiation of the pursuit, location and direction of pursuit and continuously broadcast the direction of travel, speed, and traffic volume.
  2. The reason for the pursuit, including the crime, or circumstances for which the pursuit was initiated.
  3. As complete a description of the vehicle and occupants as possible.

At the termination of the pursuit, the initiating member shall be responsible for the apprehension of the violator(s).

**SECONDARY UNITS --** When approaching the route of the pursuit, the secondary unit shall be responsible to determine the relative approach of the primary unit and to avoid conflict with him/her. Immediately upon joining the pursuit, the secondary unit shall notify dispatch. The secondary unit should maintain enough distance to be flexible and safe. If requested by the primary unit, the secondary unit shall become responsible for the broadcasting of the progress of the pursuit.

The secondary unit shall be responsible for backing up the primary unit and for broadcasting necessary information at the termination of the pursuit.

The secondary unit shall replace the primary unit should it become necessary.

**DISPATCH --** Dispatch will clear the air for emergency traffic and keep all units advised of the location of the pursuit. Dispatch will notify the shift supervisor or call out a supervisor. If practical, Dispatch will notify the Sheriff and/or Undersheriff. Dispatch will provide any support that is necessary to assist the pursuing units. All jurisdictions that may be affected by the pursuit should be notified as soon as practical.

**BACK-UP UNITS --** Other members in the area of the pursuit shall monitor the progress of the pursuit. They should not engage in the pursuit unless requested to do so by the primary or secondary unit or the supervisor. They should be available in case they are needed to terminate the pursuit and/or assist in the apprehension of the suspects after the pursuit has been terminated.

PRO-21-7-2 FORCED STOPPING

No member shall ram or force another vehicle off the road unless the pursuing member has reasonable grounds to believe the fleeing vehicle and occupant(s) constitute an immediate threat to human life and all other reasonable alternatives have been exhausted. Use of a police vehicle to ram or force another vehicle off the road is the use of deadly force and shall be used only when deadly force is warranted.

Even though the above may not be present, a supervisor may authorize a roadblock. A roadblock is a barricade using vehicles or other obstructions (excluding hollow spike strips) across a roadway set up to stop or prevent escape of a fleeing vehicle. The roadblock shall be so located as to minimize the danger to all persons and property involved. An escape route shall be left available.

PRO-21-7-3 USE OF SPIKE STRIPS

Spike strips are a tire deflation device used to terminate, or reduce the speed of, a suspect vehicle. The Whitman County Sheriff’s Office utilizes the *Stinger Spike System* and/or the *Stop Stick*. The spike strip is equipped with hollow spikes designed to become embedded into the tire(s) and initiate a controlled deflation of the suspect vehicle’s tire(s).

**Deployment Guidelines--**The deployment of spike strips will require (except in the circumstances described below) the approval of a supervisor (Sergeant, the Undersheriff or the Sheriff). The supervisor will consider all available information prior to authorizing the use of spike strips.

1. No member of the Whitman County Sheriff’s Office shall deploy spike strips unless the following criteria are met;
   1. The member has successfully completed the designated training for deployment of this device established by the Whitman County Sheriff’s Office.
   2. A supervisor has authorized the deployment of the spike strip system. The spike strip system may be deployed without a supervisor’s authorization if the member on-scene justifiably believes the delay necessary for prior supervisory approval endangers the public. The member will consider all available information (the totality of the situation and/or circumstances related to each particular incident) prior to the use of spike strips without a supervisor’s authorization.
   3. The deploying member has advised pursuing vehicles of his/her intent to deploy the spike strips, the intended deployment location, and any observed or established lane restrictions.
2. Spike strips may be deployed for incidents involving stationary vehicles in the following situations;
   1. To prevent a suspect (whose escape would endanger the public) from using a stationary vehicle to flee the area.
   2. To prevent the movement of a stationary vehicle when a member has probable cause to believe this vehicle is, or contains, evidence,
3. Spike strips should not be deployed in the following situations, unless deadly force would otherwise be justified;
   1. To terminate, or reduce the speed of, a suspect motorcycle, other two wheeled vehicles, or any vehicle transporting hazardous or flammable materials.
   2. When roadways are bounded by steep, descending embankments.
   3. In areas where special events or activities are being conducted.
   4. Near curves or similar locations where the safety of oncoming traffic is jeopardized.
   5. In construction zones as defined by RCW 46.61.527 (1)

**Deployment Process—**The spike strips (*Stinger Spike System and/or Stop Stick*) will be assigned to patrol units. Ideally, two sets of spike strips will be available during each duty shift.

1. Deployment shall be in accordance with the mandatory training. Any deviation from this policy or the procedures outlined in the training shall be documented in a written report.
2. Spike strips are not considered a roadblock, and therefore, may encompass the entire width of the road.
3. Spike strips are designed to regulate the deflation process. This allows the driver to maintain control of the vehicle, therefore, “double spiking” a fleeing vehicle is not advised. However, a second set of spike strips may be deployed a safe distance from the first if the first set were evaded or appear ineffective; taking into consideration that deflation is not immediate.

**E.** Deployed spike strips should not be left unattended.

PRO-21-7-4 JURISDICTIONAL & LEGAL CONSIDERATIONS

When this Sheriff’s Office initiates a pursuit within the boundaries of the County, our members will continue the pursuit through other subdivisions of the County. If our Sheriff’s Office has two units involved in the pursuit the supervisor will ask that the other jurisdiction to clear a path through its jurisdiction.

On pursuits that go out of County, the secondary unit will drop off upon the arrival of the first unit with jurisdiction. Our primary unit will yield to the first unit in position with jurisdiction and will remain safely out of the way of the pursuit but close enough to assist on the stop.

**SAFETY AND LEGAL CONSIDERATIONS --** Spotlights shall not be utilized as a means of attracting attention or hindering fleeing vehicles during pursuits.

POL-21-8 RESPONSE TO ROUTINE & EMERGENCY SITUATIONS

Vehicles operated by members of the Sheriff’s Office, for whatever purpose, shall be operated at all times in a manner that does not unnecessarily endanger the safety either of members or of other persons. Other considerations, even the apprehension of violators of the law, shall remain secondary to public safety.

ROUTINE VEHICLE OPERATION

During routine vehicle operation, i.e., at all times except during emergency response or pursuit situations, members shall obey all traffic provisions of the Revised Code of Washington, to the same extent and in the same manner as is required of any other person operating a vehicle.

EMERGENCY VEHICLE OPERATION

Emergency vehicle operation (or running CODE) includes all vehicle operations by members responding to situations of an emergency nature which would justify invoking the privileges set forth in RCW 46.61.035 applicable to “emergency calls”. During emergency vehicle operation the appropriate and necessary emergency equipment will be activated at all times.

Calls justifying emergency response must have one of the following elements present:

1. A crime of violence in progress, e.g., an assault with weapons involved;
2. The prevention of a crime of violence, e.g., an armed, barricaded suspect;
3. A medical emergency, e.g., a traffic accident with unknown or serious injuries reported;
4. A serious public hazard, e.g., live high-voltage wires down across the roadway;
5. The preservation of life, e.g., a rescue or evacuation with TIME as a factor;
6. A call for emergency assistance from another member; or
7. A directive from a supervisor.

RESPONSE TO ROUTINE AND EMERGENCY SITUATIONS

During emergency vehicle operation, deputies shall operate vehicles with due care for life and property.

PRO-21-8-1 SAFETY DEVICES

Under most circumstances, members will use seatbelts and/or shoulder harnesses at all times while in a patrol vehicle. However, there may be circumstances in which the use of seatbelts and/or shoulder harnesses could hamper the efficient operations of the member. Therefore, the use of seatbelts and/or shoulder harnesses is not mandatory, if deemed to be an officer safety issue.

BULLETPROOF VESTS

The Sheriff’s Office provides protective vests to all field members. Protective vests or bulletproof vests will be worn by all field members when in uniform and by all members when they are involved in raids and/or search warrants and arrests. This includes undercover members.

The only exceptions are administrative and detective personnel whose job location and function is not first response enforcement. However a bulletproof vest shall be readily available to all administrative and detective personnel.

PRO-21-8-2 CIVILIAN ESCORTS

Members may, under emergency conditions, provide escorts of civilian vehicles in medical emergencies with the following provisions;

1. The escort is needed for the preservation of life, where waiting for an ambulance could be fatal.
2. The regulations set forth under Policy-21-9 are adhered to.
3. A complaint is drawn from Dispatch, and Dispatch and your supervisor are kept abreast of the situation.

POL-21-9 NOTIFICATION OF NEXT OF KIN

SHERIFF’S OFFICE PERSONNEL

In the case of line of duty death, serious injury or illness, next of kin will be notified by a Sheriff’s Office administrator or designee.

### DEATH NOTIFICATION

1. The name of the deceased member MUST NEVER be released to the media before immediate family members living in the area are notified.
2. If there is knowledge of a medical problem with an immediate survivor, medical personnel should be dispatched to the residence to coincide with the death notification.
3. Notification MUST ALWAYS be made in person and not alone. The Sheriff’s Office chaplain, a psychologist, the agency head (or his representative), or another public safety survivor should appropriately accompany the informing officer.
4. If the above suggested people are not readily accessible, notification should not be delayed until these persons can gather. If the opportunity to get the family to the hospital prior to the demise of the officer presents itself, DON'T wait for the appropriate delegation to gather. Inform the family slowly and clearly of the information available regarding the incident, and use the officer’s name during the notification.
5. If the family desires to go to the hospital, transportation via Sheriff’s Office vehicle is recommended. Should there be resistance and the family insists on driving, an officer should accompany them in their vehicle.

The Sheriff’s Office should ascertain if there are young children in the home. The survivor may desire to leave the children at the residence. The Sheriff’s Office should be prepared to handle immediate baby-sitting needs, and use of co-worker’s spouses is encouraged.

The transporting officer will notify the officer in charge at the hospital that the family is enroute.

1. If immediate family members are from out of the region, personal death notification should be requested from the law enforcement agency in that area. Logistical arrangements should be established to enable telephone contact with the fallen officer’s Sheriff’s Office.

CITIZENS

Dispatch receives Attempt to Locate/Contact messages on a regular basis and dispatches a unit to locate/contact an individual for an Emergency message. Some of these calls are to notify the next of kin of a death or other serious matter.

The responding deputy will make the notification in a courteous and compassionate manner and;

1. Notification should be made to an adult member of the family. This should be done even if it is necessary to call a number for the receipt of the actual message.
2. Delivery should be made in a slow, calm voice using plain english.
3. Deputies should remain long enough to assess reaction.
4. Make any referrals and answer questions.
5. The Sheriff’s Office Chaplain should be utilized if possible.

POL-21-10 K-9 UNIT

Dogs will be considered as a tool for use by trained members. The K-9 units shall be used within the same guidelines as any other tool or weapon used by the Sheriff’s Office.

K-9 handlers and K-9s will have the prescribed Sheriff’s Office training prior to being allowed to work as a unit. The K-9 handler and the dog will have and maintain current certifications as required by Washington State Law.

The K-9 unit coordinator for this Sheriff’s Office is the Sheriff.

The Sheriff’s Office shall own every dog used in the K-9 program. Upon termination of a dog from the unit, the handler may apply to the Sheriff for ownership of the dog.

Whenever a Sheriff’s Office dog bites any person, the handler will file a detailed incident report. Photographs will be taken of any visible dog bites. The person bitten will be provided access to appropriate medical facilities. If the skin is broken, due to the dog bite, the person will be transported and examined at a medical facility.

The decision to apply a dog shall be solely that of the dog handler. This decision is subject to later review.

PRO-21-10-1 K-9 UNIT USE

Any field member may request a K-9 unit to respond to a situation where they are in charge. A supervisor must approve the call-out of a K-9 unit. Providing all other Sheriff’s Office requirements are met, the K-9 unit will respond.

In a situation where the Sheriff’s Office K-9 unit is unable to respond, a supervisor may authorize the call-out of any neighboring agency’s K-9 unit.

In each of the above circumstances, the member in charge of the situation will assure that the scene is secure and that a starting place exists that is uncontaminated for the K-9 unit.

The K-9 unit falls under the authority of the member in charge of the situation and the K-9 handler reports to that member. If another agencies K-9 responds they are also under the authority of the member in charge of the situation.

**POL-21-11 Audio-Video Use of Body Worn Cameras**

**USE OF AUDIO-VIDEO EQUIPTMENT (Body Worn Cameras)**

**Purpose:**  This policy provides guidelines for the use of body worn audio-video recording devices utilized by members of the Whitman County Sheriff's Office while performing their duties. This policy is not intended to describe every possible situation for which the use of a body camera may or may not be utilized.  A deputy may choose to activate his or her body worn camera any time they believe the recording could have evidentiary value.

All audio-video recordings made by deputies acting in their official capacity shall remain the property of the Sheriff’s Office and subject to this policy regardless of whether those recordings were made with a Sheriff’s Office issued or personally owned audio-video recorder.  Recordings are not to be shown for personal use or to embarrass or ridicule any person.

**Deputy Responsibility**:  Each deputy shall ensure the equipment is in proper working order.  Deputies shall refrain from using non-approved or personally owned recording equipment without the consent of a supervisor. All deputies will be trained on the proper use of the audio- video equipment, associated software and policy governing use.

**Activation/De-Activation of the AV recorder**: Activation of the body camera  shall be utilized when practical for field contacts, when the deputy is functioning in an official capacity, or may be activated at any other time when the deputy believes it is appropriate to document an event(in accordance with RCW 9.73).

In a setting that is not a public place, deputies should when practical, advise the intended subjects of the recording that they are being recorded. Deputies utilizing audio-video recorders shall upon the arrest of a suspect, record Miranda Warnings when applicable.

Once initiated, recordings should run for the duration of the contact. Deputies should not intentionally turn off the audio-video device during the recording of an event in which they are directly and actively involved. Recordings shall not be terminated when a subject states they do not want to be recorded, provided the recording is being made under conditions that only require notification of the recording and does not require the consent of the subject.  Washington State law prohibits any individual from secretly recording any private conversation except as provided in RCW 9.73.040, RCW 9.73.090 and RCW 9.73.210.

**Cessation of Recording**: Once a recording has been initiated, recordings may be terminated during periods of inactivity, during breaks from direct participation in the incident, or when the situation no longer fits the criteria deemed appropriate for recording.

**Retention of recordings**:  All audio-video recordings shall be transferred to the approved computer server and shall be stored for 90 days unless required to be stored for longer according to applicable retention policies.  Once entered into the designated storage system only the assigned patrol sergeant and undersheriff shall have access to the videos.  Recordings may only be used for official law enforcement/Sheriff’s Office purposes and court proceedings.

**POL-21-12 Civilian Ride-Along**

**Ride-Along**:Prior to any citizen performing a ride-along with a member of the Whitman County Sheriff’s Office, a written agreement assuming risk of injury or damage, release of claims and indemnity agreement should be obtained or on file. In the event no form is available, verbal consent may be granted on a case by case basis to the citizen rider by a supervisor and a waiver obtained prior to the next ride-along.

Exceptions to this policy can be made for members of other service agencies or Sheriff’s Offices, immediate family members, or members of the public who are deemed in need of transport as part of the deputies or officers regular duties.

Deputies shall also verify the prior to the ride-along that the person requesting the ride-along is a citizen in good standing who poses no threat or interference to the deputy or his or her immediate co-workers. This may include a background check through the Sheriff’s Office database.

CHAPTER TWENTY-TWO

ORGANIZED CRIME AND VICE CONTROL

POL-22-1 VICE & ORGANIZED CRIME CONTROL FUNCTION

The Undersheriff is responsible for overseeing all vice complaints and all Organized Crime complaints for the Sheriff’s Office.

**COMPLAINTS --** All complaints of Vice and Organized Crime activity will be reported on a standard report form, assigned a Case number and forwarded to the appropriate Sergeant for follow-up assignment.

**INVESTIGATIONS --** All Vice and Organized Crime investigations will be coordinated through the Undersheriff. These complaints will be investigated in the same manner as all other complaints but will be under the case management of the Undersheriff. He/she will make the determination of what outside agencies, if any will be alerted to the investigation.

**MAINTENANCE OF RECORDS --** Copies of all Vice and Organized Crime active investigations will be kept in a location, separate from central records, designated by the Undersheriff. These records are only available to members of the Sheriff’s Office on a need to know basis.

**CONFIDENTIAL FILES --** The Sheriff’s designee will maintain a confidential file on each informant to include:

* + 1. Biographical and background information;
    2. Criminal history records, if any;
    3. Payments made to informant;
    4. Information received from informant;
    5. The nature of the informant's operational involvement within the agency;
    6. Code name or number of the informant; and
    7. The file security classification.

**INFORMANTS --** Employees will not divulge the identity of persons giving confidential information to the Sheriff’s Office except as authorized by proper authority.

CHAPTER TWENTY-THREE

JUVENILE OPERATIONS

POL-23-1 JUVENILE OPERATIONS

Juvenile operations are the responsibility of the Patrol Division. Each member of that division handles juvenile complaints as they are received, as they would handle any other complaint.

USE OF FORCE - JUVENILES

Members must use the least coercive reasonable means in dealing with juveniles.

RELEASE OF JUVENILES

Any juvenile taken into custody by a member of the Sheriff’s Office and subsequently released will be released to a responsible adult.

REFERRAL TO INTAKE

Where there is probable cause to believe a juvenile has committed a felony, the investigating officer will submit reports that articulate all the facts and elements that support the charge. The deputy’s supervisor will insure the case is complete. They will forward the case to the Juvenile Department and the Prosecutor’s Office for disposition.

All misdemeanor cases shall be submitted to the Whitman County Juvenile Department for disposition, after being reviewed by the officer’s supervisor. The Records Division shall be responsible to see that these reports are sent to the Juvenile Department immediately for referral to intake.

CITATIONS OR SUMMONS

When dealing with a juvenile offender, members of this Sheriff’s Office must determine the seriousness of the offense and consider the welfare of the juvenile. This will assist in determining whether to make a custodial arrest or issue a citation/summons. Juveniles who are a danger to themselves or others, or who are likely to re-offend should be placed in custody. Those not placed in custody shall be released to a parent, guardian or other responsible adult.

Juveniles having reached their sixteenth birthday may be issued a citation or summons using the Washington State Uniform Court Docket report for traffic infractions and criminal traffic matters except felonies.

Juveniles not having reached their eighteenth birthday will not be issued a citation or summons for misdemeanor or felony criminal offenses. An offense report will be submitted articulating the offense committed. After review by a supervisor, the report will be forwarded to the juvenile court system for action. The same process can be used to request a summons or warrant.

PROTECTIVE CUSTODY

An officer shall take a juvenile into custody, if the juvenile is absent without consent (runaway or truant) and this Sheriff’s Office has been contacted by the parent or an agency legally charged with the supervision of the juvenile, and a juvenile runaway report has been filed.

If an officer believes that a juvenile is in circumstances which constitute a serious danger to the juvenile’s physical safety or the possible occurrence of abuse or neglect has or is going to take place, the juvenile shall be taken into protective custody.

If a juvenile is taken into police custody for abuse or neglect, the Department of Social Health Services/Child Protection Service will be notified for placement.

JUVENILES IN CUSTODY

When a juvenile is arrested and/or taken into custody, Washington State Court Rules require the advisement of rights whether there is questioning or not. The juvenile should be advised of their constitutional rights immediately, using the same rights card or form as an adult. Additionally the juvenile rights warning will be included in the advisement.

For juveniles between eight and twelve years of age, it is recommended that a parent be notified of the custodial situation or arrest. It is advisable to obtain permission from a parent prior to interviewing the juvenile.

Members of this Sheriff’s Office will notify parents or guardians of juveniles in custody whenever possible, and will always make a notification attempt. Members of this Sheriff’s Office will explain to the juvenile suspect and the parents or guardians the impending procedures and processes of the juvenile(s) in custody prior to interview or interrogation.

A juvenile may be taken into custody when an officer has probable cause to believe the following:

* 1. a felony offense was committed by the juvenile,
  2. the juvenile is a threat to community safety,
  3. the juvenile has violated a condition of release or probation,
  4. the juvenile is a fugitive or,
  5. a warrant exists for the juvenile’s arrest.

