

To all Members of the Thurston County Sheriff's Office:

I am continually honored to work with you as we serve our community, and I am proud to present this Policy Manual as our next step in our quest for excellence.

This manual is an effort by many to produce a document that provides guidance, and leads us towards accreditation of the Office. As changes to best practices, case law, or legislation are made, the manual will be updated and all department members will be notified. Any member who believes that there are discrepancies in the manual or directives will bring them to the attention of their immediate supervisor. The supervisor will forward them through the chain of command to the Undersheriff.

The manual provides direction and guidelines to help you in the performance of your duties. Policies are not intended to cover every possible type of situation which may occur. No manual is exhaustive or exclusive - you are expected to use your judgment and training to augment this Policy Manual.

Deviation from policy may be warranted and even expected due to exigent circumstances. However, it is to be considered directive, absent exigent circumstances.

Included in this manual is the Law Enforcement Code of Ethics. Use it with the manual to provide ethical, quality, and responsive service to our community.

On the date of issuance, this Policy Manual will supersede all prior written directives. It is each member's responsibility to thoroughly review this manual and directives which are issued to them, thus insuring continued compliance. Throughout the manual you will notice italicized or highlighted text. This was done to draw it to your attention. Some items provide insight and others require strict adherence.

Let me express my deepest gratitude for your service; putting people first and public safety always.

Sincerely,  
Sheriff John Snaza



---

Signature

January 11, 2013

Date

**MOTTO**

***"PEOPLE FIRST; PUBLIC SAFETY ALWAYS"***

**VISION STATEMENT**

***"COMMITTED TO EXCELLENCE THROUGH PRIDE, PROFESSIONALISM, AND ACCOUNTABILITY IN ORDER TO PROVIDE DEDICATED PUBLIC SERVICE TO OUR COMMUNITY."***

**MISSION STATEMENT**

***"IN PARTNERSHIP WITH OUR CITIZENS, WE ARE COMMITTED TO PROTECTING LIFE, PROPERTY, AND INDIVIDUAL RIGHTS WHILE PROVIDING PROFESSIONAL AND ETHICAL SERVICE TO OUR COMMUNITY."***

## Core Values

### *Based on the Seven Points of our Badge*



**Integrity:** That moral defense against corrupting influence.

**Knowledge:** Knowing the facts and laws combined with the awareness and understanding that sustain us through our daily duties.

**Judgment:** The ability to apply knowledge and wisdom to the best advantage of all concerned.

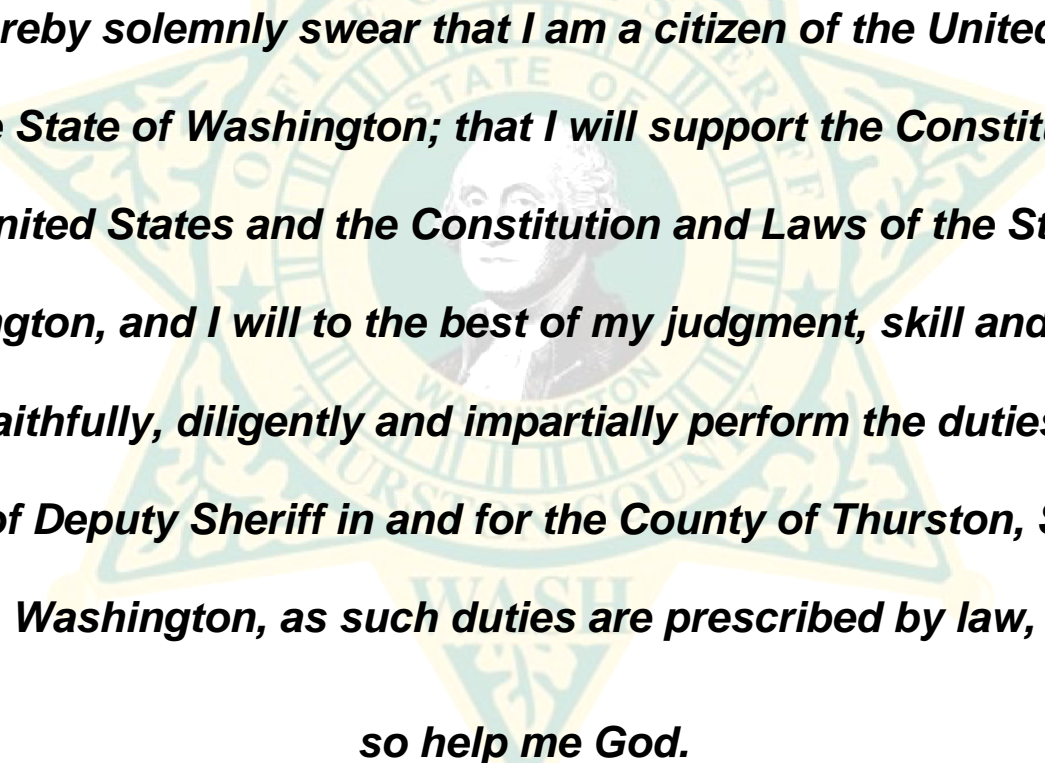
**Courtesy:** Respect for law and order and all people

**Loyalty:** Faithfulness to the people we serve and our fellow members of the agency.

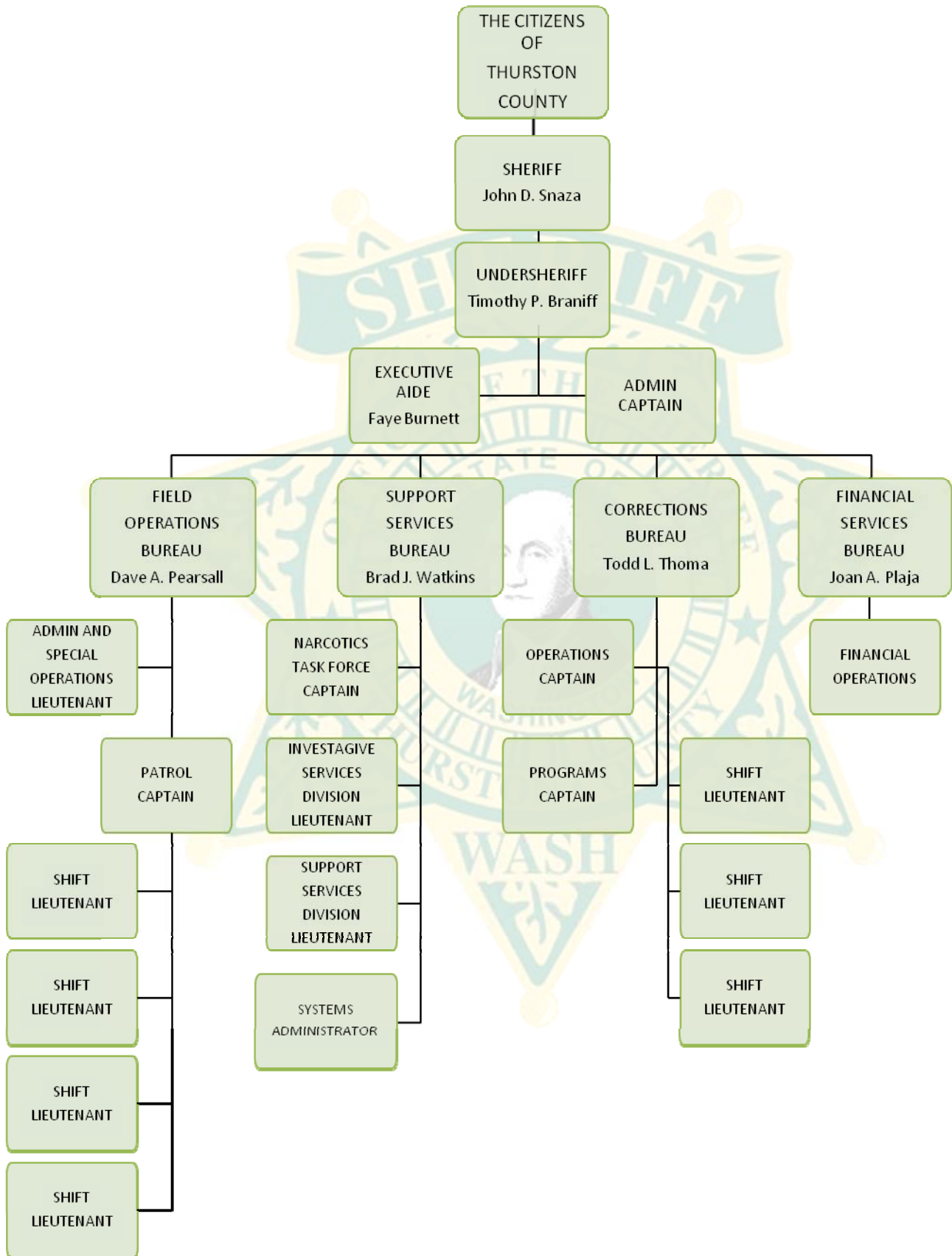
**Honor:** The highest esteem for the principles upon which the Thurston County Sheriff's Office has been built.

**Character:** The qualities of moral strength and stability.

**THE OATH OF OFFICE**



***I, do hereby solemnly swear that I am a citizen of the United States and the State of Washington; that I will support the Constitution of the United States and the Constitution and Laws of the State of Washington, and I 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 the County of Thurston, State of Washington, as such duties are prescribed by law,  
so help me God.***



## Table of Contents

<b>CHAPTER 1 ETHICS AND AUTHORITY.....</b>	<b>16</b>
<b>PREAMBLE.....</b>	<b>18</b>
<b>LAW ENFORCEMENT CODE OF ETHICS WASPC: 2.4.....</b>	<b>19</b>
<b>ETHICAL BEHAVIOR.....</b>	<b>20</b>
<b>CHAPTER 1 SECTION A ~ ETHICAL STANDARDS WASPC: 13.1.....</b>	<b>22</b>
1.A.1 Standard 1.....	22
1.A.2 Standard 2.....	22
1.A.3 Standard 3.....	24
1.A.4 Standard 4.....	27
1.A.5 Standard 5 WASPC: 2.3.....	33
1.A.6 Standard 6.....	34
1.A.7 Standard 7.....	36
1.A.8 Standard 8.....	38
1.A.9 Standard 9 WASPC: 5.4.....	38
<b>CHAPTER 1 SECTION B ~ JURISDICTION WASPC: 2.2.....</b>	<b>41</b>
1.B.1 Office Jurisdiction.....	41
1.B.2 Enforcement Authority within Cities and Towns.....	41
1.B.3 Mutual Aid WASPC: 7.4.....	42
1.B.4 Exercising of Authority.....	43
1.B.5 Off-Duty Authority.....	43
1.B.6 Report of Action.....	43
<b>CHAPTER 1 SECTION C ~ PARTICIPATION IN CHRI SYSTEM WASPC: 6.2.....</b>	<b>44</b>
1.C.1 Security of Information WASPC: 5.5, 6.1, 6.2.....	44
1.C.2 Falsification, Destruction of Records WASPC: 5.6.....	44
1.C.3 Confidentiality of Office Information WASPC: 5.4.....	44
1.C.4 Release of Office Information WASPC: 5.5.....	44
<b>CHAPTER 1 SECTION D ~ NARCOTICS TASK FORCE WASPC: 2.2.....</b>	<b>45</b>
1.D.1 Participation.....	45
<b>CHAPTER 1 SECTION E ~ WASHINGTON PEACE OFFICERS POWERS ACT.....</b>	<b>45</b>
1.E.1 Subsequent to the 1985 Mutual Aid Peace Officers Powers Act, RCW 10.93.....	45
<b>CHAPTER 1 SECTION F ~ LAW ENFORCEMENT AUTHORITY WASPC: 2.2.....</b>	<b>46</b>
1.F.1 Authority.....	46
1.F.2 Oath of Office WASPC: 2.1.....	46
1.F.3 Sheriff's Commission.....	46
1.F.4 Limited Commissions.....	46

1.F.5	Other Police Commissions .....	46
1.F.6	Commission Abuse .....	46
<b>CHAPTER 1 SECTION G ~ USE OF FORCE WASPC: 3.1</b>	<b>.....</b>	<b>47</b>
1.G.1	Use of Force WASPC: 3.1, 3.2.....	47
1.G.2	Use of Force – When Lawful (See RCW 9A.16.020).....	47
1.G.3	Deadly Force to Destroy Animals.....	49
1.G.4	Justification Limited to Facts Known to Member.....	50
1.G.5	Members Acknowledgement of Policy .....	50
1.G.6	Members Surrendering Weapon .....	50
1.G.7	Pursuit Resolution Tactics WASPC: 4.3, 15.5 .....	51
1.G.8	Less Lethal Weapons WASPC: 3.4 .....	53
1.G.9	Firearms and Ammunition WASPC: 3.8.....	55
1.G.10	Firearms Proficiency WASPC: 11.6, 11.8 .....	58
1.G.11	Firearms Discharge Internal Review Process WASPC: 3.7, 3.5.....	59
1.G.12	Post Shooting WASPC: 3.7.....	62
<b>CHAPTER 2 ORGANIZATION AND ADMINISTRATION</b>	<b>.....</b>	<b>64</b>
<b>CHAPTER 2 SECTION A ~ COMMAND STRUCTURE</b>	<b>.....</b>	<b>66</b>
2.A.1	Chief Executive Officer Authority WASPC: 2.2 .....	66
2.A.2	Chain of Command WASPC: 4.1 .....	66
2.A.3	Supervision.....	66
2.A.4	Command Responsibilities.....	67
2.A.5	Emergency Notification of the Sheriff.....	67
2.A.6	Communications through the Chain of Command .....	68
2.A.7	Supervisor Accountability .....	68
2.A.8	Primary Unit and Supervisor Response .....	69
2.A.9	Duty to Obey Lawful Orders WASPC: 4.2.....	69
2.A.10	Written Directives WASPC: 4.4 .....	70
<b>CHAPTER 2 SECTION B ~ ORGANIZATION</b>	<b>.....</b>	<b>73</b>
2.B.1	Organizational Structure.....	73
2.B.2	Personnel Responsibilities .....	73
2.B.3	Bureau Responsibilities.....	74
2.B.4	Command Protocol WASPC: 4.1 .....	76
2.B.5	Organizational Subdivisions .....	77
2.B.6	Accountability of Authority .....	77
2.B.7	Goals and Objectives WASPC: 1.2.....	78
<b>CHAPTER 2 SECTION C ~ TRAINING</b>	<b>.....</b>	<b>79</b>
2.C.1	Basic Academy Training; CJTC or Equivalent WASPC 11.1 .....	79
2.C.2	Field Training WASPC: 11.2 .....	79
2.C.3	First Level Supervisors WASPC: 11.7 .....	79
2.C.4	Mid-Management Positions WASPC: 11.7 .....	80
2.C.5	Annual Training WASPC: 11.5.....	80
2.C.6	Training Records WASPC: 11. 3, 11.4.....	81
2.C.7	Lesson Plans.....	82
2.C.8	Testing Procedures .....	83

<b>CHAPTER 2 SECTION D ~ RESERVE AND AUXILIARY MEMBERS .....</b>	<b>84</b>
2.D.1 Reserve Members .....	84
2.D.2 Auxiliary Members.....	85
<b>CHAPTER 2 SECTION E ~ EXPLORERS .....</b>	<b>87</b>
2.E.1 Explorers .....	87
<b>CHAPTER 2 SECTION F ~ SPECIALTY ASSIGNMENTS / PROMOTIONS.....</b>	<b>89</b>
2.F.1 Special Assignment Openings.....	89
2.F.2 Special Assignment Positions .....	89
2.F.3 Transfers.....	90
2.F.4 Outside Assistance.....	91
2.F.5 Requests for Transfer.....	91
<b>CHAPTER 2 SECTION G ~ SPECIALTY UNITS.....</b>	<b>92</b>
2.G.1 Specialized Units .....	92
2.G.2 Dive Rescue Team (DRT) .....	92
2.G.3 Special Weapons and Tactics Team (S.W.A.T.).....	93
2.G.4 K-9 Unit.....	93
2.G.5 Honor Guard Unit .....	93
<b>CHAPTER 2 SECTION H ~ APPLICANT SELECTION.....</b>	<b>95</b>
2.H.1 Selection Process WASPC: 10.1 .....	95
2.H.2 Equal Employment Opportunity, Diversity, and Workplace Equity WASPC: 13.2.....	97
<b>CHAPTER 2 SECTION I ~ PROBATION AND PROMOTION .....</b>	<b>99</b>
2.I.1 Probationary Period .....	99
2.I.2 Written Promotion Announcement.....	99
2.I.3 Promotion Administration.....	99
2.I.4 Promotion Procedures .....	99
<b>CHAPTER 2 SECTION J ~ EVALUATIONS .....</b>	<b>100</b>
2.J.1 Performance Evaluations .....	100
2.J.2 Evaluation Instructions .....	102
2.J.3 Probationary Evaluations WASPC: 12.2 .....	102
2.J.4 Remedial Training .....	103
2.J.5 Personnel Files WASPC: 10.7 .....	104
<b>CHAPTER 2 SECTION K~ AWARDS AND RECOGNITION .....</b>	<b>105</b>
2.K.1 Performance Awards .....	105
2.K.2 Medal of Honor .....	105
2.K.3 Meritorious Service Medal .....	106
2.K.4 Distinguished Service Medal .....	106
2.K.5 Purple Heart Medal.....	106
2.K.6 Lifesaving Award Pin .....	107
2.K.7 Certificate of Commendation.....	107
2.K.8 Citizen Commendation .....	107
2.K.9 Letter of Recognition .....	107



**CHAPTER 3 INVESTIGATIONS .....110**

**CHAPTER 3 SECTION A ~ INVESTIGATIONS WASPC: 17..... 112**

3.A.1 Investigations..... 112

3.A.2 Vice Control Function ..... 112

3.A.3 Organized Crime Control..... 113

3.A.4 Maintenance of Intelligence Information ..... 113

3.A.5 Confidential Files ..... 114

3.A.6 One Party Consent Authorization..... 114

**CHAPTER 3 SECTION B ~ FOLLOW-UP INVESTIGATIONS WASPC: 17.1..... 116**

3.B.1 Follow-up Investigations by Patrol Deputies ..... 116

3.B.2 Assignment..... 116

3.B.3. Investigation ..... 116

3.B.4 Timelines ..... 116

3.B.5. Completions of Investigation ..... 117

**CHAPTER 3 SECTION C ~ DOMESTIC VIOLENCE WASPC: 15.6 ..... 118**

3.C.1 Arrests ..... 118

3.C.2 Reporting ..... 119

3.C.3 Courtesy ..... 119

3.C.4 Training..... 120

3.C.5 Duties ..... 120

**CHAPTER 3 SECTION D ~ DOMESTIC VIOLENCE ~ LAW ENFORCEMENT INVOLVED ..... 121**

3.D.1 Policy DV-Law Enforcement Involved ..... 121

3.D.2 Notification..... 121

3.D.3 Definitions:..... 122

3.D.4 Training:..... 122

3.D.5 Members Responsibilities: ..... 123

3.D.6 Response ..... 124

3.D.7 Victim Safety and Notification WASPC: 17.8 ..... 125

3.D.8 Policy and Rights..... 125

3.D.9 Outside Agency Investigation..... 125

3.D10 Risk Assessment ..... 125

3.D.11 Fitness for Duty ..... 126

**CHAPTER 3 SECTION E ~ MISSING PERSON COMPLAINTS WASPC: 5.10, 15.7 ..... 127**

3.E.1 Response ..... 127

3.E.2 Missing Person at Risk and/or a Missing Juvenile (not a Runaway) ..... 127

3.E.3 Amber Alert..... 128

3.E.4 Missing Person not At Risk ..... 128

3.E.5 Documentation ..... 128

**CHAPTER 3 SECTION F ~ VULNERABLE ADULTS / DEPENDANT PERSONS ..... 129**

3.F.1 Definitions..... 129

3.F.2 Crimes Relating To Vulnerable Adults / Dependiant Persons ..... 129

**CHAPTER 3 SECTION G ~ CHILD ABUSE, NEGLECT, AND SEXUAL ASSAULT ..... 130**

3.G.1 Child Abuse, Neglect, and Sexual Assault..... 130

3.G.2	Initial Reports.....	130
3.G.3	Referrals To and From Child Protective Services (CPS) .....	130
3.G.4	Investigative Referrals.....	131
3.G.5	Only Trained Interviewers to Conduct Interviews WASPC: 17.4 .....	131
<b>CHAPTER 3 SECTION H ~ IDENTITY THEFT WASPC: 17.6 .....</b>		<b>132</b>
3.H.1	Identity Theft Investigations.....	132
3.H.2	Investigation Protocol .....	132
3.H.3	Fingerprinting.....	132
3.H.4	Victim Resources .....	132
<b>CHAPTER 3 SECTION I ~ AUTOMATED LICENSE PLATE READER (ALPR).....</b>		<b>133</b>
3.I.1	Policy .....	133
3.I.2	Definitions.....	133
3.I.3	ALPR Technology .....	133
3.I.4	Administration.....	133
3.I.5	Usage .....	134
3.I.6	Data Collection and Retention.....	134
3.I.7	Training of Operators .....	135
3.I.8	Maintenance of Equipment.....	135
3.I.9	Loaning Out of Equipment.....	135
<b>CHAPTER 3 SECTION J ~ POLYGRAPH.....</b>		<b>1336</b>
3.J.1	Use of Polygraph .....	1336
3.J.2	Polygraph Test Requirement for Members of TCSO .....	1336
3.J.3	Criminal Investigation Use of Polygraph .....	1336
3.J.4	Use of Polygraph on Juvenile Suspects.....	1337
3.J.5	Polygraph Examiner Qualifications and Rules .....	1347
3.J.6	Report Writing and File Retention .....	1347
<b>CHAPTER 4 PATROL OPERATIONS .....</b>		<b>140</b>
<b>CHAPTER 4 SECTION A ~ PATROL WASPC: 15.....</b>		<b>142</b>
4.A.1	Communications, Coordination, and Cooperation .....	142
4.A.2	Patrol Shifts .....	142
4.A.3	Command and Control in the Field.....	142
4.A.4	Investigations.....	143
4.A.5	Field Interviews.....	143
4.A.6	Informants WASPC: 17.7 .....	144
4.A.7	Radio Communications WASPC: 15.3.....	147
4.A.8	Notification.....	147
4.A.9	24-Hour per Day Coverage WASPC: 15.1.....	148
4.A.10	Emergency Equipment WASPC 15.2, 15.5.....	154
<b>CHAPTER 4 SECTION B ~ HATE CRIMES WASPC 17.5 .....</b>		<b>155</b>
4.B.1	Investigations.....	155
4.B.2	Definitions.....	155
<b>CHAPTER 4 SECTION C ~ RACIAL PROFILING WASPC 13.3.....</b>		<b>157</b>

4.C.1	Condemnation WASPC: 2.5.....	157
4.C.2	Preventing Perceptions of Racially Biased Policing.....	157
4.C.3	Violations.....	158
4.C.4	Supervisor's Responsibility .....	158
4.C.5	Training.....	158
4.C.6	Review.....	158
<b>CHAPTER 4 SECTION D ~ ALARMS.....</b>		<b>159</b>
4.D.1.	Response Business.....	159
4.D.2.	Response Residential .....	160
<b>CHAPTER 4 SECTION E ~ WARRANTS .....</b>		<b>162</b>
4.E.1	Approval for Search Warrant.....	162
4.E.2	Execution of Warrant.....	162
4.E.3	Service.....	162
4.E.4	Warrant Service (Under \$1,000) (Warrants \$1,000 or more must be booked).....	162
<b>CHAPTER 4 SECTION F ~ ANIMAL CRUELTY .....</b>		<b>165</b>
4.F.1	Team .....	165
4.F.2.	Team Members .....	165
4.F.3	Initial Response to Animal Complaints.....	166
4.F.4	Investigations.....	167
4.F.5	Training.....	168
<b>CHAPTER 4 SECTION G ~ Juvenile Custody Situations; Arrest, Abuse, Child Welfare.....</b>		<b>169</b>
4.G.1	Juvenile Arrests.....	169
4.G.2	Release of Juveniles .....	169
4.G.3	Referral to Intake .....	169
4.G.4	Juveniles In Custody .....	170
4.G.5	Juvenile Records WASPC: 5.5, 5.8 .....	170
4.G.6	Child Abuse Reporting .....	171
4.G.7	Unfounded Abuse.....	171
4.G.8	Drug or Alcohol Related Driving Arrest of Parent or Guardian (RCW 26.44.250) .....	172
4.G.9	Contacting Suspected Abuse Victims WASPC 17.3.....	172
4.G.10	Medical Exam WASPC 17.3.....	172
4.G.11	Protective Custody .....	173
4.G.12	Arrest Procedures .....	173
4.G.13	Post Arrest.....	174
4.G.15	References and Definitions .....	175
<b>CHAPTER 4 SECTION H ~ IN-CAR VIDEO .....</b>		<b>178</b>
4.H.1	Definitions.....	178
4.H.2.	Use of In Car System .....	178
4.H.3	Traffic Stops .....	178
4.H.4	Other Situations – DUI Investigations / Pursuits / Arrests / Searches .....	178
4.H.5	DVD Removal and Storage .....	179
4.H.6	Copying of DVD(s) .....	179
4.H.7	Duration of Storage of DVD(s) .....	180
4.H.8	Maintenance of In Car Video Camera.....	180

<b>CHAPTER 5 TRAFFIC FUNCTIONS .....</b>	<b>182</b>
<b>CHAPTER 5 SECTION A ~ TRAFFIC FUNCTION WASPC: 16 .....</b>	<b>184</b>
5.A.1 Traffic Function.....	184
5.A.2 Traffic Records System .....	184
5.A.3 Contents of Traffic Records System.....	185
5.A.4 Traffic Report View.....	185
<b>CHAPTER 5 SECTION B ~ TRAFFIC ENFORCEMENT .....</b>	<b>186</b>
5.B.1 Traffic Law Enforcement .....	186
5.B.2 Special Considerations.....	186
5.B.3 Information provide to Violators.....	187
5.B.4 Uniform Enforcement .....	187
5.B.5 Reports .....	188
5.B.6 Contact with Traffic Violators.....	188
5.B.7 Speed Measuring Devices .....	188
5.B.8 Traffic Citations WASPC: 5.7 .....	189
<b>CHAPTER 5 SECTION C ~ TRAFFIC COLLISIONS WASPC: 16.1.....</b>	<b>191</b>
5.C.1 Reporting and Investigating Collisions .....	191
5.C.2 Public Roadway Vehicle Collisions .....	191
5.C.3 Response .....	193
5.C.4 Traffic Control.....	194
5.C.5 Collisions Involving County Vehicles.....	194
5.C.6 Capital Forest.....	195
5.C.7 Enforcement Actions .....	195
5.C.8 Private Property.....	195
<b>CHAPTER 5 SECTION D ~ IMPOUNDS AND TOWING WASPC 16.2.....</b>	<b>197</b>
5.D.1 Definitions.....	197
5.D.2 Towing.....	197
5.D.3 Storage WASPC 16.2.....	198
5.D.5 Vehicle Inventory.....	198
5.D.6 Vehicle Search .....	198
5.D.7 Security of Vehicles and Property .....	199
5.D.8 Impounding.....	199
5.D.9 Sheriff's Office vehicles.....	200
<b>CHAPTER 6 MARINE OPERATIONS.....</b>	<b>202</b>
<b>CHAPTER 6 SECTION A ~ MARINE SERVICES UNIT.....</b>	<b>204</b>
6.A.1 Boating and Marine Enforcement Operations .....	204
6.A.2 Marine Officer Qualifications .....	204
6.A.3 Responsibility .....	204
6.A.4 Personal Flotation Devices.....	205
<b>CHAPTER 6 SECTION B ~ MARINE ACTIVITIES .....</b>	<b>206</b>
6.B.1 Enforcement Actions .....	206
6.B.2 Impound of Vessels.....	206

6.B.3	Towing Vessels .....	206
6.B.4	Vessel Equipment .....	207
6.B.5	Moorage, Storage, and Transportation of Vessels.....	207
6.B.6	Vessel Maintenance .....	207
<b>CHAPTER 6 SECTION C ~ MARINE VESSEL COLLISIONS .....</b>		<b>208</b>
6.C.1	Definitions.....	208
6.C.2	Washington Boat Accident Investigation Report (BAIR) RCW 79A.60.220 .....	208
6.C.3	Boating Accident Report – Operator, RCW 79A.60.200 .....	208
<b>CHAPTER 7 UNUSUAL OCCURRENCE .....</b>		<b>210</b>
<b>CHAPTER 7 SECTION A ~ PLANNING WASPC: 7.3 .....</b>		<b>212</b>
7.A.1	Unusual Occurrence Planning.....	212
7.A.2	Planning Consideration .....	213
7.A.3	Emergency Support Functions.....	214
<b>CHAPTER 7 SECTION B ~ RAPID RESPONSE AND DEPLOYMENT, ACTIVE SHOOTER .....</b>		<b>215</b>
7.B.1	Overview.....	215
7.B.2	Procedures .....	215
7.B.3	Decision to Advance on Suspect.....	215
<b>CHAPTER 7 SECTION C ~ NATURAL AND MANMADE DISASTERS WASPC: 7.2.....</b>		<b>217</b>
7.C.1	Responsibility .....	217
<b>CHAPTER 7 SECTION D ~ EMERGENCY MOBILIZATION PLAN WASPC: 7.3.....</b>		<b>219</b>
7.D.1	Provisions .....	219
7.D.2.	Alert Stages (At the direction of the Sheriff or designee) .....	219
7.D.3	For Activation of the EOC (Emergency Operations Center); .....	220
7.D.4	Command and Control .....	221
<b>CHAPTER 7 SECTION E ~ CIVIL DISTURBANCE .....</b>		<b>223</b>
7.E.1	Planning Guide .....	223
<b>CHAPTER 7 SECTION F ~ EMERGENCY OPERATIONS PLANS .....</b>		<b>225</b>
7.F.1	Plans.....	225
7.F.2	County-wide Comprehensive Emergency Operations Planning WASPC:7.1.....	226
<b>CHAPTER 7 SECTION G ~ COMMAND AND CONTROL WASPC:7.3 .....</b>		<b>227</b>
7.G.1	Cooperative Effort .....	227
7.G.2	Primary Responsibility.....	227
7.G.3	Chain of Command .....	227
7.G.4	Assuming Field Command .....	227
7.G.5	Incident Commander – Authority.....	228
7.G.6	Relieving the Incident Commander .....	228
7.G.7	Change of Overall Command – Major Crime Scenes.....	229
<b>CHAPTER 7 SECTION H ~ MASS ARREST INCIDENTS.....</b>		<b>230</b>
7.H.1	Policy .....	230
7.H.2	Location Criteria WASPC: 19.6, 19.7.....	230

7.H.3	Staffing of Field Booking Facilities WASPC: 19.6, 19.7.....	230
<b>CHAPTER 7 SECTION I ~ RELATED INFORMATION.....</b>		<b>231</b>
7.I.1	Annual Review.....	231
7.I.2	Law Enforcement Mobilization Plan .....	231
7.I.3	Equipment Inspections .....	231
7.I.4	Correctional Facilities .....	231
7.I.5	Situational Maps.....	231
 <b>CHAPTER 8 REPORTS AND COMMUNICATIONS.....</b>		 <b>232</b>
<b>CHAPTER 8 SECTION A ~ REPORTS WASPC: 5.1.....</b>		<b>234</b>
8.A.1	Administrative Reporting Program .....	234
8.A.2	Purpose of Reports .....	234
8.A.3	Approved Reports/Forms .....	234
8.A.4	Individual Responsibilities .....	234
8.A.5	Supervisor Responsibilities .....	235
8.A.6	Approve the report.....	235
8.A.7	General Guidelines for Report Writing WASPC: 5.1 .....	235
 <b>CHAPTER 8 SECTION B ~ RECORDS INTEGRITY WASPC: 5.4, 5.5.....</b>		 <b>236</b>
8.B.1	Records Integrity .....	236
8.B.2	Access to Records .....	237
8.B.3	Records Check Requests.....	237
8.B.4	Falsification, Destruction of Records WASPC: 5.6 .....	237
8.B.5	Dissemination of Records WASPC: 5.5 .....	237
8.B.6	Release of Office Information.....	237
8.B.7	Accessing Information in Computer System WASPC: 6.1 .....	237
 <b>CHAPTER 8 SECTION C ~ WACIC / ACCESS / NCIC WASPC:5.3.....</b>		 <b>238</b>
8.C.1	Washington Crime Information Center (WACIC.....	238
8.C.2	ACCESS System.....	238
8.C.3	Certification Required WASPC: 6.2, 6.3 .....	238
8.C.4	Wanted, Missing, and Runaway Persons .....	238
8.C.5	Washington Uniform Crime Reporting WASPC: 5.12 .....	238
8.C.6	Officer Safety File.....	239
8.C.7	Computer Virus.....	238
8.C.8	Computer Backup.....	239
 <b>CHAPTER 8 SECTION D ~ COMMUNICATIONS WASPC: 15.3.....</b>		 <b>241</b>
8.D.1	Overview.....	241
8.D.2	Communications System.....	241
8.D.3	Telephone.....	241
8.D.4	Radio .....	241
 <b>CHAPTER 8 SECTION E ~ CORRESPONDENCE .....</b>		 <b>243</b>
8.E.1	E-Mail .....	243
8.E.2	CORRESPONDENCE.....	244
 <b>CHAPTER 8 SECTION F ~ COORDINATING INFORMATION .....</b>		 <b>245</b>

8.F.1	Briefings.....	245
8.F.2	Staying Informed .....	245
8.F.3	Daily Bulletin.....	245
<b>CHAPTER 8 SECTION G ~ SOCIAL NETWORKING .....</b>		<b>246</b>
8.G.1	Purpose .....	246
8.G.2	Applicability.....	246
8.G.3	Trust and Professionalism.....	246
8.G.4	Safety .....	246
8.G.5	Prohibited Speech, Expression, and Conduct.....	246
8.G.6	Unauthorized Endorsements and Advertisements.....	248
8.G.7	Privacy Expectations .....	248
<b>CHAPTER 8 SECTION H ~ PIO AND COMMUNITY RELATIONS WASPC: 5.8.....</b>		<b>250</b>
8.H.1	Public Information Function.....	250
8.H.2	Media Representatives.....	250
8.H.3	Confidential Information and Disclosure .....	251
8.H.4	Authorized Personnel / Press Release .....	253
8.H.5	Community Relations Function .....	254
<b>CHAPTER 9 VEHICLES AND EQUIPMENT .....</b>		<b>256</b>
<b>CHAPTER 9 SECTION A ~ VEHICLES WASPC: 15 .....</b>		<b>258</b>
9.A.1	Vehicle Operations and Training .....	258
9.A.2	Operation of Vehicles – Normal Conditions .....	258
9.A.3	Vehicle Equipment .....	258
9.A.4	Equipment Inspection – Operator.....	259
9.A.5	Equipment Inspection – Supervisor .....	259
9.A.6	Seat Belt Use WASPC: 8.8 .....	259
9.A.7	Parking Vehicles on Public Streets .....	259
9.A.8	Transportation of Sick or Injured Persons / Escort.....	260
9.A.9	Civilian Passengers Riding Patrol .....	260
9.A.10	Use of County Vehicles for Paid Details .....	260
9.A.11	Special Purpose Vehicles.....	260
9.A.12	Assigned Vehicles .....	261
9.A.13	MCT's in Assigned Vehicles WASPC: 6.3 .....	263
<b>CHAPTER 9 SECTION B ~ PURSUIT DRIVING AND INCIDENT RESPONSE.....</b>		<b>265</b>
9.B.1	Pursuit Policy / Decisions .....	265
9.B.2	Response to Routine and Emergency Situations.....	267
<b>CHAPTER 9 SECTION C ~ UNIFORM AND APPEARANCE STANDARDS .....</b>		<b>268</b>
9.C.1	Uniforms .....	268
9.C.2	Personal Appearance- Hairstyle Regulations .....	269
9.C.3	Uniform Personal Appearance .....	270
9.C.4	Uniform Attire – Court Appearance (District and Superior).....	271
9.C.5	Civilian Attire on Duty .....	271
9.C.6	Uniform and Accessories – Special Occasions.....	271
9.C.7	Administrative Dress Uniform.....	271

9.C.8	Badge Band – Death of Officer .....	271
9.C.9	Tattoos, Piercings, and Body Art Modifications.....	271
9.C.10	Body Armor WASPC: 8.3 .....	272
9.C.11	Authorized Uniforms .....	273
9.C.12	Uniform Specifications.....	273
9.C.13	Uniform Ornamentation .....	276
 <b>CHAPTER 10 ADMINISTRATIVE FUNCTIONS .....</b>		 <b>280</b>
<b>CHAPTER 10 SECTION A ~ EVIDENCE SYSTEM WASPC: 18.....</b>		<b>282</b>
10.A.1	Evidentiary Items WASPC: 18.1.....	282
10.A.2	Evidence Controls .....	285
10.A.3	Documentation WASPC 18.14.....	287
10.A.4	Evidence/Property Form WASPC: 18.14 .....	288
10.A.5	Disposition and Disposal WASPC: 18.17.....	288
10.A.6	Inventories and Audits.....	289
10.A.7	Evidence / Property Room Security WASPC: 18.8.....	290
10.A.8	Seizure of Illegal Drugs – Notification of Landlord (RCW 59-18-075).....	292
10.A.9	Assets Seizures.....	292
10.A.10	Supervisory Responsibility on Seizures .....	292
10.A.11	Hearing Determination .....	293
 <b>CHAPTER 10 SECTION B ~ CRIME ANALYSIS.....</b>		 <b>294</b>
10.B.1	Crime Analysis Function.....	294
10.B.2	Regular and Special Briefings.....	294
 <b>CHAPTER 10 SECTION C ~ PLANNING AND RESEARCH .....</b>		 <b>295</b>
10.C.1	Planning and Research Function .....	295
10.C.2	Multi-Year Plan.....	295
 <b>CHAPTER 10 SECTION D ~ BUDGET AND FISCAL .....</b>		 <b>297</b>
10.D.1	Fiscal Management WASPC: 9.1.....	297
10.D.2	Other Authorized Members WASPC: 9.3.....	297
10.D.3	Budget WASPC: 9.2.....	297
10.D.4	Accounting System.....	297
10.D.5	Audits.....	298
10.D.6	Cash WASPC: 9.6.....	298
10.D.7	Inventory control.....	299
10.D.8	Purchasing.....	299
10.D.9	Emergency Purchases .....	300
10.D.10	Supplemental Appropriations .....	300
10.D.11	Contractual Services .....	300
 <b>CHAPTER 11 CUSTODIAL CARE .....</b>		 <b>302</b>
<b>CHAPTER 11 SECTION A ~ CUSTODIAL CARE WASPC: 19 .....</b>		<b>304</b>
11.A.1	Custodial Care Standards .....	304



**CHAPTER 12 COLLECTIVE BARGAINING AND COMPENSATION.....306**

**CHAPTER 12 SECTION A ~ COLLECTIVE BARGAINING.....308**

    12.A.1 Collective Bargaining Unit and Role of the Sheriff's Office .....308

    12.A.2 Dissemination of Bargaining Agreements .....308

    12.A.3 Supervisory Personnel .....308

    12.A.4 Collective Bargaining Compliance.....308

**CHAPTER 12 SECTION B ~ BENEFITS AND COMPENSATION.....310**

    12.B.1 Compensation .....310

    12.B.2 Benefits.....310

    12.B.3 Peer Support .....310

    12.B.4 Leave.....311

    12.B.5 Insurance / Retirement Information .....311

    12.B.6 Medical Examinations .....312

    12.B.7 Physical Fitness.....312

    12.B.8 Member Time Records (Telestaff) WASPC: 9.5 .....312

    12.B.9 Liability Insurance.....313

    12.B.10 Legal Advice and Litigation .....313

**CHAPTER 12 SECTION C ~ GRIEVANCE.....314**

    12.C.1 Procedure .....314

    12.C.2 Contents of Grievance.....314

    12.C.3 Grievance Controls / Appeals and Records .....314

**CHAPTER 13 HEALTH AND SAFETY .....316**

**CHAPTER 13 SECTION A ~ HEALTH AND SAFETY WASPC 8.1 .....318**

    13.A.1 Blood Borne Pathogen / Infectious Disease Exposure Control Plan .....318

    13.A.2 Procedures and Precautions WASPC 8.1.....320

    13.A.3 Decontamination and Disposal WASPC: 8.5 .....321

    13.A.4 Medical Treatment.....324

    13.A.5 Duties and Responsibilities .....324

    13.A.6 Hazardous Materials .....326

    13.A.7 Health Hazards.....326

    13.A.8 Treatment .....328

    13.A.9 Reporting .....328

    13.A.10 Supervisor Reporting Requirements WASPC: 8.6.....329

**CHAPTER 13 SECTION B ~ HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT .....331**

    13.B.1 HIPAA OF 1996.....331

**CHAPTER 13 SECTION C ~ TRANZPORT HOOD USE .....333**

    13.C.1 Use .....333

**CHAPTER 14 PROFESSIONAL STANDARDS.....334**

**CHAPTER 14 SECTION A ~ POLICY AND PURPOSE WASPC: 14.....336**

    14.A.1 Overview.....336

14.A.2	Responsibility .....	337
14.A.3	Policy Dissemination .....	337
14.A.4	Duty to Report Misconduct .....	337
14.A.5	Duty to Reply/Cooperate in Disciplinary Matters.....	337
14.A.6	Member Accountability .....	338
14.A.7	Relationship between Members and the Public.....	338
14.A.8	Investigation of Complaints WASPC: 14.1 .....	338
14.A.9	The Objective of an Administrative Investigation is to: .....	338
14.A.10	Definitions.....	339
<b>CHAPTER 14 SECTION B ~ DISCIPLINARY ACTION .....</b>		<b>342</b>
14.B.1	Overview.....	342
14.B.2	Oral Warnings.....	342
14.B.3	Written Reprimands.....	342
14.B.4	Last Chance Agreement/Work Plan .....	342
14.B.5	Suspension without Pay .....	343
14.B.6	Withholding a Step Increase or Reducing a Step .....	343
14.B.7	Additional actions that may be considered by the Sheriff or designee: .....	344
<b>CHAPTER 14 SECTION C ~ INVESTIGATIVE FINDINGS / DETERMINATIONS .....</b>		<b>345</b>
14.C.1	Findings .....	345
14.C.2	Determinations .....	345
<b>CHAPTER 14 SECTION D ~ INITIATION OF COMPLAINTS.....</b>		<b>346</b>
14.D.1	Overview.....	346
14.D.2	Reviewing a Complaint WASPC: 14.2 .....	346
14.D.3	Notification and Service to the involved Member .....	347
<b>CHAPTER 14 SECTION E ~ MINOR COMPLAINT INVESTIGATIONS .....</b>		<b>348</b>
14.E.1	Overview.....	348
14.E.2	Investigative Interview (Minor).....	348
14.E.3	Bargaining Unit Representation .....	348
14.E.4	Interview Rights .....	348
14.E.4	Additional Violations Discovered .....	349
14.E.5	Completion of Investigation .....	349
14.E.6	Determination / Discipline Minor Violations Only .....	349
<b>CHAPTER 14 SECTION F ~ MAJOR AND MODERATE VIOLATIONS.....</b>		<b>351</b>
14.F.1	Overview.....	351
14.F.2	Interview .....	351
14.F.3	Bargaining Unit Representation .....	352
14.F.4	Interview Rights .....	352
14.F.5	Criminal Conduct or Additional Violations Discovered:.....	352
14.F.6	Completion of Moderate and Major Investigations.....	352
14.F.7	Pre-Disciplinary (Loudermill) Meeting .....	353
14.F.8	Finding of Discipline .....	354
14.F.9	Appeal Process .....	354
<b>CHAPTER 14 SECTION G ~ RECORDS AND BRADY INFORMATION WASPC: 14.5.....</b>		<b>355</b>
14.G.1	Record Keeping and Review.....	355

14.G.2 Internal Investigations Retention Schedule WASPC: 5.6 .....355  
14.G.3 Brady Policy.....355  
**CHAPTER 15 DEFINITIONS.....358**

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# Chapter 1

## Ethics and Authority



- Section A ~ Ethical Standards
  - Section B ~ Jurisdiction
  - Section C ~ Participation in CHRI System
  - Section D ~ Narcotics Task Force
  - Section E ~ Washington Peace Officers Powers Act
  - Section F ~ Law Enforcement Authority
  - Section G ~ Use of Force
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## **PREAMBLE**

Like other professions, law enforcement must establish minimum standards of ethical conduct for its incumbents. Since law enforcement encompasses an increasing number of specialists, many of whom are not the traditional commissioned police officer, this Policy Manual is intended to establish expectations of conduct for all members. It is the policy of this Office that all members of the Office shall be bound by these Standards unless specifically excluded by the nature of the Standard itself, e.g., when the Standard may refer to the exercise of commission authority which some members of the Office do not have.

Members are granted a public trust which requires that they consistently demonstrate the highest degree of integrity. To be worthy of this public trust, and to ensure that their professional conduct is above reproach, members of the law enforcement profession must not only conform to a Code of Ethics but must also abide by these Canons of Ethics and Ethical Standards which constitute this Code of Professional Conduct and Responsibility as a means of internal regulation.

The essence of a profession is that it requires, in addition to prescribing a desired level of performance, established minimum standards of ethical conduct with prescribed rules for internal discipline to ensure compliance. Accordingly, the Code of Professional Conduct and Responsibility has been established for the law enforcement profession.

Nothing in this Code of Professional Conduct and Responsibility for Members is intended to limit or supersede any provision of law relating to the duties and obligations of Members or the consequences of a violation thereof. Whereas these rules specify certain conduct as unprofessional, this is not to be interpreted as approval of conduct not specifically mentioned.

Nothing in this Code is intended to limit the authority of this Office to adopt and enforce rules and regulations that are more stringent or comprehensive than those that are contained in this Code of Professional Conduct and Responsibility for Members of Law Enforcement.

## **LAW ENFORCEMENT CODE OF ETHICS WASPC: 2.4**

*As a Member of a Law Enforcement Agency, 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 individuals 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 department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.*

*I will never act officiously or permit personal feelings, prejudices, 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 the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement.*



## **ETHICAL BEHAVIOR**

**Primary Responsibility as a Member:** A member acts as an official representative of government who is required and trusted to work within the law. The officer's powers and duties are conferred by statute. The fundamental duties of a member include serving the community; safeguarding lives and property; protecting the innocent; keeping the peace; and ensuring the rights of all to liberty, equality, and justice.

**Performance of the Duties of a Member:** A member shall perform all duties impartially; without favor or affection or ill will; and without regard to status, sex, race, religion, political belief, or aspiration. All citizens will be treated equally with courtesy, consideration, and dignity. Officers will never allow personal feelings, animosity, or friendships to influence official conduct. Laws will be enforced appropriately and courteously and, in carrying out their responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such a manner as to inspire confidence and respect for the position of public trust they hold.

**Discretion:** A member will responsibly use the discretion vested in the position and exercise it within the law. The principle of reasonableness will guide the officer's determinations and the officer will consider all surrounding circumstances in determining whether any legal action shall be taken. Consistent and wise use of discretion, based on professional policing competence, will do much to preserve good relationships and retain the confidence of the public. There can be difficulty in choosing between conflicting courses of action. It is important to remember that a timely word of advice which may be correct in appropriate circumstances, rather than arrest, can be a more effective means of achieving a desired end.

**Use of Force:** A member will never employ unnecessary force or violence, and will use only such force in the discharge of duty as is reasonable in all circumstances. While the use of force is occasionally unavoidable, every member will refrain from applying the unnecessary infliction of pain or suffering and will never engage in cruel, degrading, or inhuman treatment of any person.

**Confidentiality:** Whatever a member sees, hears, or learns of, which is of a confidential nature, will be kept secret unless the performance of duty or legal provision requires otherwise. Members of the public have a right to security and privacy, and information obtained about them must not be improperly divulged.

**Integrity:** A member will not engage in acts of corruption or bribery, nor will an officer condone such acts by other members. The public demands that the integrity of members be above reproach. Members must, therefore, avoid any conduct that might compromise integrity and thus undercut the public confidence in a law enforcement agency. Officers will refuse to accept

any gifts, presents, subscription, favors, gratuities, or promises that could be interpreted as seeking to cause the officer to refrain from performing official responsibilities honestly and within the law. Members must not receive private or special advantage from their official duty. Respect from the public cannot be bought; it can only be earned and cultivated.

**Cooperation with Other Officers and Agencies:** Members will cooperate with all legally authorized agencies and their representatives in the pursuit of justice. An officer's own agency may be one among many organizations that provide law enforcement services to a jurisdiction. It is imperative that members assist colleagues fully and completely with respect and consideration at all times.

**Personal/Professional Capabilities:** Members will be responsible for their own standard of professional performance and will take every reasonable opportunity to enhance and improve their level of knowledge and competence. Through study and experience, a member can acquire the high level of knowledge and competence essential for the efficient and effective performance of duty. The acquisition of knowledge is a never-ending process of personal and professional development that should be pursued constantly.

**Private Life:** Members will behave in a manner that does not bring discredit to their agencies or themselves. A member's character and conduct, while off duty, must always be exemplary, thus maintaining a position of respect in the community in which he or she lives and serves. The officer's personal behavior must be beyond reproach.

**CHAPTER 1 SECTION A ~ ETHICAL STANDARDS**      WASPC: 13.1

**1.A.1 Standard 1**

*Members shall uphold the Constitution of the United States, the State Constitution, and all laws enacted or established pursuant to legally constituted authority.*

a) Primary Responsibility:

Members shall recognize that the primary responsibility of their profession and of the individual officer is the protection of the people within the jurisdiction of the United States through upholding of their laws, the most important of which are the Constitution of the United States and State Constitutions and laws derived there from.

b) Limitations:

Members shall be aware of the extent and limitations of their authority in the enforcement of the law.

c) Spirit of the Law:

Members shall endeavor to uphold the spirit of the law, as opposed to enforcing merely the letter of the law.

d) Constitutional Rights of Persons: WASPC: 2.4

Members shall respect and uphold the dignity, human rights, and Constitutional rights of all persons.

**1.A.2 Standard 2**

*All members shall be aware of and shall use proper and ethical procedures in discharging their official duties and responsibilities*

a) Lawful Authority to Use Force:

Members shall be aware of their lawful authority to use that force reasonably necessary in securing compliance with their lawful enforcement duties.

b) Truthfulness:

Members shall truthfully, completely, and impartially report, testify, and present evidence in all matters of an official nature.

Members shall truthfully answer all questions specifically directed and related to the scope of employment and operations of the office which may be asked of them by a supervisor.

Members shall be familiar with, abide by, and conform to all laws and regulations in force, and Thurston County Sheriff's Office policies, procedures and regulations.

Members shall submit all necessary reports on time and in accordance with established procedures. Reports submitted by members shall be truthful and complete, and no member shall knowingly enter or cause to be entered any inaccurate, false, or improper information.

Upon the order of the Sheriff or his/her designee, members shall submit to any medical, psychological/psychiatric examination, ballistics, chemical or other tests, photographs or lineups; subject to applicable laws. All procedures shall be specifically directed and narrowly related to a particular investigation conducted by the Office. In the event a violation of law is being investigated, members will be afforded the same rights and restrictions as private citizens.

c) Following Legal Practices: WASPC 2.4, 2.5

Members shall follow applicable laws in such areas as interrogation, arrest or detention, searches, seizures, use of informants, and collection and preservation of evidence.

Members shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with, or withhold evidence or information, or make false accusations of a criminal or traffic charge.

Members shall not involve themselves in any manner in any third party civil action growing out of their official knowledge or actions, except by due process of law.

No member shall initiate a civil action for damages sustained in the line of duty without first reporting the case in writing to the Sheriff.

A member shall not apply for a warrant concerning an on-duty assault upon them without first reporting the case in writing through his immediate supervisor to his division commander.

d) Integrity, Fairness and Impartiality:

Members shall follow the principles of integrity, fairness, and impartiality in connection with their duties.

Members shall not affiliate themselves with any organization whose rules, by-laws, constitution, or policies require or expect them as law enforcement officials to give or receive special considerations in the performance of their duties to other members of the organization.

Members shall not belong to or participate in the activities of any organization, association, society, or other group, the activities or purpose of which is subversive in nature, or which

may adversely influence or control the work or service of any member in their official capacity.

While acting in an official capacity, members shall maintain a neutral position with regard to the merits of any labor dispute, political protest, or other public demonstration.

### **1.A.3 Standard 3**

*Members shall regard the discharge of their duties as a public trust and shall recognize their responsibilities to the people whom they are sworn to protect and serve.*

#### **a) Factors Affecting Responsibilities**

Members, as professionals, shall maintain an awareness of those factors affecting their responsibilities.

When any person applies for assistance or advice or makes complaints or reports, either by telephone or in person, all pertinent information will be obtained in an official and courteous manner and will be properly acted upon consistent with established procedures.

#### **b) Professional Performance of Duties**

Members, during their hours of work, shall diligently devote their time and attention to the effective and professional performance of their responsibilities.

Members shall carry their identification cards on their person when on duty except when impractical or dangerous to their safety or to an investigation. They shall furnish their name and I.D. number to any person requesting that information except when the withholding of such information is necessary for the performance of law enforcement duties, or is authorized by proper authority.

#### **c) Preparation for Assignment**

Members shall ensure that they are prepared for the effective and efficient undertaking of their assignment.

**Physically and Mentally Fit** – All members will report for duty at the time designated by their supervisor, and will be physically and mentally fit to perform their duties. They will be properly equipped and will make themselves aware of any information necessary for proper performance of the duties on their shift. Judicial subpoenas shall constitute an order to appear under this section.

**Attendance** – Members shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the Office to the condition of their health. All members will report for duty at their designated time unless other arrangements

have been made with their immediate supervisor. If any member must leave duty before the end of shift due to illness or other circumstance, the member must inform his supervisor before leaving. Leaving early without notification will be deemed neglect of duty and will be grounds for disciplinary action.

All members appearing for duty will be in the proper dress for their assignment. All members will be clean and well-groomed about their person, and appropriate clothing will be clean and pressed/ironed, with the exception of undercover operations.

Members shall remain awake while on duty. If unable to do so, they shall report this to their supervisor, who shall determine the proper course of action.

Incompetence – Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Members shall perform their duties in a manner which will tend to establish and maintain the highest standards of effectiveness in carrying out the functions and objectives of the Office.

Incompetence may be demonstrated by a lack of knowledge of the application of laws required to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for a member's rank, grade, or position; the failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving law enforcement attention; absence without leave; or unnecessary absence from the assigned hours of work.

In addition to other indications of incompetence, the following will be considered Prima Facie evidence of incompetence: Repeated poor evaluations or a written record of repeated infractions of the rules, regulations, manuals, or directives.

d) Safe and Efficient Use of Equipment

Members shall safely and efficiently use equipment and material available to them.

Members shall utilize Sheriff's Office equipment only for its intended purpose in accordance with established procedures and shall not abuse, damage or lose official equipment. All equipment issued to members, including manuals, shall be maintained in proper order.

e) Objective and Impartial Attitude

Members, with due regard for compassion, shall maintain an objective and impartial attitude in official contacts.

f) Interference with Official Acts or Decisions

Members shall not allow their personal convictions, beliefs, prejudices, or biases to interfere with their official acts or decisions.

g) Party to Disputes

Members will not exercise their official authority in disputes to which they are a party except in cases where circumstances require a reasonable person to act.

When off-duty, Members shall utilize discretion and sound judgment when becoming involved, in their official capacity, in minor, non-emergency, family or neighborhood disputes.

Members are required to enforce laws of Thurston County, the State of Washington, and the United States. Because Members are required to set an example and are not exempt from the same criminal laws that they are enforcing, it is mandatory that they adhere to the same laws they are attempting to enforce.

Off-Duty Responsibilities – Even while officially off duty, Members will always be subject to orders from competent authority and to provide assistance in emergency situations that come to their attention. Further, the fact that they are technically off-duty shall not relieve them of the necessity to take police action on any violent, criminal law enforcement matter coming to their attention, provided they can do so without endangering themselves or any of their family members who may be present with them at the time of the incident.