In any event a member should check and make sure that Juvenile Detention has the room to house the juvenile and that all intake-screening criteria are met.

In the event a juvenile is injured or has a medical problem while in our care, treatment will take precedence over the investigation. If a juvenile is to be incarcerated or placed out of the home, the action will take place as soon as possible.

FELONY CASES

On each Felony case, the Records section will forward the case to the Juvenile Office.

On non-felony criminal cases a referral with all the paperwork in the case will be submitted to the Juvenile Office. A referral will be made on all criminal cases where charges are requested to be filed on the Juvenile suspect.

POL-23-2 JUVENILE RECORDS

The Sheriff’s Office retains no records other than case or complaint reports, fingerprints and photographs on juveniles. These records are never to expunged or destroyed except by regular report guidelines. Juvenile records are only to be accessed according to RCW 13.50.050.

CHAPTER TWENTY-FOUR

UNUSUAL OCCURRENCES

POL-24-1 UNUSUAL OCCURRENCES PLAN

The Sheriff is responsible for planning the Sheriff’s Office’s response to unusual occurrences. It is all supervisors’ responsibility to see that the plan is followed.

For purposes of this policy Alert Stages are defined as follows:

**Alert Stage 1** Civil Disturbance or other situation with minimum potential for escalation. A quick, decisive and low key response is required with a minimal show of overt aggression.

**Alert Stage 2** Situation is not clear, but may be, or is, escalating and/or property damage exists. Calls for same responses as Stage 1.

**Alert Stage 3** Situation is out of control, is escalating rapidly, and has major property damage and/or personal injuries. A quick, decisive, coordinated high profile response is indicated.

EMERGENCY OPERATIONS PLAN IMPLEMENTATION

This plan may be implemented, either in part or in its entirety, in accordance with the requirements of the following classifications of police incidents:

* 1. **Major Crime Scenes** - Hostage situations, barricaded persons, robberies, etc.,
  2. **Civil Disturbances** - Demonstrations, strikes, etc.,
  3. **Natural Disasters** - Flood, storm, earthquake, volcanic eruption, etc.,
  4. **Local Emergencies** - Plane crashes, fires, power failures, etc.,
  5. **National Emergencies** - Enemy action, nuclear attack, etc.,
  6. **Large Public Gatherings** - Parades, fireworks displays, sports events, etc.,

NATURAL, TECHNOLOGICAL, AND MAN-MADE DISASTERS

The response of the Whitman County Sheriff's Office to natural and man-made and/or technologically related disasters will be governed as in Policy POL-24-3 of this manual and the Whitman County Emergency Services Plan.

POL-24-2 CIVIL DISTURBANCES

This plan is a GUIDE to all members when preparing for police control of an anticipated event having the potential for civil disorder.

**Exception:** Nothing contained herein shall restrict a member from this GUIDE when a particular situation requires it. However, justification for such deviation may be required at the conclusion of the incident.

Appropriate Implementation

The provisions of this plan shall be utilized whenever any member becomes aware of a public activity involving:

* 1. **Demonstrations** - Protests, marches, sit-ins etc.
  2. **Labor Disputes** - Strikes, boycotts, picketing, etc.

Response

These types of incidents normally are considered to require only a Stage 1 Alert with minimum potential for escalation.

ANNUAL REVIEW

The Command staff will review this manual and the plans contained within this manual annually.

PRO-24-2-1 MASS ARRESTS

To expedite the handling and processing of arrests, a field booking facility will be established. Location Criteria:

* 1. The facility should be located out of sight of the scene of the mass arrest.
  2. The facility should be large enough to accommodate the anticipated number of prisoners, all processing procedures and the storage of necessary supplies.
  3. If transportation to jail is not immediately available, food, shelter, warmth, toilet facilities and security of the prisoners will be required.

Staffing of Field Booking Facilities:

1. Arresting Officer
   1. The arresting member will deliver the secured arrestee along with any relevant evidence to the field booking facility, giving Miranda rights warning.
   2. The member shall stand with the prisoner to have a picture taken. The arresting officer shall then write a brief paragraph, which states the reason for the arrest and make every effort to identify the prisoner. The member shall, on citable offenses, sign a uniform citation and return to field duty.
   3. The member shall search the arrested person and secure personal property and/or evidence in a secure envelope and/or bag and complete the evidence report form.
   4. The member shall return to field assignment as soon as possible.
   5. After completing all of the duties concerning the incident, the member shall return and complete a detailed offense report on each person arrested.
2. Field Booking Officer
   1. The booking officer shall use an instant or digital camera to photograph the prisoner and arresting member together with any evidence and property envelopes prominently displayed in the photograph. The complaint number shall be written on the envelopes in black pen large enough to be easily read.
   2. The booking officer shall affix the citation to the statement written by the arresting member, collect personal property from the prisoner, and complete any other necessary paperwork.
   3. The booking officer shall maintain control of personal property and evidence envelopes along with offense reports and identification pictures. The booking officer shall keep the field commander advised of the number and type of arrested persons processed.
   4. The booking officer shall maintain the prisoner in custody until released to the transportation detail. Unless the prisoner needs medical attention. In that case, the booking officer will not accept the prisoner.
   5. The S.O. Van shall be used for transporting prisoners from a field booking facility.

Security at Field Booking Facility

* 1. The appropriate number of members shall be assigned to maintain exterior and interior security of the field booking facility.
  2. The security detail shall provide assistance to arresting members and those working in the field booking facility.

Court and Prosecutorial Liaison

In the event of mass arrests, or unusual occurrences the officer in charge will request a Prosecutorial Liaison to respond to the scene. The liaison will be available for legal counsel and to arrange special court proceeding if necessary.

Defense Counsel Visitations

During a mass arrest incident the first opportunity for a detained person to consult legal counsel is after the booking process has been completed at the County Jail.

PRO-24-2-2 BOMB INCIDENTS

It is the policy of the Sheriff’s Office to handle each incident as an actual bombing attempt until such time as sufficient evidence exists to the contrary.

When a bomb threat is received by dispatch, the shift supervisor will immediately be notified by telephone. The shift supervisor will determine the method for notifying police units of the incident. No radio transmissions will be made in the vicinity of bomb area.

The Shift Supervisor or first responding member will contact the person in charge of the premises and provide assistance by the explaining the options available:

* 1. Evacuation
  2. Search by key employees and/or police
  3. Do nothing

Unless information has been received as to the specific location of an explosive device, the search should be conducted from the outside in. An inside search is suggested to begin from the lowest level and working up.

The finding of a suspected explosive device leads to a need for further and immediate action:

* 1. No one will move or touch the suspected device
  2. A bomb squad will be called
  3. Evacuation will begin immediately
  4. Fire Department will be notified by telephone
  5. Utilities should be shut off

PRO-24-2-3 HAZARDOUS MATERIAL INCIDENT

It is the policy of the Sheriff’s Office that evacuation of potential victims shall be considered the highest priority.

Upon receiving information that a hazardous material incident has occurred, the Shift Supervisor or responding member will respond to coordinate with the Fire Department and other agencies. The prime responsibility is to establish a perimeter around the site large enough to eliminate the possibility of exposure to citizens and Sheriff’s Office personnel

PRO-24-2-4 CLANDESTINE LABORATORIES

It is the policy of the Whitman County Sheriff's Office to set forth guidelines for members in situations where those members are dealing with clandestine laboratories and/or hazardous materials associated with clandestine laboratories.

Members of the Whitman County Sheriff's Office will minimize their exposure to clandestine laboratories and/or hazardous materials at all times.

The site, location and/or structure is considered a crime scene only until such time as all occupants and others are taken into custody or moved to a safe location.

Once the site, location and/or structure have been cleared of people, we will consider it a hazardous material site. The shift supervisor will notify a representative of the Quad Cities Drug Task Force.

*No employee of the Whitman County Sheriff's Office will knowingly enter a hazardous material site without prior approval from a staff member*.

No member of the Whitman County Sheriff's Office will touch or move; or cause any other person to touch or move any hazardous material, item, or substance discovered at a clandestine laboratory site, location or structure, unless outfitted and trained to do so.

PRO-24-2-5 ARMED ROBBERIES / ALARMS

Procedures for assignment of members in each robbery situation will be governed by the condition known to the radio dispatcher and responding members at the time of the call.

The responsibility, at the scene, will be assumed by the first unit to arrive, until relieved.

Members will not enter a building until the manager or person in charge has contacted them.

Except in those few cases, when the member’s supervisor decides that the building must be entered by members, members will take cover outside at assigned posts and attempt apprehension as the suspect(s) leave the building. Care must be taken to prevent the taking of hostages or the injury of hostages already taken.

POL-24-3 EMERGENCY MOBILIZATION PLAN

Reports and Communications

All Personnel shall have a primary responsibility to communicate all pertinent intelligence upward to the next higher levels of authority.

**Situation Reports:** A periodic progress report shall include the following information:

* 1. Current developments of the incident;
  2. Control measures implemented;
  3. Prognosis of the overall situation;
  4. Manpower and equipment needs, etc.

The information shall be included on Whitman County Sheriff's Office Memorandum and shall be forwarded and/or communicated to the Department Command Center at designated intervals.

Units responsible for situation reports are the Field Command Post(s), or any unit which has peculiar needs, that cannot be reported through the Field Command Post.

Command Staff will determine Alert stages.

Primary assembly area for any large-scale operation will be the Sheriff's office. Alternate assembly areas will be at satellite offices for the Sheriff’s Office unless otherwise specified by the Sheriff or Incident Commander.

Equipment distribution will be in accordance with the guidelines set forth in the Whitman County Emergency Services Plan.

The Sheriff’s Office supports and adheres to the Standard Incident Command System (I.C.S). All Sheriff’s Office supervisors are trained in the I.C.S. System. The I.C.S. Law Enforcement commander will be dependent upon the type and location of the disaster. Normally the law Enforcement I.C.S. commander shall be the Chief Law Enforcement Officer of that jurisdiction. The I.C.S. overall situation commander will be the Director of Emergency Services for Whitman County.

The I.C.S. Commander shall:

* 1. Establish a Sheriff’s Office Command Center.
  2. Evaluate and update Sheriff’s Office needs.
  3. Establish a Sheriff’s Office Staging Area to coordinate personnel and equipment for effective control of the incident.
  4. Order the use of special equipment.
  5. Coordinate communications with assisting outside agencies.
  6. Organize a critique at the completion of the Emergency Operation.

Key personnel designations will be determined on a case by case basis unless otherwise controlled by the Whitman County Emergency Services Plan.

Transportation assignments will be coordinated with the Whitman County Emergency Services Plan.

The Sheriff or their representative shall have the ultimate responsibility for command and control under Emergency Operations. As the Sheriff’s Office Commander, they are responsible for:

* 1. The issuance of appropriate instructions for the purpose of ensuring coordinated and effective deployment of personnel and equipment for control of the incident and for providing effective police services to the remainder of the County.
  2. The monitoring of police activities. (The coordination of the entire organization with outside agencies).
  3. The informing of higher authorities (County Commissioners, Governor, etc.) of police activities upon request or when appropriate.
  4. The constant evaluation of incoming information in order to keep apprised of the scope and direction of the incident.
  5. Requesting any necessary assistance from City departments, police agencies or other State, and Federal Agencies.
  6. The coordinating of police operations consistent with the Whitman County Emergency Services Plan.
  7. The review of requests and authorization for use of Special Equipment (whenever possible).

The Whitman County Emergency Services Division will determine emergency mobilization plan rehearsals.

EQUIPMENT INSPECTION

Any equipment maintained by the Whitman County Sheriff's Office that is designated for emergency operations will be inspected by the Undersheriff or designee on a monthly schedule for operational readiness.

EQUIPMENT STORAGE

Special equipment for civil disturbances is stored in the emergency equipment storage area for the Sheriff’s Office. Included in this equipment are additional protective masks, barrier vests and helmets. Personal batons, body armor vest and OC spray is kept with individual members.

Also stored in the emergency equipment storage area are general use Search and Rescue Equipment.

EMERGENCY OPERATIONS MANUAL

The portion of the policy and procedures manual relating to Unusual Occurrences and the Whitman County Emergency Services Plan will be reviewed annually by the Command Staff of the Whitman County Sheriff's Office.

POL-24-4 EMERGENCY MOBILIZATION PLAN / MUTUAL AID AGREEMENTS

The use of outside agencies will be consistent with state and federal laws, as well as negotiated Mutual Aid Agreements.

Other County Sheriff and City Police Agencies

Upon initiation of an emergency situation requiring mutual aid, the Sheriff or their representative will request that the ranking officer in charge of the Other Agency confer with the I.C.S. Commander in order to determine the mission of their personnel consistent with the mutual aid agreement then in effect.

The I.C.S. Commander will ensure that a Whitman County Sheriff's Office advisor is assigned to assist the Other Agency with their mission.

Washington State Patrol

Upon initiation of a response requiring assistance from the Washington State Patrol, the Sheriff or their representative, will request that the Washington State Patrol ranking officer, confer with the I.C.S. Commander to determine that the mission of the Washington State Patrol personnel is consistent with the Mutual Aid Agreement then in effect. The I.C.S. Commander will ensure that a Whitman County Sheriff's Office advisor is assigned to assist the Washington State Patrol with their assigned mission.

Washington State National Guard

The Sheriff shall have the sole authorization for and shall forward all requests for assistance and/or aid from the government of the State or any other State or Territory of the United States to the Governor of the State of Washington. Such requests will normally be forwarded from the Sheriff through the District Duty Officer of the Washington State Patrol, to the Washington State Patrol, to the Washington State Patrol Commander in Olympia, who contacts the Governor.

When State National Guard Troops are assigned to an area within the county for the purpose of assisting in preserving law and order and/or the protection of life and property, they will be under the command of, and directly responsible to, their military commanders. The authority of the Sheriff or any other Sheriff’s Office commanders will not extend to such troops. However, the Sheriff or their representative will advise the military commanders as to the specific needs of the County, recommending areas in which the military can most appropriately be used to restore order in support of the civil authorities.

Intervention by Federal Troops

In cases of intervention by Federal Troops, the military commander will cooperate to the fullest extent with the Governor or other local and state authorities and forces unless such cooperation interferes with the accomplishment of their federal mission. Military personnel assigned to a problem area may recognize the authority of the Department Field Commander and assist in mutually restoring the area to normalcy, or if circumstances warrant, the Military Commander may assume sole command of the area. Officers of the Whitman County Sheriff's Office will cooperate with the military forces assigned.

CORRECTIONAL FACILITIES

Any response by the Whitman County Sheriff's Office to any neighboring correctional facilities will be governed by any Mutual Aid Agreement in effect at the time. The Whitman County Jail has procedures for dealing with emergency situations. The Jail staff defines the field division’s role. Primarily this would entail assisting Jail personnel with lockdowns and movement of prisoners.

SITUATION MAPS

Situation maps are located in the EOC and commanders’ offices.

MUTUAL AID REQUESTS

The Sheriff’s Office will provide assistance to any jurisdiction upon request and approval by a command level supervisor. The Sheriff’s Office has a Mutual Aid agreement pursuant to Chapter 89; Washington Laws of 1985 subsection 1 of section 7 with all other county agencies.

POL-24-5 COMMAND AND CONTROL

Field Command - Emergency Operations

A field command shall be established whenever an incident requires the response of multiple police units and/or an established incident command for the on-scene coordination of law enforcement activities.

Primary Responsibility

The Patrol Division shall retain the primary responsibility for the command and control of resources during emergency operations.

Chain of Command

The operational structure of the Sheriff’s Office may be modified during Emergency Operations. When necessary, a Field Command Post and/or a Department Command Center may be activated and staffed.

Whenever an incident requires the establishment of a Field Command, the Sheriff’s Office chain of command for line control of the incident will be as follows:

* 1. Sheriff
  2. Undersheriff
  3. Sergeant assigned to the scene of the incident
  4. Deputy assigned to the scene of the incident

Assuming Field Command

In an on-view situation or during the initial stage of an emergency incident investigation, the first officer on the scene shall assume and retain Field Command until relieved by a supervisor (Sergeant) or command level member.

Field Command Exception

The modification of the Sheriff’s Office's organizational structure for line control during an emergency situation does not supersede the Sheriff’s Office's established chain of command. This means that any command level member in the Sheriff’s Office's normal chain of command may assume command and responsibility for the police function at any time during the police emergency situation. When this occurs however, the Sheriff’s Office's Field Commander must be specifically informed that they have been relieved of their command and Communications and/or the Sheriff’s Office Command Post notified of the new Field Commander.

Presence of a Command Level Member at the Scene of a Police Incident

The appearance or mere presence of a command level officer at the scene of an incident shall not indicate their assumption of command. However, should this command level member issue orders and/or direct the activities of any members, they then automatically assume Field Command and must follow the procedure outlined under this policy. If this command level member wishes to remain at the scene in an advisory capacity to the Field Commander, they must not issue orders or direct the activities of members.

Field Commander - Authority

* 1. When the Sheriff or Undersheriff has personally appointed a Field Commander, this member will normally be relieved of command by only the Sheriff or Undersheriff.
  2. The Field Commander, regardless of rank, shall have complete authority and responsibility for conducting the field operations of the Sheriff’s Office for the duration of the emergency, or until relieved of command by only the Sheriff or Undersheriff.
  3. All members assisting in, or assigned to, the involved area shall be subject to the direct command and supervision of the Field Commander.

PRO-24-5-1 RELIEVING THE FIELD COMMANDER

* 1. When the Field Commander is physically or mentally unable to perform his/her duties, members of equal or junior rank may relieve the Field Commander by identifying themselves, and informing the Field Commander of their intentions.
  2. Whenever feasible, the member who plans to relieve the Field Commander shall communicate their reasons and intentions to the Sheriff or Undersheriff prior to initiating such action.
  3. Whenever a Field Commander is relieved as indicated above, the member who assumes Field Command must be prepared to substantially justify their actions.

PRO-24-5-2 DEMOBILIZATION

At the completion of any major incident, the Sheriff or his designee will determine the manpower requirements for Post-Incident duty and issue the order releasing any surplus personnel.

* 1. Members released from duty shall check out with their field/incident supervisor before going off duty.
  2. Members who remain on extended duty shall be released by their field/incident supervisors at the completion of their assignments.
  3. Field/incident supervisors shall keep a record of the names of members assigned to them during the incident, including the times they reported and/or were released from duty. These records shall be delivered to and tabulated by the Field Commander after the incident has ended.
  4. An after-action report will be completed by the incident commander partially based upon incident reports from involved members.

PRO-24-6 SEARCH AND RESCUE OPERATIONS

THE SEARCH

On calls that deal with lost persons and a supervisor is not working, the Sheriff, Undersheriff, or a call-out supervisor shall be notified immediately. The notified supervisor will make the determination, based upon all the facts available, as to when or if a search is to be conducted. In all cases, a lost person report will be completed. A deputy will be sent to contact the reporting party, if this is not feasible, i.e., the reporting party is calling from out of the area, communications may be the primary point of contact or source for information regarding the lost person. Otherwise a deputy will be dispatched or will telephone and he/she will complete a lost person report. The notified supervisor will be continually updated. All “missing persons” calls shall be thoroughly and promptly investigated prior to conducting a fully operational search and rescue mission. The Supervisor, Sheriff or Undersheriff will determine the urgency of the search and what resources are to be used. According to RCW 38.52.400 (1) The chief law enforcement officer of each political subdivision (Sheriff) shall be responsible for local search and rescue activities.

Initial response teams should make the first response. If the initial response teams are unsuccessful after 4 to 16 hours, Search and Rescue should be called upon to respond and a full search initiated. When it is clear that local resources may not be adequate a mission number should be requested.

**INITIAL RESPONSE TEAMS:** Are to go to point last seen (PLS) and run trails, drainages and ridges, and confine the search area to look for clues as to the subject’s location and direction of travel. Initial response teams are to be prepared to spend 24 hours in the woods without re-supply. IRT’s shall respond to known locations, places of interest or places where the missing person is believed to frequent. All locations shall be physically contacted/searched by the IRT’s during the initial response period.

**ROAD UNITS:** Are to drive the roads to determine if the subject of the search crossed the road and to help confine the search area.