In the event that an off-duty deputy sheriff does take enforcement action of any kind, he/she will immediately contact the on-duty supervisor and fully inform them of any and all actions taken. Depending upon the nature of involvement, the off-duty deputy sheriff may be required to complete a report of the incident.

Minor Misdemeanors – When a minor misdemeanor comes to the attention of an off-duty deputy sheriff, the deputy sheriff will attempt to avoid involvement and will contact the appropriate law enforcement agency for necessary services, if the incident so justifies.

Privately Operated Vehicles – Privately operated vehicles shall not be utilized for enforcement purposes without the expressed authorization of a Chief Deputy or higher rank.

h) Electronic Communications

Members of the Sheriff's Office who use the County's electronic communications such as, but not limited to, computer-generated documents, files or programs, electronic mail and computer networks, are to use them in accordance with Sheriff's Office regulations that exist for other forms of communication. Electronic communications are not private and may be reviewed by the appointing authority or their designee.

Members should follow the Thurston County Internet Usage procedures and electronic policies for circumstances not listed in TCSO Policies & Procedures.

**1.A.4 Standard 4**

*Members shall so conduct their public and private lives that they exemplify the high standards of integrity, trust, and morality demanded of members of the law enforcement profession.*

a) Intoxicating Beverages

Members shall refrain from consuming intoxicating beverages to the extent that it brings discredit upon the Sheriff's Office, or renders them unfit for their next tour of duty.

b) Intoxicating Beverages While On-Duty

Members shall not consume intoxicating beverages while on duty, except to the degree permitted in the performance of official duties (such as during a sanctioned, undercover operation).

Members shall not bring alcoholic beverages into the Sheriff's Office or, while on or off duty, transport alcoholic beverages in Sheriff's Office vehicles, except as: Evidence; Property of a prisoner or suspect; or Found Property.

Members shall not drink any alcoholic beverages while in uniform or any part of the uniform. Exceptions for formal functions may be made by the Sheriff or designee.

c) Use of Controlled Substances

Members shall not use any narcotics, hallucinogens, or any other controlled substance except when legally prescribed. When such controlled substances are prescribed, members shall notify their supervisor prior to reporting for duty, if those substances can impair or affect the deputy's ability to perform their job. (i.e., pain medications, anti-depressants, or other narcotic-based medications)

d) Level of Conduct

Members shall maintain a level of conduct in their personal and business affairs in keeping with the high standards of the law enforcement profession. Members shall not participate in any incident involving moral turpitude, which tends to impair their ability to perform as law enforcement professionals or causes the Office to be brought into disrepute.

Members shall not engage or participate in any forms of illegal gambling at any time except in the performance of duty and while acting under proper and specific orders from a supervisor.



Members, when in uniform, may use tobacco as long as it is done in a manner that will not offend others or deter from the member's professional bearing.

e) Payment of Debts

Members shall not undertake financial obligations which they know they will be unable to meet and shall pay all just debts.

An isolated instance of financial irresponsibility will not be grounds for discipline, except in unusually severe cases. However, repeated instances of financial difficulty shall be cause for disciplinary action. Filing a voluntary bankruptcy petition shall not, in itself, be cause for discipline. Financial difficulties stemming from unforeseen medical expenses or personal disaster shall not be cause for discipline, provided that a good faith effort to settle all accounts is being undertaken.

f) Illegal Political Activities

Members shall not engage in illegal political activities.

Involvement in political activities will not be permitted during a member's on-duty time, or in any county owned or leased facility. Political activities include, but are not limited to, soliciting or receiving any assessment, subscription, or contribution for any political party or cause, or storing, posting, carrying, or distributing political literature of any nature, or promoting the candidacy of any person for elected office.

g) Use of Name, Photograph and Official Title

Members shall not permit or authorize for personal gain the use of their name or photograph and official title identifying them as a member of this Office in connection with testimonials, advertisements for any commodity, commercial enterprise, or commercial service which is not the product of the member involved, without the approval of the Sheriff.

Office stationery/letterhead will be used for official purposes only. Unauthorized use may be grounds for disciplinary action.

Any statement about the Office or its function which reflects a member's personal opinion will be clearly presented as such.

Members shall secure the permission of the Sheriff, or his/her designee before attending conventions or filling speaking engagements as official representatives of the Office.

Members shall not recommend or suggest the employment of any attorney, bondsman, business firm, or individual to any persons during the course of or as a result of their official business as members of the Office.

h) Conflict of Interest

Members shall not engage in any activity which would create a conflict of interest or would be in violation of any criminal law.

Members shall not improperly request the aid or influence of any person or agency outside the Office to effect their transfer to any assignment or duty, retention in any assignments of duty, return to any assignment or duty from which they have been removed by order of a supervisor, or promotion to a higher rank in service; and they shall not knowingly permit any petition to be prepared or presented on their behalf for any such purpose.

Members will not accept, maintain, or disperse funds or property of correctional facility inmates, except as authorized.

Contraband of any kind seized or forfeited from correctional facility inmates shall be disposed of through established procedures and in no case shall contraband be converted to the personal use of any member of this Office.

i) Discrediting Conduct

Members, while on duty, shall at all times conduct themselves in a manner which does not discredit the law enforcement profession, or the Sheriff's Office.

A member is the most conspicuous representative of government, and to the majority of people he or she is the symbol of stability and authority upon whom they can rely. A member's conduct is closely scrutinized and when their actions are found to be excessive, unwarranted, or unjustified, they are criticized far more severely than comparable persons. Such behavior, whether on or off duty, may be grounds for disciplinary action whenever it is brought to the attention of the Office.

While on duty, members will remain attentive to their assigned responsibilities. They will not enter taverns, casinos, or other like establishments or attend public entertainments except in furtherance of their duties.

When involved in any inmate-offender professional dealings:

Sheriff's Office members shall:

Maintain fair and consistent relationships with all inmates, persons in custody and/or control and offenders in accordance with their assigned duties.

Conduct themselves in a manner to avoid being placed in a situation which could compromise their professional integrity, compromise security, or cause embarrassment to the Thurston County Sheriff's Office.

Maintain a dignified but firm and fair demeanor in their dealings with inmates, persons in custody and/or control, and offenders, their families and friends.

Deal with inmates, persons in custody and/or control and offenders on a courteous and professional basis.

Report all family relationships with inmates, persons in custody and/or control, and offenders to the Bureau Chief immediately.

Report, to their immediate supervisor, any request to engage in an authorized activity with inmates, offenders or their families.

Report to their immediate supervisor any gratuity, bribery, attempted bribery or solicitation of bribery by any inmate or offender; any attempt to jeopardize accepted member/inmate relationships and/or any unauthorized contact by inmates, persons in custody and/or control, or offenders.

Take corrective action on all Thurston County Sheriff's Office inmate violations to ensure impartiality and fairness with all inmates.

Recognize the individuality of inmates and offenders without favoritism. Such conduct is inherently unfair to both the favored and non-favored. Professional reaction to inmates must always be objective and not based on personal or subjective issues.

Sheriff's Office members shall not:

Have a personal relationship with inmates, persons in custody and/or control, unless they are previously related to the inmate.

Become involved in a sexual or intimate relationship with inmates, persons in custody and/or control.

Except as required as part of their assigned duties, take to or send from any inmate any letter, writing, message, verbal or written literature or reading material or any other item without permission of their Bureau Chief.

Contact or correspond with inmates, persons in custody and/or control, or offenders unless it is part of the member's duties or permission is granted by their Bureau Chief.

Except as required as part of their assigned duties, give any food or beverage brought from outside TCCF or purchased from commissary to inmate without permission from their immediate supervisor.

Barter, deal, or engage in a business relationship without the approval of the appropriate Bureau Chief, with inmates or offenders.

Receive from an inmate, persons in custody and/or control, offender or their family any gift or present without written permission from the Bureau Chief.

Except as required as part of their assigned duties, deal directly with, be involved in, or sponsor personal activities with an inmate/offender without official approval.

Discuss personal issues with or in the presence of inmates, persons in custody and/or control, or offenders.

Associate with ex-inmates and ex-offenders who:

Would bring discredit to the Thurston County Sheriff's Office.

Could place them under any kind of personal obligation which could lead any person to accept official favors.

Could compromise their professional integrity.

May be involved in illegal activity(s).

Engage in undue familiarity with inmates and offenders.

j) Appearance for Court

All members will report for court at the designated time.

Members will be responsible for contacting the Prosecuting Attorney's Office the day before the scheduled court date to determine if the case is still scheduled. They will also be responsible for contacting the Prosecuting Attorney to go over their testimony at least thirty (30) minutes before court

All members will be clean and well-groomed about their person, and appropriate clothing will be clean and pressed/ironed. The attire is Class A Uniform or professional-appearing attire. The long sleeve uniform shirt will be worn with a tie for Superior Court. Jumpsuits are not acceptable in Superior Court. Members called in to court without prior notification may attend as they are currently attired.

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 trace of evasion. Personal behavior shall be exemplary, both while in court awaiting call, and while on the witness stand.

Any member who is subpoenaed to testify in court regarding cases growing out of official duties will appear at the time and date indicated. Failure to appear will constitute neglect of duty.

k) Insubordination

Members shall not be disrespectful, insolent, mutinous, or untruthful in attitude or conduct towards any supervisor.

l) Courteous Conduct

Members shall be courteous and respectful in their official dealings with the public, fellow members, superiors, and subordinates. They will be orderly, attentive, and will exercise patience and discretion in dealing with the public.

Members, unless otherwise permitted by law, shall not discuss Office policies or internal problems of the Sheriff's Office, or malign any member of this Office to the public, or engage in conversation construed to be detrimental to the welfare of the Office.

Members shall not perform any acts or make any statements, oral or written, for publication or otherwise;

Which tend to disrupt or impair the performance of official duties and obligations of members of the Office; or

Which tend to interfere with or subvert the reasonable supervision or proper discipline of members of the Office.

To promote a non-offensive environment, it shall be the policy of the Thurston County Sheriff's Office that language considered to be offensive to any reasonable citizen shall not be used inappropriately by any member of the Office while conducting Sheriff's Office

business, or in any Sheriff's Office facility. Violations of this policy will be treated the same as any normal violation of the policy manual.

m) Strikes

Members shall not engage in any strike, work obstruction or abstention, in whole or in part, from the full, faithful and proper performance of their assigned duties and responsibilities, except as authorized by law.

**1.A.5 Standard 5 WASPC: 2.3**

*Members shall recognize that our society holds the freedom of the individual as a paramount percept which shall not be infringed upon without just, legal cause.*

a) Freedom of Individuals

Members shall not restrict the freedom of individuals, whether by detention or arrest, except to the extent necessary to legally or reasonably apply the law.

b) Fundamental Rights Guaranteed by Law

Members shall recognize the rights of individuals to be free from capricious or arbitrary acts which deny or abridge their fundamental rights as guaranteed by law.

c) Use of Position to Detain

Members shall not use their official position to detain any individual, or to restrict the freedom of any individual, except in the manner and means permitted or prescribed by law.

d) Misuse of Badge

Members shall not knowingly permit any person not appointed in this Office to use a Sheriff's Office badge, official credential, or uniform at any time, unless otherwise authorized by the Sheriff or Undersheriff.

e) Mistreatment of Persons in Custody

Members shall not mistreat persons who are in their custody. Members shall handle such persons in accordance with law and established procedures.

f) Unlawful Arrest, Search or Seizure WASPC: 2.5

Members shall not make any arrest, search or seizure which they know or should know is not in accordance with law and established policies and procedures.

g) Violations of Law

Members shall obey all laws. Violations of any law or a conviction may be cause for disciplinary action up to and including termination of employment.

**1.A.6 Standard 6**

*Members shall assist in maintaining the integrity and competence of the law enforcement profession.*

a) Right to Professional Law Enforcement Services

Members shall recognize that every person in our society is entitled to professional, effective, and efficient law enforcement services.

b) Double Standards

Members shall perform their duties in such a manner as to discourage double standards.

c) Exemplary Standards of Performance

Members shall conduct themselves so as to set exemplary standards of performance for all law enforcement personnel.

d) Disclosure of Violations

Members shall maintain the integrity of the profession through complete disclosure of those who violate any of these rules of conduct, violate any law, or who conduct themselves in a manner which tends to discredit the profession.

e) Disqualifying Information

Members shall have the responsibility for reporting to proper authorities any known information which would serve to disqualify candidates from transferring within or entering the profession.

f) Level of Education and Training

Members shall be responsible for maintaining a level of education and training that will keep them abreast of current techniques, concepts, laws, and requirements of their profession.

g) Responsibility of Undersheriff and Chief Deputies

The Undersheriff and Chief Deputies shall accept the responsibilities of utilizing all available resources and the authority of their office to maintain the integrity of their agency and the competency of their members.

h) Leadership

Members shall assume a leadership role in furthering their profession by encouraging and assisting in the education and training of other members of the profession.

i) Engaging in Private Business

It is the obligation of members to devote their on-duty time to official matters only. Therefore, private business shall not be engaged in during a tour of duty unless expressed permission (based upon unusual or extenuating circumstances) is granted by a supervisor.

j) Additional Employment

Any member who wishes to take additional employment during off-duty hours will inform the Sheriff or Undersheriff in writing before accepting the employment. In doing so, the member will fully describe the nature of the work to be performed and the hours of work. If it is judged that the additional employment involves misuse of the commission or could adversely affect the member's on-duty work performance or the Office's image or efficiency, the request will be denied.

If an off-duty employment situation held by a member is found to interfere with (1) the Office's image or efficiency; (2) the on-duty work performance of the individual in question; or (3) is found to involve misuse of the commission, the member will be required to terminate such employment.

The primary obligation and responsibility of a member who accepts off-duty employment must be to the Sheriff's Office. Members directed to report for overtime work will do so regardless of their off-duty employment situation.

It shall not follow or result in an unusual sick or absence record in a member's primary law enforcement employment, and time expended in performance of off-duty employment shall not exceed time required to be devoted to primary law enforcement employment.

It shall not interfere with the efficiency of law enforcement and public safety.

Members are prohibited from working in any of the following:

At any occupation which would tend to lower the dignity of law enforcement service.

Any employment which has any connection with the towing of vehicles, taxi cab, or ambulance company, bail bondsman, private detective, or media reporter;

In the performance of tasks other than those of law enforcement service, while in uniform;

As a process server or bill collector or in any other employment in which law enforcement authority might tend to be used for private purpose of a civil nature;

Any employment which requires access to criminal justice or law enforcement records as a condition of employment;



Employment which assists (in any manner) case preparation for defense in criminal cases;

Employment at any event wherein illegal activities are involved;

Performing private security work while wearing their Thurston County Sheriff's Office uniform, unless otherwise authorized by the Sheriff, Undersheriff, or their designee;

Deputy Sheriffs may, however, perform public security work (i.e. school dances, county fair, etc.) while wearing their Thurston County Sheriff's Office uniform.

It shall not involve work upon any commercial premises where intoxicants are served for public consumption except in a security capacity.

Employment with any other department, bureau, agency or unit of Thurston County government, in a capacity that is the same or similar to the member's current job classification or category.

A memo of intent to accept new or part-time employment will be submitted through the chain of command by every member. Severance of all affiliation with the Sheriff's Office may be required if that employment will adversely affect the Office's image or operations.

Solicitation of off-duty employment shall be conducted in an ethical and professional manner and shall not be conducted so as to create any impression or appearance of undue influence either for or against the potential employer by the soliciting deputy sheriff or the Office.

#### **1.A.7 Standard 7**

*Members shall cooperate with other officials and organizations who are using legal and ethical means to achieve the goals and objectives of the law enforcement profession.*

a) Sharing of Information

Members, within legal and Sheriff's Office guidelines, shall share with personnel both within and outside their agency, appropriate information that will facilitate the achievement of criminal justice goals or objectives.

b) Rendering of Needed Assistance

Members, whether requested through appropriate channels or called upon individually, shall render needed assistance to any other officer in their proper performance of their duty.

c) Communication of Goals

Members shall, within legal and Sheriff's Office guidelines, endeavor to communicate to the people of their community the goals and objectives of the profession, and keep them apprised of conditions which threaten the maintenance of an ordered society.

d) Official Reporting of Complaints

Members shall officially report all complaints, arrests, or other matters pertaining to the activities of the Sheriff's Office. This shall be done by using applicable procedures.

e) Observance of Violations

Members who know of or observe violations of laws, ordinances, rules of conduct, or official orders on the part of other Office members shall proceed as follows:

The member shall report such incident(s) at once to the immediate supervisor;

If a member believes that information possessed is of such gravity that it must be brought to the immediate personal attention of the Sheriff, the member has that right.

If on-duty members are confronted with a public incident involving disorderly conduct of an off-duty member, which cannot be handled in a routine manner, the case shall be brought before an on-duty supervisor for disposition.

f) Relief From Performance of Duties

The assignment of specific duties and responsibilities shall not relieve any member from the performance of all other duties as may be required or ordered by proper law enforcement authorities.

g) Malicious Harassment

It shall be the policy of the Office that all members will respond to a report of the crime of Malicious Harassment (RCW 9A.36.080) in accordance with its significance as both a felony and a matter of great community concern. All members are to be sensitive and responsive to the natural anxieties of the victim(s) of Malicious Harassment. Members shall preserve all relevant evidence and immediately conduct a thorough follow-up investigation whenever this crime is brought to the attention of the Sheriff's Office. It shall be the responsibility of command and supervisory deputies to make certain that a reported crime of Malicious Harassment is properly documented and a priority follow-up investigation is expeditiously completed in an attempt to both identify and charge any persons responsible for the crime.

h) Harassment/Discrimination – Racial or Sexual WASPC: 13.2

It is the policy of this Office to prohibit racial, ethnic or sexual harassment or discrimination in any form. For purposes of clarification, harassment shall be generally defined as derogatory racial, ethnic, or sexual epithets, display of derogatory visual or written material, repeated

requests for sexual contacts, or other verbal or physical conduct of a nature inappropriate to a work environment.

All members, particularly those in management and supervisory positions, are expected to adhere to a standard of conduct that is respectful, courteous, and non-discriminatory. Violations of this policy shall be grounds for disciplinary action up to and including termination.

**1.A.8 Standard 8**

*Members shall not compromise their integrity, nor that of their agency or profession, by accepting, giving, or soliciting any gratuity.*

a) Gifts, Favors and/or Gratuities

Members shall refuse to offer, give, or receive gifts, favors, or gratuities, either large or small, which can be reasonably interpreted as capable of influencing official acts or judgments. This standard is not intended to isolate members from normal social practices, or to preclude gifts among friends, associates, or relatives, where appropriate.

b) Badge of Office

Members shall not consider their badge of office as a license designed to provide them with special favor or consideration.

c) Fees or Compensation for Services Rendered

No member shall solicit or receive any fees or any compensation whatever, directly or indirectly, from the county, city, or state, for any services rendered or act done while a member of the Thurston County Sheriff's Office, other than salary, except superior court witness fees for off-duty court appearances not involving compensation, and approved requests for members' services that are not part of normal duties.

d) Issuance of Credentials

Members shall not individually or as representatives of law enforcement organizations issue any card, button, or other device to persons other than members of the Office which assumes to grant to the person holding such credentials any special privilege or consideration concerning the business of the Sheriff's Office, except that the Sheriff may issue such credentials at his discretion.

**1.A.9 Standard 9** WASPC: 5.4

*Members shall observe the confidentiality of information available to them through any source, as it relates to the law enforcement profession.*

a) Release/Dissemination of Information

Members shall be aware of and shall observe all legal restrictions on the release and dissemination of information.

b) Confidentiality of Information

Members shall treat as confidential the official business of the Sheriff's Office, and shall release or disseminate such information solely in an authorized manner, or as otherwise may be required by law.

Members shall treat all official Office business and records as confidential and shall not discuss or impart information to any person who is not a member of the Criminal Justice System (Prosecuting Attorney, Court, etc.); nor shall members remove Office records from the building or from an Office without permission of the division commander concerned or under due process of law except in the normal course of their duties. Members shall not divulge the identity of persons giving confidential information except as authorized by proper authority in the performance of law enforcement duties.

Members shall not discuss the evidence or information which they may give in any criminal court action, nor shall they sign any statement(s) concerning any criminal case for a person not officially connected with the Office except for official agencies such as the Prosecuting Attorney's Office, etc. Members subpoenaed by the defense in a criminal case will notify their immediate supervisor.

Whenever a member resigns or is terminated, his personnel records will be sealed. In the event of inquiries about the contents of the individual's records, the person(s) doing the inquiring will be referred to the Sheriff or his designee.

c) Disclosure of Personal Information

Members shall treat as confidential that information confided to them personally. They shall disclose such information as required in the proper performance of their duties.

d) Disclosure of Official Information

Members shall neither disclose nor use for their personal interest any confidential information acquired by them in the course of their official duties.

e) Confidential Information – Investigations

Members shall treat as confidential all matters relating to investigations, internal affairs, and personnel.

f) Anonymity of Sworn Members

The anonymity of sworn members dressed in plain clothes shall be maintained as follows:

Any member in uniform who meets another member (sworn) dressed in plain clothes shall in no manner indicate recognition unless greeted first; and

Sworn members in plain clothes are to properly identify themselves when officially engaging in public contacts with citizens except where anonymity is essential to the performance of duty.

g) Processing of Property

Property which has been discovered, gathered, or received in connection with Office responsibilities will be processed in accordance with established official procedures.

**CHAPTER 1 SECTION B ~ JURISDICTION      WASPC: 2.2**

**1.B.1 Office Jurisdiction**

- a) The jurisdiction of Thurston County Sheriff's Office members is that area, along with the properties and persons contained therein, within the boundaries of the County of Thurston.
- b) All commissioned members are authorized to enforce the laws of the State of Washington and county ordinances within the boundaries of Thurston County, including all unincorporated communities in Thurston County.
- c) Thurston County Deputies are authorized to enforce state laws in concurrent jurisdictions as defined within any mutual aid or concurrent jurisdiction agreements between said other city or county and the Thurston County Sheriff's Office.
- d) Exceptions
  - 1) Members may also enforce laws of the State of Washington in any incorporated city within Thurston County.
  - 2) This Office has concurrent jurisdiction over persons and incidents requiring police action on that portion of the Nisqually Indian Reservation located within Thurston County.
  - 3) This Office has concurrent jurisdiction over persons and incidents requiring law enforcement action on that portion of the Fort Lewis Military Reservation located within Thurston County.
  - 4) This Office does not have jurisdiction over tribal members and tribal incidents requiring police action on that portion of the Chehalis Indian Reservation located within Thurston County. This reservation is now exclusively under federal and tribal jurisdiction, with the exception of crimes committed on the reservation by non-Indian suspects. In those excepted cases, the state has concurrent jurisdiction with the federal government.

**1.B.2 Enforcement Authority within Cities and Towns**

- a) It is the policy of the Thurston County Sheriff's Office that the incorporated cities and towns within the county be allowed to handle their own criminal investigations, either misdemeanor or felony, through their local police agencies, except under the following conditions:
- b) At the specific request of the mayor or chief of police of a city or town;
- c) The Sheriff determines at his discretion to enter into and/or assume a criminal investigation within the incorporated limits of a city or town within Thurston County.

- d) Whenever the Sheriff determines that city officials are acting improperly or unlawfully in the discharge of their duties.
- e) On-view crimes occurring within incorporated areas shall be handled following normal policy and procedures until the local jurisdiction assumes responsibility.
- f) Traffic enforcement and other minor violations may be handled by the observing deputy.

**1.B.3 Mutual Aid WASPC: 7.4**

- a) On-duty deputies, with the permission of the on-duty supervisor, may exercise their authority when on duty anywhere outside of Thurston County and in the State of Washington, consistent with and within the provisions of the Washington Peace Officer Powers Act, RCW 10.93, or within the guidelines of any written mutual aid agreement with the agency having primary jurisdiction and when the following conditions exist:
  - b) Where the written consent of the Sheriff, Chief of Police in whose primary jurisdiction the exercise of authority occurs;
  - c) In response to an emergency involving the immediate threat to human life and property;
  - d) In response to a request for assistance pursuant to a mutual law enforcement assistance agreement with the agency of primary territorial jurisdiction or in response to the request of a peace officer with enforcement authority;
  - e) When the deputy is transporting a prisoner;
  - f) When the deputy is executing an arrest or search warrant;
  - g) When the deputy is in fresh pursuit. Any peace officer who has statutory authority under Washington law to make an arrest may proceed in fresh pursuit of a person:
    - 1) Who is reasonably believed to have committed a violation of traffic or criminal law, or
    - 2) For whom such deputy holds a warrant of arrest.
    - 3) The deputy in fresh pursuit shall have the authority to arrest and to hold such person in custody anywhere in the state. The term "fresh pursuit" includes, without limitations, fresh pursuit as defined by the common law. Fresh pursuit does not imply immediate pursuit, but pursuit without unreasonable delay.

**1.B.4 Exercising of Authority**

- a) A Deputy of the Thurston County Sheriff's Office may exercise their authority when off duty anywhere outside of the County of Thurston and in the State of Washington when the following circumstances exist:
- b) In response to an emergency involving the immediate threat to human life, or serious threat to property, or
- c) In response to the request of a peace officer with enforcement authority.

**1.B.5 Off-Duty Authority**

- a) Deputies of the Thurston County Sheriff's Office may not use the authority for any off-duty employment outside of the County of Thurston.

**1.B.6 Report of Action**

- a) Deputies are required to submit a report in writing through the chain of command to their bureau's Chief Deputy any time they exercise any authority under the Act outside of the County of Thurston.



**CHAPTER 1 SECTION C ~ PARTICIPATION IN CHRI SYSTEM** WASPC: 6.2

*The Office maintains full participation within the State fingerprint/criminal history records system. Further, this Office has established the following comprehensive guideline for the privacy, security, and dissemination of criminal history record information maintained by the Thurston County Sheriff's Office.*

**1.C.1 Security of Information** WASPC: 5.5, 6.1, 6.2

- a) It is the policy of this Office to keep all information contained in the Office's criminal history record files confidential and secure, except in instances where the law allows dissemination, which serves a legitimate law enforcement or other public interest function.
- b) Criminal History Record Information (CHRI) consists of any information containing individual identification of a person, together with a record of that individual's involvement as an alleged or convicted offender. Criminal Justice agencies are eligible to receive CHRI. Requests for CHRI will be referred to records members for processing.
- c) All criminal history records shall be given to and kept by the Records Section in accordance with RCW 10.97.010 through 10.97.140

**1.C.2 Falsification, Destruction of Records** WASPC: 5.6

- a) Members will not falsify, destroy, alter, or remove any report or record of this Office. Anyone having knowledge of such behavior is required to report it to his or her supervisor.

**1.C.3 Confidentiality of Office Information** WASPC: 5.4

- a) Members will regard all information concerning the official business operations and policies of the Office as confidential and will not release such information unless its release is specifically permitted. Requests for information by other law enforcement agencies will be referred to records members.

**1.C.4 Release of Office Information** WASPC: 5.5

- a) Members will not communicate, relay, or release any official Office information to any person which would in any way hamper or compromise the Office's operations or investigations.

**CHAPTER 1 SECTION D ~ NARCOTICS TASK FORCE**      WASPC: 2.2

**1.D.1 Participation**

The Thurston County Sheriff's Office's participation in the Thurston Narcotics Task Force is governed by the Inter-local Drug Unit Agreement.

**CHAPTER 1 SECTION E ~ WASHINGTON PEACE OFFICERS POWERS ACT**  
WASPC: 2.2

**1.E.1 Subsequent to the 1985 Mutual Aid Peace Officers Powers Act, RCW 10.93,** Deputies and Officers from the following jurisdictions are authorized full exercise of police powers within Thurston County:

- a) All county Sheriff's Offices within Washington State; and
- b) The Olympia Police Department, Lacey Police Department, Tumwater Police Department, Yelm Police Department, and Tenino Police Department.
- c) All county Sheriff's Offices within the State of Washington have entered into a mutual aid agreement to allow members of this Office to exercise their police powers within their respective jurisdictions. Upon notification of the intent of any of these agencies to exercise their powers within our jurisdiction, any and all assistance necessary shall be afforded them.

**CHAPTER 1 SECTION F ~ LAW ENFORCEMENT AUTHORITY**

WASPC: 2.2

**1.F.1 Authority**

*This policy outlines the authority and duties of the Thurston County Sheriff as established by general laws provided for in the Washington State Constitution – Article XI, Section 5, Amendment 57, and RCW 36.28, and enhanced by the Mutual Aid Peace Officers Powers Act of 1985, RCW 10.93*

**1.F.2 Oath of Office** WASPC: 2.1

The Sheriff and any person who receives a commission will take an oath of office to enforce the law and uphold the constitutions of the United States and the State of Washington, and Thurston County Ordinances, and abide by the Code of Conduct adopted by the Thurston County Sheriff's Office, as set out in related Ethical Standards, as also adopted by the IACP or NSA.

**1.F.3 Sheriff's Commission**

All persons hired as law enforcement deputies for the Thurston County Sheriff's Office shall be commissioned as Deputy Sheriffs for Thurston County, prior to being assigned to law enforcement duties.

A Sheriff's commission may be issued to any member of Thurston County who, by virtue of training and/or experience, has proven competence in the field of law enforcement and whose duties are police-related.

**1.F.4 Limited Commissions**

Limited commissions may be issued upon approval of the Sheriff to persons outside the Office who have a need for limited enforcement capabilities. These limited commissions will specifically state the authority of the holder to enforce the identified ordinances.

**1.F.5 Other Police Commissions**

Police commissions from other law enforcement agencies may be issued to Sheriff's Deputies when necessary or desirable. Prior to issuance of other law enforcement agency commission, the member shall obtain permission from the Sheriff or their designee.

**1.F.6 Commission Abuse**

Any abuse or unjustified use of any Sheriff's commission or mutual aid peace officer powers will result in withdrawal and/or subject the offending deputy to Office discipline procedures.

**CHAPTER 1 SECTION G ~ USE OF FORCE WASPC: 3.1**

**1.G.1 Use of Force WASPC: 3.1, 3.2**

- a) The use, attempt or offer to use force upon or toward another person is lawful whenever necessarily used by a public officer in the performance of a legal duty, (RCW 9A.16.020(1)).
- b) Necessary means that no reasonably effective alternative to the use of force appeared to exist and that the amount of force used was reasonable to effect the lawful purpose intended (RCW 9A.16.010(1)).

**1.G.2 Use of Force – When Lawful (See RCW 9A.16.020)**

- a) The use, attempt, or offer to use force upon or toward the person of another is not unlawful in the following cases:
  - 1) Whenever necessarily used by a public officer in the performance of a legal duty, or a person assisting the officer and acting under the officer's direction;
  - 2) Whenever necessarily used by a person arresting one who has committed a felony and delivering him or her to a public officer competent to receive him or her into custody;
  - 3) Whenever used by a party about to be injured, or by another lawfully aiding him or her, in preventing or attempting to prevent an offense against his or her person, or a malicious trespass, or other malicious interference with real or personal property lawfully in his or her possession, in case the force is not more than is necessary;
  - 4) Whenever reasonably used by a person to detain someone who enters or remains unlawfully in a building or on real property lawfully in the possession of such person, so long as such detention is reasonable in duration and manner to investigate the reason for the detained person's presence on the premises, and so long as the premises in question did not reasonably appear to be intended to be open to members of the public;
  - 5) Whenever used by a carrier of passengers or the carrier's authorized agent or servant, or other person assisting them at their request in expelling from a carriage, railway car, vessel, or other vehicle, a passenger who refuses to obey a lawful and reasonable regulation prescribed for the conduct of passengers, if such vehicle has first been stopped and the force used is not more than is necessary to expel the offender with reasonable regard to the offender's personal safety;
  - 6) Whenever used by any person to prevent a mentally ill, mentally incompetent, or mentally disabled person from committing an act dangerous to any person, or in enforcing

necessary restraint for the protection or restoration to health of the person, during such period only as is necessary to obtain legal authority for the restraint or custody of the person. WASPC: 15.8

b) Use of Force – Deadly Force (See RCW 9A.16.040)

Homicide or the use of deadly force is justifiable in the following cases:

- 1) When a public officer is acting in obedience to the judgment of a competent court; or
- 2) When necessarily used by a peace officer to overcome actual resistance to the execution of the legal process, mandate, or order of a court or officer, or in the discharge of a legal duty.
- 3) When necessarily used by a peace officer or person acting under the officer's command and in the officer's aid:
  - (a) To arrest or apprehend a person who the officer reasonably believes has committed, has attempted to commit, is committing, or is attempting to commit a felony;
  - (b) To prevent the escape of a person from a federal or state correctional facility or in retaking a person who escapes from such a facility; or
  - (c) To prevent the escape of a person from a county or city jail or holding facility if the person has been arrested for, charged with, or convicted of a felony; or
  - (d) To lawfully suppress a riot if the actor or another participant is armed with a deadly weapon.
- c) In considering whether to use deadly force under subsection (1)(c) of this section, to arrest or apprehend any person for the commission of any crime, the peace officer must have probable cause to believe that the suspect, if not apprehended, poses a threat of serious physical harm to the officer or a threat of serious physical harm to others. Among the circumstances which may be considered by peace officers as a "threat of serious physical harm" are the following:
  - 1) The suspect threatens a peace officer with a weapon or displays a weapon in a manner that could reasonably be construed as threatening; or
  - 2) There is probable cause to believe that the suspect has committed any crime involving the infliction or threatened infliction of serious physical harm.

- 3) Under these circumstances deadly force may also be used if necessary to prevent escape from the officer, where, if feasible, some warning is given.
- 4) A public officer or peace officer shall not be held criminally liable for using deadly force without malice and with a good faith belief that such act is justifiable pursuant to this section.
- 5) This section shall not be construed as:  
Affecting the permissible use of force by a person acting under the authority of RCW 9A.16.020 or 9A.16.050; or
  - (a) Preventing a law enforcement agency from adopting standards pertaining to its use of deadly force that are more restrictive than this section.
  - (b) Commissioned members shall employ that amount of force which is reasonable and lawful to affect an arrest or assume control of a situation.
  - (c) What may be reasonable force under one set of circumstances may be unreasonable force under a different, though similar, set of circumstances.
  - (d) The necessity of controlling the use of service weapons is a responsibility of each individual member and is expected by the public being served. Commissioned members should not discharge a firearm other than for practice or training at the target range or similar authorized locations, except when in performance of duties after other reasonable means have failed. Under no circumstances will members fire any warning shot for any purpose. (RCW 9A.16.040) **WASPC: 3.3**
  - (e) NOTE: The United States Supreme Court has held that deadly force may not be used to prevent the escape of an apparently unarmed suspected felon unless it is necessary to prevent the escape of such felon and the deputy has probable cause to believe that the suspect poses a significant threat of death or serious physical injury to the deputy or others. Tennessee vs. Gardner, 1985.
  - (f) The decision to apply deadly force in a situation should not be based solely on the fact that Office regulations and state law allow its use. Good judgment must always dictate reasonable action.

### **1.G.3 Deadly Force to Destroy Animals**

- a) Deadly force may be used to destroy a dangerous animal or an animal so badly injured that humanity requires its removal from further suffering, when authorized by the duty supervisor.

- 1) The animal may be destroyed under the following instances:

- (a) For self-defense
  - (b) To prevent substantial harm to the members or others.
  - (c) When the animal is so badly injured that humanity requires its relief from further suffering.
- 2) Members should adhere to the following whenever practical:
- (a) Remove the animal to a place of relative safety and out of public view, if possible.
  - (b) The appropriate agency should be notified to remove the carcass.
  - (c) When dealing with domestic pets or livestock, a Veterinarian should be used prior to the deputy having to terminate the animal.
  - (d) A written report of the use of firearms under these circumstances will not be necessary.

#### **1.G.4 Justification Limited to Facts Known to Member**

- a) Justification for the use of deadly force must be limited to what reasonably appears to be the facts known or perceived by a member at the time they decide to act. Facts unknown to a member, no matter how compelling, cannot be considered at a later date to justify the act.

#### **1.G.5 Members Acknowledgement of Policy**

- a) All commissioned members must receive and demonstrate an understanding of this chapter prior to being authorized to carry any firearm.

#### **1.G.6 Members Surrendering Weapon**

- a) A deputy or partner may be at the mercy of an armed suspect who has the advantage, but experience has shown that the danger to a deputy is not reduced by giving up their gun upon demand. Surrendering of a weapon might mean giving away the only chance for survival; therefore, a deputy should use every tactical tool available to avoid surrendering their weapon.

*No policy can realistically imagine or cover every possible situation a member might encounter. Members are entrusted with discretion in determining the appropriate use of force in each incident.*

*While it is the ultimate objective of every law enforcement encounter to minimize injury to everyone involved, nothing in this policy requires a deputy to actually sustain physical injury before applying reasonable force.*

*Any member present and observing another member using force that is clearly beyond that which is reasonable shall intercede to stop or prevent the use of such excessive force. Members will promptly report these observations to a supervisor.*

**1.G.7 Pursuit Resolution Tactics** WASPC: 4.3, 15.5

- a) Pursuit Resolution Tactics is the name for a range of techniques intended to intervene in a suspect's attempt to flee or avoid apprehension while operating a vehicle. As with other use-of-force options, pursuit resolution tactics are intended to be dynamic in nature. That is, depending on the situation, a deputy may be called upon to start at the high range of options, or a deputy may move progressively up the range of options.
- b) As with other use-of-force options the purpose is to intervene at a certain level with the intent of de-escalating the situation, with the ultimate goal of resolving the situation in the interest of public safety. The decision to use a pursuit resolution tactic must be based on the facts and circumstances known to the deputy at the time of the choice of technique.
- c) It is the policy of the Thurston County Sheriff's Office that decisions for the use of pursuit resolution tactics shall reflect concern for general public safety first and concern for the offender second. Pursuit resolution tactics include:
  - d) Spike Strips / Stop Sticks – Deployment of devices used for puncturing (and ultimately deflating) a suspect's tire. Use of these devices will be consistent with current TCSO training and procedure.
  - e) Pursuit Immobilization Technique (PIT) – The intentional contact of a suspect vehicle in an effort to stop the suspect's flight or illegal activity. Use of PIT shall be consistent with current Sheriff's Office training and procedure. Members shall have successfully completed the PIT training program before utilizing this technique in the field.
    - 1) **PIT (35 mph and below)** – The deputy may employ this tactic if he/she believes that they can safely end the pursuit. No permission is required however if the opportunity presents itself it is suggested that the deputy obtain permission.
    - 2) **PIT (over 35 mph)** – The deputy may employ this tactic only upon receiving permission from the on-duty supervisor. The threat to public safety must outweigh the safety of the suspect.
  - f) Tactical Vehicle Intervention (TVI) – The tactical vehicle intervention technique uses the patrol vehicle to stop the fleeing vehicle by intentional striking with a Sheriff's Office vehicle. A deputy utilizing a tactical vehicle intervention technique shall, if at all possible, obtain supervisory approval prior to the use of the technique. If, due to exigent circumstances, a deputy needs to act immediately, the tactic can be used without supervisory approval. A deputy utilizing TVI shall complete documentation of such use prior to going off shift.



g) Roadblocks – Roadblocks are best described as utilizing a patrol vehicle(s) to produce a stationary or moving barrier to stop or channel a suspect vehicle to affect a stop or in the interest of public safety. If at all possible, only marked Sheriff's Office vehicles will be utilized for either stationary or moving roadblocks. Use of roadblocks will be consistent with current TCSO training and procedure. Roadblocks require supervisory approval prior to implementation.

1) Supervisory Approval of Stationary Roadblocks

Sheriff's Office vehicles may be used to establish a stationary roadblock for felony apprehensions, with supervisory approval, if the following conditions exist:

- (a) That all other reasonable means of stopping the suspect vehicle have been exhausted, or that allowing the driver of the suspect vehicle to continue could cause a risk to the safety of others, or that the nature of the crime that the driver or an occupant has committed is serious enough to warrant using a roadblock;
- (b) That the Sheriff's Office vehicle used in the roadblock is a clearly marked patrol vehicle, and the emergency lights are activated while the vehicle is blocking the roadway, and that the patrol vehicle is left unoccupied;
- (c) That the roadblock is established at a location that provides an approaching vehicle ample visibility of the roadblock.

2) Supervisory Approval on Rolling Roadblocks

Sheriff's Office vehicles may be used to affect a rolling roadblock for felony apprehension, with supervisory approval, if the following conditions exist:

- (a) That all other reasonable means of stopping the suspect vehicle have been exhausted, or that allowing the driver of the suspect vehicle to continue could cause a risk to the safety of others, or that the nature of the crime the driver or occupant has committed is serious enough to warrant such action;
- (b) That the Sheriff's Office vehicle used in the rolling roadblock is a clearly marked patrol vehicle or that there is a marked patrol vehicle involved in the incident which has its emergency lights activated during the incident.

3) Command Notification of Pursuit, PIT, TVI or Roadblock

The initiating deputy of a pursuit, roadblock, or intentional striking with a Sheriff's Office vehicle, and the supervisor approving such action, shall each file a report by the end of the shift in which the incident occurred. The reports shall contain all the relevant information that will explain what actions were taken and the reasons for the action. The reports will be forwarded through the chain of command to the Sheriff or his/her designee for review.

**1.G.8 Less Lethal Weapons** WASPC: 3.4

- a) On and off-duty, non-lethal weapon use and possession are subject to policy and training by the Sheriff's Office. Commissioned members will only employ that amount of force which is reasonable and necessary to effect or assume control of a situation. All office members will follow and obey all laws of the State of Washington regarding the use of lethal and non-lethal weapons, both on and off duty. All commissioned members, whether on duty or off duty, will adhere to office rules and regulations concerning the use of force.
  
- b) **Only Approved Impact Weapons Will Be Carried**  
Impact weapons carried by commissioned members include straight batons, side-handled batons, collapsible ASP batons, flashlights, and kinetic energy impact projectiles
  
- c) **Use of Restraints or Handcuffs** WASPC: 19.1  
It is required that all persons taken into custody be handcuffed with their hands behind their backs. In special circumstances such as a medical condition, investigative transports, etc., handcuffing is neither practical nor prudent. In these cases, the deputy must be able to articulate justifiable reasons for not handcuffing. The deputy will be responsible for choosing not to handcuff, given considerations of officer safety, public safety, and safety of the prisoner. Deputies shall not handcuff a prisoner to another deputy or an affixed object unless justified by circumstances. Handcuffing shall be done consistent with Thurston County Sheriff's Office training.
  
- d) **Use of Leg Restraints** WASPC: 19.1  
If a prisoner is violent and could injure themselves or others, or do damage to county property, the prisoner may have their legs restrained by use of "hobble" or similar device. A prisoner who has had this restraint applied should not be placed on their stomach when placed in a patrol vehicle. They should be placed on their side and seat belted if at all possible, and carefully monitored en route to incarceration as closely as possible. Medical attention should be provided whenever the transport and arrest results in suspected medical distress. The deputy will keep a dialogue going while in transport.
  
- e) **Use of O/C Agent Aerosol Projectors**  
Aerosol projectors can be carried by trained members. These projectors will be of an approved type containing Oleoresin Capsicum (O.C.) aerosol agent. It should be used in situations consistent with Level I defensive tactics or above and the use of force policy. Punitive use against anyone is prohibited. First aid should be rendered as soon as practical to persons subdued with this agent.

1) **Certified Training**

Commissioned members will undergo training in the use of aerosol chemical agents, prior to carrying them, by certified Office instructors. This will include all commissioned members of Reserves, Operations, Corrections, and Services.

Commissioned members will carry and use only those aerosols issued or approved by the Office. Information regarding aerosol agent use shall be included in incident reports.

All training will be carefully documented in writing by the instructor. The instructor shall furnish a list of members who have been trained to the training deputy for records retention, and notification to the chain of command

2) First Aid Considerations

Additional medical attention, if needed, may be rendered by medical professionals. The shift supervisor will make the decision if additional attention is warranted, using the element of caution.

f) Tactical Use of Chemical Agents

C.S. (Ortho-chlorobenzalmalonitrate) O.C or H.C. (smoke) will be the only chemical agents authorized in tactical situations. These agents will only be used by trained members in such situations as riot, barricaded subject, hostage, or other situations deemed necessary. The delivery system used to dispense the chosen agent will be determined by the situation commander based on the circumstances present.

g) Use of Force – K-9

The proper use of K-9 resources as a means of force shall be within the same parameters guiding the use of any other weapon or tool by Sheriff's members. As in all cases concerning the application of force, good judgment must be the prevailing measure.

h) Kinetic Energy Impact Projectiles

Kinetic Energy Impact Projectiles will be used only by trained members in cases where combative or non-compliant subjects, whether armed or violent, cannot safely be approached in order to resolve the situation when other less lethal techniques or weapons cannot be employed. Only Sheriff's Office issued and approved munitions will be used.

i) Practical Defensive Tactics Training

Commissioned members shall participate in practical tactical training on an annual basis. Practical Defensive Tactics training will be taught by Office instructors. Courses will be completed between 1 January and 31 December of the current year.

j) Defensive Tactics Instructors

Office instructors shall maintain proficient skill level in tactical training. This shall include updating of training and knowledge of current techniques as accepted within the law enforcement community and as approved by the Thurston County Sheriff's Office.

k) Members Required to Participate

All First Level Supervisors and deputies Office-wide shall participate in defensive tactics training as scheduled by the Training Coordinator and approved by the Sheriff or designee.

l) Areas of instruction can cover, but will not be limited to, the following areas – Level One DT; Level Two DT, baton, flashlight, grappling, OC, handcuffing, riot baton, cell entry, theories in the use of force and its applications, fist suit, role plays in defensive tactics and other areas of instruction based on training needs of the Sheriff's Office.

m) Side-Handle Baton

Satellite training can be obtained through surrounding agencies. Certificate of completion is to be provided to Sheriff's Office tactical instructor. This training would be in lieu of straight baton training.

n) Reporting Use of Force

All uses of force will be documented, as directed, in the Field Report, Use of Force Report, or Records Management System.

o) Use of Electronic Restraining Devices

Electronic restraining devices will only be used by trained members. The only electronic restraining devices authorized will be an approved Office-issued unit. No others are authorized. . Punitive use of this device against anyone is prohibited. Any such unauthorized use may result in immediate disciplinary sanctions – up to and including termination.

p) Use of the Jaycor Pepperball Delivery System

The Jaycor Pepperball Delivery System will only be used by members trained by Office instructors. The only delivery system approved for use will be Office issued unit. The Jaycor Delivery System is an additional tool to assist deputies in effecting a lawful arrest and is not intended to replace firearms or self-defense techniques. This system is capable of being used as an OC delivery system and a pain compliance tool. Punitive use of this device, against anyone, is prohibited. Any such unauthorized use may result in immediate disciplinary sanctions: up to and including termination.

**1.G.9 Firearms and Ammunition** WASPC: 3.8

a) Sheriff's Office commissioned members and reserves will carry, on duty, only authorized weapons and ammunition, meeting authorized specifications.

b) Firearms

All weapons, including handguns, rifles, and shotguns, shall be used only when necessary in the performance of duty or in training. Discharge or use of any weapon other than in training or dispatching of a wounded animal, requires a written report, as directed, on the circumstances describing the use and cause for use. All on-duty deputies shall be armed with a Sheriff's-Office-approved firearm.

- 1) The only authorized handguns while in uniform will be: 9 mm, .38, .40, or .45 ACP caliber semi-automatic pistols, with a minimum barrel length of 3 ½", capable of using Office-issued or approved ammunition. The handles or grips shall be wood, plastic, or rubber, being natural wood or black in color. No ornamental grips are authorized. All safety devices will be kept intact and operable on the weapon. Supervisory or Office members assigned to either plain clothes or uniform duty may be armed with a weapon with a barrel length of no less than 2".
- 2) Weapons proposed for duty use must be of high quality manufacture, based on current industry standards for safety and dependability as typified by, but not be limited to, the following example manufacturers: Smith and Wesson, Colt, Glock, H & K, Sig Sauer, Beretta, Steyr, and Taurus.
- 3) The only authorized long arms to be carried or used on duty shall be Sheriff's Office issued and/or authorized rifles and shotguns. No personally owned long arms will be carried without prior written permission of the Sheriff or Undersheriff, or their designee.
- 4) Prior to carrying any weapon on duty or making any change in a weapon carried on duty, all members must qualify with the proposed weapon in the presence of a Sheriff's Office Firearms Instructor, in the preceding 12-24 months and exhibit to said Firearms Instructor sufficient knowledge of the safe handling, operation, and use of the weapon.
- 5) Weapons proposed for use outside of the described calibers or example manufacturers must first receive the written authorization of the Sheriff or Undersheriff.
- 6) Back-up weapons are authorized at the expense of the deputy. The only calibers authorized are: .380, .38, 9mm, .40, and .45ACP.

c) Other Weapons

Sheriff's Office owned weapons may be issued as inventory allows and duty assignments require.

d) Ammunition

The only ammunition authorized for use on duty by all members is Sheriff's Office issued, authorized factory ammunition of the calibers stated in 1.5.1. Sheriff's Office issued ammunition will not be altered in any way. Reloads and wad-cutter ammunition are restricted to target practice or training only.

- 1) Deputies carrying a 9 mm, .40, .45 caliber weapon will be issued practice, and duty ammunition. Deputies choosing to carry any other approved caliber must furnish their own practice and duty ammunition. That duty ammunition must be approved in advance by the Sheriff or Undersheriff. The only duty ammunition that is authorized to be carried is that which is issued within the preceding 12-24 months.
- 2) While Deputies are on duty, all firearms will be loaded only with un-altered Sheriff's Office issued and/or approved ammunition.
- 3) All Deputies, whether working in uniform or plain clothes, shall carry a full cylinder or magazine of cartridges in their service weapon. Uniformed Deputies will carry a minimum of two additional full reloads of approved ammunition on their duty belt. Plain clothes deputies, while on duty, will carry sufficient ammunition on their person to permit one full reload of their duty firearm. Deputies assigned to undercover or specialized details may be exempted from this requirement by supervisory approval.
- 4) Deputies shall not display, load, or unload their firearms at any place, in any building accessible to the general public except:
  - (a) When necessary in the line of duty;
  - (b) When ordered by a superior officer for inspection purposes;
  - (c) At the firing range, and then only when shooting under supervision;
  - (d) When necessary for cleaning, and then only in an approved and designated area.
- e) Carrying Weapon off Duty  
Deputies are authorized to carry a weapon off duty.
  - 1) The Sheriff's Office will not furnish an off-duty weapon.
  - 2) Deputies may carry a firearm if they will be traveling about in public places, however if the weapon is issued by the Office or carried under the authority of the Sheriff's Office Commission, they will not consume intoxicating beverages.

*A deputy who elects not to carry a weapon while off duty shall not be subjected to disciplinary action should an occasion arise in which the Deputy could take law enforcement action, if armed.*

**1.G.10 Firearms Proficiency** WASPC: 11.6, 11.8

- a) All members authorized to carry firearms shall participate in an on-going firearms training program as designated by the Sheriff or Undersheriff.
  
- b) **Firearms Training/Range Qualifications**  
The firearms training program may include, but not be limited to video, classroom, and field presentations, along with hands-on training at the range. Each Sheriff's Office member authorized to carry a rifle or shotgun is required to qualify with the weapon at least one time per year.
  
- c) **Inspection**  
The firearms instructor shall inspect and record each weapon used by members at the time of qualification. Such registrations, and records of qualification results, will be maintained by the Office. All weapons used by members in their official capacity, on or off duty, will be registered with the firearms instructor.
  
- d) **Qualifying**  
Sheriff's Office members authorized to carry a firearm are required to qualify with a duty weapon, at least annually. Dates/times and methods of training will be the prerogative of the Sheriff or his/her designee.
  - 1) Deputies choosing to carry an approved back-up weapon in addition to their regular duty weapon are required to qualify with the weapon annually.
  
  - 2) No member may carry or use a weapon on duty without first receiving approval from their supervisor and after properly qualifying with that weapon.
  
- e) **Failure to Qualify**  
Any deputy failing to qualify will be scheduled for firearms improvement as soon as possible, and their supervisor notified. Once the deputy has completed the refresher training and has met the minimum qualifications score, the deputy will be considered as being qualified, for the purposes of the qualification shoot.
  
- f) **Ramifications**  
If the deputy is still unable to meet minimum standards after completion of the refresher training, the Sheriff or Undersheriff shall make a determination as to completing further training for the deputy and removing the deputy from duty. In this event, the deputy shall not be allowed to continue carrying a firearm until meeting the minimum standards for qualification.

- 1) If a deputy is unable to fulfill the range requirement due to special circumstances, that deputy will submit a written memorandum through the chain of command explaining the circumstances.
  - 2) Members who fail to achieve certification after attending remedial firearms training will be submitted to appropriate disciplinary action for failure to comply with Office policy.
- g) Modifications to Firearms  
Modifications to personally-owned firearms used on duty shall not defeat any of the manufacturers' safety features. Modifications shall not affect the safety or reliability of the firearm operation.
- h) Repairs to Office Owned/Issued Firearms  
All necessary repairs to Office owned/issued firearms will be completed by the Office armorer or a qualified gunsmith with prior approval by the Office armorer.
- i) Repairs to Personally Owned Firearms  
All necessary repairs to personally-owned firearms may be performed by the Office armorer or a qualified gunsmith. Replacement parts for personally-owned firearms will be the responsibility of the individual deputy.
- j) Shotguns and/or Rifles  
Shotguns and/or rifles provided in patrol vehicles will be secured in a locked manner.
- k) Maintenance of Weapons  
Each deputy is responsible for the maintenance and cleaning of their weapon(s) and will, at all times, maintain the weapon(s) in a clean and serviceable condition, whether Office owned or personally owned.
- l) Loss or Theft of Firearm  
Members shall immediately report the loss or theft of any Office or personally-owned firearm to the Sheriff through the chain of command. The report will be in writing and will detail all the facts concerning the incident.

**1.G.11 Firearms Discharge Internal Review Process** WASPC: 3.7, 3.5

- a) A documentation, review, and disposition process will occur following any firearm discharge, any death, or injury of a person, or use of deadly force by any member of the Sheriff's Office.
- b) Unauthorized Use of Firearm



Firing into the ground or air in an attempt to halt a fleeing criminal is dangerous to innocent persons and is a great personal and official risk to the member and is prohibited.

- 1) Members shall not fire upon a person who has been ordered to halt because of mere suspicion and who, without making any resistance, simply runs away to avoid arrest.
- 2) Members shall not fire upon moving or fleeing vehicles unless necessary in the defense of the member's life or another person's life.
- 3) Whenever a member discharges a firearm they shall be forever responsible for this action. Generally speaking, crimes against property would not authorize the use of deadly force, unless the suspect demonstrates a serious threat to the public or deputies involved.
- 4) No member shall ever intentionally jeopardize the life or physical safety of innocent citizens when firing their weapons.

c) Discharge of Firearms – Injury or Death Involved

The Sheriff's Office recognizes that trauma can occur when deputies are involved in incidents wherein they either use or become victims of the use of deadly weapons (specifically firearms). It will be the policy of Thurston County Sheriff's Office to assist deputies in recognizing and dealing with trauma to minimize its negative effects. The following will give guidance to supervisors and administrators on uniform actions to facilitate handling officer-involved shooting situations which result in a person being seriously injured or killed, or in which the deputy faced imminent injury or death:

- 1) Determine the physical condition of the person and render first aid as necessary.
- 2) Request necessary emergency and medical aid.
- 3) Report the incident to the On-Duty Supervisor. If the On-Duty Supervisor is the involved deputy, then the Supervisor will order notification of the next superior deputy available through the chain of command. Until such superior deputy arrives at the scene, the On-Duty Supervisor shall relinquish command of the scene and the shift to the lead deputy or if unavailable, the most senior deputy on duty. If possible, use the telephone.

- (a) The Supervisor who assumes command of the shooting scene shall immediately, or as soon as practicable, relieve the involved deputy(s) of all scene-related duties.