**TRACKERS:** If used separately from the Initial Response Team, they are to locate tracks to determine the direction of travel and tread design. In most cases, trackers are mixed with the initial response teams.

Once the search progresses past the first response stage, a Base will be set up and a trained search manager will direct the search.

**MISSION NUMBERS:** SAR Mission Numbers should be requested once the initial search has been elevated to a long term search and rescue operation, which should be determined by the Sheriff/Undersheriff or Supervisor. Working in conjunction with The Emergency Operations Director for the County and the State Department of Emergency Management, a Mission Number should be requested prior to the utilization or request of assistance from “non-local” outside agencies. In all cases where a mission has been established The Sheriff will have control of the SAR Mission and will establish a “unified command” with other participating agencies and organizations in compliance with NIMS.

CHAPTER TWENTY-FIVE

INTELLIGENCE

POL-25-1 INTELLIGENCE

The intelligence process involves the collection, evaluation, collation, analysis, dissemination and review of intelligence information. The Sheriff’s Office will comply with RCW 10.97, and the following guidelines shall be adhered to with regards to the intelligence process.

Anytime that intelligence is gathered a complaint must be made and a report reflecting the Intelligence must be submitted. This complaint should be for Criminal Information.

This report shall be labeled "Intelligence" for type of report. Neither this report nor any information on it will be placed into any standard computer system. The reports and case files for "Intelligence" shall be kept separately from other Sheriff’s Office reports and records. These reports will be reviewed by the Records Manager annually and any report with no activity or updates will immediately be removed from the file and destroyed with an 'Intelligence log' entry stating that this file was destroyed. After two years, this file must have been added to a standard case file for an active investigation or it will be destroyed regardless of the number of updates.

The Records Division will keep an 'Intelligence Log' with all complaint numbers and status of each. When a file is destroyed or transferred it will be noted in the Log. No member shall collect or store derogatory or damaging information about individuals, groups or associations solely by reason of who they are, their position of prominence or merely because it is 'interesting’.

This policy, dealing with intelligence, is a public document and is available for review upon request of any person.

The political or religious beliefs or preferences of any individual, group or organization are not the concern of the Sheriff’s Office. The Sheriff’s Office is not interested in or involved in collecting data concerning the personal habits, preferences and associates of any person acting either individually or through a group or organization, unless they are directly related to the Sheriff’s Office’s mission.

However, the activities of various groups and individuals are of legitimate interest to the Sheriff’s Office when there is substantial possibility that they will result in present or future criminal activity.

Sheriff’s Officeal intelligence gathering functions will not interfere with the exercise of constitutionally guaranteed rights and privileges. Only that information which is directly and immediately related to the police mission will be collected.

POL-25-2 INTELLIGENCE GATHERING

GUIDELINES

Information may be collected by any member of the Sheriff’s Office. Collection involves initial gathering of intelligence and collection of raw information. Initial collection of information is not considered intelligence. The data produced as a result of collation, evaluation, comparison and analysis is considered intelligence.

Intelligence data shall not be collected by any member of the Sheriff’s Office on person(s) merely on the basis that such person supports unpopular causes; nor, on the basis of ethnicity or race; nor, on religious and/or political affiliations.

No member of this Sheriff’s Office will engage in any illegal activity in collecting intelligence information; nor will any member employ or direct another to engage in the collection of intelligence information through illegal means.

Information will be submitted to the Undersheriff or his designee. After reviewing the information, he will see that a file number is assigned or a case number used to cross-reference the information already existing in the file.

The information will be evaluated. That information found to be accurate and requiring immediate follow-up shall be assigned for investigation. The originating member shall be advised of the assignment. Information that is accurate and does not require immediate attention will be assigned as caseload permits. Information that does not require follow up will be filed by the Undersheriff or his designee.

POL-25-3 VERIFIABLE CRIME INFORMATION

This is the first step in translating raw information into intelligence type information. Collation is not merely the bulk gathering and filing of everything a collection effort produces. Where criminals interrelate and the result of the collation process demonstrates that modus operandi (MO's) are developing; the MO's then become the basis for predicting activities of criminal groups. Forecasting allows strategic planning which offers the opportunity of law enforcement interception. Only verifiable crime related information germane to the mission and objective of the unit is retained.

Intelligence files will be retained for a period of up to two years. These files will be reviewed annually.

FILES

The Undersheriff or their designee will verify the information, subject, business or corporation if not already indexed in file(s). The information will be filed with the proper cross-reference to specific criminal activity.

There will be no general criminal information or information that is considered in the public domain in the intelligence files. Information that is questionable with regards to intelligence confidentiality will be reviewed by the Undersheriff.

POL-25-4 ANALYSIS

The Undersheriff or designee will formulate a hypothesis summarizing the intelligence information. This will be a tentative statement believed to describe the activity under review. It will be based on the information at hand and the result of all available resources at the time. The statement must be flexible enough to allow change to accommodate new information or to be abandoned or expanded as new information presents itself.

SECURITY

The Intelligence files that are maintained by the Sheriff’s Office will be kept in locked file cabinets. The individuals that are authorized to access these files include the Sheriff, Undersheriff and any specifically named designee.

DISSEMINATION

The primary purpose of dissemination is to provide a professional report or outline to staff, command staff or other law enforcement agencies where it may be used. All information that is distributed shall clearly state to its recipient how current the information is, and how reliable and valid this agency believes it to be. The dissemination of information from the files will be determined by the purpose of the request and the need to know, and right to know the information. All distribution shall be noted in the proper log in accordance with RCW 10.97.

POL-25-5 ANNUAL REVIEW / EVALUATION

The purpose of re-evaluating is to determine the validity and current status of information kept in intelligence files. The Undersheriff or their designee shall review all information in intelligence files annually. Information in the files shall be classified as active, inactive or to be purged. Active information consists of that which is currently being investigated, inactive consists of information that requires no further follow up and is closed or pending until further information becomes available. Information to be purged is that which is no longer accurate, relevant or useful for follow up activity.

The Undersheriff will certify with a clerk/witness the purging/destruction of intelligence files that are not appropriate for regular Sheriff’s Office records storage. The purging/destruction shall be entered by date on the Intelligence File Log with the Undersheriff’s and the clerk/witness’s initials.

REGULATIONS

There will be no harassment or interference with any lawful political activity as part of the intelligence operation.

Personnel shall not reveal or discuss any processed subject matter related to activities or divulge any specific information or intelligence data to any person, except those authorized to legally receive the information on a need to know basis.

CHAPTER TWENTY-SIX

INTERNAL AFFAIRS

POL-26-1 INTERNAL AFFAIRS COMPONENT

The object of Internal Affairs is to assure that the enforcement of the policies, procedures and directives of the Sheriff’s Office shall be uniformly, fairly, impartially applied to every member regardless of rank or division.

If the Undersheriff determines that the allegations warrant suspension without pay or discharge, he will then assign the investigation to a supervisor/administrator who will act under the direction of the Undersheriff. All reports, notes and other records of the investigation upon completion will be turned over to the Undersheriff, who will maintain all records for internal investigations.

Complaints against a member of the Sheriff’s Office will fall under the following categories:

1. Criminal
2. Disagreement in judgment, attitude or other concern of a supervisory nature.
3. Violation of Sheriff’s Office policy and/or procedures and/or directives.

All Internal Affairs Investigations are kept confidential and will not be discussed by members of the Sheriff’s Office with any other person that is not directly involved in the investigation.

RESPONSIBLE INDIVIDUAL OR POSITION

The Undersheriff is responsible for the internal affairs function of the Sheriff’s Office and has the authority to report to the Sheriff any findings based upon any internal investigation. In the event that the Sheriff or Undersheriff become subject of an internal investigation that may become criminal, the Prosecutor will be advised and coordinate the investigation.

POLICY DISSEMINATION

The policy on internal affairs investigations and any procedures or directives and updates to this manual relating to internal affairs will be disseminated to all personnel.

**INVESTIGATION**

Refer to **Chapter 16 - Disciplinary Procedures**

**COMPLETION**

Upon completion of the review of the allegations in a complaint, the matter will be classified as:

1. **Exonerated**- the alleged conduct occurred but it was lawful and proper;
2. **Unfounded**- the complaint was false or unfounded;
3. **Not sustained**- there was insignificant evidence to prove or disprove the allegation;
4. **Sustained**- the allegation was supported by proper and sufficient evidence.

PRO-26-1-1 SUSPENSION WITH PAY

A member may be suspended with pay pending an internal investigation if it is determined that the member should not remain in the workplace for any reason. While suspended with pay a member is not off-duty during scheduled working hours.

Any member accused of, or charged with, a crime will have the same rights as any other citizen. The member may be suspended pending the outcome at the discretion of the Sheriff.

CHAPTER TWENTY-SEVEN

PUBLIC INFORMATION AND COMMUNITY RELATIONS

POL-27-1 PUBLIC INFORMATION

The Sheriff or his designee is responsible for all press releases.

PRESS RELEASE

Frequency of press releases will be decided by the Sheriff as well as the subject matter and the recipients representing the media. Normally this is a daily function. In the absence of the Sheriff, the Undersheriff and/or his/her designee will be responsible for making press releases.

RELEASING INFORMATION

The Sheriff and the Undersheriff and/or their designees are the only persons within the department that will make any press releases at any time.

MEDIA ACCESS

The media will have access to the police barricades at any major scene. However, going beyond the police barricade will be at the sole discretion of the Sheriff and/or Undersheriff.

Members will treat representatives of the press and broadcast media in a courteous and professional manner. Any request by the media for information or access to restricted areas will be referred to the Sheriff or Undersheriff.

BOOKING AND COMPLAINT INFORMATION

The news media shall have access to the current booking logs and complaints, except complaints marked for 'No News Release' and those that are titled 'Criminal Information’. These complaints will not be put on the complaint board.

PRO-27-1-1 PRESS RELEASES

Except in cases of routine day to day press briefings, the Sheriff or his designee will make press releases on major incidents to those press recipients listed in PRO-27-1-2.

The public has a legitimate interest in what generally goes on in the community and about threats to its safety and measures aimed at assuring security. With that in mind, press releases can include:

* 1. The general nature of the charge
  2. Information contained in the public record
  3. That an investigation is in progress, the general scope, and except when prohibited by law the identity of persons involved
  4. Requests for assistance in obtaining evidence and information
  5. A warning of danger concerning the behavior of a person involved when there is reason to believe that there exists the likelihood of substantial harm to an individual or to the public
  6. The identity, residence, occupation and family status of the accused
  7. Information necessary to aid in apprehension of the accused
  8. The facts, time and place of arrest
  9. The identity of investigating and arresting officers and length of investigation

The following types of statements need to be avoided when giving any type of press release:

* 1. The character, credibility, reputation or criminal record of a suspect
  2. The existence or contents of a confession, admission or statement given by a suspect or their refusal to give a statement
  3. The results of any investigative examinations or tests
  4. Any opinion as to the guilt or innocence of any suspect
  5. Credibility of any witness
  6. Any other information that you should reasonably know could be detrimental to the investigation and prosecution of the case

PRO-27-1-2 PRESS RECIPIENTS

On normal day to day business, various press organizations call the Sheriff or his designee and are given the information requested within our guidelines. For press briefings on major incidents in our area the following are contacted:

NEWSPAPERS

PULLMAN mOSCOW DAILY nEWS

lEWISTON tRIBUNE

sPOKESMAN rEVIEW

wHITMAN cOUNTY gAZETTE

RADIO

KCLX

KHTR

KQQQ

KMAX

KRPL

TELEVISION

KHQ-6

KREM-2

KXLY-4

POL-27-2 COMMUNITY RELATIONS

The Sheriff is responsible for the community relations function in the department and for the coordination of programs such as D.A.R.E., Block Watches, etc.

Each member of the department is responsible for community relations as they come up in their daily public contacts.

ON-GOING CRIMINAL INVESTIGATIONS

Any releases on on-going criminal investigations will again be made by the Sheriff and/or Undersheriff. Any information released will not be of a nature to jeopardize or hamper the investigation. PRO-27-1-1 will be adhered to with on-going investigations. Care should be taken not to release any information that could potentially cause harm to any person or jeopardize a court case or informant or the identity of any underage victims.

CHAPTER TWENTY-EIGHT

VEHICLES

POL-28-1 VEHICLE POLICY

Refer to Chapter 21, POL-21-7 and POL-21-8 regarding routine emergency and pursuit operation of vehicles.

EMERGENCY OPERATION TRAINING

No member of the department may participate in the operation of any patrol vehicle in a police response capacity, until they have successfully completed emergency operation training. This training is completed at the Basic Academy and/or the Basic Reserve Academy.

VEHICLE SECURITY

Members will secure their vehicles and associated equipment when not in direct attendance.

UNAUTHORIZED PASSENGERS

Members will not transport persons in county vehicles unless it is in connection with department business or authorized by a supervisor.

IDENTIFICATION REQUIRED

When operating a department vehicle, on or off duty, while in civilian clothing, sworn members will be armed with an approved weapon, carry department identification and a protective vest.

PRO-28-1-1 ACCIDENTS INVOLVING SHERIFF'S OFFICE VEHICLES

When a county vehicle is involved in an accident, members of the department will render assistance to any victims and notify a supervisor immediately. Members will not move, or allow to be moved, any of the involved vehicles until the accident investigation is complete or they are directed to do so by a supervisor or an investigating officer.

A member involved in any accident will not make any statements to anyone regarding who was at fault.

If the damage to the vehicle is over $1000.00 the member or notified supervisor will attempt to have an outside agency complete the appropriate accident report/investigation. On any accident that a member is involved in, whether damage results or not, the member will notify a supervisor and complete an incident report.

Members have the **duty and responsibility to *actively* drive defensively*.***

POL-28-2 VEHICLE CARE

Members issued or operating a county vehicle will be responsible for the care, and cleanliness of the vehicle. When going off shift, or using the vehicle for the last time on shift, the vehicle will have a half tank or more of fuel. Exceptions to this are unassigned vehicles, which will always have a full tank of fuel.

Members issued county vehicles are responsible for routine care of that vehicle. Routine care of all other vehicles will be the responsibility of the assigned designee to which the vehicle is issued.

All vehicles will have the oil changed and be lubricated every three thousand miles.

Wheel bearings, transmission and other drive-train parts will be inspected and/or serviced every twenty thousand miles.

If any major repairs are needed, the member responsible for the vehicle will notify a supervisor, detailing the exact problem. The supervisor will immediately take the appropriate action for repair of that vehicle. If applicable, Public Works (ER&R) will be notified prior to any repairs.

PRO-28-2-1 VEHICLE EQUIPMENT

Assigned vehicles will be equipped with the following equipment:

* + 1. Fire Extinguisher
    2. First Aid Kit
    3. Flashlight
    4. Radio
    5. Traffic Safety Equipment
    6. Camera
    7. Standard Investigative Supplies
    8. Biohazard Kit
    9. Other Items as Required by the Department

It is the responsibility of the member to ensure that these items are in the vehicle and in good working order.

* + 1. Unassigned vehicles will be equipped with the following:
    2. Radio
    3. Fire Extinguisher

The assigned designee is responsible for maintaining these vehicles and the above equipment. All vehicles will be maintained in a neat and clean condition. No member will use a county vehicle for personal use.

PRO-28-2-2 TOWING AND ALTERATIONS

Members shall not alter any portion of a county vehicle without prior approval by a supervisor.

When a county vehicle becomes disabled, a supervisor will immediately be notified. He/she will determine whether a vehicle should be towed or any other arrangements should be made. Under emergency situations, the member may have to make that determination if a supervisor is not available.

CHAPTER TWENTY-NINE

TRAFFIC ADMINISTRATION

POL-29-1 TRAFFIC FUNCTION

It shall be a normal practice for the Whitman County Sheriff's Office field members to assist the motorists within the boundaries of Whitman County through, but not limited to, enforcement of the Traffic Laws of the State of Washington.

CRIMINAL CITATIONS

Upon issuing a criminal citation, the member shall obtain a complaint number from the communications officer. The traffic complaint shall be routed as other complaint reports are filed.

NOTICE OF INFRACTIONS

The Notice of Infraction (NOI) need not be accompanied by a report. All information giving the P.C. for stop, etc. shall be attached to the NOI. The NOI shall be filed with the records division. Traffic data is maintained by the Records Division.

CONTENTS OF TRAFFIC RECORDS SYSTEM

* 1. Citations and Notice of Infractions are filed with the appropriate Court; all other traffic related complaint reports are maintained in the records department.
  2. Retention of traffic information will adhere to State guidelines and the procedure to purge outdated information as established.
  3. Release of any information will follow the Public Disclosure Laws. A fee has been established for the release of traffic accident reports and photographs.

TRAFFIC REPORT REVIEW

Traffic reports will be submitted to the records division which will forward them to a supervisor for review.

CHAPTER THIRTY

TRAFFIC LAW ENFORCEMENT

POL-30-1 TRAFFIC LAW ENFORCEMENT

Members will work to insure traffic safety within the bounds of Whitman County. This will be done through the enforcement of the traffic laws and traffic accident investigations, including the use of physical arrest, citations, notice of infractions and written or verbal warnings.

Members initiating enforcement action pertaining to traffic violations in their sound discretion in accordance with RCW Title 10 and 46 may utilize the following options:

**VERBAL WARNING** -- May be appropriate when the violation is minor in nature and/or a unique situation.

**WRITTEN WARNING** -- May be issued for violations involving defective equipment. The violator may later be cited for non-compliance with the written warning.

**NOTICE OF INFRACTION/CRIMINAL CITATION** -- May be issued for any violations of the law. Violators issued citations will be informed of the specific charge, amount of bail and whether court is mandatory, court date and location of court.

**PHYSICAL ARREST** -- Officers may affect a physical arrest for traffic violations which are criminal in nature. The basis for physical arrest of a suspect for criminal traffic matters remains the same as any other physical arrest.

POL-30-2 INFORMATION PROVIDED TO VIOLATORS

1. On all criminal citations the word "MANDATORY" shall appear in the bail section.
2. Bail is set by the Court for all criminal violations, and a plea may be entered at the time of Arraignment; on notice of infractions court appearance is not mandatory; the violator must respond within 15 days, by either appearing in court or forfeiting bail, which may be submitted by mail. The bail section of the Notice of Infraction shall be completed with the appropriate dollar amount.
3. Violators will be advised of the reason for the stop, and will be provided the appropriate copy of the Citation or Notice of Infraction.

POL-30-3 CONTACT WITH VIOLATORS

Members shall perform traffic stops as prescribed in basic academy training. Members shall use appropriate interview techniques maintaining a professional demeanor when contacting violators, keeping in mind that the goal of the violator contact is to change the inappropriate behavior and not to punish the violator.

When stopping traffic violators, deputies shall attempt to adhere to the following procedures:

1. Deputies shall attempt to select a safe area for the stop, taking into consideration the safety of the Deputy, violator, passing pedestrians and vehicles and to allow the unrestricted flow of traffic.
2. Deputies shall attempt to complete all radio communications prior to the stop, minimally giving dispatch their location and the violator vehicle license number if practical.
3. Deputies shall use appropriate techniques for signaling the violator to stop, keeping in mind the violation, the time of day and the environment.
4. Deputies shall position their patrol car to protect themselves, the violator and the violator's vehicle from the normal flow of traffic.
5. Deputies shall use appropriate emergency equipment to adequately alert other drivers of the police presence.
6. Deputies shall approach the violator's vehicle utilizing accepted survival techniques, paying particular attention to traffic flow, violator vehicle interior and the violator actions.
7. Deputies shall attempt to position themselves in a tactically sound location as circumstances dictate.
8. Deputies shall use appropriate interview techniques when contacting violators, keeping in mind that the goal of violator contact is to change driver behavior and not to punish or belittle him/her.

POL-30-4 SPECIAL GROUP VIOLATORS

**NON-RESIDENTS** -- Violations committed by non-residents will be handled in the same manner as residents.

**JUVENILES --** Violations committed by Juveniles will be handled in the same manner as Adults, except those under the age of 16 who will be referred to the Juvenile Court. Criminal traffic violations for Juveniles age 16 to age 18 (an adult is a person that has reached their 18th birthday) shall be referred on an intake form as well as the citation; non-criminal traffic violations shall be by notice of infraction only.