- (b) The Supervisor is responsible for securing the weapon of the deputy(s) as evidence, when applicable, prior to the deputy(s) leaving the scene. If the weapon is taken and circumstances allow it, a replacement weapon will be provided, as more fully explained in #1.8 post-shooting. One deputy will be assigned by the supervisor to remain with the involved deputy. Whenever practical, the assigned deputy should not be part of the original incident.
  - (c) This designated deputy may serve many functions. Among these are:
  - (d) To shield the involved deputy(s) from all deputies and administrators, general public, and media, other than those who have investigative and other post-shooting incident responsibilities.
  - (e) To remove the involved deputy(s) from the scene as soon as practicable.
  - (f) Assist in any other needs of the deputy(s) such as transportation, notification of spouse or family, etc.
  - (g) Assist involved deputy(s) in making reports by taping, dictating or handwriting, to facilitate prompt and accurate reporting.
  - (h) When relieved at the scene, return to the office and submit a written report of the incident to the supervisor, who will be responsible for conducting an investigation of the incident and preparing an investigative report prior to going off shift.
  - (i) The supervisor will be responsible for notifying the next superior deputy available in the chain of command as soon as possible.
  - (j) The involved deputy(s) shall be released from normal duties as soon as practical. The deputy(s) may be placed on paid administrative leave, or assigned to administrative duties. The leave or assignment may include time utilized for a, Coroner's Inquest, Psychological Evaluation, etc. The deputy(s) shall be returned to regular duty when authorized by the Sheriff or designee.
- d) Discharge of Firearms – No Injury
- The involved member shall notify the on-duty supervisor, as directed and submit a written report of the incident as soon as possible and prior to going off shift. The supervisor shall notify his/her immediate supervisor and shall personally investigate the report of the firearm discharge and prepare a detailed written report of the incident prior to going off shift. For the purposes of this section, discharge shall mean any attempt to fire a firearm, whether it actually fires or not. This section does not apply to the dispatching of wounded animals.

e) Firearms Discharge (Internal Review)

As soon as practical after a use or attempted use of deadly force incident, the Sheriff shall direct that an internal investigation of the incident be conducted. The internal investigation shall determine if the use of deadly force was justifiable and will report such findings through the chain of command for review and recommendations to the Sheriff.

**1.G.12 Post Shooting** WASPC: 3.7

a) Situations involving use of force resulting in a death or serious injury will require removal from line duty assignment, pending administrative review of the facts.

b) Post-Incident Reassignment and Debriefing

1) A member involved in a death or serious injury incident may be placed on administrative reassignment with pay for the duration of the member's shift and the following two shifts, for a minimum of 72 consecutive hours. Administrative reassignments in the interest of the member and the Office.

2) The member involved in the death or serious injury incident will be afforded the opportunity to name a fellow member to assist with the transportation needs, companionship, and moral support. If a fellow member is named, that member will also be placed on concurrent 72-hour administrative reassignment. Members shall understand that this relationship does not afford a privileged communication status.

3) The involved member shall meet for debriefing and counseling with an Office "approved" psychologist or psychiatrist experienced in assisting law enforcement members and their families to recognize and cope with the natural responses to a death or serious injury incident. All conversations between the member and the debriefing psychologist or psychiatrist are considered confidential and subject to the doctor-patient privilege.

c) 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 in their regular assignment or whether the member needs additional recuperative time and, if so, how much additional time is recommended; and

2) Whether any modification of the member's regularly assigned duties should be considered by the Office in order to facilitate the member's speedy return to full productivity and, if so, the nature and duration of the recommended modifications.

d) Office Resources Available to Involved Deputy

If the death or serious injury incident involved the discharge of the member's service pistol and it must therefore be taken for examination, the on-duty supervisor will, replace the weapon.

The supervisor may withhold such approval if, based upon all the available information concerning the incident and the member's response thereto, the supervisor believes the re-issuance of a service pistol to the involved deputy may not be in the interest of safety.

## Chapter 2

# Organization and Administration



- Section A ~ Command Structure
  - Section B ~ Organization
  - Section C ~ Training
  - Section D ~ Reserve and Auxiliary
  - Section E ~ Explorers
  - Section F ~ Specialty Assignments
  - Section G ~ Specialty Units
  - Section H ~ Applicant Selection
  - Section I ~ Probation / Promotion
  - Section J ~ Evaluations
  - Section K ~ Awards / Recognition
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**CHAPTER 2 SECTION A ~ COMMAND STRUCTURE****2.A.1 Chief Executive Officer Authority WASPC: 2.2**

- a) The Sheriff of the County is elected by public vote. The Sheriff is the Chief Executive Officer and conservator of the peace of the county and will execute the duties of Office pursuant to RCW 36.28/2.28/70.48.
- b) The number of people reporting directly to the Sheriff must necessarily be limited. Clearly defined lines of authority must be drawn to ensure unity of command. Members must be aware of their relative positions in the Sheriff's Office organization and responsibility to operate within the chain of command.
- c) Members must keep their supervisors informed as to their activities. The Sheriff shall have the power and authority to discipline members of the Office for non-compliance with the rules, regulations, procedures, and lawful orders issued by the Sheriff or any commanding deputy, in compliance with applicable Collective Bargaining Agreements or Civil Service Rules.

**2.A.2 Chain of Command WASPC: 4.1**

- a) The Sheriff exercises command over all members within the Office. The succession of command in the absence of the Sheriff is as follows:
  - 1) The Undersheriff
  - 2) The Chief Deputy of Field Operations
  - 3) The Chief Deputy of Support Services
  - 4) The Chief Deputy of Corrections
  - 5) The divisional commander whose division would have the primary task when otherwise present on the scene, or that commander's designee.
  - 6) The divisional mid-manager or first-line supervisor on duty, or on call, or designee. If the primary duties are investigatory, then the Investigative Division mid-manager should assume command.
- b) In the absence of a divisional commander, the on duty supervisor shall assume command of situations unless the mission is primarily investigatory, then he should relinquish command to the Investigative Division supervisor. This individual shall maintain control until the situation is concluded or they are relieved by a command deputy.

**2.A.3 Supervision**

- a) Supervision in its broadest sense consists of three main tasks: to organize, to delegate, and to oversee. To "organize" means planning the work of the Office and its members in an orderly manner. To "delegate" means giving someone else the responsibility and authority to

do something which the supervisor does not have the time or the ability to do efficiently. The supervisor confers upon a subordinate that same responsibility that the supervisor possesses, but in a more limited scope. In the final analysis, however, it will be the responsibility of the supervisor to assure that the work is done. To “oversee” means that the supervisor follows up to see that the work organized and delegated is carried out.

- b) On-duty, full-time, paid Operations Deputies and Corrections Deputies are responsible for on-scene command in their respective field. At no time will full-time deputies defer responsibility for judgment calls to non-paid or auxiliary members.

**2.A.4 Command Responsibilities**

- a) During a change of command, every effort will be made to seek a smooth and orderly transition. It is the duty of the departing commander to provide the insight and unique aspects of the assignment to their replacement. At a minimum the departing commander shall provide information on budgeting and personnel issues along with introductions to stakeholders and partners of the command.
- b) Along with higher rank and command authority comes the responsibility of professionalism and community representation. Commanding Deputies will maintain an active role in the community. They will represent this Office by identifying and providing for the safety needs of our community.

**2.A.5 Emergency Notification of the Sheriff**

- a) Supervisory/Command deputies are responsible for notifying the Sheriff, via the chain of command, whenever one of the following incidents occurs. If specific command deputies are unavailable, (in the chain of command) the on-duty supervisor or commander shall personally contact the Sheriff.
  - 1) A deputy or other Sheriff’s Office member is killed or injured sufficiently to cause hospitalization.
  - 2) An immediate family member of a deputy or other Sheriff’s Office member is killed or seriously injured.
  - 3) A Thurston County official is killed or seriously injured, either here or elsewhere, and any other public official is killed or seriously injured in our jurisdiction.
  - 4) The filing of a complaint of serious misconduct by a deputy or other Sheriff’s Office member.
  - 5) The arrest of a deputy or other Sheriff’s Office member, either here or elsewhere, and the arrest of any other police officer in our jurisdiction.
  - 6) Criminal accusation against a Thurston County official.
  - 7) The arrest of a Thurston County official or a member of their immediate family.
  - 8) Homicide or possible fatal injuries to the victim of a crime.



- 9) Kidnapping.
- 10) Bombing
- 11) Sniper Incident
- 12) Barricaded person
- 13) A life-threatening situation develops within the Sheriff's Office jurisdiction that requires mobilization of the SWAT unit or a request from another law enforcement agency is received for the assistance of the Sheriff's SWAT unit; i.e., hostage situations, barricaded subjects, or other special tactical operations.
- 14) Shooting in which a deputy of the Sheriff's Office is involved. Firearms are discharged by any member of the Thurston County Sheriff's Office that results in injury to any person, or discharged at any member resulting in injury to the deputy.
- 15) Death or serious injury resulting from an accident in which Sheriff's vehicle is involved.
- 16) A life-threatening situation occurs in the jail or courthouse complex.
- 17) An emergency alert is declared by the State of Washington or the federal government.
- 18) A potential or actual disaster occurs affecting Thurston County and/or the surrounding counties of southern Puget Sound.
- 19) A major civil or criminal disturbance requiring law enforcement response. Additionally, the Sheriff is to be informed of anything which, in the judgment of a command deputy, should be brought to his attention. Examples: Politically sensitive incident; unusual or spectacular incident of high public interest.

#### **2.A.6 Communications through the Chain of Command**

- a) In routine matters, criminal or administrative, all members of the Office will direct communications to their immediate supervisor. They, in turn, will be responsible for directing the information to higher authority.
- b) If a member believes they have information of a sensitive or personal nature as to require communication outside the chain of command, they may communicate directly with any higher ranking official, including the Sheriff. At that point, the responsibility for any further dissemination of the information lies with the higher ranking official.

#### **2.A.7 Supervisor Accountability**

- a) All supervisors shall at all times be responsible and accountable for the work performance of subordinate personnel under their immediate control, within policy guidelines and legal constraints. A supervisor has authority to direct and coordinate assigned personnel and allocate resources to achieve organizational goals and objectives. Supervisors are responsible for:
  - 1) Guiding, directing, motivating and training.
  - 2) Planning the work of personnel in an orderly manner.
  - 3) Delegating authority and responsibility when appropriate.

- 4) Following the progress of task assignments to satisfactory completion, in order to guide people to a high level of productivity.

### **2.A.8 Primary Unit and Supervisor Response**

- a) The primary unit assigned to respond to a complaint shall assume control of the situation until conclusion or until properly relieved by a more senior deputy. The arrival of a more senior deputy shall not be considered as an implicit assumption of command unless so communicated by the senior deputy.
- b) The presence of the next chain of command may be requested, and upon arrival, may evaluate the scene or situation and assume command as the supervisor deems necessary.
- c) A supervisor will respond and take command of all situations involving:
  - 1) Civil unrest.
  - 2) Injury to or by a law enforcement officer.
  - 3) Damage to a Sheriff's Office vehicle.
  - 4) Major crimes, including but not limited to: Homicide, Armed Robbery, Aggravated Assault, Forcible Rapes, Kidnap, or any other incident within the supervisor's discretion may have a significant impact upon the Office or its personnel.

### **2.A.9 Duty to Obey Lawful Orders WASPC: 4.2**

- a) The Sheriff's Office is an organization with a clearly defined hierarchy of authority. This is necessary because unquestioned obedience of a superior's lawful command is essential for the safe and prompt performance of law enforcement operations.
- b) The most desirable means of obtaining compliance is recognition and reward of proper performance and the positive encouragement of a willingness to serve. However, negative discipline may be necessary where there is a willful disregard of lawful orders, commands, or directives.
- c) Members are responsible for their own acts and they shall not shift the burden to others of this responsibility for executing or failing to execute a duty, a lawful order, or law enforcement obligation.
- d) Compliance with Orders/Insubordination  
Members will promptly obey any lawful orders of a supervisor. Any member who refuses to obey a lawful order will be considered insubordinate and will be subject to disciplinary action. Orders may be relayed to a member by another member of equal or higher rank.
- e) Conflicting or Illegal Orders

Members who are given a proper order which is in conflict with a previous order, regulation, directive or manual, shall respectfully inform the supervisor issuing the order of the conflict. If the supervisor issuing the order does not alter or retract the conflicting order, and unless it is illegal, the order shall stand. Under these circumstances, the responsibility shall be upon the supervisor. Members shall obey the conflicting order and shall not be responsible for disobedience of the order previously issued. Members shall not obey any order which they reasonably believe would require them to commit any illegal act. If in doubt as to the legality of the order, members shall request the issuing supervisor to clarify the order or confer with a higher authority.

**2.A.10 Written Directives WASPC: 4.4**

- a) Policy is a statement of guiding principles that are directed toward the attainment of Sheriff's Office goals and objectives. Policy is based on established law enforcement ethics, experience, will of the people, and intent of the law. All policies, written directives, procedures, rules, regulations, and general orders will be authorized by the Sheriff or his designee, dated, and reviewed at least yearly.
- b) Review of policies will be a responsibility of all administrative rank. All policies, rules and regulations, procedures, written directives, and general orders will remain in effect until modified, replaced, or discontinued by authority of the Sheriff. Temporary orders will show an expiration date.
- c) Directives of lesser importance than policy or procedure may be developed and issued by bureau chiefs. Purging of unused or improper subsections, procedures, rules or regulations will be staffed prior to yearly reviews.
- d) Other Publications  
In addition to this policy manual, all members are expected to familiarize themselves with other official Sheriff's Office publications. This shall include, but not limited to Procedure Manuals developed and maintained by Bureaus, Divisions and specialty units.
- e) Special Orders or Operational Directives  
These are directives of limited duration to cover a specific event and are issued by the Sheriff or designee.
- f) Personnel Orders  
These are orders involving employment, rank, or assignments, and are issued by the Sheriff or his designee. Decisions to announce disciplinary actions are made by the Sheriff.
- g) Modifications

Any modifications to policies or directives will be approved by the Sheriff or his designee prior to any change. Any discs or similar, portable storage forms that contain directives, procedures, or similar documents, will be stored with the Undersheriff.

h) Staff Meeting Review

Written directives will be reviewed by the Chief Deputies and Undersheriff prior to implementation, unless by emergency order of the Sheriff.

i) Training Bulletins

These are issued by a Bureau Chief or Captain and cover the following:

- 1) Alerting members to changes in law or administrative rule.
- 2) Alerting members to improved techniques or recently developed knowledge.
- 3) Reviewing basic knowledge, procedures, and techniques for dealing with a newly emerging or particularly difficult crime problem.
- 4) Reviewing areas in which operational problems have developed.
- 5) Introducing members to the details of a change in procedures or regulation. Review techniques or procedures in a particularly sensitive area.

j) Policy Manual Responsibilities

It is the responsibility of all members to note any manual or directive discrepancies, errors or omissions, and to notify their supervisor of same.

k) Format

Written directives will be formatted in a manner consistent with this manual. No policy, procedure, regulation, rule, or directive will have a retroactive date. The issuing authority will indicate any effective date of policy, procedures, or regulation.

l) Personnel Responsibilities

All new members will review the policy manual and be granted access to an electronic file of the policy manual and receive a copy of the Civil Services Rules and bargaining contract by the personnel coordinator.

m) Personnel Acknowledgement

Supervisors are responsible for apprising and training all members under their command of all issuance of policies and directives. All members are required to read each policy when received electronically, or otherwise, and when initially hired during training on the policy manual or procedures. All members will acknowledge receipt of new or revised policies and directives with their signature.

n) Policy and Directive Dispersal

Management is responsible for new hire and current member reading, understanding and compliance of all policies and directives via training or at briefings. Member verification will be routed back to the Sheriff's Executive Aide via the chain of command. All members will acknowledge receipt of new or revised policies and directives with their signature. The policy will be provided on the Office computers.

o) General Orders

Each division will maintain a General Orders/Procedures Guide until such time as they are rescinded or superseded. General orders will include any expiration date, if applicable, and dated division. Bureau managers may issue memos or notices which affect their functional units.

## **CHAPTER 2 SECTION B ~ ORGANIZATION**

### **2.B.1 Organizational Structure**

- a) The organizational structure of the Office is described by an organizational chart which is kept on file and maintained monthly by the Fiscal Manager.

### **2.B.2 Personnel Responsibilities**

- a) It is the policy of the Thurston County Sheriff's Office to set minimum entry-level job specifications for prospective members. These requirements and the job descriptions of the Thurston County Sheriff's Office will be maintained in the Civil Service Examiner's Office.
- b) Individual Responsibilities  
Since each individual member is an official representative of the entire Office, the personal attitude demonstrated in the performance of their duties must be consistent with those of the other members within the Office and the policies of the Office. Regardless of specific assignments, there is a necessity for minimum levels of understanding and adherence to Office policies. Effective law enforcement depends on a high degree of cooperation between the Office and the public it serves. The practice of courtesy in all public contacts encourages understanding and appreciation; discourtesy breeds contempt and resistance. The majority of the public are law abiding citizens who rightfully expect fair and courteous treatment by all Office members. While the urgency of a situation might preclude the ordinary social amenities, discourtesy under any circumstances is indefensible. The practice of courtesy by a member is not a manifestation of weakness; on the contrary, it is entirely consistent with the fairness and impartiality that characterizes a professional member of a full-service Sheriff's Office.
- c) Personnel Matters  
The regulations and procedures which follow, deal with conditions of employment, affiliation and basic duties of members of this organization. Violations of any of the regulations included in this section will be grounds for disciplinary action.
- d) Residence  
The location of a member's residence must be such that if the member is contacted and called back to duty in an emergency, they can report to the courthouse, ready for duty, within one hour of being contacted. New members will meet this requirement within 12 months of appointment.
- e) Address  
All members are responsible for seeing that their current residence and mailing address is on file with the Sheriff's Executive Aide. Members will promptly inform the Office, through

the chain of command, of any change in address. This requirement applies even when a change of address is of a temporary nature.

f) Telephone Requirement and Responsibilities

All members must be available by phone so that they may be contacted in emergency situations. Members are responsible for seeing that their current telephone number is on file with the Sheriff's Executive Aide and their supervisor. Members will not divulge the address or telephone number of any other current member to any other person outside this Office.

g) Assignment Orders

From time to time for the good of the organization, the administration may determine that members need to be rotated to different areas. Assignment changes will be made in writing with as much lead time as possible for the affected member.

### **2.B.3 Bureau Responsibilities**

This Office consists of four bureaus: Field Operations, Support Services, Corrections, and Administrative Services. The responsibilities of each component shall be as follows:

a) Field Operations Bureau

The Field Operations Bureau is commanded by a Chief Deputy who reports directly to the Undersheriff. The Field Operations Bureau is responsible for enforcing laws and ordinances deterring crime, investigating complaints, maintaining public order in day-to-day operations and other duties as assigned.

Programs:

- 1) SWAT Team
- 2) Dive Team
- 3) CERT Team
- 4) K-9 Program
- 5) Reserves
- 6) Explorer Unit
- 7) Drug Court
- 8) Bicycle Patrol Unit
- 9) Marine Services
- 10) Mounted Patrol
- 11) Search and Rescue
- 12) Jeep Patrol

b) Support Services Bureau

The Support Services Bureau is commanded by a Chief Deputy who reports directly to the Undersheriff. The Support Services Bureau is responsible for emergency services/disaster

operations, records, statistics, civil process, criminal warrant, training, and the front desk operation of the Office, and other duties as assigned.

Programs:

- 1) Community Outreach Unit
- 2) Investigative Services Division
- 3) Sex Offender Registration (SOR) Unit
- 4) Honor Guard Unit
- 5) Emergency Management
- 6) County Fair
- 7) Volunteers
- 8) Web Page
- 9) IT Programs
- 10) Courthouse Security
- 11) Fleet Management

c) Corrections Bureau

The Corrections Bureau is commanded by a Chief Deputy, who reports directly to the Undersheriff. The Chief Deputy oversees Corrections Bureau operations and programs. The Corrections Bureau is responsible for intake of inmates; inmate supervision, classification, grievances and disciplinary; inmate housing; in-custody programs; food services; health services; Correctional Options and other duties as assigned.

Correctional Options Programs:

- 1) Work Release
- 2) Electronic Home Monitoring
- 3) Day Jail
- 4) Day Reporting
- 5) Inmate Work Crews/Community Betterment

In-Custody Programs:

- 1) Adult Basic Education
- 2) AA/NA
- 3) Alcohol & Drug Information School (ADIS)
- 4) Anger Management/Domestic Violence Offender Program (DVOP)
- 5) Chemical Dependency Program (CDP)
- 6) HIV/AIDS Education Class
- 7) Inside Inmate Worker
- 8) Jail Ministries
- 9) Turning Point Female Offender Program
- 10) Inmate Law Library
- 11) Mental Health Program



- 12) Preparation for Reentry Employment Program (PREP)
- 13) Offender Reentry Program
- 14) Transitions Case Management / Medication Program
- 15) Diversion Reentry Program
- 16) Transitional Case Manager
- 17) Veterans Program

d) Financial Services Bureau Responsibilities:

- 1) Budget Preparation
- 2) Revenue and Expenditure Monitoring
- 3) Grant Monitoring and Accounting
- 4) Contracts and Resolutions
- 5) Board of County Commissioner Briefings
- 6) Accounts Payable/Receivable
- 7) Payroll
- 8) Treasurer Deposits
- 9) Inmate Accounting
- 10) Options Program Accounting
- 11) Commissary Processing
- 12) Inmate Medical Billing
- 13) Collection Process – Inmate Medical Billing/Booking/Options
- 14) Inventory
- 15) Request for Proposals
- 16) Purchasing Authorization
- 17) Processing of Chapter 13 and Bankruptcy
- 18) Notices on Inmate Debts
- 19) Fiscal Oversight of Civil Fee Collection and Investigative Fund
- 20) Petty Cash Disbursements
- 21) Auditing and Processing of LEOFF I Medical Claims

**2.B.4 Command Protocol** WASPC: 4.1

- a) When members of different organizational components of the Office are engaged in a single or common operation the following command protocol will apply.
- b) When the primary task is a patrol operations function, the Chief Deputy of Field Operations will assume command.
- c) When the primary task is a criminal investigations function or it has been requested that criminal investigations take referral of an investigation, the Chief Deputy of Support Services will assume command.

- d) When the primary task is a jail operations function, the Chief Deputy of Corrections will assume command. In the event that assistance is requested from the Patrol Division to restore order, the Chief Deputy of Field Operations will assist with command of the incident.
- e) When the primary task is a natural or man-made disaster, including Search and Rescue operation, the Chief Deputy of Support Services will assume command.
- f) In the absence of a command deputy, the on-duty supervisor shall assume command of situations under their respective control until the incident is referred to another division, is concluded, or they are relieved by a command deputy.
- g) **Conflict of Orders**  
Whenever a supervisor, in the necessary performance of duty, gives an order to any subordinate member not attached to their unit or assignment, that senior member must exercise care that such an order does not unnecessarily conflict with those of the commanding deputy of that division to which the member is assigned.
- h) **Leave of Assigned Post**  
Whenever orders, so given, require the member receiving same to leave their regular assigned post or duty, the senior member giving such order will, as soon as practicable, inform such subordinate's commanding deputy of the action taken.
- i) **Cooperation with Law Enforcement Agencies**  
The Office maintains a close working relationship with other law enforcement agencies, and makes available to them information concerning techniques or procedures developed or used by the Office. This Office cannot carry out its mission without the closest possible cooperation with other law enforcement agencies.

### **2.B.5 Organizational Subdivisions**

- a) The organizational subdivisions within the span of control the Chief Executive Officer are grouped by function and depicted in the organizational chart.

### **2.B.6 Accountability of Authority**

- a) All members are accountable for the use of delegated authority empowered to them under color of their badge, position, and/or rank, and for the use of delegated authority under all State of Washington laws and Thurston County ordinances.
- b) However, the responsibility for authority remains with the delegating authority.

**2.B.7 Goals and Objectives WASPC: 1.2**

- a) To provide for the formulation, annual updating, and distribution to all members; the goals and objectives of the Sheriff's Office.
  
- b) Goals
  - 1) To identify criminal activity, pursue and apprehend criminal offenders, and proceed in the prosecution of known offenders.
  - 2) To maintain a proactive patrol division and investigation force and thus reduce the opportunity to commit crime.
  - 3) To instill public confidence in the Office, by maintaining a high degree of professionalism, dedication, and expertise in the Law Enforcement field.
  
- c) Annual Review

The Sheriff with assistance from the Command Staff, shall annually review, update, and distribute to all members, written goals and objectives for the Office.
  
- d) Information Utilized

Information provided through monthly staff meetings and supervisory meetings will assist the Command Staff in revising or setting new goals and objectives. Supervisors are encouraged to solicit from their subordinates ideas and suggestions pertaining to Office goals and objectives. Suggestions will be discussed at monthly Staff meetings.
  
- e) Bureau Goals

Bureau Chiefs will annually submit goals and objectives for their respective divisions. Monthly evaluations will be submitted from each division stating progress made toward the attainment of goals and objectives, and discussed at Staff meetings.

## CHAPTER 2 SECTION C ~ TRAINING

### 2.C.1 Basic Academy Training; CJTC or Equivalent WASPC 11.1

- a) It is the policy of the Sheriff's Office that all Operational and Corrections Deputy Sheriffs shall complete the Basic Law Enforcement Academy, Correctional Officers Academy or Equivalency Academy, and receive a basic certificate issued by the Washington State Criminal Justice Training Commission prior to exercising authority as a law enforcement officer and begin attending the Academy within six (6) months of their date of hire, except when assigned to the Office Field Training Deputy Program.
- b) In those instances, the deputy without certification will be accompanied by and under the direct supervision of a Field Training Deputy or another certified deputy designated by the Office. Certifications will be in strict compliance with current RCW's and CJTC Policy.

### 2.C.2 Field Training WASPC: 11.2

- a) Field training is a process by which an individual receives formal instruction on the job. The training provided new members, is considered a continuation of the selection process whereby efforts are made to screen out those who are lacking in proper aptitude. In all recruit training, emphasis is placed on developing the reasoning, ability, and judgment of each member.
- b) The Sheriff's Office recognizes the importance of providing a sound foundation for newly sworn members. All recruit deputies will be given every opportunity to acquire the skills, knowledge, and abilities necessary to become a competent and effective deputy sheriff.
- c) All newly hired full-time, sworn members will undergo field or correctional training prior to assignment as a solo deputy by completing a formalized field or correctional training program.
- d) Selection of Field Training Deputies  
Some criteria that may be considered in selecting Field/Correctional Training Deputies:
  - 1) Three years police experience, or Corrections experience for Correction Deputies;
  - 2) No disciplinary action during the past year;
  - 3) Good attendance record;
  - 4) Job skills, knowledge, and abilities.

### 2.C.3 First Level Supervisors WASPC: 11.7

- a) Every member appointed or promoted to a first level supervisory position (Sergeant) must successfully complete the basic 40-hour supervisory training approved by the Training Commission, prior to or within one year of promotion. First level supervisor training will be in compliance with current RCW'S and CJTC Policy.

- b) In addition to records maintained by the Washington State Training Commission, Office training files will reflect completion of the requirement. These records are maintained in the Training Office.

**2.C.4 Mid-Management Positions** WASPC: 11.7

- a) Every member appointed or promoted to a mid-management position (Lieutenant) must successfully complete the 40-hour mid-management training approved by the Training Commission, prior to or within one year of such appointment or promotion.
- b) In addition to records maintained by the Washington State Training Commission, Office training files will reflect completion of the requirement. These records are maintained in the Training Office.

**2.C.5 Annual Training** WASPC: 11.5

- a) The Training Coordinator will conduct an annual training needs assessment of the Office during the first quarter of each year. The needs assessment will be reviewed by Command Staff. Upon approval the needs assessment will form the basis for the training plan for the year.
- b) Every regular deputy, corrections deputy, and reserve deputy regardless of rank shall receive at least 24 hours training annually. Each division should have a training plan in place for their particular members. All training class outlines, synopses, or lesson plans will be with the approval of the Sheriff or designee.
- c) At least annually, all commissioned members below the rank of Captain will receive in-service training on the Office's use of force and deadly force policies. In-service training for less-than-lethal weapons should occur at least once every two (2) years.
- d) **Requirements to Successfully Complete Training**  
All participants in Thurston County Sheriff's Office training courses must actively participate in all aspects of the training to receive certification. Mere attendance is not adequate to receive certification. If a member shows up for training and is unable to participate in a course due to an injury or illness they shall discuss this problem with the course instructor. The instructor may exempt the member and will document such exemption to the member's supervisor.
- e) **The Lead Instructor Is the Deputy in Charge**  
The lead instructor at any Thurston County Sheriff's Office training course shall for the purposes of the course be considered the deputy in charge. This designation shall be for assuring proper participation, demeanor, and safety. If the instructor feels that a participant

is not properly conducting oneself, is disrupting training, is acting in an unsafe manner, and/or presents oneself in a condition unsuitable for training, the lead instructor may bar that member from that training course. The lead instructor shall forward a memo to the appropriate bureau chief outlining the reasons for the action. If a member refuses to recognize the authority of the lead instructor, the on-duty road supervisor shall respond and shall inform the member of such authority and may take such action as they deem appropriate, up to and including barring the member from participation in the training in order to maintain discipline in such instances. In cases of lesser infractions, the lead instructor may document these infractions in the form of a written memo that will then be forwarded to the member's supervisor. The supervisor shall act on the memo with the member and shall then inform the instructor that action has been taken to remedy the situation.