**LEGISLATORS --** Legislative immunity is governed by Article II, Section 16 of the Washington State Constitution. This Article states that, members of the Legislature shall be privileged from arrest in all cases except treason, felony and breach of peace. They shall not be subject to any civil process during the session of the Legislature nor for 15 days next, between the commencements of each session.

**FOREIGN DIPLOMATS AND CONSULAR OFFICERS** -- Foreign Diplomats and consular officers will be immune from traffic violations except DUI and Reckless Driving. Upon stopping, and properly identifying themselves, they will either be transported to their destination or contact made with their parent organization to provide transportation.

**MILITARY PERSONNEL** -- Military personnel will be handled in the same manner as residents with the exception of booking. If a military person is booked on traffic charges, the Military Police will be immediately notified.

POL-30-5 RECORDS / TRAFFIC CITATIONS

It will be the responsibility of the Records Department to process all incoming traffic information. Traffic violation information will be logged as directed by the State Auditor with one copy being maintained in the department.

Each member signs a check-out slip when issued a traffic citation book and is responsible for those citations in that book. The Sergeant or Records Personnel check out the traffic books. Records maintain a list of incoming citations and each citation is recorded by number.

After issuance to a violator, no member will void any citation.

POL-30-6 SPEED MEASURING DEVICES

**1.** Radar units shall be used in accordance with the manufacturer’s instructions.

* 1. Calibration verification will be done when placing the unit in service, in accordance with the manufacturer’s instructions.
  2. Prior to operating a radar unit members shall be trained and certified by a certified instructor.
  3. All radar units will be serviced by a certified radar technician once every three years to assure the proper working standards of the unit.

POL-30-7 EMERGENCY EQUIPMENT

Refer to Chapter 21.

Members will initiate the traffic stop with emergency lights. If the violator has not stopped within a reasonable amount of time the officer may activate siren.

CHAPTER THIRTY-ONE

TRAFFIC ACCIDENT INVESTIGATION

POL-31-1 TRAFFIC ACCIDENT INVESTIGATION

The Washington State Patrol is the primary investigative unit on all vehicular homicide, vehicular assault, fatality and major injury accidents on State Roads. Members of the department may assist with the investigation of these accidents.

Members are responsible for investigating all traffic accidents on County Roads.

Members shall thoroughly investigate property damage accidents unless the accident occurred on private property. Injury accidents and DUI accidents on private property will be investigated and reports prepared.

Hit and run accidents shall be investigated by members of the department. If property damage is less than $1000.00, a State Accident Report need not be completed, however, a complaint number shall be obtained and an incident report completed.

All traffic accidents involving alcohol or drugs will be investigated and appropriate enforcement action taken.

In accidents involving hazardous materials, the nearest ambulance and fire department will be requested. The hazardous materials should be identified, if possible, and the information relayed to the fire department, hazmat, ambulance, and the Washington State Patrol.

When investigating an accident involving a disturbance between principles, the drivers shall be separated and interviewed. The member shall take enforcement action as necessary.

Appropriate and reasonable manpower shall be allotted for traffic control of congestion at accident scene. Towing of disabled vehicles shall be alternated between the authorized towing companies, unless the driver expresses a towing preference

Enforcement actions subsequent to traffic accidents may be in the form of citations issued at the scene or mailed to the violator after the investigation is complete.

POL-31-2 TRAFFIC ACCIDENT REPORTS

Members must complete a police traffic collision report on all reportable accidents as defined by the State of Washington.

Arrests as a result of a traffic accident require Incident reports to be completed.

TRAFFIC FATALITIES/VEHICULAR HOMICIDE

Whenever a traffic collision results in death, or there is reasonable cause to believe that injuries sustained are likely to cause death the responding member will notify the shift supervisor of the serious nature of the accident. The shift supervisor may take charge of the investigation.

The investigating member/shift supervisor has the authority to cause a thorough investigation that will include videotape of the collision scene, to include vehicles and occupants; still photographs; measurements; searches; statements; blood and urine tests and the activities of the driver(s) and others involved prior to the incident.

In the event of a fatal vehicular accident or a potentially fatal accident the Sheriff or Undersheriff will be notified.

Blood and urine tests will be requested and/or taken according to the current procedures.

MEMBERS RESPONSE

Members will respond to all reportable accidents as defined by R.C.W. 46.52.030, in addition officers will respond to all accidents where there is: death or injury, hit and run accidents, impairment of an operator due to alcohol or drugs; damage to public vehicles or property; a disturbance between the principals; major traffic congestion as a result of the accident; or where damage to the vehicle/vehicles involved require towing.

ENFORCEMENT ACTIONS

If an accident reveals probable cause to believe a traffic infraction or criminal violation occurred, the investigating officer may issue a citation to the violator(s).

PRIVATE PROPERTY

Members will investigate accidents on private property if it is public access.

POL-31-3 ACCIDENT SCENE PROCEDURES

Members arriving at an accident scene will first make the scene safe and check for injuries. If injuries are present, officers will render aid within their abilities until relieved by fire or medical personnel.

If a fire hazard or hazardous materials are involved, the officers will clear citizens to a safe distance and summon the Fire Department.

Accidents classified as "non-reportable”, which involve hazardous materials or fire, will be reported on an offense report.

In cases of hazardous materials, the member will contact Hazmat and the Washington State Patrol to be notified and secure the scene.

In all cases, upon arriving at the scene of an accident, members will check the scene for any persons (or evidence) that may have been thrown from the vehicle. This search will be as thorough as possible, including the shoulder of roadway and should include the assistance of fire or ambulance personnel when possible.

CHAPTER THIRTY-TWO

TRAFFIC DIRECTION AND CONTROL

TRAFFIC DIRECTION & CONTROL FUNCTION

Members of the Whitman County Sheriff's Office will perform the duties of traffic control and direction in times of emergencies, or special events to insure the safe and efficient movement of vehicles and pedestrians, as trained by the academy.

HIGH VISIBILITY CLOTHING

Members shall wear high visibility clothing when involved in traffic direction and control. This standard does not apply to emergency situations when such vests or clothing may not be available. High visibility vests are provided and located in every marked patrol vehicle.

ESCORT SERVICES

Escorting vehicles will be avoided whenever possible. With supervisor approval escorting funerals, dignitaries, oversized loads, etc. may be allowed. This is not the common practice of the department and care should be taken in these situations.

(SEE PRO-21-8-2)

ROAD BLOCKS

When non-emergency roadblocks are required, notification to the State Department of Transportation or County Road Department will be made.

CHAPTER THIRTY-THREE

TRAFFIC ANCILLARY SERVICES

POL-33-1 EMERGENCY ASSISTANCE

Members shall render emergency assistance to any motorist needing assistance on any roadway in the county or assist any citizen requesting assistance to the best of their resources and ability.

HAZARDOUS HIGHWAY CONDITIONS

Members shall report to the Dispatch Center, any hazardous road condition. If the condition is minor and the member can move the rocks or other items off the road they will do so. If that condition is major, the member will await the arrival of Road Department personnel to clear the hazard. Missing or downed road signs may be considered a hazardous condition.

Upon request of a member, Dispatch will notify the appropriate Road Department.

ABANDONED VEHICLES

Members locating abandoned vehicles shall first attempt to locate the owner. If an owner cannot be located and the vehicle is deemed to be a traffic hazard, the vehicle shall be impounded according to Washington State Law. Any vehicle being impounded as a result of being a traffic hazard shall be photographed as evidence of that hazard.

TOWING

Towing of vehicles shall only be done as a result of a vehicle presenting a traffic hazard or for safekeeping. Tow companies shall be requested on a rotating basis. Impound authorization forms shall be completed and presented to the tow operator. A copy of the Impound Authorization form shall be attached to the incident report, which will have an explanation for the impound. This report will be reviewed by the member's supervisor.

Communications (Dispatch) is to be notified each time that a vehicle is impounded with identification data.

Field members of the Sheriff's Office shall not request tow companies while assisting other agencies with incidents or accidents unless requested to do so by the agency.

HAZARDOUS MATERIAL CONTROL

Upon arriving at the scene of a Hazardous Material spill, the member will secure the area and notify the Washington State Patrol, Hazmat, and the Department of Emergency Management. The member will assist either the Director of Emergency Management or the State Patrol in establishing scene perimeters, access control points and traffic control points. The member will further assist the ICS commander until released.

Members should remember that these incidents may have deadly material and all incidents should be treated as though they do. Members need to refer to their issued Emergency Response Handbook and attempt to identify the substance, if safe to do so, for other responding emergency personnel. Members should remember to stay upwind of spills and park their vehicle in such a way for quick escape.

CHAPTER THIRTY-FOUR

POLICE INFORMATION

POL-34-1 RECORDS INTEGRITY

The records division maintains the records room. Prior to removal of any file or other record an indication shall be made of the date, time, and member removing a record.

WASHINGTON CRIME INFORMATION CENTER

The Whitman County Sheriff's Office is an active participating member of the Washington Crime Information Center, and the National Crime Information Center.

WANTED, MISSING & RUNAWAY PERSONS

Whitman County Sheriff's Office shall make every attempt to enter wanted or missing persons and runaway juvenile information into WACIC within 6 hours of receiving the information.

WASHINGTON UNIFORM CRIME REPORTING

The Whitman County Sheriff's Office maintains standardized reporting and classification of crimes for department statistics and comparisons with other agencies, as well as providing crime statistics for state and national levels.

The records division compiles UCR/WIBR reports for the Department.

Records personnel have installed here the Law Enforcement Information and Records Association and the GENERAL RECORDS RETENTION SCHEDULE which is incorporated into Policy and acts as Policy for all areas of records management unless stated otherwise in the Sheriff's Office Policy Manual. Anyone having any questions on retention schedules is to contact Records. Records information will not be released by any member of the department without going through the Records Division.

CHAPTER THIRTY-FIVE

EVIDENCE

POL-35-1 COLLECTION & PRESERVATION OF EVIDENCE

It shall be the duty of all members of the department to care for, control, process, and secure all evidence or property that comes into their possession in the course of their duties.

**EVIDENTIARY ITEMS**

Members obtaining items of evidentiary value or property in the course of their duties shall retain the items in their possession, placing the items in the evidence/property locker as soon as possible. **EXCEPTION:** Due to exceptional circumstances and then only on approval of a supervisor.

Evidence/property shall be gathered, labeled, packaged, and shipped in accordance with guidelines in the **Physical Evidence Handbook** prepared by the Washington State Crime Laboratory Division.

**DOCUMENTARY EVIDENCE** - checks, affidavits, bills, photographs, tapes, etc. shall be placed in the case file and secured in the records room unless otherwise directed by a supervisor or the type of evidence requires special handling, for example impression documents.

**PERISHABLE EVIDENCE** - perishable evidence that requires refrigeration or freezing to maintain its integrity shall be handled immediately. Members coming into possession of such perishable evidence shall notify the supervisor or property officer.

* 1. Members taking possession of blood/rape kits for analysis by the crime laboratory shall prepare the blood/rape kits for shipment. These kits will be placed into the holding refrigerator as soon as possible.
  2. Latent prints shall be treated as perishable evidence, and shall be prepared by the member taking possession of such evidence for shipment to the crime laboratory.

**LIVE EVIDENCE** - A supervisor will be notified prior to impounding any live evidence.

**PETS AND NON-PERISHABLE PROPERTY** - Pets may be impounded to a veterinarian's care at the owner's expense if no other arrangements can be made. Non-perishable property that is accepted for safekeeping will be limited to what can be transported in a patrol car, if no person can be found to take possession of the property. A signed release of liability should be obtained if property is left at an arrest location; providing the arrest location is not the arrestee’s property.

PRO-35-1-1 EVIDENTIARY ITEMS

NARCOTICS

Members will package narcotics separately from other items that are gathered as evidence with them.

EVIDENCE STORAGE

Narcotics, cash and expensive jewelry will be kept separate from other evidence within the evidence room. These items are high-risk items and will be placed in the evidence room under a separate lock system.

VEHICLES AS EVIDENCE

Vehicles that are gathered as evidence will be kept in a secure place, under lock and key.

OFF SITE INVENTORY

A complete inventory of the evidence room will be backed up into the departments networked computer system.

QUARTERLY AUDITS

The Undersheriff will complete a quarterly audit of the evidence room. This audit will include a minimum of spot checks of three items. The audit will also include the paper trail of these items.

POL-35-2 EVIDENCE CONTROLS

Members taking possession of evidence/property shall:

* 1. Mark each piece of evidence or the sealed container containing the evidence with at least,
     1. Item Number
     2. Complaint Number
     3. Property Card Number
     4. Indicate any ‘sharps’ or ‘biohazards’ on the evidence and the form.
  2. Complete the evidence/property form. All items collected will be listed on the property sheet.
  3. If more than one suspect is involved the property sheet will indicate the number and names of suspects.
  4. Place the evidence/property items and evidence/property form in the property locker.
  5. The property locker shall be secured. (closed and locked)
  6. Evidence/property items that are too large or numerous for the property lockers shall be secured in a manner prescribed by a supervisor or the evidence officer. A copy of the evidence/property form shall be placed in the door or a locker.
  7. List any items to be civilly seized on the property card.

POL-35-3 CHAIN OF EVIDENCE / PACKAGING

Members shall maintain the written chain of evidence, which is found on the reverse side of the evidence/property form. Evidence that is outside the control of the case/property officer shall be recorded by date, time and to whom the evidence was sent. Once the evidence is back in the control of the case/property officer, the date and time the evidence is received shall be recorded in the chain of evidence.

PACKAGING

Drugs, cash and jewelry will be packaged separately from all other pieces of evidence. Like type evidence that comes from different locations at the same scene will be packaged separately. Evidence from one scene will never be packaged with evidence from a different scene.

POL-35-4 RELEASE / DESTRUCTION OF EVIDENCE

It shall be the responsibility of the evidence officer to keep track of any evidence or property that is processed into the system. When a case is adjudicated, the evidence officer shall:

* + 1. Complete the necessary release of property form.
    2. Have approval from the prosecutor, if necessary.

This property will then be returned to the owner by the evidence officer or other officer as assigned by a supervisor. Every effort shall be made to contact the owner of the property. If the owner cannot be contacted the evidence officer shall complete a property notification letter and send this letter certified to the last known address of the property owner and submit a copy to the case file.

Non-returnable property will be disposed of by the evidence officer as follows:

* + 1. Contraband to be destroyed, which is burnable, shall be burned. The evidence officer may store burnable items until a sufficient quantity has been accumulated for destruction.
    2. Non-burnable items shall be placed in the trash after being rendered non-useable.
    3. Non-contraband items of no commercial value will be placed in the trash.
    4. Items may be retained for display as directed by the Sheriff or his designee.
    5. With the exception of death investigation property/evidence shall be destroyed or forfeited at the earliest date after the statue of limitations and with the approval of a command staff member on an evidence disposal form.
    6. Property with more than one defendant will not be destroyed and or forfeited without written documentation regarding all defendants from the recognized authorities; i.e., Prosecutor’s Office, Court of competent jurisdiction or command staff member.
    7. The above personnel is responsible for verifying the accuracy of the information on the disposition sheet and shall not destroy, return or forfeit property until the verifications have been made.

POL-35-5 EVIDENCE -- DUTIES OF EVIDENCE OFFICER

Duties of the department assigned evidence officer will be:

* 1. To store all evidence/property in a department secured evidence area.
  2. To keep accurate records of all property transactions and maintain an audit trail.
  3. To ship and receive narcotics evidence from the crime laboratory system.
  4. To dispose of evidence.
  5. To assist in the preparation for the sale of weapons and all other property in accordance with RCW 9.41.098 or RCW 62.40.

POL-35-6 AUDITS / SECURITY

It will be the duty of the Sheriff or his designee to conduct an audit of the records and property placed into evidence by the Whitman County Sheriff's Office. This will be conducted once a year at the discretion of the Sheriff.

SECURITY

The security of the evidence room consists of a locked door with only the Evidence Officer having a key. A sign-in sheet is to be signed by any officer each time they enter the evidence room.

CONVERSION OF PROPERTY

Members will not, under any circumstances, convert to their own or another’s use, loan or give away any item of property or evidence coming into their possession in the course of their duties. Members will not destroy or dispose of any evidence or property except as provided in procedure. The department may convert items for use as provided by law.

POL-35-7 THRESHOLD

Anytime any evidence with a value of $25,000 or more, or one or more pounds of narcotics, or 10 or more pounds of marijuana, is entered into evidence the evidence officer will immediately be notified. In addition the evidence officer will be notified anytime that gross biohazard evidence is collected.

**CHAPTER THIRTY-SIX**

POLICE COMMUNICATIONS

POL-36-1 CENTRALIZED DISPATCH -WHITCOM-

The Whitman County Sheriff’s Office uses Whitcom as its primary dispatch agency. Whitcom is governed by it own Policy and Procedure. WHITCOM sets forth rules and guidelines to be adhered to by all law enforcement agencies who subscribe to its services. Any time WHITCOM’s policy is in direct conflict with the Sheriff’s Office policy this matter will be addressed as soon as possible. Until such time, members will adhere to their own policies.

PRO-36-1-1 TELETYPE MESSAGES

It shall be the responsibility of the corrections officer to properly route a copy of all Teletype messages to the appropriate personnel.

PRO-36-1-2 WARRANTS

Out of County Warrants/Confirmation:

* 1. Call originating agency.
  2. Request Teletype or fax copy be sent to WCSO WA0380000 / 509-397-9192
  3. Locate warrant in ACCESS.

WARRANT RETURN PROCEDURE

Should the communications officer receive a “hit” on a subject, response shall be as follows:

* 1. **Felony Hit:**

Dispatch will advise the unit 10-13F (Frank), which says there is a felony warrant. Prior to arresting the subject, dispatch will confirm with the Field unit the warrant information.

* 1. **Misdemeanor Hit:**

Dispatch will advise the unit 10-13M (Mary), which says there is a misdemeanor warrant. Prior to arresting the subject, dispatch will confirm with the Field unit the warrant information.

WARRANT VERIFICATION PROCEDURE:

Upon receiving a "hit" from WACIC/NCIC the communications officer shall:

* + 1. Verify subject's name and DOB
    2. Check extradition area
    3. Determine the charge/bail/originating agency.

Communications officer shall confirm the warrant by calling the originating agency and requesting a Teletype copy or Faxage Copy.

POL-36-2 RADIO COMMUNICATIONS

Personnel numbers are assigned to each sworn member of all law enforcement agencies for radio communications.

Field members' vehicles are equipped with the local Car to Car and several additional frequencies.

All communication will be conducted in a business like manner using proper language and correct procedure. Transmissions are to begin with a pause to eliminate the possibility of clipping the first portion of the transmission.

Speak in a normal, distinct tone. Emotion tends to distort the voice and render it incapable of being understood.

The car to car frequency shall be used in a professional manner. Unnecessary conversation on this frequency, as well as any other, is prohibited.

PRO-36-2-1 MOBILE RADIO USAGE

The term "**stand by**" shall be used when a mobile unit is unavailable to receive radio traffic for a short period of time. When the receiving unit is available for the radio traffic, call-up will be re-initiated.

Mobile units shall keep the communication center advised of their "in and out" of service status.

Assignments from the communication officer shall be acknowledged without further comment unless additional information is needed.

Mobile units responding to a dispatched call will advise the communication officer of their arrival at the location.

Mobile units who receive a call from a radio communication officer shall respond by giving their unit radio number.

When mobile units are requested their status by a communication officer on the radio they shall give their location, and briefly state the nature of their activity.

Mobile units shall not argue with the communication officers.

PRO-36-2-2 DISPATCH USAGE

Before transmitting, arrange the information and listen on the frequency to be used, so as not to interfere with other stations or mobiles.

When transmitting on the LERN frequency, the communications officers shall identify themselves by their agency name. The mobile units shall identify themselves by their agency name prior to their mobile unit number.

When calling an outside city/county/state mobile unit or station, the mobile unit number must be prefixed by the appropriate city/county/state name.

Communications, both to and from, field units and the radio dispatcher shall be conducted in a businesslike manner, using proper language and correct procedures.