**2.C.6 Training Records** WASPC: 11. 3, 11.4

- a) The Training Coordinator or designee will give written notice of training by routing a notification of training memo through the proper channels to the members.
- b) Members assigned to authorized training programs are required to attend all classes and other activities, except under the following circumstances:
  - 1) Illness;
  - 2) Personal emergency;
  - 3) Vacation;
  - 4) Police business emergency; or
  - 5) Authorized release from attendance.
  - 6) Court appearances
  - 7) Physical limitations preventing the member's participation.
- c) When a member is unable to attend mandatory training, that member shall:
  - 1) Notify his/her supervisor as soon as possible,
  - 2) Document his/her absence in a memorandum to his/her supervisor.
  - 3) Make arrangements through his/her supervisor and the Training Coordinator to attend an alternate date.
- d) The Training Coordinator or designee shall be notified in all cases when a member is unable to attend training. The member scheduled for training shall notify the on duty supervisor, the instructor, and the Training Coordinator whenever unable to attend training.
  - 1) Where training is mandatory by law, the Training Coordinator will make necessary arrangements for make-up training.

- 2) All members completing training courses shall receive documentation of such and a copy of the record shall be placed in the deputy's file.
  - 3) Attendance rosters will be made on all in-house training.
- e) Detailed records shall be kept of all in-service training sponsored by or presented on behalf of the Sheriff's Office. Records should minimally include the following:
- 1) An overview of the course content and/or an instructor lesson plan.
  - 2) Names and Office contact information of all attendees.
  - 3) Instructor credentials or resume.
  - 4) Individual attendee test results (if applicable).
  - 5) Course completion roster.

### **2.C.7 Lesson Plans**

- a) All TCSO sponsored in-service training programs shall require lesson plans. Lesson plans will be required of all Office and non-Office instructors. Lesson plans will ensure that the subject to be covered is addressed completely and accurately and is properly sequenced with other training materials.
- b) Instructors shall ensure that all periods of instruction are adequately covered by a lesson plan outline.
- c) These plans will include, at a minimum, the following:
  - 1) Guidelines and format for lesson plan development;
  - 2) Credentials of the instructor or presenter;
  - 3) A statement of performance objectives;
  - 4) Content of training and specification of the appropriate instructional technique, such as lecture, group discussion, panels or seminar;
  - 5) Simulations (case study and role play);
- d) Lesson Plan Development / Responsibility
  - 1) Responsibility for proper lesson plan development rests with the Training Coordinator.
  - 2) Lesson plans shall be submitted to the Training Coordinator at least Thirty (30) days prior to the training date. This process is to ensure that lesson plans are consistent with Office guidelines, policies, and procedures.
  - 3) Lessons plans shall be maintained by the Training Coordinator.

### **2.C.8 Testing Procedures**

- a) Formal classroom instruction may include written examination. Questions will be derived from instruction presented, shall have validity, and be job-related. .
  
- b) Testing Format  
The testing format may be a written exam or a performance exercise. Written exams can include multiple choice, true or false, fill in the blank, or essay questions. All testing will have a pass/fail cutoff score. A passing grade will be necessary to pass a training program. Members failing any written test shall be given additional training in areas of deficiency and retested
  
- c) Test Development  
The development of any tests should be a cooperative effort between the instructor and the Training Coordinator. Final approval of all test questions and format will be the responsibility of the TCSO Training Coordinator.



## CHAPTER 2 SECTION D ~ RESERVE AND AUXILIARY MEMBERS

### 2.D.1 Reserve Members

*The Sheriff's Office will have a system for controlling and governing the use of the Reserve Deputy Unit. These guidelines will be outlined in detail within the Reserve Unit Procedures Manual.*

- a) The Sheriff shall delegate the responsibility for administering the Reserve Deputy Program to a Reserve Coordinator.
- b) The Reserve Coordinator shall have the responsibility of, but not be limited to:
  - 1) Assignment of reserve members.
  - 2) Conducting reserve meetings.
  - 3) Establishing and maintaining a reserve call-out roster.
  - 4) Monitoring individual reserve deputy performance.
  - 5) Monitoring the overall Reserve Program.
- c) Commission Status  
The Reserve Deputies of the Thurston County Sheriff's Office are fully commissioned law enforcement officers while wearing the Sheriff's uniform, consistent with Washington State laws. The uniform will be the same uniform as regular deputies and will be equipped the same as full-time deputies. Reserve Deputies will take direction from and be subordinate to full-time, paid deputies, as well as management.
- d) Selection Criteria  
These deputies are required to meet the same selection criteria as regular Thurston County Deputy Sheriff applicants, excluding the civil service test. RCW 43.101.095
- e) Basic Training  
Reserve Deputies are required to graduate from a basic reserve training program approved by the Washington State Criminal Justice Training Commission. Upon successful completion of the basic course, the Reserve Deputy will be commissioned by the Sheriff and will be certified by the Training Commission. WAC 139-05-810
- f) Assignment  
The Reserve Deputy will be assigned to a regular deputy on shift and will be involved in the routine delivery of law enforcement and emergency services. Whenever possible, Reserve Deputies will avoid involvement with situations that would assure court presence. The

purpose is to avoid conflicts with Reserve Deputy's personal, full-time employment that may cause a Reserve Deputy to put a job in jeopardy.

g) Firearms Testing

Reserve Deputies shall be tested and evaluated for firearms proficiency with the same frequency and in the same manner as regular deputies performing like functions.

h) Liability Protection

Liability protection for the Reserve Deputy will be the same as for the regular deputy while the Reserve Deputy is performing authorized duties for this Office.

i) Compliance with Rules and Regulations

Reserve Deputies are responsible for knowing and complying with the Thurston County Sheriff's Office Reserve Deputies Manual and Sheriff's Office Policy Manual.

1) If a reserve deputy has a complaint made against him/her or becomes involved in an internal investigation, that complaint or internal investigation may be investigated by the Reserve Coordinator, at the discretion of the Operations Chief.

2) Reserve deputies are considered at-will members with the exception that the right to hearing is limited to the opportunity to clear their name.

3) Any disciplinary action that may have to be administered to a reserve deputy shall be accomplished as outlined in the Policy Manual.

j) Minimum Staffing Usage

Reserve Deputy Sheriffs will not be used by the Office to meet the minimum staffing requirements on a shift or assignment.

k) The Reserve Coordinator shall develop a plan outlining an emergency call-out procedure

l) Minimum Participation Requirements

Reserve Deputies will contribute a minimum number of hours a month and attend the regular scheduled Reserve Deputies' meeting in order to meet minimum requirements for this Office. The minimum hours requirement is defined within the Reserve Procedures Manual.

### **2.D.2 Auxiliary Members**

a) Auxiliary members are volunteers who donate time to the Sheriff's Office and are not given sworn deputy duties or status.

b) If they do wear uniforms, the uniforms will be clearly distinguishable and will be consistent in appearance Office-wide.

- c) They will not supplant shift assignments or normal work assignments for sworn deputies.
- d) Volunteers will be subject to a background investigation at the discretion of the relevant Chief.
- e) Volunteers normally help us enhance community information, education and other public services.
- f) Each bureau utilizing auxiliary members will ensure formal training.

## CHAPTER 2 SECTION E ~ EXPLORERS

### 2.E.1 Explorers

- a) It is the policy of the Thurston County Sheriff's Office to sponsor an Explorer Post. Budget constraints may be a consideration when deciding to sponsor the post.
  
- b) Supervision of Explorers  
The Explorer Post shall ordinarily be coordinated through the Support Services Bureau. Advisors for the post shall be approved by the Sheriff or his designee. The advisors shall be responsible for providing training opportunities and assuring that post members comply with guidelines stated in the Explorer Post Procedure Manual.
  
- c) Explorer Charter  
The Thurston County Sheriff's Office Explorer Post is chartered through the Learning for Life, a branch of the Boy Scouts of America.
  
- d) Explorer Operations  
The operations of the Explorer post will be governed by the Explorer Post Procedure Manual. The Explorer Post Procedure Manual will be adopted only after approval by the Support Services Bureau Chief. Any changes to the manual will need the same approval. All members will be required to follow the provisions of this policy and the Procedure Manual. Refer to the Procedure Manual for additional information on:
  - 1) Explorer Equipment
  - 2) Explorer Minimum Eligibility Requirements
  - 3) Explorer Uniform Dress and Appearance Codes
  - 4) Explorer Ride-Along Program
  - 5) Additional Explorer and Advisor Requirements and Allowances
  
- e) Explorer Equipment  
The Thurston County Sheriff's Office Explorers are restricted from carrying any equipment other than what is authorized by the Explorer Post Procedure Manual or issued by the Office.
  
- f) Explorer Minimum Eligibility Requirements  
All applicants to the Thurston County Sheriff's Office Explorer Post must meet the following eligibility requirements:
  - 1) Be age 14 ½ or in the 9<sup>th</sup> grade.
  - 2) Open to both young men and young women.
  - 3) Maintain at least a "C" grade point average.
  - 4) Pass a background check and be found free from any criminal involvement.

- 5) Complete an Explorer Post application and turn it in at a post meeting.
- 6) Pass an oral board provided by post members.

g) Explorer Uniform Dress and Appearance Standards

All Thurston County Sheriff's Office Explorers will follow the Explorer Post Procedure Manual as to its guidelines for uniform dress and appearance standards.

h) Explorer Ride Along Program

The requirements for participating in the ride-along program are detailed in the Explorer Post Procedure Manual

## **CHAPTER 2 SECTION F ~ SPECIALTY ASSIGNMENTS / PROMOTIONS**

### **2.F.1 Special Assignment Openings**

- a) Special Assignment openings and promotional opportunities shall be advertised via written announcements, to include e-mail. Special assignments shall be staffed for the duration of such assignment, as determined by the supervising chief.
- b) It is the policy of this Office to offer special assignment opportunities to all qualified members who have completed their probationary period. Special assignment openings will be announced in writing by posting the information concerning said opening(s) on Office bulletin boards located in the patrol, detective, civil division, and by e-mail. Likewise, copies shall also be posted on the Thurston County Deputy Sheriffs' Association bulletin board. The announcements will include all pertinent information concerning the opening(s) and any required applicant response.
- c) Corrections special duty assignments are appointed per TCCF internal procedures manual.

### **2.F.2 Special Assignment Positions**

- a) Special assignments shall be filled by selected members for the duration of such assignment as determined by the affected Bureau Chief, at the time of selection.
- b) Field Operations special assignments:
  - 1) Field Training Deputy
  - 2) Marine Services Deputy
  - 3) Reserve Coordinator
  - 4) Field Training Coordinator
  - 5) CERT Team Leader
  - 6) CERT Team Member
  - 7) SWAT Team Leader
  - 8) SWAT Team Member
- c) Support Services special assignments
  - 1) Community Outreach Deputy
  - 2) Civil Deputy
  - 3) Detective
  - 4) Dive Team Leader
  - 5) Dive Team Member
  - 6) Explorer Advisors
- d) Corrections special assignments
  - 1) Correctional Options Program Deputy

- 2) Correctional Options Program Sergeant
  - 3) Correctional Options Lieutenant
  - 4) Chemical Dependency Program Deputy
  - 5) Court Deputy
  - 6) Court Sergeant
  - 7) Inmate Services Sergeant
  - 8) Inmate Services Lieutenant
  - 9) Classification Deputy
  - 10) Medical Liaison Deputy
- e) Training special assignments
- 1) EVOC Instructor
  - 2) Firearms Instructor
  - 3) DT Instructor
- f) The positions of rank within each Bureau's chain of command structure will not be considered special assignments. All rank assignments within the Office will be made on the basis of Office need.

### **2.F.3 Transfers**

- a) The Sheriff will make the final decision regarding the occurrence of transfers and their duration in accordance with applicable Collective Bargaining Agreements. In all transfers to specialized assignments, the requirements of the Office will be the priority consideration.
- b) Administrative evaluation as determined by the Sheriff.  
This shall include a review of supervisor recommendations. Each supervisor who has supervised or otherwise been involved with the candidate will submit these recommendations.
- c) The supervisor recommendations will be submitted to the Division Commander for whom the candidate will work. The Division Commander or designee will schedule interviews with each candidate.
- d) The following considerations will be used in evaluating members for promotion or transfer to a specialty assignment:
- 1) Present a professional, neat appearance.
  - 2) Demonstrate the following traits:
    - (a) Emotional stability and maturity
    - (b) Stress tolerance

- (c) Sound judgment and decision making
  - (d) Personal integrity and ethical conduct
  - (e) Leadership
  - (f) Initiative
  - (g) Adaptability and flexibility
  - (h) Ability to conform to organizational goals and objectives in a positive manner.
- e) Based on supervisor recommendations and those of the Section Head after the interview, the Section Head will forward candidate recommendations to the Bureau Chief for final concurrence.
- f) The policy and procedures for all positions may be waived for temporary assignments, emergency situations or for training.

**2.F.4 Outside Assistance**

- a) Members will not request the aid of any person outside the Office in securing a transfer to another assignment or unit.

**2.F.5 Requests for Transfer**

- a) All requests for transfer will be submitted through the chain of command and will state the reason the transfer is requested.



## **CHAPTER 2 SECTION G ~ SPECIALTY UNITS**

### **2.G.1 Specialized Units**

- a) Each specialized unit will be governed by procedures that detail their operation, member selection, and training requirements.
- b) The purpose of these policies is to outline and give direction to all situations that require the call-out of the Specialized Units.
- c) Specialized units shall be staffed for the duration of such assignment, as determined by the supervising Chief. These details will also include unit procedures, where applicable.

### **2.G.2 Dive Rescue Team (DRT)**

- a) The Dive Rescue Team is the responsibility of the Chief Deputy of Field Operations.
- b) The Dive Rescue Team is a multi-discipline rescue and recovery team that is trained in the following areas:
  - 1) Self Contained Underwater Breathing Apparatus (SCUBA).
  - 2) Swift water and flood rescue.
  - 3) High angle/ low angle rope rescue.
- c) Additional guidelines are provided for in the Dive Rescue Team Procedure Manual maintained by the Team Leader. This manual reflects current industry standards.
- d) Dive Rescue Utilization Policy  
It shall be the policy of this Office that a Dive Rescue Team may be mobilized in the following situations:
  - 1) Possible or confirmed drowning.
  - 2) Swift water or flood response.
  - 3) High angle or other rope rescue incidents.
  - 4) Any water-related incident or evidence searches.
  - 5) Any other situation deemed appropriate by the Sheriff or designee.
- e) Guidelines for Utilization  
Some basic guidelines for determining if the Dive Rescue Team may be utilized are:
  - 1) The incident is water-related.
  - 2) The incident requires technical rope use or climbing to facilitate.
  - 3) The incident requires operation in flood or swift water.

- 4) The incident requires SCUBA operations.

### **2.G.3 Special Weapons and Tactics Team (S.W.A.T.)**

- a) The SWAT Team is the responsibility of the Chief Deputy of Field Operations. The Sheriff's Office will have a system for control and governing the use of the SWAT Team. These guidelines will be outlined in detail within the SWAT Team's Procedures Manual.

- b) SWAT Utilization Policy

It shall be the policy of this Office that a tactical team may be mobilized in the following situations:

- 1) Hostage incidents.
- 2) Barricaded suspect incidents.
- 3) Sniper incidents.
- 4) Riots or situations requiring chemical agents
- 5) High risk arrest situations, or as directed by the Sheriff or designee.

- c) Guidelines for Utilization

Some basic guidelines for determining if the tactical team may be utilized are:

- 1) The suspect has committed a criminal act or is in a dangerous mental condition.
- 2) The suspect is believed to be armed.
- 3) The suspect has refused to submit to arrest.
- 4) By the nature of the situation, an unacceptable risk is presented to deputies or the public by using any other accepted means.
- 5) Any other situation deemed appropriate by the Sheriff or designee.

### **2.G.4 K-9 Unit**

- a) The Sheriff's Office will have a system for controlling and governing the use of K-9 units. These guidelines will be outlined in detail within the K-9 Unit Procedures Manual.

- b) Utilization of K-9 Team

The utilization of a K-9 team will be governed by established procedures of the Thurston County Sheriff's Office.

- c) Authorization of K-9 Team

Utilization of a K-9 team is through the authorization of the duty shift supervisor.

### **2.G.5 Honor Guard Unit**

- a) The Sheriff's Office Honor Guard Unit is the responsibility of the Chief Deputy of Support Services Bureau.

b) Utilization of the Honor Guard Unit

The utilization of the Honor Guard Unit will be guided by established procedures of this Office as documented within the Unit's Procedures Manual

c) Authorization of Honor Guard Unit

Utilization of the Honor Guard Unit will be granted by the Chief Deputy of Support Services Bureau

## CHAPTER 2 SECTION H ~ APPLICANT SELECTION

### 2.H.1 Selection Process WASPC: 10.1

- a) This policy will apply whenever the Thurston County Sheriff's Office tests, screens, or otherwise considers applicants for employment, in cooperation with the Civil Service Commission and Chief Examiner, who also assure system fairness. The Commission and Chief Examiner system includes defensible, minimum, employment standards and written, job-related tests of mental ability and aptitude. A Physical Agility Test for Deputy Sheriffs and Corrections Deputies will be conducted at the direction of the Civil Service Examiner.
  
- b) Lateral Entry  
The Thurston County Sheriff's Office provides for lateral entry selection. Provisions for lateral entry from outside agencies will be as determined by the job classification and final selection by the relevant Chief or designee.
  
- c) Affirmative Action  
The Thurston County Sheriff's Office will follow the county Affirmative Action policy as it exists as an equal opportunity employer. This will include consideration of qualified minority, female and disabled applicants.
  
- d) TCSO Will Conduct a Background Check WASPC: 10.2  
The Sheriff's Office will conduct pre-employment, background checks on all prospective members, prior to a final offer of employment, under supervision of the Chief Deputy of the Support Services Bureau.
  - 1) Pre-employment, background checks includes an oral interview, a criminal record check, fingerprints, polygraph, contact with prior employers, behavior assessment screening, and a physical agility test. Candidates may be disqualified at any point during this process, should disqualifying information be discovered.
  
  - 2) Those receiving complete, pre-employment, background checks include the following:  
(Note exception: Particular contract members may have a background conducted when directed by the Sheriff or Designee.)
    - (a) All full-time members.
    - (b) All members who want to convert from part-time to full-time position.
    - (c) Reserve Deputies and Reserve Corrections Deputies.
    - (d) All volunteers who work independently with enforcement power.
    - (e) All volunteers who are seeking a paid position.
    - (f) Corrections Deputies requesting transfer to Operations Deputy.

- 3) An additional, behavioral characteristics assessment will be given to Reserves seeking paid employment and on those seeking change in classification in employment.
  - 4) The Office will do an in-house check and NCIC III on ride-a-longs and volunteers under supervision.
  - 5) The Office will do the complete, background check, except for the polygraph and the behavioral assessment screening, on volunteers who have minimal supervision and have computer access.
  - 6) All prospective members will sign a release of information ensuring confidentiality to former employers and other references. A refusal to sign the release of information will disqualify the applicant. The Sheriff's Office will follow RCW 4.24.730 concerning disclosure concerns.
  - 7) The Thurston County Sheriff's Office may disqualify applicants who have ever been convicted of a felony or committed a felonious criminal act, exhibited recent use of non-prescription drugs, been terminated with cause from recent employment, exhibit current emotional instability or personality disorders, or refuse to submit to screening.
  - 8) Other background information which may disqualify an applicant includes, but is not limited to, misdemeanor conviction, repeated misdemeanor, or felony arrests not resulting in conviction, association with known felons, or falsification of the employment (Personal History Statements.)
  - 9) Corrections Bureau will complete an application process and NCICIII on all volunteers and contracted staff.
- e) TCSO Will Conduct Pre-Employment Medical Screening WASPC: 10.3  
For some positions, such as Deputy Sheriff and Corrections Deputy, the Thurston County Sheriff's Office will physically screen candidates for positions prior to a final offer of employment.
- 1) The Thurston County Sheriff's Office will comply with A.D.A. regulations regarding requests for medical information or the taking of any medical examination by applicants.
  - 2) In all cases, especially where the successful completion of a medical or behavioral assessment examination is a requirement for employment within the classified service, a conditional offer of employment will be first tendered to the prospective applicant, prior to any such medical examination. Successful completion of the medical examination

process will then allow such applicants to continue in the hiring process as a part of the hiring eligible pool.

f) File Security WASPC: 10.6

The completed background report and associated materials, if any, will be retained in the office of the Sheriff's Executive Aide. The viewing of these files is strictly limited to those individuals directly involved in the selection process of the applicant.

**2.H.2 Equal Employment Opportunity, Diversity, and Workplace Equity** WASPC: 13.2

a) It is the policy of the Thurston County Sheriff's Office to ensure equal employment opportunity based on ability and fitness to all persons regardless of race, color, religion, creed, sexual orientation, national origin, sex, marital status, age, disability, or veteran status. The goals of the policy are:

- 1) To ensure fair treatment and non-discrimination in hiring, employment and appointments and promotions, and
- 2) To provide compliance with State and Federal equal employment opportunity requirements and regulations.

b) The Sheriff's Office is committed to building a diverse workforce which reflects the face of the community we serve; honors and respects the beneficial and worthwhile differences and abilities of all our members and residents, and provides members with opportunities, tools, and support to achieve their maximum potential. To achieve workplace equity and inclusion, we will:

- 1) Seek to ensure that recruiting efforts result in applicant pools that contain a diverse group of qualified applicants.
- 2) Make employment decisions based on job-related criteria and provide opportunities for transfer and promotion.
- 3) Seek to provide a workplace free from harassment.
- 4) Promptly investigate member complaints of discrimination or harassment.
- 5) Provide training to managers and staff to ensure that these policies and practices are understood and implemented.

- c) By creating a workplace where everyone can work towards their maximum potential, the Sheriff's Office will be better able to retain quality, productive members, who will meet the mission and goals of the Sheriff's Office.

## **CHAPTER 2 SECTION I ~ PROBATION AND PROMOTION**

### **2.1.1 Probationary Period**

- a) Probationary periods for newly hires members and upon promotion, shall be governed by current collective bargaining agreements and Civil Service rules as applicable.
- b) Newly promoted supervisors or mid-level managers failing probation will be reinstated to their previous position, as per Civil Service Rule 8.19, and the current collective bargaining agreement.

### **2.1.2 Written Promotion Announcement**

- a) The Sheriff's Office will cooperate and assist the Civil Service Commission, when requested, in the promotional process specifications for testing; scheduling of dates, times and locations of tests; the promotional process used.
- b) The job classification description promotional announcement is governed through Civil Service Rules 5, 6, 7 and 8.

### **2.1.3 Promotion Administration**

- a) The Thurston County Civil Service Commission is responsible for the administration of the promotional process for the Thurston County Sheriff's Office via competitive testing as outlined in RCW 41.14.
- b) The Undersheriff will have the responsibility and authority to oversee the promotional process within the Office.

### **2.1.4 Promotion Procedures**

- a) The procedures that are used by the Thurston County Sheriff's Office for promotions to positions in this Office are governed by Civil Service Rules as outlined in Rule 6.
- b) All promotions to classified positions within the Office shall be accomplished in accordance with the civil service rules. The Sheriff shall make promotions to classified civil service positions from a certified list using the rule of one in three.
- c) When no certified list exists, promotional examination announcements will be posted Office-wide in accordance with the civil service rules and process.
- d) Promotions to exempt or unclassified positions are at the sole discretion of the Sheriff.



## CHAPTER 2 SECTION J ~ EVALUATIONS

### 2.J.1 Performance Evaluations

- a) The performance evaluation system is used to assist in fair and impartial personnel decisions, and with the maintenance and improvement of performance. It provides a guide for counseling, and facilitates proper decisions regarding probationary members. It provides an objective and fair means of recognizing individual performance, and identifies training needs.
- 1) Member performance evaluations will be written based on job related factors specific to the position occupied by the member. Other supervisors directly familiar with the member's performance during the rating period should be consulted by the immediate supervisor for their input.
  - 2) Each supervisor should discuss the tasks of the position, standards of performance expected, and the evaluation rating criteria with each member at the beginning of the rating period.
  - 3) When a non-probationary member's job performance falls below the established standards of the job, the supervisor should, as soon as practical, but at least 90 days prior to the end of the annual evaluation period, advise the member in writing in order to provide an opportunity for the member to improve performance. The involved member will be provided the opportunity to initial any such writing and respond in writing within 30 days, if desired.
  - 4) Failure to meet established performance standards is justification for an unsatisfactory rating.
  - 5) Unsatisfactory ratings can be grounds for retraining or discipline up to and including termination.
  - 6) Rating factors that are not observed are assumed to be performed at a standard level.
- b) Annual Evaluation WASPC: 12.1  
Each member shall be evaluated by their immediate supervisor annually. Members will be evaluated using the evaluation system designated for their respective job classification. Each member shall be counseled at the onset of the rating period by the supervisor responsible for rating such member and shall be provided a copy of the job performance dimensions on which they will be evaluated. Additionally, they shall be provided a copy of the rating scale to be used, containing general examples of behaviors that are exceeding, meeting, and below job performance standards.

- 1) Evaluations will be based only on job performance that takes place during a specific time period.
  - 2) When the supervisor has completed the preliminary evaluation, arrangements shall be made for a private discussion of the evaluation with the member. The supervisor should discuss the results of the just completed rating period and clarify any questions the member may have. If the member has valid and reasonable protests of any of the ratings, the supervisor may make appropriate changes to the evaluation.
  - 3) Areas needing improvement and goals for reaching the expected level of performance should be identified and discussed. The supervisor should also provide relevant counseling regarding advancement, specialty positions and training opportunities.
  - 4) The supervisor and member will sign and date the evaluation. Permanent members may also write comments in the Member Comments section of the performance evaluation report.
  - 5) Every member will be provided with a copy of their performance evaluation review when they request one.
  - 6) All performance evaluations shall be completed by March 1st of each year.
- c) Member Signature
- Each member shall read and sign their evaluation. The member's signature will not constitute agreement or disagreement with the evaluation, but only verify that the member has read the evaluation.
- d) Contested Evaluations
- Any member may contest the contents of an evaluation. That member is required to attach comments stating reasons for disagreement concerning the rating(s) and/or narrative received.
- 1) That attachment, along with the evaluation, will be forwarded to the Bureau Chief for review. In the attached comments, the member may request a meeting with the Bureau Chief to present their contested facts concerning the evaluation.
  - 2) After hearing the member's position concerning the contested evaluation element(s), the Bureau Chief will complete a review memorandum stating their position, attaching said memorandum to the evaluation and forwarding the evaluation with attachments to the Undersheriff for final disposition.

3) The member will then be notified of the disposition and may follow the Grievance Procedures for any additional recourse.

e) Retention Period

The retention period of performance evaluations will be in compliance with state law

f) Bureau Chiefs Will Review Evaluations

All member evaluations will be sent up the chain of command to the Bureau Chief. The Chief Deputy will review the evaluation and have it placed in the member's personnel file

**2.J.2 Evaluation Instructions**

a) Each evaluator will receive instruction concerning proper rating procedures and associated rater responsibilities, will familiarize themselves with the performance dimensions to be assessed, and will be prepared to counsel and comment on their member's performance.

b) All sworn and non-sworn supervisory members shall be sent to a CJTC approved supervisory course that includes training on the completion of performance evaluations within one year of the supervisory appointment.