Violations of radio procedures or other causes for complaint from either the dispatchers or field units shall be reported to the complainant's supervisor and processed through the proper channels. Supervisors are charged with the responsibility of ensuring that all complaints and violations noted are fully processed.

PRO-36-2-3 COMMUNICATIONS TERMINOLOGY

When using the radio, phonetics will be used. Complete names will be given as LAST, FIRST and MIDDLE INITIAL.

Last names are pronounced, and spelled phonetically. First names are pronounced and spelled phonetically. Middle initials are stated phonetically.

Letters appearing in a sequence of numbers are stated phonetically.

The phonetic alphabet is provided below:

|  |  |
| --- | --- |
| A - Adam | N - Nora |
| B - Boy | O - Ocean |
| C - Charles | P - Paul |
| D - David | Q - Queen |
| E - Edward | R - Robert |
| F - Frank | S - Sam |
| G - George | T - Tom |
| H - Henry | U - Union |
| I - Ida | V - Victor |
| J - John | W - William |
| K - King | X – X-ray |
| L - Lincoln | Y - Young |
| M - Mary | Z - Zebra |

# All other phonetic alphabets including federal and military phonetics alphabets shall not be used and are regarded as improper radio procedure.

POL-36-3 PUBLIC SAFETY RESOURCES

The Whitman County Communication Center WHITCOM has access to Public Safety Resource Lists comprised of, but not limited to:

* + 1. All law enforcement personnel.
    2. All fire department contact personnel.
    3. All ambulance contact personnel.
    4. All federal and state contact personnel.
    5. All Whitman County contact personnel.

MISDIRECTED EMERGENCY CALLS

Upon receipt of any misdirected emergency calls, the officer shall patch the calls directly to the appropriate agencies.

MAPS

Maps of the primary service area and surrounding jurisdictions are visually available to the communications officers in the dispatch center.

PORTABLE RADIOS

Each member is furnished with a two-way hand-carried portable radio with the following minimum capabilities:

* 1. Multi-channel
  2. Compatibility with centralized dispatch.

POL-36-4 PHONE & RADIO RECORDINGS

WHITCOM possesses the capability for recording and immediate playback of all radio transmissions and all incoming telephone calls.

PLAYBACK OF RECORDED CONVERSATIONS

The Whitman County Sheriff's Office via WHITCOM has the capability of immediate playback of all recorded radio and telephone conversations.

RELEASE OF RECORDED MESSAGES

All local law enforcement agencies shall have access to recorded information from WHITCOM upon a written request from the respective agency's supervisor indicating the complaint or case number and date and time of occurrence. Upon receipt of such request, an electronic copy will be made available to the requesting supervisor. Audible review will also be available upon request.

POL-36-5 EMERGENCY POWER

The Whitman County Sheriff’s Office and Corrections Facility has an emergency generator capable of supplying adequate power to operate the entire facility, which is automatically activated upon loss of power.

CHAPTER THIRTY-SEVEN

COMPLAINTS AND REPORTS

POL-37-1 ACCOUNTABILITY FOR COMPLAINTS

HANDLING COMPLAINTS

While on shift, members will be assigned investigations/complaints from a number of sources including, communication, supervisors and field generated. Members will thoroughly investigate each complaint/investigation assigned to them. If members are unable to investigate complaints assigned to them, they will obtain authorization to pass these to the next shift or work them on their next shift.

Members will make every effort to handle all complaints that are assigned to them in a complete and competent manner and in a timely fashion. Members will be courteous, understanding and show concern for the victim and/or the victim's problem. Members will provide victims with the appropriate information for assistance available to them.

PRO-37-1-1 COMPLAINT REPORTS

Action By Dispatcher or other source

* 1. Gives the complaint information to the field member.

Action By Field M ember

* 1. Contacts dispatch and clears the complaint with the appropriate code as soon as the complaint is cleared.

Action By Dispatcher

* 1. If the dispatcher has an open complaint they will see that the complaint is cleared at the end of their shift. If the complaint is not clear, the off-going dispatcher is to advise the on-coming dispatcher of the complaint.
  2. Must advise a Field Division supervisor of the open complaint if a supervisor is available.

POL-37-2 INVESTIGATION RESPONSIBILITY

Members shall supply detailed reports of all investigations done. These shall include all data pertinent to prosecution and/or the successful conclusion of the case.

It will be the assigned members duty to follow-up each case or investigation to a successful conclusion in a timely manner.

MAJOR CRIMES INVESTIGATION

Members responding to major crime scenes or scenes that they reasonably believe will become major crime scenes will secure said scene and immediately notify a supervisor. These include, but are not limited to: homicides, forcible rapes, crimes with substantial monetary loss, armed robberies and assaults likely to produce death.

The Case Officer is normally the first member arriving on the scene of any complaint. In certain circumstances the first arriving member may not be the Case Officer.

Case Officer responsibilities include:

* + 1. All follow-up.
    2. Evidence processing and tracking.
    3. Coordination with other investigating agencies.
    4. Meeting with the responsible supervisor for case review.

SUPERVISOR'S RESPONSIBILITIES ON MAJOR CASES

The following are the supervisor's responsibilities:

* + 1. To notify and assign the appropriate personnel.
    2. To take command, provide direction and leadership at the crime scene.
    3. If necessary assign a Case Officer and assign primary duties to be accomplished.
    4. To support the assigned members in scheduling, logistics and follow-up.
    5. To review the case for compliance with policy and procedures and assure follow-up is assigned/completed.
    6. Meeting and case review with the Case Officer.

POL-37-3 REPORTS AND OTHER DEPARTMENT INFORMATION

A flow of accurate information is essential to the department's operation. For this reason members must accurately complete all required reports and forms. Because much of the information coming to the attention of the department is of a confidential nature, members will not divulge the contents of reports or records except as authorized. This is meant to apply to the Privacy and Security Act (RCW 10.97) and the Public Disclosure Law (RCW 42.17).

COMPLETION OF REPORTS

Members will complete all required reports and forms in a truthful, accurate, legible and complete manner. Members will submit them through proper channels in accordance with departmental procedure.

FALSIFICATION, DESTRUCTION OF RECORDS

No member will falsify, destroy, alter or remove, without authorization, any report or record from this department.

CRIMINAL HISTORY RECORD INFORMATION

All criminal history records will be kept confidential and secure. In cases where the law requires or allows disclosure, and such disclosure serves a legitimate law enforcement or public interest purpose, these records may be released.

DISCLOSURE OF CRIMINAL HISTORY

No member will release or disseminate any criminal history record information or official report except in a manner consistent with department procedures in this area.

RELEASE OF DEPARTMENT INFORMATION

No member will communicate, relay or release any official department information to any person that would hamper or compromise the departments operations or investigations.

PRO-37-3-1 REPORTS

Reports shall be completed in a timely manner.

Records will forward necessary reports to the Prosecuting Attorney’s Office and/or Juvenile Department.

PRO-37-3-2 PC STATEMENTS

TIME and content REQUIREMENTS

On weekends and holidays the Courts have required Probable Cause Statements to comply with RCW requirements for preliminary court appearances.

The PC Statement must be completed as soon as possible so the Jail can BOOK the subject according to RCW. The PC statement must contain each element of the alleged crime and a brief synopsis of the events.

CHAPTER THIRTY-EIGHT

BIOHAZARDS

POL-38-1 CONTROL REPRESENTATIVES

Infection Control Representatives, for the department are the Jail Captain and the Undersheriff and they are designated as responsible for the implementation of these policies and procedures.

All blood and body fluids will be treated as infectious, although the special hazards and higher risks of transmission with certain body fluids are recognized, universal precautions will be used in all work activities with any potential for exposure to blood or other body fluids.

POL-38-2 WORK PRACTICE

Engineering and work practice controls shall be used to eliminate or minimize employee exposure. Where occupational exposure remains after institution of these controls, personal protective equipment shall be used. Engineering controls shall be examined and maintained or replaced on a regular schedule to ensure their effectiveness.

Hand washing facilities, which are readily accessible to employees, shall be provided. When provisions of hand washing facilities are not feasible, either an appropriate hand cleanser in conjunction with clean cloth or paper towel or antiseptic towelettes will be provided. When antiseptic hand cleansers or towelettes are used, hands shall be washed with soap and running water as soon as feasible.

Employees shall wash their hands immediately or as soon as feasible after removal of gloves or other personal protective equipment. Employees shall wash hands and any other skin with soap and water, or flush mucous membranes with water immediately or as soon as feasible following contact of such body areas with blood or other potentially infectious materials.

PERSONAL HABITS & FOOD AND DRINK

Eating, drinking, smoking, applications of cosmetics or lip balm and handling contact lenses are prohibited in work areas with reasonable likelihood of occupational exposure to bloodborne pathogens. Food and drink shall not be kept in refrigerators, freezers, shelves, cabinets, or on countertops or bench tops where blood or other potentially infectious materials are present.

SPECIFIC WORK PRACTICES

All procedures involving blood or other potentially infectious materials shall be performed in such a manner as to minimize splashing, spattering, and generation of droplets of these substances. Mouth pipetting of blood or other potentially infectious materials is prohibited. No objects should be placed in the mouth. The nose, mouth and eyes should not be touched during or after contact until proper hand washing procedures have been followed. Special care and precautions shall be taken at any time an employee may have open cuts or sores or dermatitis that may compromise the barrier protection provided by skin. Specimens of blood or other potentially infectious materials shall be placed in a container, which prevents leakage during collection, handling, processing, storage, transport or shipping.

The minimum number or personnel required shall be involved with any procedure entailing exposure to bloodborne pathogens and exposure time should be minimized.

PRO-38-2-1 HANDLING OF SHARPS

Contaminated needles and other contaminated sharps shall not be bent, recapped or removed. Shearing or breaking of contaminated needles is prohibited. Contaminated needles and other contaminated sharps shall not be recapped or removed unless no alternative is feasible or such action is required by a specific medical procedure which must be documented and approved by an infection control representative prior to the use of such procedures. Recapping or needle removal shall be accomplished by a mechanical device or one-handed technique; no shearing or breaking of contaminated needles is ever performed. Needles shall be placed into a SHARPS container as soon as possible.

POL-38-3 STORAGE & TRANSPORT OF BLOOD OR   
OTHER INFECTIOUS BODY FLUIDS

The container for storage, transport, or shipping (including freezers and refrigerators used for storage of blood or other potentially infectious materials) shall be *Biohazard labeled or color-coded with fluorescent orange or orange-red labels with lettering or symbols in a contrasting color affixed as close as feasible to the container by string, wire, adhesive, or other method preventing loss or unintentional removal or in red bags substituted for labels and closed prior to being stored, transported or shipped.*

If outside contamination of the primary container occurs, the primary container shall be placed within a second container, which prevents leakage during handling, storage or transporting.

If the specimen could puncture the primary container, the primary container shall be placed with a secondary container, which is puncture-resistant in addition to the above characteristics.

CONTAMINATED EQUIPMENT

Equipment, which may become contaminated with blood or other potentially infectious materials, shall be decontaminated prior to further use.

PRO-38-3-1 PERSONAL PROTECTIVE EQUIPMENT

All employees performing tasks entailing reasonably anticipated exposure to blood or other potentially infectious materials will be provided and are required to use appropriate personal protective equipment, such as, but not limited to, gloves, gowns, laboratory coats, face shields or masks and eye protection, mouthpieces, resuscitation bags, pocket masks, or other ventilation devices. Such equipment shall be repaired or replaced as needed, at no cost to the employee.

Under rare and extraordinary circumstances when it is the employee's professional judgment in this specific instance, use of protective clothing and equipment would prevent the delivery of public safety or would pose an increased hazard to the safety of the employee. The employee shall document the above circumstances and inform a designated Infectious Control Representative as soon as possible.

Appropriate personal protective equipment in the appropriate sizes shall be readily accessible at the work site or issued to employees. Hypoallergenic gloves, glove liners, powder-less gloves or other similar alternatives shall be readily accessible to those employees who are allergic to the glove normally provided.

Any garment penetrated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible. All personal protective equipment shall be removed prior to leaving the affected area. When personal protective equipment is removed it shall be placed in an appropriately designated area or container for storage, washing, decontamination or disposal.

Gloves shall be worn when it can be reasonably anticipated that the employee may have hand contact with blood, other potentially infectious materials, mucous membranes and non-intact skin.

Disposable (single use) gloves such as surgical or examination gloves and utility gloves shall be replaced as soon as practical when contaminated or as soon as feasible if they are torn, punctured, or when their ability to function as a barrier is compromised and shall not be washed or decontaminated for re-use.

Masks in combination with eye protection devices, such as goggles or glasses with solid side shields, or chin-length face shields, shall be worn whenever splashes, spray, spatter, or droplets of blood or other potentially infectious materials may be generated and eye, nose or mouth contamination can be reasonably anticipated.

Protective clothing such as, but not limited to, gowns, aprons, lab coats, clinic jackets, or similar outer garments shall be worn in situations with reasonably anticipated exposure to blood or other potentially infectious materials. The type and characteristics will depend upon the task and degree of exposure anticipated.

Surgical caps or hoods or shoe covers or boots shall be worn in instances when gross contamination can reasonably be anticipated.

PRO-38-3-2 CLEANING AND DISINFECTING

The work site shall be maintained in a clean and sanitary condition.

All equipment and environmental and working surfaces shall be cleaned and decontaminated after contact with blood or other potentially infectious materials.

Contaminated work surfaces shall be decontaminated with an appropriate disinfectant immediately or as soon as feasible when surfaces are overtly contaminated or after any spill of blood or other potentially infectious materials and at the end of the work shift if the surface may have become contaminated since the last cleaning.

Protective coverings, such as plastic wrap, aluminum foil, or imperiously backed absorbent paper used to cover equipment and environmental surfaces shall be removed and replaced as soon as feasible when they become overtly contaminated or at the end of the work shift if they may have become contaminated during the shift.

All bins, pails, cans, and similar receptacles intended for reuse which have a reasonable likelihood for becoming contaminated with blood or other potentially infectious materials shall be inspected and decontaminated according to the Cleaning Schedule and decontaminated immediately or as soon as feasible upon visible contamination.

Broken glassware, which may be contaminated, shall not be picked up directly with the hands. It shall be cleaned up using mechanical means, such as a brush and dustpan, tongs, or forceps.

Contaminated sharps shall be discarded immediately or as soon as feasible in containers that are closeable, puncture resistant, leak proof on sides and bottom and labeled or color-coded with fluorescent orange or orange-red labels with lettering or symbols in a contrasting color affixed as close as feasible to the container by string, wire adhesive, or other method preventing loss or unintentional removal or in red bags substituted for labels.

During use, containers for contaminated sharps shall be easily accessible to personnel and located as close as is feasible to the immediate area where sharps are used or can be reasonably anticipated to be found, maintained upright throughout use, and replaced routinely and not be allowed to overfill.

When moving containers of contaminated sharps from the area of use, the containers shall be closed immediately prior to removal or replacement to prevent spillage or protrusion of contents during handling, storage, transport or shipping and placed in a secondary container if leakage is possible.

The second container shall be closeable, constructed to contain all contents and prevent leakage during handling, storage, transport or shipping and labeled or color-coded with fluorescent orange or orange-red labels with lettering or symbols in a contrasting color affixed as close as feasible to the container by string, wire, adhesive, or other method preventing loss or unintentional removal or in red bags substituted for labels.

Reusable containers shall not be opened, emptied or cleaned manually or in any other manner which would expose employees to the risk of injury or infection.

PRO-38-3-3 OFFICERS CONTAMINATED AT BOOKING

Upon officers coming into the Jail Facility, obviously having been exposed (example; blood on Uniform) to Biohazard conditions, they will restrict their movements within the Jail to the Booking area.

All officers will be afforded the opportunity to remove contaminated clothing and place same in a Biohazard bag. Further, if the officer has no ready replacement clothing, that clothing will be provided to the officer by Jail personnel. The officer will return all loaned clothing laundered. The officer will be responsible for the proper disposition of any contaminated clothing placed in a Biohazard bag that they remove from the Jail Facility.

Department members will not be allowed to leave the booking area without removing all contaminated clothing. In addition to the above procedure, Department members may have their contaminated uniforms laundered in the Jail by placing them into the washer with approved chemicals for decontamination.

CONTAMINATED PATROL VEHICLES

Patrol vehicles are classified as a work area and will be cleaned and decontaminated after every Biohazard incident. Spills should be cleaned with a water/bleach solution (10 parts water to 1 part bleach) or other approved solution and the vehicle shall be sprayed with a spray disinfectant.

POL-38-4 REGULATED WASTE

Regulated waste shall be considered any liquid or semi-liquid blood, or other potentially infectious materials, dried blood or other potentially infectious materials in any form. This includes any items which may have such materials on them in any form with the exception of reusable equipment, instruments or personal protective clothing and equipment which undergoes proper decontamination procedures.

Regulated Waste shall be placed in containers which are closeable, constructed to contain all contents and prevent leakage of fluids during handling, storage, transport or shipping, and labeled or color-coded with fluorescent orange or orange-red labels with lettering or symbols in a contrasting color affixed as feasible to the container by string, wire, adhesive, or other method preventing loss or unintentional removal to prevent spillage or protrusion of contents during handling, storage, transport or shipping.

If outside contamination of such containers occurs, it shall be placed in a second container. The second container shall be closeable, constructed to contain all contents and prevent leakage of fluids during handling, storage, transport or shipping and labeled or color-coded with fluorescent orange or orange-red labels with lettering or symbols in a contrasting color affixed as close as feasible to the container by string, wire, adhesive or other method preventing loss or unintentional removal or in red bags substituted for labels. This container shall be closed prior to removal to prevent spillage or protrusion of contents during handling, storage, transport or shipping.

Disposal of all Sharps and Regulated Waste shall be in accordance with applicable regulations of the United States, this state, and local ordinances.

POL-38-5 LAUNDRY PRACTICES

Contaminated laundry shall be handled as little as possible with a minimum of agitation and shall be bagged or containerized at the location where it was used and shall not be sorted or rinsed in the location of use. Contaminated laundry shall be placed and transported in bags or containers labeled or color-coded with fluorescent orange or orange-red labels with lettering or symbols in a contrasting color affixed as close as feasible to the container by string, wire, adhesive or other method preventing loss or unintentional removal or in red bags substituted for labels. Universal Precautions shall be used in the handling of all soiled laundry.

Whenever contaminated laundry is wet and presents a reasonable likelihood of soak-through of or leakage from the bag or container, the laundry shall be placed and transported in bags or containers that prevent soak-through or leakage of fluids to the exterior.

All employees who have contact with contaminated laundry shall wear protective gloves and other appropriate personal protective equipment.

Laundry shipped off-site shall be placed in containers which are labeled or color-coded with fluorescent orange or orange-red labels with lettering or symbols in a contrasting color affixed as close as feasible to the container by string, wire, adhesive or other method preventing loss or unintentional removal or in red bags substituted for labels.

POL-38-6 HEPATITIS B VACCINATION

Hepatitis B vaccine and vaccination series shall be made available to all employees with reasonably anticipated exposure to blood or other potentially infectious materials at no cost to the employee, at a reasonable time and place, and performed by or under the care of a licensed physician or under the supervision of another licensed health card professional. These shall be provided according to recommendations of the U.S. Public Health Service current at the time these evaluations and procedures take place. All laboratory tests are conducted by an accredited laboratory at no cost to the employee.

Hepatitis B vaccination shall be made available after the employee has received the Bloodborne Pathogens Education Program and within 10 working days of initial assignment to duties with reasonably anticipated exposure to blood or other potentially infectious materials unless the employee has previously received the complete Hepatitis B vaccination series, antibody testing has revealed that the employee is immune, or the vaccine is contraindicated for medical reasons.

Prescreening is available to, but not required of, such employees and is provided at no cost. Employees initially declining Hepatitis B vaccination, but at later date, decide to accept the vaccination, the vaccination shall be made available according to the provisions of this policy at that time.

All employees who decline to accept Hepatitis B vaccination offered by the employer shall sign the Hepatitis B Vaccination Refusal Form.

Routine booster dose(s) of Hepatitis B vaccine recommended by the U.S. Public Health Service shall be made available to employees who at the time such recommendations are applicable have reasonably anticipated exposure to blood or other potentially infectious materials at no cost to the employee, made available to the employee at a reasonable time and place and performed by or under the supervision of a licensed physician or under the supervision of another licensed health care professional.

PRO-38-6-1 POST-EXPOSURE EVALUATION & FOLLOW-UP

After an exposure incident, a confidential medical evaluation and follow-up shall be made immediately available to the exposed employee including:

* 1. Documentation of the route(s) of exposure and the circumstances under which the exposure incident occurred;
  2. Identification and documentation of the source individual (unless it can be established that identification is infeasible or prohibited by state or local law).

All medical evaluations and procedures performed as part of post-exposure evaluation and follow-up, including prophylactics, are:

* 1. Provided at no cost to the employee;
  2. Made available to the employee at a reasonable time and place;
  3. Performed by or under the supervision of a licensed physician or by/under the supervision of another licensed health care professional;
  4. Provided according to recommendations of the U.S. Public Health Service current at the time these evaluations and procedures take place.

All laboratory tests are conducted by an accredited laboratory at no cost to the employee.

The health care professional responsible for the employee's Hepatitis B vaccination shall be provided the Post-Exposure Assessment Package. This package includes a copy of the Bloodborne Pathogens Rule, a description of the exposed employee's duties as they relate to the exposure incident, documentation of the route(s) of exposure and circumstances under which exposure occurred, results of the source individual's blood testing, if available, and all medical records relevant to the appropriate treatment of the employee including vaccination status which are the employer's responsibility to maintain.

A copy of the evaluating health care professional's written opinion shall be obtained and provided to the employee within 15 days of the completion of the evaluation. The health card professional's opinion for Hepatitis B vaccination shall be limited to whether Hepatitis B vaccination is indicated for an employee and if the employee has received such vaccination. The health card professional's written opinion for post-exposure evaluation and follow-up shall be limited to documenting that the employee has been informed of the results of the evaluation and that the employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment. All other findings or diagnoses shall remain confidential and shall not be included in the written report.

Based upon the recommendation of the health card professional providing the post-exposure evaluation, the source individual's blood shall be tested as soon as feasible and after consent is obtained in order to determine HBV and HIV infectivity. If consent is not obtained, it shall be established that legally required consent cannot be obtained. When the source individual's consent is not required by law, the source individual's blood, if available, shall be tested and the results documented. When the source individual is already known to be infected with HBV and HIV, testing for the source individual's known HBV or HIV status need not be repeated. Results of the source individual's testing shall be made available to the exposed and to the licensed physician or licensed health card official performing the required post-exposure medical evaluation and follow-up of the exposed employee. The employee shall be informed of applicable laws and regulations concerning disclosure of the identity and infectious status of the source individual.

Based upon the recommendation of the health card professional providing the post-exposure evaluation, the exposed employee's blood shall be collected as soon as feasible and tested after consent is obtained. If the employee consents to baseline blood collection, but does not give consent at that time for HIV serologic testing, the sample shall be preserved for at least 90 days. If, within 90 days of the exposure incident, the employee elects to have the baseline sample tested, such testing shall be done as soon as feasible.

Post-exposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service, shall be given by or under the supervision of the licensed physician or other licensed health card professional performing the post-exposure medical evaluation of the exposed employee.

Counseling and evaluation of reported illnesses shall be provided to the exposed employee by the licensed physician or other licensed health card professional performing the post-exposure medical evaluation of the exposed employee as needed and indicated.

POL-38-7 BIOHAZARD LABELING

Warning labels shall be affixed to containers of regulated waste, refrigerators and freezers containing blood or other potentially infectious material; and other containers used to store, transport, or ship blood or other potentially infectious materials, except that red bags or red containers may be substituted for labels. Containers of blood, blood components, or blood products that are labeled as to their contents and have been released for transfusion or other clinical use are exempted from these labeling requirements. Individual containers of blood or other potentially infectious materials that are placed in a labeled container during storage, transport, shipment or disposal are exempted from the labeling requirement.

Labels shall include the following legend:

**Biohazard**

and shall be fluorescent orange or orange-red or predominantly so, with lettering or symbols in a contrasting color. Labels are required to be affixed as close as feasible to the container by string, wire, adhesive, or other method that prevents their loss or unintentional removal. Such labels are required for contaminated equipment and shall also state which portions of the equipment remain contaminated.

POL-38-8 EDUCATION AND TRAINING

All employees with reasonably anticipated exposure to blood or other potentially infectious materials shall participate in the Bloodborne Pathogens Education Program at no cost to the employee and during working hours. This shall occur at the time of initial assignment to tasks where occupational exposure may take place and at least annually thereafter. Additional training when changes such as modification of tasks or procedures or institution of new tasks or procedures affect the employee's occupational exposure shall be provided which may be limited to addressing the new exposures created.

POL-38-9 RECORD KEEPING

An accurate medical record for each employee with occupational exposure, in accordance with 29 CFR 1910.20, shall be maintained. This record shall include the name and social security number of the employee, a copy of the employee's Hepatitis B vaccination status including the dates of all the Hepatitis B vaccinations and any medical records relative to the employee's ability to receive vaccination, a copy of all results of examinations, medical testing and follow-up procedures required as part of any post-exposure medical evaluation including the employer's copy of the health card professional's written opinion and a copy of the information provided to the health card professional as part of that evaluation.

Employee medical records will be kept confidential and not disclosed or reported without the employee's express written consent to any person within or outside the workplace except as required by this sections or as may be required by law. Such records shall be maintained for at least the duration of employment plus 30 years in accordance with 29 CFR 1910.20.

Training records shall be maintained and shall include the dates of the training sessions, contents or a summary of the training sessions, the names and qualifications of persons conducting the training and the names and job titles of all persons attending the training sessions. Training records shall be maintained for 3 years from the date on which the training occurred.

All employee medical records or training records shall be made available upon request to the Assistant Secretary and the Director of the Occupational Safety and Health Administration (OSHA) for examination and copying.

Employee training records shall be provided upon request for examination and copying to employees, to employee representatives and to the Director or Assistant Secretary in accordance with 29 CFR 1910.20.

Employee medical records shall be provided upon request for examination and copying to the subject employee, to anyone having written consent of the subject employee and to the Director or the Assistant Secretary in accordance with 29 CFR 1910.20.

Requirements involving transfer of records set forth in 29 CFR 1910.20 (h) shall be followed.

The Director shall be notified at least three months prior if cessation of business occurs and there is no successor employer to receive and retain the records for the prescribed period. Such records shall be transmitted to the Director, if requested by the Director to do so, within that three-month period.

POL-38-10 EMPLOYEE RESPONSIBILITIES

In addition to specific responsibilities outlined above, employees performing tasks with reasonably anticipated exposure to blood or other potentially infectious materials are required to inform a designated Infection Control Representative if proper protective clothing and equipment is unavailable or appears inadequate to provide appropriate protection from such exposure. Employees are required to report to a designated Infection Control Representative any incidents or observations suggesting inadequate use of personal protective clothing and equipment or other control measures by any employee.

Employees are required to follow the requirements of these policies and procedures, including all work practice requirements. The use of Universal Precautions and the use of specific engineering controls and protective equipment outlined are mandatory.

Employees that do not follow these requirements are subject to disciplinary action up to and including discharge.

POL-38-11 CLEANING SCHEDULE -- JAIL

Despite after incident cleaning, commonly exposed areas in the Jail Facility will be cleaned daily with approved disinfectant having at least the cleaning and disinfecting power of the approved bleach to water ratio.

Commonly exposed areas are:

* + 1. Booking
    2. Holding Cells
    3. All Hallways
    4. Cell Blocks

Any changes or additions to the cleaning schedule will be posted in the Day Book.

CHAPTER THIRTY-NINE

COMPUTERS

POL-39-1 USE OF SOFTWARE AND HARDWARE

To ensure compatibility between microcomputer systems and provision of adequate user support, the department has established standard software and hardware for commonly used applications. Use of specialized software or hardware other than those standard products may be authorized by written memo by the Sheriff or Undersheriff. The use of unauthorized, non-standard software on department microcomputer systems is prohibited. Consequently, employees shall not install or use unauthorized software or hardware, including personally owned software or hardware, on department or County microcomputers. Non-standard hardware or software, discovered during routine maintenance operations, will be reported to the immediate supervisor of the user. Equipment identified as containing non-standard software or hardware may be examined by Information Services to ensure its removal.

**Installation of Software and Hardware** **-** Improper installation of software or hardware can damage a microcomputer system or cause it to malfunction. Consequently, all software and hardware is to be installed by the Undersheriff or Information Services staff. Any moving, relocating, or rearranging of microcomputer hardware should also be coordinated with the Undersheriff or Information Services.

**Ownership and Confidentiality** **-** All software, programs, applications, templates, data, and data files residing on municipal microcomputer systems or storage media or developed on municipal microcomputer systems are the property of Whitman County. The County retains the right to access, copy, change, alter, modify, destroy, delete or erase this property. Microcomputer data files containing Confidential or sensitive data should be treated accordingly and should not be removed from the workplace without proper authorization.

**Copying Software, Programs, Applications, Templates, Etc**. - Users should notify Information Services or the Undersheriff and receive proper authorization before attempting to copy software.

In many cases, copyright laws and/or licenses for commercial software, programs, applications and templates used by the County prohibit making multiple copies. The County and its employees are required to abide by the federal copyright laws and to abide by all such licensing agreements.

**Use of Employee Microcomputers to Work on County Data Files** - Employees who own personal microcomputers may wish to use them for work at home. Those who choose to do so must adhere to this procedure guideline with regard to use of County-owned software or data files. Use of outside computers introduces the risk that a "computer virus" could infect County microcomputer systems. Data files should be checked by virus detecting software before copying them back to County microcomputers. Information Services can provide consultation and assistance to avoid this danger.

PRO-39-1-1 USE OF SOFTWARE AND HARDWARE

**Definitions**

For the purposes of the policy and procedures of this guideline, the following definitions shall apply:

1. **LAN/WAN** (Local Area Network/Wide Area Network) - A network consisting of electronic devices communicating with one another and sharing hardware, software, data, and information resources. Included are all of the communication and computer hardware, operating systems, data, and application software of the County and any stored electronic media and other systems that may be connected, such as bulletin boards, Internet, on-line information services, and others.
2. **Information Resources** - Any information in digital electronic format, including, but not limited to electronic mail, voice mail, local databases, externally accessed databases, clip art, digital images, voice and sound recordings and any digitized information that may be made available on the County LAN/WAN.
3. **Inappropriate Use** - Improper use of the County LAN/WAN, use of the LAN/WAN for non-department purposes, including personal communications, entertainment, personal profit, any violation of local, state and/or federal law, or any other prohibited use as set forth in this policy.

These procedures do not attempt to articulate all required or proscribed behaviors by users, but merely cover the most conspicuous examples.

1. County provided information resources shall not be used for any inappropriate use. Examples of inappropriate uses includes (but are not limited to):
   1. Seeking to gain or gaining information for inappropriate purposes or unauthorized access to proprietary information. Seeking access to passwords belonging to other users.
   2. Infringing on third party copyrights or other intellectual property rights, license agreements or other contracts; for example, illegally installing or making available copyrighted software.
   3. Inappropriate copying, modifying, distributing, transmitting or displaying files or other data or information resources.
   4. Processing, distributing, transmitting, or displaying inappropriate stored electronic media; obscene, libelous or defamatory material, or files dangerous to the integrity of the County's LAN/WAN.
   5. Using the County's LAN/WAN or knowingly allowing another to use the LAN/WAN for personal profit, personal business, commercial product advertisement or partisan political purposes.
2. Information on any component of the LAN/WAN or information resources, whether networked or stand-alone, may be accessible to other users. LAN/WAN-based information resources shall be subject to access, regulation and control by the County. The County shall take prudent steps to develop, implement and maintain security procedures to ensure the integrity of individual and County files**. Without the consent of the user, sender or intended recipient, all electronic mail and data on any County system may be examined to determine whether the electronic mail or data may contain inappropriate information or illegal material.**
3. Accounts (such as those established for the County's LAN/WAN, Internet, FAX and electronic mail) shall be used only by the authorized owner of the account for County business purposes. Account owners are responsible, and will be held accountable, for all activity performed under their password.
4. Users shall:
   1. Comply with license agreements and policies of networks and on-line services made available by the County;
   2. Not make unauthorized changes to nor install unauthorized hardware or software on any component of the LAN/WAN; and,
   3. Not access any external networks or information resources from County computers, the LAN/WAN or utilizing any County resources without proper authorization.
5. External Network Considerations - Access to information resources and networks external to the County (and to the United States) may make available materials which do not contribute to any County business purpose and could be offensive to the sensitivities of some users. The County shall take appropriate precautions to attempt to restrict access to controversial materials. However, it is impossible to control all communications through all global networks.

The County considers the value of allowing access to information resources through external networks outweighs the potential harm from the possibility of misuse or that users may encounter materials they may find offensive. All users of County provided networks and information resources do so at their own risk with regard to the possibility of encountering material they may find offensive. Moreover, users must assume responsibility for ensuring their utilization of the external networks and information resources is consistent with County business purposes.

POL-39-2 USE OF INFORMATION NETWORK RESOURCES

Information network resources are made available to County staff to improve communications and information exchange with citizens and others and to provide an information and research resource. While the County encourages the use of information network resources to improve communications, certain restrictions are necessary to avoid improprieties and ensure that established standards are met. To reduce potential liability, the risk of inappropriate use, and possible adverse public perceptions, County personnel shall make use of County provided LAN/WAN, Internet, and on-line services for official County business purposes only. County information network resources are not to be used for entertainment, personal communications, other personal use or illegal, harassing, libelous or obscene purposes during or outside County business hours.

All components of the County of Whitman LAN/WAN are the property of the County and remain subject to County control. Successful operation of the LAN/WAN requires that users regard the LAN/WAN as a shared resource and conduct themselves responsibly and courteously.

POL-39-3 GENERAL COMPUTING POLICY

The Sheriff's Office and Whitman County are responsible for securing their network and computing systems to a reasonable and economically feasible degree against unauthorized access and/or abuse, while making them accessible for authorized and legitimate users. This responsibility includes informing users of expected standards of conduct. The users of the network are responsible for respecting and adhering to local, state, federal and international laws. Any attempt to break those laws through the use of the network may result in litigation against the offender by the proper authorities and/or disciplinary procedures.

USER ID

Once a user receives a user ID to be used to access the network and computer systems on that network, they are solely responsible for all actions taken while using that user ID. Therefore:

* 1. Sharing your user ID with any other person is prohibited. If you do share your user ID with another person, you will be held equally responsible for the actions of the other person resulting from the use or the user ID.
  2. Deletion, examination, copying, or modification of files and/or data belonging to other users without their prior consent is prohibited.
  3. Slowing down the computer system and other users through mass consumption of computer resources is prohibited unless expressly authorized by the Undersheriff or Information Services.
  4. Use of facilities and/or services for commercial purposes is prohibited.
  5. Any unauthorized action which damages or disrupts a computing system, alters it normal performance, or causes it to malfunction is a violation regardless of system location or time duration.

ELECTRONIC MAIL

Whenever you send electronic mail, your name and user ID are included in each mail message. You are responsible for all electronic mail originating from your user ID. Therefore:

* 1. Forgery (or attempted forgery) of electronic mail messages is prohibited.
  2. Attempts at sending harassing, obscene and/or other threatening email to another user are prohibited.
  3. Attempts at sending unsolicited junk mail, "for-profit" messages or chain letters are prohibited.

NETWORK SECURITY

As a user of the network, you may be allowed to access other networks (and/or the computer systems attached to those networks). Therefore:

* 1. Use of systems and/or networks in attempts to gain unauthorized access to remote systems is prohibited.
  2. Use of systems and/or networks to connect to other systems, in evasion of the physical limitations of the remote system/local, is prohibited.
  3. Decryption of system or user passwords is prohibited.
  4. The copying of any operating system files is prohibited.
  5. The copying of copy righted materials, such as third-party software, without the express written permission of the owner or the proper license, is prohibited.
  6. Intentional attempts to "crash" network systems or programs are punishable disciplinary offenses.
  7. Any attempts to secure a higher level of privilege on Network systems are punishable disciplinary offenses.
  8. The willful introduction of computer "viruses" or disruptive/destructive programs into the organization network or into external networks is prohibited.

PRO-39-3-1 E-MAIL & FILES

The content and maintenance of a user's electronic mailbox is the user’s responsibility:

* Maintenance of a user's electronic mailbox is the user’s responsibility.
* Check e-mail daily.
* Delete unwanted messages immediately since they take up disk storage, unless it is case related.
* Keep messages remaining in your electronic mailbox to a minimum.
* Never assume that your e-mail can be read by no one except yourself; others may be able to read or access your mail. Never send or keep anything that you would not mind seeing on the evening news.
* Be professional and careful about what you say regarding other persons. E-mail is easily forwarded.
* Be careful when using sarcasm and humor. Without face to face communications your joke may be viewed as criticism.
* Chain letters are strictly prohibited.

The content and maintenance of a user's personal storage area is the user’s responsibility:

* Keep files to a minimum. Routinely and frequently virus scan your system, especially when receiving or downloading files from other systems to prevent the spread of a virus.
* Your files may be accessible by persons with system privileges, so do not maintain anything private in your disk storage area.

These computers are owned and operated by the Whitman County Sheriff's Office and/or Information Services which reserves the right to monitor any action or any record of any action that you perform while using the Whitman County computing system. Your files and records may be examined, at any time, without your prior knowledge or consent.

CHAPTER Forty

Chaplain

##### POL- 40-1 PURPOSE OF CHAPLAIN

It is the purpose of the Sheriff’s Chaplain to:

* Provide spiritual guidance to members of the Sheriff’s Office and their families when requested. This service is not intended to replace the services of an individual’s own clergy or counselor.
* Provide a confidential source of counseling for the department staff and their families.
* Develop a caring relationship with all department personnel.
* Contribute to the positive morale of the department.
* Provide sources of instruction in matters of ethics, counseling and stress management.
* Assist employees and their families in times of personal crisis or need.
* Assist employees in serving the community by providing spiritual guidance, comfort in crisis, physical help in emergencies, and referral to the appropriate social agencies.
* Serve as a communications link between persons in crisis situations and their own clergy or counselors.
* Serve as a community representative between citizens and the Sheriff’s Office to promote the interests of each respective group.

# POL-40-2 QUALIFICATIONS OF A CHAPLAIN

Qualifications for appointment as a chaplain are as follows:

* + 1. **Personal Characteristics**

A chaplain must;

* Show a God-like compassion, understanding and a love for his fellow man and relate easily to people.
* Manifest a broad sense of experience and professional maturity, emotional stability, and personal flexibility.
* Be tactful and considerate in his approach to all people regardless of race, creed, or religion.
* Possess a valid driver’s license.
* Never have been convicted of a criminal offense or of offenses involving moral turpitude.
* Be examined by a physician to assure he is free from any physical, emotional or mental conditions which might adversely affect the exercising of the duties of a Sheriff’s Chaplain.
* Have special interest in the Sheriff’s Office chaplaincy and be willing and able to participate in all duties and activities expected of the position.

40-2-2 Professional Endorsement and Experience

A chaplain must;

* Be an ordained or license member in good standing with his denomination for a minimum of one year.
* Be endorsed by his local church or denomination.

40-2-3 Professional Skills

A chaplain must;

* Indicate a willingness to participate in training experiences that would enhance his effectiveness in meeting and dealing with people in crisis.
* Be familiar with community medical, psychiatric and other human resources in the local area.
* Have considerable training and experience in counseling procedures and techniques.
* Have, or obtain, a general knowledge of stress management and crisis intervention techniques.
* Have, or obtain, knowledge of individual and group behavior, and of effective management and relational principles.

40-3 FIELD DEPUTY’S USE OF CHAPLAIN

The following is the policy of the Whitman County Sheriff’s Office for the use of a chaplain by a field deputy.

40-3-1 Purpose

Field deputies encounter a variety of situations in which the services of a chaplain may be profitably used. It is up to the discretion of the deputy in charge of the scene whether or not a chaplain is to be requested.

40-3-2 Procedure

* The deputy should determine the need for a chaplain. This determination may be based on:

The need for special skills of a chaplain in crisis intervention, counseling, and/or death support.