**2.J.3 Probationary Evaluations** WASPC: 12.2

a) This policy applies to all supervisors and probationary members.

b) Non-sworn members are on probation for 12 months before being eligible for certification as permanent members. An evaluation using the performance appraisal system designated for his/her respective job classification is completed bi monthly for all full-time non-sworn members during the probationary period.

c) Sworn members are on probation for 12 months after completion of Basic Law Enforcement Academy before being eligible for certification as permanent members. Probationary deputies are evaluated daily, weekly and monthly while in the Field Training Officer Program and bi monthly during the remaining probationary period using the performance appraisal system designated for his/her job classification.

d) Probationers Will be Evaluated

Probationary sworn members will have an evaluation by their supervisor at least once every month, after their initial training.

1) Criteria reviewed shall consist of those listed on the performance review document. These criteria may include mutually agreed-upon action plans. Only performance during the reviewing period will be considered.

2) Probationary non-sworn members will be evaluated quarterly by their supervisor.

e) Bureau Chiefs Will Review Evaluations

All probationary member evaluations will be sent up the chain of command to the Bureau Chief. The Chief Deputy will review the evaluation and have it placed in the member's personnel file.

**2.J.4 Remedial Training**

- a) When a member fails to perform a job function at the level prescribed in this policy manual, remedial training may be necessary to ensure that member has the knowledge and skills necessary to perform at an acceptable level.
- b) Whenever a member receives an evaluation rating of needs improvement or unacceptable, documentation of a performance deficiency, or is receiving discipline for a performance deficiency, the supervisor should consider whether remedial training would be appropriate to assist the member in improving their performance.
  - 1) If remedial training is deemed to be appropriate, the supervisor shall document the following items in a Personnel Improvement Plan (PIP):
    - (a) The remedial training being provided.
    - (b) The timeline for providing the training.
    - (c) The timeline for evaluating the member's subsequent performance.
    - (d) The consequences if the member fails to perform.
    - (e) The desired outcome if the remediation is successful.
  - 2) Prior to implementing the remedial training, the supervisor shall present the PIP to the member who shall then be provided with ten days to respond with any objections or other comments.
  - 3) If the member fails to provide a timely written response or expresses no desire to respond, the member's date and signature shall be affixed to the PIP as agreement to its terms.
  - 4) If the member provides a timely written response, any objections shall be adjudicated in accordance with the Office's grievance procedure.
  - 5) The remedial training process is for use with all members. It is not limited to use with probationary members.

**2.J.5 Personnel Files** WASPC: 10.7

- a) All personnel files will be kept within the office of the Sheriff's Executive Aide.
  
- b) Limited Viewing  
Only authorized members shall be allowed to view another member's personnel file. There is no limit to access of the member's own personnel file, and they are free to make copies of their own personnel file.
  
- c) Files To Be Kept Separate  
Personnel files shall not include results from any medical tests, psychological tests, or polygraph tests. Those results must be kept in a separate Medical File, and that file is to be kept in a secure area, away from the personnel files.

## **CHAPTER 2 SECTION K~ AWARDS AND RECOGNITION**

### **2.K.1 Performance Awards**

- a) The Sheriff or designee shall appoint an Awards Committee to receive and evaluate recommendations for awards. This committee shall determine whether an award should be presented and, if so, which award would be appropriate.
  - 1) This committee shall consist of seven (7) members determined by the Sheriff or designee and shall represent a cross-section of Office ranks and duty assignments.
  - 2) The Sheriff or designee will select a member to serve as the chairman of the committee. When a vacancy occurs on the committee, it will be filled by a member of the same Office rank and duty assignment, whenever possible.
  - 3) If a member of the Awards Committee is under consideration for any award, that member shall be excused from the committee for the period when this award is under consideration.
  - 4) The Sheriff or designee may appoint an ad hoc member to the committee of appropriate rank to serve on the committee in place of the member being considered, for the period indicated.
  
- b) Recommendations for awards will be forwarded in writing through the chain of command to the chairman of the Awards Committee. These recommendations should include a memorandum from the recommending members, a copy of any supporting documentation and any additional information the committee should be made aware of pertaining to the recommendation.
  - 1) The committee shall then evaluate the recommendation and determine whether an award should be presented and, if so, which award would be appropriate.
  - 2) The chairman will then make a written recommendation to the Sheriff or designee, requesting an award be given.

### **2.K.2 Medal of Honor**

- a) This medal is awarded to Office members who have been seriously injured or killed while in the performance of duty, or who has been distinguished by displaying exceptionally meritorious conduct. This award is established as this state's highest award for law enforcement, per RCW 41.72.020. All nominations shall be forwarded to the Washington State Law Enforcement Medal of Honor Committee and shall be in accordance with all policies and procedures set forth.

- b) This award will be presented at an annual ceremony, and presented in the form of a medal with ribbon, a ribbon bar, and a certificate. This award can be made posthumously to the representative of the deceased. Should the action(s) taken result in the saving of the life of another, a Lifesaving Award shall be awarded in conjunction with this medal.
- c) The ribbon bar may be worn at the member's option on the badge side of the uniform shirt ½" above the uppermost points of the badge.

### **2.K.3 Meritorious Service Medal**

- a) This medal is awarded to Office members for selfless act(s) of exceptional, individual, conspicuous gallantry and heroism while engaged in law enforcement action(s) at imminent risk of the member's own life, knowing at the time such risk exists, such act(s) not falling within the guidelines for the Medal of Honor.
- b) The award will be presented at a ceremony, and presented in the form of a medal with ribbon, a ribbon bar, and a certificate. Should the action(s) taken result in the saving of the life of another, a Lifesaving Award shall be awarded in conjunction with this medal.
- c) The ribbon bar may be worn at the member's option on the badge side of the uniform shirt ½" above the uppermost points of the badge.

### **2.K.4 Distinguished Service Medal**

- a) This medal is awarded to Office members who distinguish themselves by act(s) of personal bravery at significant risk of injury, while engaged in law enforcement action(s). Such act(s); not falling within the guidelines for the Meritorious Service Medal.
- b) The award will be presented at a ceremony and presented in the form of a medal with ribbon, a ribbon bar and certificate. Should the action(s) taken result in the saving of the life of another, a Lifesaving Award shall be awarded in conjunction with this medal.
- c) The ribbon bar may be worn at the member's option on the name plate side of the uniform shirt ½" above the name plate.

### **2.K.5 Purple Heart Medal**

- a) This medal is awarded to Office members who receive a serious or life-threatening injury in the performance of their duty.
- b) The award will be presented at a ceremony, and presented in the form of a medal with ribbon, a ribbon bar and certificate.

- c) The ribbon bar may be worn at the member's option on the name plate side of the uniform shirt ½" above the name plate.

### **2.K.6 Lifesaving Award Pin**

- a) This award is for Office members who take specific action(s) at the scene of an event resulting in the saving of a human life.
- b) The award will be presented at a ceremony, and presented in the form of a pin and certificate.
- c) The pin may be worn at the member's option on the name plate side of the uniform shirt ½" above the name plate.

### **2.K.7 Certificate of Commendation**

- a) Committee approval is not needed. The recommendation should be forward through the chain of command to the Sheriff for approval.
- b) This award is for Office members in recognition of a high degree of competence and professionalism in the performance of their duties. This includes exemplary conduct during a field incident or operation, outstanding administrative work, the effective handling of a criminal investigation, the organization of a new and beneficial Office program, designing and conducting a course of training, and commendable participation in any other activity that improves the Office's functioning or brings credit upon the Office in any way.
- c) The award will be presented at a ceremony, and presented in the form of a certificate.

### **2.K.8 Citizen Commendation**

- a) Committee approval is not needed. The recommendation should be forward through the chain of command to the Sheriff for approval.
- b) This award is for any citizen who performs an act that jeopardizes their own safety while assisting the Sheriff's Office in the performance of a hazardous task, or performs an act of exemplary service in support of the Sheriff's Office goals and objectives, or performs an act that jeopardizes their own safety while attempting to save the life of another person.
- c) The award will be presented at a ceremony, and presented in the form of a certificate.

### **2.K.9 Letter of Recognition**

- a) Committee approval is not needed. This award is for Office members who perform their duties in a manner that demonstrates professionalism, devotion to duty, and dedication to the Sheriff's Office mission.



- b) This award is presented during shift briefings, and presented in the form of a letter to the member signed by the Sheriff or designee.

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## Chapter 3

# Investigations



- Section A ~ Investigations
  - Section B ~ Follow-up (Patrol)
  - Section C ~ Domestic Violence
  - Section D ~ DV – Law Enforcement
  - Section E ~ Missing Person
  - Section F ~ Vulnerable Adult
  - Section G ~ Child Abuse
  - Section H ~ Identification Theft
  - Section I ~ ALPR
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## **CHAPTER 3 SECTION A ~ INVESTIGATIONS** WASPC: 17

### **3.A.1 Investigations**

- a) Investigations into allegations involving vice and organized crime will be conducted by the Detective Division. All information will be monitored by the Detective Division supervisor. These types of investigations will be conducted consistent with investigative methods utilized in other criminal investigations, remembering that confidentiality is of utmost importance.
- b) Case Assignments  
The Detective Division supervisor will assign cases to unit members. Cases requiring specialized skill, knowledge, and ability should be assigned to members having those credentials. All cases assigned shall be logged in the case assignment book.
- c) Primary Investigator  
The detective assigned a case for follow up will become the primary detective and is responsible for the conduct and results of the investigation.
- d) Major Cases  
In major cases, all supplementary reports, including records of statements, results of examinations of physical evidence, case report status, and all other reports shall be forwarded to the supervisor for review and approval.

In all major cases, i.e., murder, major sex offenses, arson, major burglary, drug cases, etc., or any case where there are extensive files involved, a major case folder will be constructed and maintained by the assigned detective.

- e) Suspension of Cases  
The Detective Division supervisor can authorize the suspension of an assigned case. The determination to suspend shall be based upon the following:
  - 1) All leads have been exhausted;
  - 2) Unavailability of Department resources;
  - 3) Solvability factors;
  - 4) Seriousness of the crime;
  - 5) Impact on the community.

### **3.A.2 Vice Control Function**

- a) The responsibility for vice control and investigations involving vice complaints will be assigned to the Detective Division. The Detective assigned to gambling enforcement will also be assigned to vice control and investigations.

### **3.A.3 Organized Crime Control**

- a) The responsibility for organized crime control and investigation is assigned to the Detective Division. The Detective Lieutenant is responsible for assigning investigations involving organized crime.

### **3.A.4 Maintenance of Intelligence Information**

- a) Information on organized crime, narcotics, terrorism, and other sensitive areas that is not part of the normal records management system should be forwarded to the appropriate intelligence agency for analysis, storage, and dissemination. The Sheriff's Office will forward narcotics data to the Western States Information Network. Terrorism information will be forwarded to the Washington State Patrol Intelligence Section.

- b) The Sheriff's Office will not maintain any intelligence database or files that are not part of the normal records management system and its various parts. Investigative information or data that involves the above sensitive areas that are part of active investigations can be maintained for the duration of the investigation, including adjudication, as necessary, but then should be included in the case file and forwarded to the appropriate agency, or eliminated.

- c) Dissemination

All narcotics data will be forwarded to the Western States Information Network. (WSIN)

All Terrorism data will be forwarded to the Washington Joint Analytical Center. (WAJAC)

All Organized Crime data will be forwarded to the Western States Information Network. (WSIN)

- d) Collection of Information

Intelligence information collected by the Thurston County Sheriff's Office shall be restricted to documents of criminal intelligence and related information from public record and media sources.

Information may be collected by any member of the Thurston County 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.

- e) Illegal Activity

No member of the Thurston County Sheriff's Office will engage in any illegal activity while collecting intelligence information; nor will any member employ or direct another person to engage in the collection of intelligence information through illegal means.

- f) Duration of Possession

Investigative information or data that involves the above sensitive areas that are part of an active investigation can be maintained for the duration of the investigation including adjudication as necessary, but then should be included in the case file and forwarded to the appropriate agency or eliminated.

### **3.A.5 Confidential Files**

- a) The Detective Division Lieutenant will maintain a confidential file on each confidential informant.
- b) Members of the Sheriff's Office will not divulge the identity of persons giving confidential information, except as authorized by proper authority.
- c) Confidential Files will include:
  - 1) Biographical and background information
  - 2) Criminal history records, if applicable
  - 3) Payments made to the informant and information received
  - 4) The nature of the informant's operational involvement with the Sheriff's Office
  - 5) Code name or CI number of the informant
  - 6) File security classification

### **3.A.6 One Party Consent Authorization**

- a) The Omnibus Bill of 1989 (SHB 1793) has a provision allowing for the tape recording of certain conversations involving the sale and distribution of narcotics and for officer safety. The ability to conduct these types of recordings is very important in the investigation of illegal narcotics trafficking. The purpose of this policy is to insure that the recordings are made in accordance with the provisions of state law and to set forth a mechanism to obtain authorization.
- b) Use of One-Party-Consent Recordings  
One-party, consent recordings should be used in every case where an authorization is possible. The records of conversations with those dealing in narcotics provide the best evidence, and recordings should be obtained, whenever possible.
- c) Reasonable Suspicion of Risk  
In every case where there is a reasonable suspicion that the deputy or agent involved may be placed at risk, a one-party consent authorization will be obtained, and the conversation will be monitored to ensure the safety of the deputy and/or agent.
- d) Requests for Authorization  
All requests for authorization to obtain a one-party consent recording will be made to the unit supervisor. The supervisor will review the request for legal sufficiency.

e) Review of Probable Cause

If there are not exigent circumstances, the supervisor and the requesting deputy will contact a deputy prosecuting attorney for review of the probable cause. If the deputy prosecuting attorney concurs that probable cause exists, a notation will be made in the case file that the consultation was made and the results of the consultation.

f) Authorization for One-Party-Consent Transmission

The supervisor and the requesting deputy will contact the Sheriff or his/her designee, to obtain an authorization for a one-party consent recording and transmission.

g) Insufficient Time for Consultation

If there is not sufficient time available, the supervisor may contact an Operations Captain for authorization without consultation with the deputy prosecuting attorney. The supervisor will advise the authorizing Captain or above that the consultation was not made and the reason for the exigent circumstances.

h) Authorization for Signature to Staff Deputy

The requesting deputy and supervisor will provide the authorizing Captain or above with the completed authorization for signature or will provide the staff deputy with the information necessary to complete the authorization.

i) Filing of Necessary Reports

All authorizations for one-party consent recordings and transmissions will be filed with the case report. A copy of the authorization will be forwarded to the Commander of Investigations, who is responsible for filing all the necessary reports with the Superior Court and the Administrator for the Courts. These reports will be completed at the direction of the Commander of Investigations, reviewed, and forwarded to the Sheriff for signature.

j) Voice Recordings

If a voice recording detailing the probable cause is made, the voice recording will be placed into the Records Division. A copy of the transcript will be kept with the authorization. Retention will coincide with the associated case file.



**CHAPTER 3 SECTION B ~ FOLLOW-UP INVESTIGATIONS** WASPC: 17.1

**3.B.1 Follow-up Investigations by Patrol Deputies**

- a) The purpose of the Follow-up Investigation Policy is to assist Patrol Deputies on what is expected when conducting a follow-up investigation and the time lines associated.

**3.B.2 Assignment**

- a) Patrol Deputies may be assigned a follow-up investigation to a wide variety of cases that they may or may not have been the initial investigator.
- b) Investigations are assigned by supervisors who review the reports and determine that more investigation or gathering of evidence is needed. The supervisor reviews what work needs to be done on the report and assigns the case to either the deputy who was the initial investigator or a deputy that is available to complete the investigation. The deputy's availability is a factor when assigning cases as well as the district worked and lastly, depending on the case, experience.

**3.B.3. Investigation**

- a) When receiving a follow-up investigation the deputy will review the details of the original field report and determine a course of action needed to proceed with the investigation. If the deputy is unsure, they will immediately contact the on-duty supervisor for advice and direction.
- b) The deputy will make every attempt to conduct a complete and thorough investigation with the goal of successful prosecution in all matters. If the deputy's investigation reveals that no crime was committed or the person of interest did not commit the crime, their report and investigation will reflect this information.

**3.B.4 Timelines**

- a) Deputies will make every attempt to complete follow-up investigation in an expedient and timely manner. Most investigations should be completed within a 30-day time frame. We do recognize that deputies may be assigned cases that are more complex, and the deputy may have trouble locating witness(s), victim, or suspect(s). The assigned deputy may need to keep their supervisor informed as to the status of the more complex cases.
- b) Deputy / Investigator – Will conduct their follow-up investigation within 30 days. Deputies will notify their supervisor of investigations that extend beyond the 30-day window. No investigation by a Patrol Deputy will extend beyond sixty (60) days without approval of the Patrol Captain or his designee.

- c) Supervisors – Will review open investigations every thirty (30) days for follow-up cases assigned to their members. Supervisors will look for investigations that fall beyond the thirty (30) day window from the date the case was assigned. When found, the supervisor will contact the deputy to ascertain why the investigation is delayed.

**3.B.5. Completions of Investigation**

- a) Once an investigation is completed the deputy will complete a supplemental report and a case disposition form.
- b) Supplemental Report – This report will detail all action or follow-up investigation conducted by the deputy. The report will detail all evidence (statements, photographs, physical evidence and other) found and all attachments will be placed with report. The report will be turned in or submitted according to policy.
- c) Case Disposition Form – This form will detail the determined status of the case (i.e. case is closed, suspended, or referred to the prosecutor's office for charging or consideration of charges). The case disposition form may also be used by deputies who may not be able to complete an investigation due to the suspect, victim or witness living outside of the county. In these cases, the deputy may request that the case be re-assigned to a detective for further follow-up.

**CHAPTER 3 SECTION C ~ DOMESTIC VIOLENCE**      WASPC: 15.6

*It is the policy of the Thurston County Sheriff's Office to have zero tolerance towards those individuals committing acts of domestic violence, including those violating protective orders. Recognizing the far-reaching impact upon the community in general of crimes of a domestic nature, it is the policy of this office to treat the enforcement and investigation of such crimes with the highest priority possible.*

*Deputies should respond to domestic violence as they would to any other crime. However, the relationship between the victim and the accused creates additional responsibilities. Deputies should provide domestic violence information and inform victims of services available to them.*

**Refer to: Model Operating Procedures located on the common drive.**

**3.C.1 Arrests**

- a) Arrests shall be made consistent with the mandatory arrest law, referenced in RCW 10.31.100, subsection 2. If probable cause to arrest exists for any crime related to domestic violence, even if it is outside the four-hour time frame mandating arrest for certain crimes (as detailed in RCW 10.31.100), every reasonable effort shall be made to locate and arrest the suspect.
- b) It is recognized that not all suspects can be located, initially; however, due diligence shall be utilized in attempting to apprehend all domestic violence perpetrators. This includes those individuals violating protective orders. If, after making reasonable efforts to locate the suspect or domestic violence-related crimes and they are still at large, detectives assigned to the Domestic Violence Unit or other patrol deputies (next shift, etc.) will continue to try to locate and arrest said suspect.
- c) Deputies who respond to an incident of domestic disturbance shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the deputy has probable cause to believe that:
  - 1) An order has been issued of which the person has knowledge under RCW 26.44.063, or Chapter 7.90, 10.99, 26.09, 26.10, 26.26, 26.50, or 74.34 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, imposing any other restrictions or conditions upon the person.

- 2) A foreign protection order 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.
  - 3) The person is sixteen years or older and within the preceding four hours has assaulted a family or household member and the deputy believes (RCW 10.31.100 (2)): A felonious assault has occurred.
  - 4) An assault has occurred which has resulted in bodily injury to the victim, whether the injury is observable by the responding deputy or not.
  - 5) 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.
- d) Once a suspect has been arrested under the provisions of RCW 10.31.100(2) the suspect shall be taken to jail. Deputies have no authority to subsequently release the arrested person unless the investigation fails to establish probable cause for the arrest.

### **3.C.2 Reporting**

- a) All reported incidents of domestic-related crimes and protective order violations shall be documented in a written report.
- b) There will be no delayed reports when a victim has alleged that a crime of a domestic nature and/or a protective order violation has occurred, even if probable cause to arrest has not been established.
- c) When an arrest is intended or probable, photos, "Smith" Affidavit, and a voice-recorded victim statement will be taken by the reporting deputy on each and every domestic violence call for service, whenever possible, as well as any witness and suspect taped statements as are with permission.

### **3.C.3 Courtesy**

- a) All victims of domestic-related crimes will be treated with dignity and respect. Investigating deputies and detectives will be mindful of the dynamics of domestic violence and the impact offender's actions often have upon victims.

### **3.C.4 Training**

- a) Deputies and detectives shall attend yearly, mandatory, in-house training updates on domestic violence-related issues.

### **3.C.5 Duties**

- a) Supervisors are responsible to ensure that the policy and procedures are followed without deviation.
- b) No deputy may be held criminally or civilly liable for making a domestic violence arrest if the deputy acts in good faith and without malice (RCW 26.50.140, 10.31.100 (12), and 19.99.070). Deputies who willfully fail to enforce the law are not immune from liability, the above statutes notwithstanding. Victims of domestic violence must receive equal protection under the law and it is the policy of this Office that all deputies will be held accountable for any willful failure to enforce domestic violence laws.
- c) The deputy shall notify the victim of their right to initiate a criminal proceeding in all cases where the deputy 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 (RCW 10.99.030(6)(a)). This is accomplished by advising the victim, if they believe they are the victim of domestic violence they can ask the prosecuting attorney to file a criminal complaint.

**CHAPTER 3 SECTION D ~ DOMESTIC VIOLENCE ~ LAW ENFORCEMENT INVOLVED**

WASPC: 15.6, 13.4

*Domestic violence committed by Office members or law enforcement employees is unacceptable. It is the Sheriff's Office policy to promptly, thoroughly, and fairly investigate alleged domestic violence incidents involving all members of law enforcement, giving primary consideration to the protection of and communication with victims of domestic violence committed by members of law enforcement. The Sheriff's Office will maintain ongoing and meaningful relationships with advocacy groups and other domestic violence professionals in the community.*

*The purpose of this policy is to establish clear protocols and actions for investigating and reporting of domestic violence involving Thurston County Sheriff's Office employees and law enforcement officers from other agencies and to thereby discourage and reduce acts of domestic violence by law enforcement commissioned personnel.*

**Refer to DV Model Operational Procedure on the common drive.**

**3.D.1 Policy DV-Law Enforcement Involved**

- a) 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 Thurston County Sheriff's Office (TCSO) will:
- 1) Promptly respond to allegations of domestic violence by a member according to policy, Model Operational Procedures, and all applicable laws.
  - 2) Give primary consideration to protection of the victim of domestic violence and enforcement of the laws.
  - 3) Expeditiously report and conduct thorough investigations into any allegation of a law enforcement employee involved in domestic violence.
  - 4) Respect the due process rights of all employees, according to applicable, legal precedent and collective bargaining agreements.
  - 5) Train members and seek to educate their families about intimate violence and avenues for assistance.

**3.D.2 Notification**

- a) 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 Office, as well as notification to the employing agency.

- b) Patrol responses to the scene of domestic violence involving law enforcement officers require on scene supervisory presence.
- c) All incidents of domestic violence by any Law Enforcement Personnel require notification through the chain of command to the Sheriff.
- d) Incidents of domestic violence by other agency law enforcement personnel require notification of the agency head of the employing agency as soon as possible.
- e) In the event of a report of domestic violence alleged to have been committed by an agency head, prompt notification will be made to the employing entity's chief executive officer, or, in the case of the Sheriff, the County's Prosecutor.

**3.D.3 Definitions:**

- a) Domestic Violence - as defined in RCW 10.99 includes two elements: first, a relationship between the perpetrator and the victim defined in RCW 10.99.0202(3), and second, that a criminal act has occurred as defined in RCW 10.99.020(5).
- b) Domestic dispute - is an incident involving a relationship defined in RCW 10.99.020(3) where there was no criminal action.
- c) 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.
- d) Domestic violence specialist - refers to an individual with professional credentials in the dynamics of battering, advocacy, and victim safety.
- e) 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. Sworn employee includes but is not limited to: City, County, State, and Federal employees with full or limited police powers.
- f) Employee - means any person currently employed with an agency.

**3.D.4 Training:**

- a) The Sheriff's Office will provide training during the FTO program, in-service, and supervisory levels of a member's career to create awareness and sensitivity of domestic violence issues and enhance the Sheriff's Office response and investigation to these incidents.
- b) This training will include: WASPC:17.8

- 1) Understanding domestic violence.
- 2) Sheriff's Office domestic violence member involved policy.
- 3) Warning signs of domestic violence by members.
- 4) Victim safety.
- 5) Local, State, and Federal domestic violence laws.
- 6) Role of local domestic violence advocates.
- 7) Information about the Employee Assistance Program and specialized DV programs/victim service agencies.
- 8) Supervisor responsibility in regards to member domestic violence.
- 9) Local victim advocacy/DV agencies should be contacted for assistance in this training.

### **3.D.5 Members Responsibilities:**

- a) Members are entitled and encouraged to seek assistance in all matters involving personal and family conflict. Members with knowledge that a member is alleged to have committed domestic abuse and/or violence shall immediately report such information to their supervisor.
  - 1) Failure to report may result in disciplinary action up to and including termination.
  - 2) Members with knowledge that a member is a victim of domestic abuse and/or violence should report such information to their supervisor.
  - 3) The victim may not want the domestic abuse/violence reported.
  - 4) A member will not be punished for failing to report a domestic abuse and/or DV incident when they are the victim.
  - 5) Members arrested for domestic violence in another jurisdiction, shall notify their supervisor as soon as possible.
  - 6) Members who have had a police response where an alleged domestic violence incident took place in another jurisdiction shall immediately notify their supervisor.
  - 7) Members who engage in threatening, harassing, stalking, surveillance, or other such behavior designed to interfere with cases against fellow members or intimidate witnesses will be subject to an investigation involving possible criminal charges and departmental disciplinary action up to and including termination.
  - 8) Members who fail to cooperate in an internal investigation of a deputy/member involved domestic violence case will be subject departmental disciplinary action up to and including termination.
  - 9) Members who, with intent, wrongly accuse a victim of domestic violence of a crime, or with intent, make a false report against the victim, will be subject to an investigation involving possible criminal charges and departmental disciplinary action up to and including termination.
  - 10) The accused member shall immediately notify his/her Bureau Chief via the chain of command, of any court dates, no contact orders, temporary or permanent orders of protection or civil anti-harassment orders (where he/she are the respondent), providing a copy to his/her supervisor.



- 11) Commissioned members shall not wear the Sheriff's Office uniform when attending domestic violence court proceedings.

### **3.D.6 Response**

- a) A patrol supervisor shall respond whenever practical to the scene of any domestic violence incident involving Office personnel regardless of jurisdiction. Supervisors will coordinate information and offer assistance to the agency of jurisdiction to ensure a complete investigation.
  - 1) A supervisor shall respond to the scene of all domestic violence incidents within TCSO jurisdiction involving any law enforcement officer.
  - 2) The patrol supervisor shall coordinate the investigation, applying appropriate resources such as involving detectives, requesting other agency assistance and ensuring command notification.
  - 3) The supervisor will write a report on all incidents, whether deemed criminal or not and route it through the chain of command.
  - 4) If a commissioned member is arrested, the on scene supervisor shall contact the Undersheriff or designee who will order the surrender of the deputy's department issued weapons, and identification. Consideration should be given to other equipment and inquiries made about personal weapons that may be secured for safekeeping.
  - 5) 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 come to the scene and take custody of their weapons and equipment.
  - 6) Incarceration will follow the normal process at the Thurston County Corrections Facility. The Correctional Facility should be given advance notice of the booking for security reasons. Decisions on facility placement will be handled with the Undersheriff or designee.
  - 7) The supervisor will endeavor to make a good faith effort to locate the suspect if there is probable cause for an arrest.
  - 8) 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. WASPC: 17.8
  - 9) The supervisor will act as the point of contact until an assignment is made.
  - 10) The Undersheriff or designee will review the report, assign the criminal investigation, and initiate coordination with the agency of jurisdiction.
  - 11) For all situations involving any member of this Office, the Chief of Support Services will contact the victim, introduce the point of contact, and provide an update regarding the administrative process.
  - 12) The Undersheriff or designee will coordinate with the prosecutor's office regarding charging and prosecution.