The unusual time demand of a situation requiring someone’s presence, but not

necessarily that of the deputy.

The anticipated positive effect of a chaplain’s presence in a situation (a death

scene, domestic disturbance, calming effect on an emotionally out-of-control

person).

Support value for the deputy or others experiencing a traumatic situation.

* Examples of situations in which a chaplain might be helpful are:

Death notification, Death counseling

Suicide intervention

Support for families and individuals in crisis due to traffic injury or fatality

Domestic disputes

Juvenile Counseling

Child abuse situations

Assistance to victims of violent crimes for follow-up counseling

Substance abuse counseling

Disaster Response

Hostage Negotiation

Public demonstrations

Assisting elderly or children with special needs

Other situations as identified by sworn personnel

* Request dispatcher to notify the chaplain who is “On call”.
* Brief the chaplain at the scene of the facts and specify what services you wish him to provide.
* Compare notes with the chaplain, when desirable, for the purpose of reporting and follow-up.

40-4 JOB DESCRIPTION

The chaplain not only represents the Sheriff’s Office but he also represents the Church. He must maintain a lifestyle that would not bring any discredit upon the Sheriff’s Office or the Church. The chaplain’s position with the Whitman County Sheriff’s Office is a volunteer position. He is to work so that there are not conflicts between his pastoral duties and his chaplain duties.

40-4-1 Chain of Command

* The Sheriff’s chaplain will report directly to the Undersheriff or his/her designee.
* When the chaplain is riding with a deputy he is to accept the deputy’s directives.
* In the event there is more than one chaplain, one of the chaplains will be appointed as the senior chaplain.
* When called to a scene the chaplain will report to the deputy in charge.

40-4-2 The Chaplain As Counselor

* The chaplain will be available to counsel any member of the Sheriff’s Office.
* He will be available to the family of all Sheriff’s Office personnel.
* He will counsel other individuals at the request of the Sheriff or Undersheriff.
* He will hold seminars to help employees and their families cope with the stress of police work.
* He will refer (as needed) counselees to community agencies or private counseling centers for assistance and for follow-up situations. He will keep information on available services.
* All counseling is to be confidential.

40-4-3 Riding Opportunities

* The chaplain will ride with deputies in order to develop a relationship and to become aware of what deputies encounter during their shift.
* He will spend at least eight hours a month riding along with deputies.
* While in the field the chaplain must seek to avoid situations that endanger himself, make him a liability to the deputy, or place him in a law enforcement role.
* The chaplain will ride in uniform except when accompanying a plain clothes deputy. The chaplain is to wear a bullet-proof vest during the ride along.
* During the ride along with the deputy the chaplain must accept direction from the deputy. For example, if told to remain in the vehicle he must do so.
* The chaplain will assist the deputy as needed in traffic control, driving, crowd control, etc. as directed by the deputy.

40-4-4 Field Responsibilities

Refer to 40-3-2 Field Deputy’s Use of Chaplain

40-4-5 Department Responsibilities

* Counseling of department personnel.
* Recruit new chaplains.
* Be available to department personnel in case of injury or accident.
* Give special attention to special needs of family.
* Visit injured person and family as often as is practical.
* Assist Sheriff or Undersheriff in the event of death of a member of the department.
* Notify family members in person.
* Counsel family.
* If family does not have their own clergy then assist them with funeral service.
* Assist family in long term counseling.
* The chaplain will be involved in activities that promote a positive image within the community. Representation of the Sheriff’s Office will be at the discretion of the administration.
* The chaplain may be called on to provide spiritual content for special times of recognition that accompanies awards, graduations, promotions, or other events.
* The chaplain is on call at all times although there may be circumstances where the chaplain is unable to respond. In such cases the chaplain is to supply alternates (pastors, counselors, other chaplains) who will respond.
* Other duties may be added to this job description with the approval of the Sheriff, the Undersheriff, and the Chaplain.

**CHAPTER FORTY-ONE**

**MISSING PERSONS / AMBER ALERTS**

**INTRODUCTION**

The Communications Center is responsible for taking Missing Person reports; however deputies should be familiar with this process. The type of missing person varies depending on the person's age, marital status, mental and physical state, and circumstances surrounding his/her absence from where he/she lives or works. The AMBER Alert Program is a collaborative effort between law enforcement agencies and media to send out an emergency alert to the public to request their assistance in recovering an abducted child meeting specific criteria. This policy is intended to assist deputies when investigating a missing person report and initiating an AMBER Alert.

**POL-41-1 MISSING PERSONS**

**UNACCEPTABLE REPORTS**

The department will not accept missing person’s reports under the following circumstances:

1. To secure or furnish any information or evidence on which to base a divorce or any other civil action.

2. To locate persons who have overdue financial obligations.

3. To locate persons who have not contacted relatives for a long time without further extenuating circumstances.

4. To locate deserting spouses for any individual or public welfare agency.

5. To investigate abandonment cases unless a warrant of arrest has been forwarded to this department from the agency of jurisdiction.

6. To locate heirs, conduct private investigations, or deliver miscellaneous messages or letters.

**ACCEPTABLE REPORTS**

Reports are acceptable using any of the following criteria:

1. A person has disappeared under unusual circumstances that would indicate a crime may be involved.

2. The missing person has a background of mental instability.

3. The missing person is physically/medically disabled.

4. A person has not returned from a recreational outing in a sparsely populated area.

5. Juveniles.

**FIELD CONTACT**

1. Units will be dispatched to follow up on the report of a "lost child". Deputies should contact the reporting person(s) and review the following:

a. Name and description of the missing child.

b. Determine where the child was last seen and how long ago.

c. Update dispatch and any other responding units.

d. Re-examine the premises, including closets, under/in beds, refrigerators, freezers, crawl spaces, play areas, etc.

e. Advise someone to stay home near the telephone in case the child returns and to advise the Communications Center as soon as the child has been found.

f. Notify school authorities for verification and assistance if the child has failed to return home from school.

2. Deputies shall notify a supervisor if it appears a missing subject is:

1. Under the age of twelve (12).

b. Missing involuntarily.

c. Missing under suspicious or unusual circumstances.

* 1. Is in, or appears to be in, a hazardous condition or situation.

3. Deputies who have located a missing person shall:

a. Notify the Communications Center

b. Ensure that the subject is reasonably safe.

c. Make necessary transportation arrangements if subject is incapable.

1. Notify Missing-Abducted Child Task Force if appropriate.

4. Deputies should use discretion divulging information or whereabouts of the Missing Person, (e.g., the person is over eighteen (18) and does not wish to have his/her location disclosed).

**POL-41-2 AMBER ALERTS**

Deputies dispatched to an incident must verify the circumstances of the missing or abducted child and eliminate alternative explanations before requesting an AMBER Alert.

1. Before requesting an Amber Alert, deputies must initiate an investigation and obtain the following **required** information.

a. Victim’s name.

b. Victim age.

c. Victim physical description (recent photo if possible).

d. Victim clothing description.

e. Victim illnesses and/or medical concerns.

f. Last location seen, including date and time.

1. Any suspect information (i.e. name, description, clothing, vehicle, direction of travel).

2. Deputies will then contact a supervisor and brief them on the preceding information.

3. The supervisor will review the circumstances of the incident as quickly as possible to determine if using the AMBER Alert Program protocol is appropriate. To qualify as an AMBER Alert, **the following criteria must all be met:**

1. The child is under eighteen (18) years of age and is known to be abducted and is not a runaway or thrown-away from home.
2. The abducted child is believed to be in danger of death or serious bodily injury.

c. The AMBER Alert activation should occur within 4 hours of the event qualifying under the criteria as an AMBER Alert unless circumstances or the timeliness of the information warrant otherwise.

d. There must be enough descriptive information available to believe that an AMBER Alert activation will assist in the recovery of the child. (Must include as much of the following information as possible)

> Where the abduction took place;

> A specific physical description of the child (can include clothing worn when last seen; height, weight, age, hair and eye color, hair length, any additional distinguishing physical characteristics);

> A physical description of the abductor (can include approximate height, weight, hair color/length, eye/skin color, clothing; any distinguishing physical characteristics);

> Place last seen;

> Description of the vehicle (can include color, make, model, license number, approximate year (older, newer));

e. The incident must be reported to and investigated by a law enforcement agency.

4. Examples of AMBER Alert criteria events may be:

a. Forced abductions.

1. Vehicle stolen with a child still inside.

5. Examples of non-qualifying events are:

a. Missing children believed to have run away.

b. Missing children taken by a non-custodial relative where life safety of the child is not in question.

c. Lost children.

d. Persons 18 years of age or older.

e. Searches for criminal suspects, (i.e. bank robber, etc.)

6. The case deputy shall:

a. Review the incident, verify AMBER criteria, and initiate an AMBER Alert.

b. Insure that an incident report is initiated.

c. Insure a local media release is completed, if appropriate.

d. Call the Communications Center Supervisor and coordinate the AMBER Alert effort.

7. The contacted supervisor shall:

a. Be responsible for approving an AMBER Alert without unnecessary delay.

b. Insure that the AMBER Alert meets the required criteria and that there is enough descriptive information available to believe that an immediate broadcast alert will be useful.

c. Consider if it is in the best interest of the victim to not issue an AMBER Alert because of confidential circumstances i.e. ransom demands.

d. Notify the chain of command, as appropriate.

8. The Communications Center is responsible for:

a. Following an established S.O.P. for AMBER Alert activation and participation as outlined in the Statewide AMBER Alert Plan, a copy of which is attached to this Plan.

b. Insuring documentation of AMBER Alert calls from citizens to the Communications Center by utilizing the standardized AMBER Alert Tip Sheet and forwarding the information quickly to appropriate investigators and agencies.

9. Canceling the AMBER Alert:

a. Once it has been determined the AMBER Alert activation is to be cancelled, this will be done via the Web Portal by either the lead agency or the Communications Center. If the lead agency cancels the alert, they agree to call the Communications Center and make sure they are aware of the cancellation. If the Web Portal is unavailable, the agency requesting the cancellation will call the Communications Center and request they contact the Washington State Patrol and cancel the alert.

**CHAPTER FORTY-TWO**

**DOMESTIC VIOLENCE – TO INCLUDE OFFICER INVOLVED**

The Whitman County Sheriff’s Office recognizes the importance of properly and thoroughly investigating all domestic violence offenses and providing the victims of domestic violence the maximum protection from abuse which the law and those who enforce the law can provide. Therefore, all sworn department members will fully review, understand, and enforce RCW 10.99 and RCW 10.31.100 as they relate to offenses involving domestic violence.

**POL-42-1 POLICY**

Public confidence in law enforcement is paramount to our ability to maintain public safety. To that end, the public must trust that law enforcement employees are held to the standards of the law regarding domestic violence. Therefore, the Whitman County Sheriff’s Office will:

1. Promptly respond to allegations of domestic violence by an employee according to this policy and all applicable laws.

2. Give primary consideration to protection of the victim of domestic violence and enforcement of the laws.

3. Respect the due process rights of all employees, according to applicable legal precedent and collective bargaining agreements.

4. Expeditiously report and conduct thorough investigations into any allegation of a law enforcement employee involved in domestic violence.

5. Train employees and seek to educate their families about intimate violence and avenues for assistance.

**POL-42-2 DEFINITIONS**

Domestic violence as defined in RCW 10.99 includes two elements: first, a relationship between the perpetrator and the victim defined in RCW 10.99.020 (3), and second, that a criminal act has occurred as defined in RCW 10.99.020 (5).

Domestic dispute is an incident involving a relationship defined in RCW 10.99.020 (3) where there was no criminal action.

Domestic violence treatment provider refers to a treatment provider certified by the State of Washington as a batterer’s treatment provider as defined in RCW 26.50.150.

Domestic violence specialist refers to an individual with professional credentials in the dynamics of battering, advocacy and victim safety.

"Sworn employee" means a general authority Washington peace officer as defined in RCW 10.93.020, any person appointed under RCW 35.21.333, and any person appointed or elected to carry out the duties of the sheriff under chapter 36.28 RCW.

"Employee" means any person currently employed with an agency.

**POL-42-3 ACTIONS**

**POL-42-3-1 AGENCY ACTIONS**

• Provide pre-hire screening procedures reasonably calculated to disclose whether an applicant for a sworn employee position has a history of domestic violence or child abuse allegations or has been subject to a protective order. (See RCW --- Section 3a (i, ii, iii)

• Maintain ongoing and meaningful relationships with victim advocacy groups and other domestic violence professionals in the community.

• Provide education to agency employees on the dynamics of interpersonal violence.

• In response to observed behavior or at the request of the employee, the agency may offer or recommend intervention services to employees. If domestic violence is suspected, the referral should be to a domestic violence specialist.

• Any employee who becomes aware of domestic violence committed by a sworn employee must immediately report that allegation to their supervisor.

• Employees who disclose that they have personally engaged in criminal acts of domestic violence are not entitled to confidentiality. Such acts shall be investigated administratively and criminally as appropriate.

• Provide information to employing law enforcement agencies within 24 hours of a domestic violence or domestic dispute report involving a sworn officer.

• Provide information on this domestic violence policy and programs under RCW 26.50.150 to employees and make it available to employee families and the public.

• Provide victims of domestic violence by agency employees an agency point of contact to assist the victim through the investigative process. Consideration should be given to selecting a point of contact at least one rank higher than the perpetrator and would ideally be someone other than the investigator.

• Provide victims of domestic violence by agency employees contact information about public and private nonprofit domestic violence services and information regarding relevant confidentiality policies related to the victim’s information.

• Respond to agency employees who are alleged to be victims of violence at the hands of sworn employees of the agency. Safety concerns and domestic violence services information will be reviewed with the victim employee.

• Provide for an impartial administrative investigation and appropriate criminal investigation of all acts of domestic violence allegedly committed by a sworn employee and appropriate sanctions when it is found that an employee has committed an act of domestic violence. Administrative investigations may be conducted by the employing agency or through agreements with other law enforcement agencies.

• Consider whether to relieve a sworn employee of agency-issued weapons and suspend law enforcement powers pending resolution of an investigation.

**POL-42-3-2 EMPLOYEE ACTIONS**

• Employees are entitled to seek assistance through the employee assistance program, employee peer counselors, chaplains or psychological professionals, however, in situations where family violence is indicated a referral to a domestic violence specialist is critical.

• Employees with knowledge or information about any sworn employee in violation of this policy must report the incident in writing to an appropriate supervisor as soon as possible, but no later than 24 hours. Failure to report may subject the employee to disciplinary action.

• Employees who are victims of domestic violence are encouraged to request assistance, but are not subject to punitive measures for failing to report their abuse.

• Employees should be alert to the likelihood of victim or witness intimidation and shall immediately take appropriate action. This action will include, but is not limited to, a report to the appropriate supervisor.

• Employees are expected to fully cooperate with the investigation of allegations under this chapter but only as requested by a supervisor or by court subpoena.

• When a law enforcement agency responds to a call in which a sworn employee is alleged to have been involved in a domestic dispute or committed an act of domestic violence, the involved employee must immediately report that police response to the appropriate supervisor. A written report must follow within 24 hours, subject to the agency’s internal investigatory process.

• When an employee becomes the subject of an investigation for child abuse or neglect, or becomes subject to an order under RCW 26.44.063 or RCW 26.50 or any equivalent order issued by another state or tribal court, that employee must immediately report the fact to the appropriate supervisor. A written report must follow within 24 hours to include a copy of any order and any notices of court dates, appearances and proceedings received by the employee.

**POL-42-3-3 SUPERVISORS’ ACTIONS**

• Supervisors are to be aware of behaviors in their subordinates that could be indicative of domestic violence and properly process observations of such behavior.

• All agency supervisors are required to see that domestic violence incidents are properly recorded and processed according to this policy.

**POL-42-4 INCIDENT RESPONSE PROTOCOLS**

• Notification of any incident of domestic violence involving any law enforcement officer requires a prompt response, full investigation and a complete written report by this agency, as well as notification to the employing agency.

• Patrol responses to the scene of domestic violence involving law enforcement officers require on scene supervisory presence, if available.

• All incidents of domestic violence by agency employees require notification through the chain of command to the agency head.

• Incidents of domestic violence by other agency law enforcement sworn employees require notification of the agency head of the employing agency.

• Agency heads may delegate responsibility for receiving such reports to a specialized unit and/or specific person. Anyone so designated, should have specialized training regarding the dynamics of violent relationships, victim safety and the role of advocacy. The point of contact or supervisor should review each referral for any potential conflict of interest.

• In the event of a report of domestic violence alleged to have been committed by the agency head, prompt notification will be made to the employing entity’s chief executive officer, or, in the case of an elected Sheriff, the County’s Prosecutor.

**POL-42-4-1 PATROL RESPONSE**

• A patrol officer responding to an incident described as domestic violence involving a law enforcement officer should, whenever possible, request a supervisory response.

• The primary unit will conduct a thorough investigation, including, but not limited to:

* Photographs of the crime scene & any injuries identified
* Statements from all witnesses, including children, if any
* The Domestic Violence Supplemental Report Form
* Seizure of any weapons used or referred to in the crime
* Signed medical releases
* Copies of dispatch (CAD) records
* 911 call recording preserved
* Statement of the victim; statement of the suspect

• The primary officer shall inquire if the victim requests any guns or specific weapons be removed for safekeeping and accommodate removal or explain the process for seeking a court order for removal.

• The primary unit will complete the report as soon as possible, but prior to the completion of their shift.

• A copy of the report should be forwarded to the appropriate supervisor. Access to the report should then be restricted to some form of “read only” version or physically secured.

• Patrol units responding to suspicious circumstances, compelling third party accounts of incidents, unexplained property damage, etc. or other troubling events involving law enforcement officers will complete written reports of the incident.

**POL-42-4-2 PATROL SUPERVISOR RESPONSE**

• A patrol supervisor shall respond whenever practical to the scene of any domestic violence incident involving agency sworn employees regardless of jurisdiction. Supervisors will coordinate information and offer assistance to the agency of jurisdiction to provide a complete investigation.

• When possible, a supervisor shall respond to the scene of all domestic violence incidents within the agency jurisdiction involving any law enforcement officer.

• The patrol supervisor shall coordinate the investigation, applying appropriate resources and special units such as forensics, photography, domestic violence specialists, advocates and ensuring command notification.

• The supervisor will write a report on all incidents, whether deemed criminal or not and route it through the chain of command.

• If an agency officer is arrested, the on-scene supervisor will contact the employing agency head who will order the surrender of the officer’s agency- issued weapons, and identification. Consideration should be given to other agency equipment and inquiries made about voluntary surrender of personal weapons that may be secured for safekeeping.

• If an officer from another police agency is arrested, the supervisor shall contact that jurisdiction prior to custody transport and request authorization to seize that employee’s duty weapons or arrange for the employing agency to take them.

• The supervisor will endeavor to make a good faith effort to locate the suspect if there is probable cause for an arrest.

• The supervisor will explain the process to the victim, including the opportunity for an emergency protection order, administrative no-contact order, if applicable as well as applicable confidentiality statutes and policies.

• The supervisor will provide the victim with a copy of this policy and agency contact information, acting as the point of contact until an assignment is made.

**POL-42-4-3 DOMESTIC VIOLENCE ASSIGNED SUPERVISOR RESPONSE**

• The assigned supervisor will review the report and assign the criminal investigation or coordinate with the agency of jurisdiction.

• For all situations involving an employee of the agency, the assigned supervisor will contact the victim, introduce the point of contact and provide an update regarding the administrative process.

• The assigned supervisor will coordinate with the appropriate prosecutor’s office regarding charging and prosecution.

• The assigned supervisor will coordinate with the appropriate domestic violence advocacy organization to assist with victim safety concerns. Victim notification of each step of the administrative process is critical to victim safety.

• All completed investigations of domestic violence that reveal probable cause of a crime committed by any agency sworn employees or the agency head shall be promptly forwarded to the appropriate prosecuting authority for a charging decision.

**POL-42-4-4 COMMAND DUTY OFFICER**

• The command officer notified of an incident covered by this policy will see that the agency head is notified promptly of such incident.

For agency employees:

• The command officer will make a decision regarding removal of the involved employee’s law enforcement powers, duty weapon and other agency owned equipment pending investigation outcome and possible prosecutorial charging decision.

• A command officer will issue an administrative order prohibiting contact with the victim if appropriate.

• This decision will be forwarded to the agency head for review and further action.

• The command officer will respond or designate a command officer to respond to the scene if the involved employee is a sergeant or above or if the situation dictates command presence.

For other law enforcement agencies:

• The command officer will verify command notification of the employing agency.

• The command officer will verify the supervisor has offered assistance with removing weapons, police powers, etc.

• The command officer will see that the agency provides appropriate reports and any other requested documentation to the employing agency.

**POL-42-5 VICTIM SAFETY & NOTIFICATIONS**

Working with community resources and domestic violence advocacy agencies, the agency shall make available to the victim:

• Information on how to obtain protective orders and/or removal of weapons from his or her home.

• Assistance with obtaining such orders in coordination with domestic violence victim advocates.

• A copy of this policy and any agency confidentiality policy.

• Information about public and private domestic violence advocacy resources to include the Washington State Domestic Violence Hotline.

• Information related to relevant confidentiality policies related to the victim’s information and public disclosure as provided by law.

• The agency should coordinate victim notification regarding criminal and administrative investigative processes through the designated agency liaison in order to assist with victim safety.

**POL-42-6 ADMINISTRATIVE PROCESS**

The Whitman County Sheriff’s Office will observe all other appropriate policies and procedures generally applicable to the investigation of alleged officer misconduct. The agency will respect the rights of the accused employee under applicable collective bargaining agreements and case law.

Administrative investigations will be conducted through the Internal Investigations officer assigned to the case or by an outside agency as directed by the agency head.

Where sufficient information exists, the agency will make appropriate restrictions to assignments, law enforcement powers, building and records access and consider administrative reassignment and/or leave.

In determining the proper course of administrative action, the agency may consider risk assessment instruments and/or the use of independent outside investigators, and other factors such as the employee’s history of complying with rules.

Agency employees may be ordered to undergo fitness for duty evaluation prior to any disposition, depending on the circumstances and in accordance with administrative policy and applicable collective bargaining agreements and civil service standards.

**CHAPTER FORTY-THREE**

**INVENTORY**

**POL-43**

**Documentation of Sheriff’s Office Inventory and Small and Attractive Items (SAI)**

**POL-43-1**

It shall be the policy of the Whitman County Sheriff’s Office to keep an inventory of all items with an initial value of $2500.00 or more. Any single item with a value under $2500.00 will not be inventoried unless otherwise directed by the Sheriff. Items such as Portable Radios, Cameras, TASERS and Firearms of any value will be inventoried “in-house” only. Records of those items will be kept in a central location for easy reference.

**POL-43-2**

Items purchased or acquired with an initial value exceeding $2500.00 will be required to be inventoried with the county SAI form in conjunction with the Auditor and Information Services.

**POL-43-3**

All items acquired or purchased directly with grant funding, either Federal or State, shall be inventoried in conjunction with and according to county policy. These Items shall remain on the inventory until the end of their useful life.

Any item disposed of, which is inventoried, must be reported to the administrative sergeant, Sheriff or Undersheriff who oversees the inventory of all items meeting these criteria.

**CHAPTER FORTY-FOUR**

**RECOGNITION**

**POL-44**

**Recognition of outstanding performance by employees and/or citizens**

**POL-44-1**

The Whitman County Sheriff’s Office understands the importance and value of recognizing outstanding performance by both, employees and citizens. When evidence of meritorious service is brought to the attention of the Sheriff, he/she does reserve the right to recognize this service in an appropriate manner. This recognition may include, but is not limited to, the awarding of ribbons, plaques, pins, certificates, medallions, etc.

**POL -45 Domestic Violence: The Law Enforcement Response**

**45-1 Responding to the Scene**

Deputies should attempt to obtain all available information including prior history or subject alerts from the dispatcher while in route to the scene.

Approach the scene as one of a very high risk and use your appropriate officer safety skills.

Upon entering or contact, continue with officer safety skills and secure weapons, separate involved persons and have scene security.

**45-2 On Scene Investigation**

Officers should use the same information gathering and interviewing strategies used in other

criminal investigations while cognizant of their own officer safety and participant safety.

Identify all persons involved and/or witnessed the incident.

Assess need of first aid or medical services.

**45-3 Interviewing**

Interview each person separately and out of the “control (within hearing or sight)” of any other person when possible.

Document excited utterances or spontaneous statements, present sense impressions, and mental,

physical and emotional conditions and changes of those conditions.

Electronically record statements including a perjury statement at the end of recording.

Past domestic violence history and including what led up to current incident.

Do not use persons involved as interpreters if interpreters are needed.

When interviewing witnesses, include how they describe the victim’s physical and emotional condition.

When interviewing children, if prudent give them assurances they are not to blame, particularly if the child called 911.

**45-4 The Scene and Physical Evidence**

Assess and document injuries and wounds, observable or not. Defensive or offensive?

Does the scene correspond to statements? Does it corroborate one statement or another?

Photograph scene; include specific evidence as well as overviews.

Photograph persons; include full person, face and injuries.

Secure and seize evidence.

**45-5 The Arrest Decision**

Determining the primary aggressor, from RCW 10.31.100 -2-C:

The officer shall arrest the person whom the officer believes to be the primary physical aggressor. **In making this determination, the officer shall make every reasonable effort to consider**: (i) The intent to protect victims of domestic violence under RCW [10.99.010](http://apps.leg.wa.gov/RCW/default.aspx?cite=10.99.010); (ii) the comparative extent of injuries inflicted or serious threats creating fear of physical injury; and (iii) the history of domestic violence between the persons involved.

**Mandatory and discretionary arrest authority is governed by RCW 10.31, 10.99 and 26.50.**

**45-6 Before Leaving the Scene**

Ask if an ATVP advocate can meet with the victim. If so - call one to respond.

ATVP 509.332.4357

Provide victim with Victim Rights/ATVP form (with 10.99.030-7 information).

WSU Police Department will refer WSU students to WSU Counseling Services.

Have victim sign medical release waiver for medical records.

Does the victim need assistance to hospital? Do you need to meet them there?

Assess the victim safety with them and assist in taking appropriate actions.

Do they need to go to the police station? ATVP Shelter? Friend’s residence?

Call CPS for the children when prudent. Refer to RCWs 26.44.020, 26.44.030, 26.44.050

CPS Office Hours: 509.397.5040 Nights and weekends: 1.800.562.5624

If suspect was not at scene, **start the minimum four hour diligent search for the suspect**.

What leads can the victim or witness provide for locating the suspect?

Notify other agencies of ATL when appropriate

**45-7 Report Writing: The PC Affidavit, Follow-up and Final Report**

**The PC Arrest Affidavit**

Complete the PC Arrest affidavit prior to booking the suspect at the Whitman County Jail.

The PC Affidavit should include all elements for each crime and specific incident details including:

The date, time and location of the crime

Relationship between the victim and the suspect

Criteria used to determine the primary aggressor (may be apparent)(weapons?)

Physical description and sizes of both the victim and suspect

Injuries to both the victim and suspect, offensive or defensive

Alcohol and/or drug usage

The physical environment and its roll in the crime

Statements by the victim, suspect and witnesses

Specific evidence that corroborates statements

Prior history relating to the domestic violence

**Follow-up after the incident**

Retrieve medical records.

Retrieve 911 recording from dispatch.

Secondary injury photos of victim if bruising develops.

Secondary interview of victim after victim has two sleep cycles; particularly if incident was extremely emotional or traumatic.

**The Final Report**

Besides the information on the PC Affidavit, include:

Complete information on the suspect, victim and witnesses

Information gathered on follow up investigation

Copies of digital information; images and interviews, 911 recording, medical history

The list of evidence seized

Referral to the prosecutor for charging

Copies to CPS when pertinent

45-8 Selected RCWs

RCW 10.31.100 Arrest without warrant.

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of the officer, except as provided in subsections (1) through (10) of this section.

(2) A police officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:  
  
(a) An order has been issued of which the person has knowledge under RCW [26.44.063](http://apps.leg.wa.gov/RCW/default.aspx?cite=26.44.063), or chapter [7.90](http://apps.leg.wa.gov/RCW/default.aspx?cite=7.90), [10.99](http://apps.leg.wa.gov/RCW/default.aspx?cite=10.99), , [26.10](http://apps.leg.wa.gov/RCW/default.aspx?cite=26.10), [26.26](http://apps.leg.wa.gov/RCW/default.aspx?cite=26.26), [26.50](http://apps.leg.wa.gov/RCW/default.aspx?cite=26.50), or [74.34](http://apps.leg.wa.gov/RCW/default.aspx?cite=74.34) RCW restraining the person and the person has violated the terms of the order restraining the person from acts or threats of violence, 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 or, in the case of an order issued under RCW [26.44.063](http://apps.leg.wa.gov/RCW/default.aspx?cite=26.44.063), imposing any other restrictions or conditions upon the person; or  
  
(b) A foreign protection order, as defined in RCW [26.52.010](http://apps.leg.wa.gov/RCW/default.aspx?cite=26.52.010), has been issued of which the person under restraint has knowledge and the person under restraint has violated a provision of the foreign protection order prohibiting the person under restraint from contacting or communicating with another person, or excluding the person under restraint from 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, or a violation of any provision for which the foreign protection order specifically indicates that a violation will be a crime; or  
  
(c) The person is sixteen years or older and within the preceding four hours has assaulted a family or household member as defined in RCW [10.99.020](http://apps.leg.wa.gov/RCW/default.aspx?cite=10.99.020) and the officer believes: (i) A felonious assault has occurred; (ii) an assault has occurred which has resulted in bodily injury to the victim, whether the injury is observable by the responding officer or not; or (iii) that any physical action has occurred which was intended to cause another person reasonably to fear imminent serious bodily injury or death. Bodily injury means physical pain, illness, or an impairment of physical condition. When the officer has probable cause to believe that family or household members have assaulted each other, the officer is not required to arrest both persons. The officer shall arrest the person whom the officer believes to be the primary physical aggressor. In making this determination, the officer shall make every reasonable effort to consider: (i) The intent to protect victims of domestic violence under RCW [10.99.010](http://apps.leg.wa.gov/RCW/default.aspx?cite=10.99.010); (ii) the comparative extent of injuries inflicted or serious threats creating fear of physical injury; and (iii) the history of domestic violence between the persons involved.

(12) No police officer may be held criminally or civilly liable for making an arrest pursuant to RCW [10.31.100](http://apps.leg.wa.gov/RCW/default.aspx?cite=10.31.100) (2) or (8) if the police officer acts in good faith and without malice.

## **RCW 10.99.030 LE officers —…powers, duties — Domestic violence reports.**

(5) The primary duty of peace officers, when responding to a domestic violence situation, is to enforce the laws allegedly violated and to protect the complaining party.  
  
(6)(a) When a peace officer responds to a domestic violence call and has probable cause to believe that a crime has been committed, the peace officer shall exercise arrest powers with reference to the criteria in RCW [10.31.100](http://apps.leg.wa.gov/RCW/default.aspx?cite=10.31.100). The officer shall notify the victim of the victim's right to initiate a criminal proceeding in all cases where the officer has not exercised arrest powers or decided to initiate criminal proceedings by citation or otherwise. The parties in such cases shall also be advised of the importance of preserving evidence.  
  
(b) A peace officer responding to a domestic violence call shall take a complete offense report including the officer's disposition of the case.  
  
(7) When a peace officer responds to a domestic violence call, the officer shall advise victims of all reasonable means to prevent further abuse, including advising each person of the availability of a shelter or other services in the community, and giving each person immediate notice of the legal rights and remedies available. The notice shall include handing each person a copy of the following statement:

"IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you can ask the city or county prosecuting attorney to file a criminal complaint. You also have the right to file a petition in superior, district, or municipal court requesting an order for protection from domestic abuse which could include any of the following: (a) An order restraining your abuser from further acts of abuse; (b) an order directing your abuser to leave your household; (c) an order preventing your abuser from entering your residence, school, business, or place of employment; (d) an order awarding you or the other parent custody of or visitation with your minor child or children; and (e) an order restraining your abuser from molesting or interfering with minor children in your custody. The forms you need to obtain a protection order are available in any municipal, district, or superior court.

Information about shelters and alternatives to domestic violence is available from a statewide twenty-four-hour toll-free hot line at (include appropriate phone number). The battered women's shelter and other resources in your area are . . . . . (include local information)"  
(8) The peace officer may offer, arrange, or facilitate transportation for the victim to a hospital for treatment of injuries or to a place of safety or shelter.  
  
(9) The law enforcement agency shall forward the offense report to the appropriate prosecutor within ten days of making such report if there is probable cause to believe that an offense has been committed, unless the case is under active investigation.  
  
(10) Each law enforcement agency shall make as soon as practicable a written record and shall maintain records of all incidents of domestic violence reported to it.

**RCW 26.50.010 Definitions**

As used in this chapter, the following terms shall have the meanings given them:  
  
(1) "Domestic violence" means: (a) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members; (b) sexual assault of one family or household member by another; or (c) stalking as defined in RCW [9A.46.110](http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.46.110) of one family or household member by another family or household member.  
  
(2) "Family or household members" means spouses, domestic partners, former spouses, former domestic partners, 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.  
  
(3) "Dating relationship" means a social relationship of a romantic nature. Factors that the court may consider in making this determination include: (a) The length of time the relationship has existed; (b) the nature of the relationship; and (c) the frequency of interaction between the parties.

**RCW 10.99.202 Domestic Violence Definitions**

(5) "Domestic violence" includes but is not limited to any of the following crimes when committed by one family or household member against another:  
  
     (a) Assault in the first degree (RCW [9A.36.011](http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.36.011));  
     (b) Assault in the second degree (RCW [9A.36.021](http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.36.021));  
     (c) Assault in the third degree (RCW [9A.36.031](http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.36.031));  
     (d) Assault in the fourth degree (RCW [9A.36.041](http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.36.041));  
     (e) Drive-by shooting (RCW [9A.36.045](http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.36.045));  
     (f) Reckless endangerment (RCW [9A.36.050](http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.36.050));  
     (g) Coercion (RCW [9A.36.070](http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.36.070));  
     (h) Burglary in the first degree (RCW [9A.52.020](http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.52.020));  
     (i) Burglary in the second degree (RCW [9A.52.030](http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.52.030));  
     (j) Criminal trespass in the first degree (RCW [9A.52.070](http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.52.070));  
     (k) Criminal trespass in the second degree (RCW [9A.52.080](http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.52.080));  
     (l) Malicious mischief in the first degree (RCW [9A.48.070](http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.48.070));  
     (m) Malicious mischief in the second degree (RCW [9A.48.080](http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.48.080));  
     (n) Malicious mischief in the third degree (RCW [9A.48.090](http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.48.090));  
     (o) Kidnapping in the first degree (RCW [9A.40.020](http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.40.020));  
     (p) Kidnapping in the second degree (RCW [9A.40.030](http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.40.030));  
     (q) Unlawful imprisonment (RCW [9A.40.040](http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.40.040));  
     (r) 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](http://apps.leg.wa.gov/RCW/default.aspx?cite=10.99.040), [10.99.050](http://apps.leg.wa.gov/RCW/default.aspx?cite=10.99.050), [26.09.300](http://apps.leg.wa.gov/RCW/default.aspx?cite=26.09.300), [26.10.220](http://apps.leg.wa.gov/RCW/default.aspx?cite=26.10.220), [26.26.138](http://apps.leg.wa.gov/RCW/default.aspx?cite=26.26.138), [26.44.063](http://apps.leg.wa.gov/RCW/default.aspx?cite=26.44.063), [26.44.150](http://apps.leg.wa.gov/RCW/default.aspx?cite=26.44.150), [26.50.060](http://apps.leg.wa.gov/RCW/default.aspx?cite=26.50.060), [26.50.070](http://apps.leg.wa.gov/RCW/default.aspx?cite=26.50.070), [26.50.130](http://apps.leg.wa.gov/RCW/default.aspx?cite=26.50.130), [26.52.070](http://apps.leg.wa.gov/RCW/default.aspx?cite=26.52.070), or [74.34.145](http://apps.leg.wa.gov/RCW/default.aspx?cite=74.34.145));  
  
     (s) Rape in the first degree (RCW [9A.44.040](http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.44.040));  
     (t) Rape in the second degree (RCW [9A.44.050](http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.44.050));  
     (u) Residential burglary (RCW [9A.52.025](http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.52.025));  
     (v) Stalking (RCW [9A.46.110](http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.46.110)); and  
     (w) Interference with the reporting of domestic violence (RCW [9A.36.150](http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.36.150)).

**RCW 26.44.020 Definitions**

   (1) "Abuse or neglect" means sexual abuse, sexual exploitation, or injury of a child by any person under circumstances which cause harm to the child's health, welfare, or safety, excluding conduct permitted under RCW 9A.16.100; or the negligent treatment or maltreatment of a child by a person responsible for or providing care to the child. An abused child is a child who has been subjected to child abuse or neglect as defined in this section.  
  
   (2) "Child" or "children" means any person under the age of eighteen years of age.

   (13) "Negligent treatment or maltreatment" means an act or a failure to act, or the cumulative effects of a pattern of conduct, behavior, or inaction, that evidences a serious disregard of consequences of such magnitude as to constitute a clear and present danger to a child's health, welfare, or safety, including but not limited to conduct prohibited under RCW 9A.42.100. When considering whether a clear and present danger exists, evidence of a parent's substance abuse as a contributing factor to negligent treatment or maltreatment shall be given great weight. The fact that siblings share a bedroom is not, in and of itself, negligent treatment or maltreatment. Poverty, homelessness, or exposure to domestic violence as defined in RCW 26.50.010 that is perpetrated against someone other than the child does not constitute negligent treatment or maltreatment in and of itself.

(19) "Sexual exploitation" includes: (a) Allowing, permitting, or encouraging a child to engage in prostitution by any person; or (b) allowing, permitting, encouraging, or engaging in the obscene or pornographic photographing, filming, or depicting of a child by any person.

## **RCW 26.44.030 Reports**

## **(1)(a) When any… law enforcement officer …has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.**

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## **RCW 26.44.050 …Duty of law enforcement agency— Taking child into custody without court order, when.**

Upon the receipt of a report concerning the possible occurrence of abuse or neglect, the law enforcement agency or the department of social and health services must investigate and provide the protective services section with a report in accordance with chapter [74.13](http://apps.leg.wa.gov/RCW/default.aspx?cite=74.13) RCW, and where necessary to refer such report to the court.  
  
 A law enforcement officer may take, or cause to be taken, a child into custody without a court order if there is probable cause to believe that the child is abused or neglected and that the child would be injured or could not be taken into custody if it were necessary to first obtain a court order pursuant to RCW [13.34.050](http://apps.leg.wa.gov/RCW/default.aspx?cite=13.34.050). The law enforcement agency or the department of social and health services investigating such a report is hereby authorized to photograph such a child for the purpose of providing documentary evidence of the physical condition of the child.

Unmanned Aerial System (UAS) Operations Directive

**CHAPTER FORTY-SIX**

**Unmanned Aerial System (UAS)**

**POL- 46-1 PURPOSE AND SCOPE**

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

DEFINITIONS

**POL- 46-2 Definitions**-

Definitions related to this policy include: Unmanned Aerial System (UAS) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

Unmanned aerial systems may be utilized to enhance the department’s mission of protecting lives and property when other means and resources are not available, or are less effective, or when a UAS may help mitigate risk to officer safety. Any use of a UAS will be in strict accordance with constitutional and privacy rights, State Law, and Federal Aviation Administration (FAA) regulations.

**POL-46-3 PRIVACY-**

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

**POL 46-4 USE OF UAS**-

Only authorized operators who have completed the required training shall be permitted to operate the UAS or a pilot who is under the direct supervision of a Pilot in Charge (PIC).

**POL 46-5 PROHIBITED USE**

The UAS video surveillance equipment shall not be used:

• To conduct random surveillance activities.

• To harass, intimidate or discriminate against any individual or group.

• The UAS shall not be weaponized.

**POL 46-5 RETENTION OF UAS DATA**

Data collected by the UAS shall be retained as provided in the established records retention schedule