- 13) The Undersheriff or designee will coordinate with the appropriate advocacy organization to assist with victim safety concerns.
- 14) All completed investigations of domestic violence that reveal probable cause of a crime committed by any agency commissioned personnel or agency head shall be promptly forwarded to the appropriate prosecuting authority for a charging decision.
- 15) For members: the Undersheriff or designee will make a decision regarding removal of the involved employee's law enforcement powers, duty weapon and other department owned equipment pending investigation outcome and possible prosecutorial charging decision.
- 16) The Undersheriff or designee 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.
- 17) For other law enforcement agencies: the Undersheriff or designee will ensure command notification of the employing agency.
- 18) The Undersheriff or designee will verify the supervisor has offered assistance with removing weapons, police powers, etc.
- 19) The Undersheriff or designee will ensure appropriate reports and any other requested documentation is provided to the employing agency.

### **3.D.7 Victim Safety and Notification WASPC: 17.8**

- a) Working with community resources and advocacy agencies, deputies shall make available to the victim:
  - 1) Information on how to obtain protective orders and/or removal of weapons from his or her home.
  - 2) Assistance with obtaining such orders in coordination with victim advocates.
  - 3) Information about public and private domestic violence advocacy resources.
  - 4) Information related to relevant confidentiality policies related to the victim's information and public disclosure as provide by law.

### **3.D.8 Policy and Rights**

- a) This Office will observe all other appropriate policies and procedures generally applicable to investigation of alleged member misconduct. The agency will respect rights of the accused member under applicable collective bargaining agreements and case law.

### **3.D.9 Outside Agency Investigation**

- a) Investigations will normally be conducted by an outside agency as directed by the Sheriff. Where sufficient information exists, this Office will make appropriate restrictions to assignments, law enforcement powers, building and records access and consider administrative reassignment and/or leave.

### **3.D.10 Risk Assessment**

- a) In determining the proper course of administrative action, the Sheriff may consider risk assessment instruments and/or the use of independent outside investigators, and other factors such as the member's history of complying with rules.

**3.D.11 Fitness for Duty**

- a) Members 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 3 SECTION E ~ MISSING PERSON COMPLAINTS**

WASPC: 5.10, 15.7

**3.E.1 Response**

- a) Deputies will respond to all reports of missing persons in a timely manner via in person contact or handling the complaint by telephone. The deputy will obtain all information and description of the missing person to include:
- 1) Full name – First, Last and Middle Name
  - 2) Date of Birth
  - 3) Color of Hair
  - 4) Color of Eyes
  - 5) Type of Clothing the subject was wearing (if available)
  - 6) Form of Transportation (description - car, truck, bicycle, license number, color, etc)
  - 7) Last Known Address and Phone (home and/or cellular) number
  - 8) Medical / Mental History
  - 9) Scars, Marks, Distinguishing Characteristics, or Tattoos

**3.E.2 Missing Person at Risk and/or a Missing Juvenile (not a Runaway)**

- a) The deputy will attempt to establish whether the missing person has a history of missing complaints and where the subject was found in the past. If there is a reason to believe that the subject is at risk due to: age, circumstances, medical or mental conditions, extreme heat or cold, snow, rain or sleet, time of day, physical condition, and/or clothing appropriate to weather. The deputy will immediately notify the on-duty supervisor of the situation and circumstances surrounding the call.
- b) Missing Juvenile complaints should be handled in person if possible.
- c) The supervisor will review the information and determine the best course of action such as:
- d) Subject missing with a vehicle:
- 1) Notify dispatch to enter the person in WACIC/NCIC and broadcast an attempt to locate with complete subject description as well as vehicle description.
  - 2) Have dispatch notify surrounding counties and Washington State law enforcement via teletype of the missing person attempt to locate and check the welfare.
- e) The Detective Supervisor may be contacted via the proper procedures to see if a detective will need to be assigned immediately or the next business day.

f) Subject missing on foot or limited transportation:

- 1) Notify dispatch to enter the person in WACIC/NCIC and broadcast an attempt to locate with complete subject description as well as vehicle description.
- 2) Have dispatch notify surrounding counties and Washington State law enforcement via ACCESS of the missing person attempt to locate and check the welfare.
- 3) The supervisor will respond to the area. Additional deputies will respond as needed to conduct a search of the area.
- 4) The supervisor will notify the on-call search and rescue coordinator, if necessary.

g) Subject with a Cell phone or wireless device

- 1) If a cellular number can be obtained, an emergency cell phone location request should be faxed to the appropriate cell company to have them "ping" the device to determine a location on the device to assist in determining further actions.

**3.E.3 Amber Alert**

- a) In cases of possible abduction, Supervisors will review whether an Amber Alert is warranted.
- b) Notification of Chain of Command
- c) The Patrol Captain or Detective Supervisor should be notified of "At Risk" missing persons so as to determine if any investigative support is needed.

**3.E.4 Missing Person not At Risk**

- a) When a deputy or on-duty supervisor establishes that the missing person does not meet the factors for an At Risk person or missing juvenile they will again put out an attempt to locate via dispatch to enter the person in WACIC/NCIC and broadcast and attempt to locate.
- b) If the person is an adult and there are no suspicious circumstances surrounding their absence a report will be written and forwarded to the detective division for further follow up.

**3.E.5 Documentation**

- a) All reports of missing persons will be documented and referred to the detective division for further investigation.

**CHAPTER 3 SECTION F ~ VULNERABLE ADULTS / DEPENDANT PERSONS**

WASPC: 17.2

*Vulnerable adults who have been victimized need and deserve the protection of law enforcement and the criminal justice system. Unless exigent circumstances or possibility of further harm to the victim exist, the investigation will be assigned to a detective for follow-up. However initial investigations from patrol should be thorough and contain all information pertinent to any investigation. In order to investigate these cases officers should be able to identify a vulnerable adult and/or dependant person, be familiar with the criminal statutes designed to protect them, and how to conduct a basic investigation into violation of those statutes.*

These types of investigations will be conducted in accordance with the Vulnerable Adult Investigation Manual for Law Enforcement and The Thurston County Vulnerable Adult Task Force Protocol, both of which are located in the Field Operations Bureau Procedures Folder on the "common drive" of the network.

**3.F.1 Definitions**

- a) "Vulnerable adult" includes a person:
- 1) Sixty years of age or older who has the functional, mental, or physical inability to care for himself or herself; or
  - 2) Found incapacitated under chapter 11.88 RCW; or
  - 3) Who has a developmental disability as defined under RCW 71A.10.020; or
  - 4) Admitted to any facility; or
  - 5) Receiving services from home health, hospice, or home care agencies licensed or required to be licensed under chapter 70.127 RCW; or
  - 6) Receiving services from an individual provider.
- b) "Dependent person" means a person who, because of physical or mental disability, or because of extreme advanced age:
- 1) Is dependent upon another person to provide the basic necessities of life.
  - 2) A resident of a nursing home or a resident of an adult family home;
  - 3) A frail elder or vulnerable adult, as defined in RCW 74.34.020(13),

**3.F.2 Crimes Relating To Vulnerable Adults / Dependiant Persons**

- a) Criminal Mistreatment RCW 9A.42
- b) Abandonment of a Dependiant Person RCW 9A.42
- c) Endangerment with a Controlled Substance RCW 9A.42
- d) Sexual Offenses – Rape 2nd and Indecent Liberties RCW 9A.44

## **CHAPTER 3 SECTION G ~ CHILD ABUSE, NEGLECT, AND SEXUAL ASSAULT**

WASPC: 17.3

### **3.G.1 Child Abuse, Neglect, and Sexual Assault**

- a) This policy does not supersede any statutory requirement in RCW 26.44.030 that directs a law enforcement officer's response to child abuse.
- b) Deputies should familiarize themselves with their statutory role as outlined in the above noted chapter.

### **3.G.2 Initial Reports**

- a) Officers will respond to reported child abuse complaints as any other call for service.
- b) Because these cases differ dramatically in severity and circumstances, officers must use their best judgment as to how they should proceed with an investigation.
- c) Nothing in this policy precludes an officer from going forward with an investigation, especially when a child is at risk of further harm.
- d) If an officer believes that an investigator with specialized training is needed, they may request one respond by notifying the duty supervisor.
- e) All calls of child abuse, neglect, and sexual assault, regardless of the disposition are to be documented in a case report and by statute should be forwarded to CPS within 72 hours or 24 hours in emergencies. Reports should include the following information:
  - 1) Name, age (DOB), address of child;
  - 2) Name, DOB, address of parent or guardian;
  - 3) Nature and extent of any evidence of injuries;
  - 4) Nature and extent of any evidence of neglect;
  - 5) Nature and extent of any signs of sexual abuse;
  - 6) Evidence of any previous allegations or injuries;
  - 7) Suspect information if applicable.

### **3.G.3 Referrals To and From Child Protective Services (CPS)**

- a) CPS is mandated to forward all reports they receive of crimes against children to the proper law enforcement agency within 24 hours of receiving the complaint.
- b) Reports from CPS indicating that a child is in imminent danger require immediate action by the officer(s) receiving the information.

- c) Reports from CPS that are not immediate in nature are forwarded to the Detective Sergeant for assignment within the Investigations Division.

**3.G.4 Investigative Referrals**

- a) All felony child abuse, neglect, and sexual assault cases will be referred to the Detective division after the initial investigation or upon referral from CPS.
- b) Detectives will follow the protocols developed by the Thurston County Prosecutors Office and The Thurston County Child Abuse Protocol in conducting their investigations.

**3.G.5 Only Trained Interviewers to Conduct Interviews** WASPC: 17.4

- a) Victim interviews should be conducted by members specifically trained by the CJTC in child abuse interviews or by a qualified professional designated by the Thurston County Prosecutor.



## **CHAPTER 3 SECTION H ~ IDENTITY THEFT    WASPC: 17.6**

### **3.H.1 Identity Theft Investigations**

- a) RCW 9.35.020 allows law enforcement officials to aggressively investigate and prosecute identity thieves.
  - 1) It establishes jurisdiction for Identity Theft to either where the victim lives in or in the country where any part of the offense takes place.
  - 2) It provides avenues for a victim to correct public records and block adverse credit reports.
  - 3) It requires businesses to provide victims with information about fraudulent transactions made in their name.
  
- b) It is the policy of the Thurston County Sheriff's Office to actively pursue the perpetrators of these crimes, prosecute them, and minimize or prevent victimization.

### **3.H.2 Investigation Protocol**

An offense report will be taken on all cases of reported identity theft regardless of where the offense originated. This should be taken in person so as to attempt to verify the victim's identity through other available means of documentation e.g., drivers license, passport, work identification, etc.

- a) Document as best as possible how the victim's personal information was stolen, how it has been used, if known, and the extent of the financial impact to the victim.
  
- b) Provide the victim the case report number, as they will need it as they work through the civil impacts of this crime.
  
- c) If necessary, arrangements will be made with the victim to have their fingerprints taken by Support Services Bureau staff.

### **3.H.3 Fingerprinting**

Support Services Bureau Staff will fingerprint any identity fraud victim at no cost to the victim. The cards will be forwarded to WSP by the victim and they will receive a State Identification Number for identification purposes. Further information is available at the Washington State Patrol WATCH website.

### **3.H.4 Victim Resources**

Members should make effort to provide victims with Identity Theft Victim Information resources so as to best minimize further victimization. Resources are available through the Thurston County ID Theft Task Force, WSP WATCH Website, and [www.ICP.gov](http://www.ICP.gov) website.

## **CHAPTER 3 SECTION I ~ AUTOMATED LICENSE PLATE READER (ALPR)**

### **3.1.1 Policy**

- a) It is the policy of the Thurston County Sheriff's Office to allow qualified deputies to use the ALPR technology during routine patrol or during criminal investigations. The use of the ALPR technology and/or any collected data will be used for official Sheriff's Office purposes only.

### **3.1.2 Definitions**

- a) Qualified Deputy - any deputy who is ACCESS certified (level 1 minimum) and has received training in the operational use and protocols of the ALPR system.
- b) ALPR System – also known as Automatic License Plate Reader is a computerized system consisting of specialized digital cameras, a processor unit and laptop computer.

### **3.1.3 ALPR Technology**

- a) ALPR technology, also known as License Plate Recognition, provides automated detection of license plates. The primary function of ALPR technology is to convert data taken in the field from vehicle plates and use it for the law enforcement purposes of identifying stolen vehicles, stolen license plates, and missing/abducted persons. ALPR technology may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery. ALPR data can be stored for later use.
- b) The ALPR system can identify a target license plate within seconds and is capable of recognizing over 1,000 license plates an hour on vehicles as they pass either a portable or stationary unit. The ALPR system takes high-speed, high-contrast images read at closing speeds of up to 140 miles per hour.
- c) The ALPR system reads a license plate and compares it against a database of suspect vehicles, alerting the deputy to any matches. The ALPR system records every license plate read. This record includes a picture of the vehicle, a picture of the license plate, the location where the plate was read, the date, and the time. This information is stored on the laptop and then later downloaded to a server.

### **3.1.4 Administration**

- a) The ALPR system will be under the administrative control of the Field Operations Bureau and assigned control to the Patrol Division. The Patrol Division Administrative Lieutenant or designated person will be responsible for the following:
- b) Overseeing and administering the ALPR program, including storage and management of all ALPR data systems.

- c) Ensuring appropriate training of operator(s) and that the training is completed prior to an operator using the system.
- d) Ensuring the training is documented.

### **3.1.5 Usage**

- a) ALPR operation and access to ALPR collected data shall be for official Sheriff's Office purposes only.
- b) LPR may be used during any patrol function and criminal investigation.
- c) ALPR equipped cars should be made available to conduct license plate canvasses for all homicides, shootings and other major crimes or incidents. ALPR may be used to conduct grid searches of all blocks around a crime scene. Partial license plates reported during major crimes should be entered into the ALPR in an attempt to identify suspected perpetrator vehicles.
- d) The Administrative Lieutenant or designee shall maintain records of all Thurston County Sheriff's Office ALPR operators and their ALPR usage.

### **3.1.6 . Data Collection and Retention**

- a) All ALPR data recorded will be maintained on the operator's laptop for a maximum of 24 hours from the end of the deputy's shift during which the data was recorded.
- b) All ALPR data recorded during a shift should be downloaded within 24 hours to the authorized server. Once the data is transferred it shall be purged immediately, or as soon as practical, from the ALPR laptop.
- c) All ALPR data downloaded to the operator laptop and server must be accessible only through a login/password accessible system capable of documenting who accesses the information by identity, date and time.
- d) Only those with ACCESS Level 1 certification may access ALPR data. All requests for access to stored ALPR data must be logged, and a stated purpose for access must be approved.
- e) Requests to review stored data shall be recorded and maintained in the same manner as criminal history logs.
- f) All ALPR data downloaded to the server may be stored for a maximum period of sixty (60) days before it is purged. Data must be purged once the maximum retention period has been

reached unless it has become or it is reasonable to believe it will become evidence in a specific criminal or civil action. In those circumstances, the applicable data shall be downloaded from the server onto a CD or other portable technology. It shall be subject to the same logging, handling, and chain of custody requirements as other evidence.

- g) Persons approved to access ALPR data under these guidelines are permitted to access the data when there is an articulable suspicion that the data relates to an investigation in a specific criminal or civil action.
- h) Notwithstanding any other provision of law, all electronic images or data gathered by ALPR(s) are for the exclusive use of law enforcement in the discharge of duties and are not to be made open to the public. However, nothing in the guidelines should be interpreted to limit the use of the electronic images or data for legitimate purposes by prosecutors or others legally permitted to receive evidence under the law.

### **3.1.7. Training of Operators**

- a) MANDATORY: All persons who wish to use or operate the ALPR system must be trained.
- b) Only trained personnel will operate the ALPR system.
- c) Deputies wishing to use/operate the ALPR system must undergo a basic training for use and care of the system.
- d) Only Genetec trained members are authorized to provide ALPR training.
- e) The names of all members certified to train and operate the ALPR system will be maintained by the ALPR System Coordinator.

### **3.1.8 Maintenance of Equipment**

- a) All maintenance and repairs of the equipment will be conducted by a person knowledgeable on this equipment.
- b) If any equipment or parts are missing and/or broken the Administrative Lieutenant or designated coordinator will be notified immediately. It will be his/her responsibility to arrange for the repair or replacement of the equipment.

### **3.1.9 Loaning Out of Equipment**

- a) All participating agencies wishing to borrow equipment for use will have a signed M.O.U. (Memorandum of Understanding) returned to Sheriff's Office prior to the equipment being loaned out.

- b) M.O.U. will stipulate that the equipment will be received in a clean and operational status and returned to T.C.S.O. in the same condition.
- c) Damage to the equipment and repair costs will be the responsibility of the borrowing agency.
- d) The loaning out of the ALPR equipment will be done by the Administrative Lieutenant or designated coordinator only.
- e) The equipment will only be loaned out to participating agencies and will only be used by trained personnel from those agencies.
- f) All loaned equipment will be for a specific period of time and will be returned to T.C.S.O. upon request.

## **CHAPTER 3 SECTION J – POLYGRAPH**

### **3.J.1 Use of Polygraph**

The polygraph process is an excellent aid to law enforcement criminal and background investigations; however, it should never be considered as a substitute or a short cut to an investigation. Therefore, polygraph examiners shall not administer exams in criminal cases where a thorough investigation has not been completed. The individual polygraph examiner or higher may approve exceptions to this investigative requirement in cases of a sensitive or life threatening nature.

### **3.J.2 Polygraph Test Requirement for Members of TCSO**

- a) Except as provided by law, a polygraph test will be required as a condition of employment for all persons submitting an application for employment with the department. Current members of the office who submit an application for a fully commissioned position will be required to submit to an additional polygraph test.
- b) Voluntary Request of Polygraph
  - 1) A member at any time may request a polygraph examination when subjected to an interview or interrogation, except in cases of routine discussion, counseling, instruction, verbal admonishment, or other similar contact with a supervisor or other member.
  - 2) During any investigation, a polygraph examination can be administered only with the consent of the member and the authorization of the Undersheriff.
- c) Use of Polygraph Results
  - 1) The use of results of voluntary polygraph examinations or other instruments for the detection of deception will not be the single determinant of a member's employment status.

(See Also:RCW 49.44.120; Collective Bargaining Agreements)

### **3.J.3 Criminal Investigation Use of Polygraph**

- a) Criminal investigations, polygraph examination may be conducted upon:
  - 1) Suspects
  - 2) Witnesses
  - 3) Informants
  - 4) Victims (except pursuant to RCW 10.58.038)

### **3.J.4 Use of Polygraph on Juvenile Suspects**

- a) All polygraph examinations administered to a juvenile subject (age 17 or younger) must be authorized in writing by the juvenile's parent or guardian. A juvenile court may authorize the examination in lieu of a parent or guardian.

- b) Polygraph examinations of juveniles under the age of 16 must be approved by the examiner and/or the examiner's supervisor.

### **3.J.5 Polygraph Examiner Qualifications and Rules**

- a) Department polygraph examiners must graduate from the Basic Polygraph Examiners Course presented by an APA (American Polygraph Association) accredited school.
- b) Department examiners are encouraged to maintain membership in at least one state or national professional polygraph association to facilitate continuing education and to remain current with developments within the polygraph and applicable professions.
- c) Department polygraph examiners are required to attend thirty (30) hours of APA approved continuing education every two calendar years.
- d) All department polygraph examiners shall abide by APA rules and regulations.

(See also:WAC 139-07-040; Polygraph examination or other truth verification assessment)

### **3.J.6 . Report Writing and File Retention**

- a) Criminal polygraph reports will be completed when the examiner has initiated any portion of the polygraph examination process. Criminal polygraph reports will be submitted into records with the case file and will follow the guidelines of the Washington State Archives LE Records Retention Schedule.
- b) Pre-employment screening reports will be completed in a standard format approved by the ISD Lieutenant. Pre-employment reports will be retained by the polygraph examiner for a period of 36 months.
- c) Administrative polygraph reports will be generated on TCSO interoffice memorandum when the nature of the report is non-criminal. Administrative polygraph reports will be retained by the polygraph examiner for a period of 36 months.

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# CHAPTER 4

## PATROL OPERATIONS



- Section A ~ Patrol
- Section B ~ Hate Crimes
- Section C ~ Racial Profiling
- Section D ~ Alarms
- Section E ~ Warrants
- Section F ~ Animal Cruelty
- Section G ~ Juveniles
- Section H ~ In-Car Video

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**CHAPTER 4 SECTION A ~ PATROL**      WASPC: 15

**4.A.1 Communications, Coordination, and Cooperation**

- a) At supervisor's discretion, all patrol shifts will hold a briefing prior to the commencement of scheduled duties. Information that is to be passed on to patrol shifts will be accomplished by either an oral, written, or computer-generated briefing from the shift supervisor.
- b) Communications with the other units of this office will usually be accomplished in writing, by oral communication, fax, E-mail or other computer-related methods of communication, or posted on the office bulletin board.
- c) We need to be an Office that remembers to communicate from all directions and assure people affected are not left out of the loop of information-sharing. Supervisors are responsible for making their subordinates aware of communications.
- d) The Corrections Bureau will follow their internal procedures manual and e-mail and staff lounge board information sharing.
- e) The Daily Bulletin will be transmitted via e-mail to all Sheriff's Office members as a means of ensuring important information is relayed.

**4.A.2 Patrol Shifts**

- a) Patrol Division Schedule Structure – This policy applies to all patrol division members working uniformed patrol, and is established per the current Collective Bargaining Agreement.
- b) Patrol Deputies Will be Assigned to Shifts as Needed  
Deputies will normally be assigned to specific shifts, and the deputies will be assigned where needed by the Shift Supervisor. The work shift will be set in accordance with the current Collective Bargaining Agreement.
- c) Patrol Districts  
The unincorporated county is divided into patrol districts. Deputies will be assigned to shifts and districts based on current personnel and division needs.
- d) Shift Supervisor Responsible For Shift Administration  
Administrative duties such as leave requests, staffing levels, Telestaff, training requests, procedure writing, citizen complaints, discipline, and other duties will be handled by the Shift Supervisor.

**4.A.3 Command and Control in the Field**

a) Initial Deputy on the Scene is in Command Until Relieved

The first Deputy to arrive at any field situation will assume control until relieved by a supervisor. If a more senior Deputy arrives prior to the supervisor, the supervisor may direct the more senior or experienced Deputy to take command and control until the supervisor arrives.

b) Supervisors Will Respond to All Major Field Situations

Unless already tied up on a priority incident, supervisors are responsible for the handling of field incidents and situations that arise during the shift. A supervisor will respond to all serious felonies (i.e. robberies, rapes, serious assaults, homicides, and major property crimes), civil unrest and alleged hate crimes, injury to or by a Deputy, damage to Office vehicles or facilities, emergencies in the jail, lost or missing children, suspicious or unusual deaths, natural disasters, and any situation requiring the call-out of S.W.A.T., Detectives, Dive or Search and Rescue units and any other situation deemed necessary.

c) Supervisor Will Take Command Upon Arrival

Upon arrival, and after being fully briefed on the situation, the supervisor will assume command and control of the situation. The supervisor will evaluate the situation and determine if any additional personnel or special units are needed. The supervisor may request a command level deputy at the scene if necessary.

#### **4.A.4 Investigations**

a) Initial Investigation by Patrol Deputies

The Patrol Division has the responsibility of responding and investigating initial calls for service that are given to or observed by on-duty Deputies during their shifts. Other deputies may take initial investigations that they become aware of if appropriate to their assigned duties.

b) Primary Investigations Need to be Thorough

The initial investigation of crimes needs to be as complete as possible to improve the chance of solving the crime and apprehending the perpetrators. Deputies should make as thorough an investigation as workload and time constraints allow.

c) Further Investigation May be Required

If the initial investigation cannot be completed by the assigned Deputy, the investigation may be assigned for additional investigation as a follow-up. Patrol Deputies will normally follow-up on misdemeanor and minor felony cases. Refer to Follow-up Investigations by Patrol Deputies (3.B). Major felony or complex cases will normally be assigned to the Detectives for follow-up.

#### **4.A.5 Field Interviews**

- a) Field interviews are a valuable investigative tool. Where practical, members of this office will conduct and record field interviews. These interviews will be conducted in a professional manner.
- b) Documentation  
The original document will be forwarded to the Records Division. The copy will be reviewed by the supervisor for consideration of assignment or other disposition. Field interviews are currently documented on warning citations, and commonly used for traffic, trespass incidents, suspected drug violation contacts.

**4.A.6 Informants WASPC: 17.7**

- a) In order to obtain information and evidence regarding criminal activities, it may be necessary that the Office utilize undercover operators. Such operators shall not engage in entrapment, nor shall they commit any criminal act or omit to perform any duty imposed by law which constitutes a crime.
- b) Citizens may provide information on criminal activity as a civic duty. This is to be encouraged and appreciated. Citizens providing Information, without expected compensation, monetary or otherwise will not normally be considered informants.
- c) The ISD Lieutenant or designee shall be responsible for maintaining informant files. A separate file shall be maintained on each confidential informant.
- d) Cultivation of Informants  
The Thurston County Sheriff's Office encourages all commissioned members to cultivate informants that will assist the office in an effort to gather criminal intelligence, prevent incidents of a criminal nature, and solve crimes.
- e) Compensation  
Oftentimes, reliable informants must be monetarily compensated for their assistance and information. However, prior to spending any of the Investigative Fund monies, it is required that the requesting deputy obtain prior approval from their supervisor each time any monetary transactions will be occurring. The Support Services Bureau Chief controls the Investigative Fund and disperses money upon approval from the deputy's supervisor.
- f) Security  
Prior to dispersing any money from the Investigative Fund, the informant will be identified to the Detective Lieutenant for the purpose of recording the transaction in the ledger book. An investigative case number or a major case number will be obtained and recorded in the ledger indicating the purpose of the transaction.

- 1) Each file shall be coded with an assigned informant control number. An informant history shall be prepared to correspond to each informant file and include the following information:
  - (a) Informant's name and/or aliases.
  - (b) Date of birth.
  - (c) Physical description: height, weight, hair color, eye color, race, sex, scars, tattoos, or other distinguishing features.
  - (d) Current home address and telephone numbers.
  - (e) Current employer, position, address, and telephone numbers.
  - (f) Vehicles owned and registration information.
  - (g) Places frequented.
  - (h) Informant's photograph.
  - (i) Briefs of information provided by the informant and his/her subsequent reliability. If an informant is determined to be unreliable, the informant's file is marked as "Unreliable".
  - (j) Name of deputy initiating use of the informant.
  - (k) Signed informant agreement.
  - (l) Update on active or inactive status of informant.
  
- 2) The informant files shall be maintained in a secure area by the ISD Lieutenant. These files shall be used to provide a source of background information about the informant, enable review and evaluation of information given by the informant, and minimize incidents that could be used to question the integrity of detectives or the reliability of the confidential informant. Access to the informant files shall be restricted to the Chief Support Services Deputy, and the ISD Lieutenant.
  
- 3) Access to information regarding confidential informants will be limited to a "need-to-know" basis. Access to information regarding confidential informants may be given only by the Sheriff, Undersheriff, Field Operations Bureau Chief, or the ISD Lieutenant.
  
- 4) The use of juvenile informants under the age of 18-years is restricted to very rare circumstances and must be approved by the Chief Support Services Deputy or higher ranking member. For purposes of this policy, a juvenile informant means any juvenile who participates, on behalf of this Office, in a prearranged transaction or series of prearranged transactions with direct face-to-face contact with any party, when the juvenile's participation in the transaction is for the purpose of obtaining or attempting to obtain evidence of illegal activity by a third party and where the juvenile is participating in the transaction for the purpose of reducing or dismissing a pending juvenile petition against the juvenile.

g) Relationship Integrity

No member of this Office shall knowingly maintain a social relationship with a confidential informant while off duty, or otherwise become intimately involved with a confidential informant. Members of this Office shall neither solicit nor accept gratuities nor engage in any private business transaction with a confidential informant. To maintain deputy/informant integrity, the following must be adhered to:

- 1) Deputies shall not withhold the identity of an informant from their superiors.
- 2) Identities of informants shall otherwise be kept confidential.
- 3) Criminal activity by informants shall not be condoned.
- 4) Informants shall be told they are not acting as sheriff's deputies, employees, or agents of the Sheriff's Office, and that they shall not represent themselves as such.
- 5) The relationship between deputies and informants shall always be ethical and professional.
- 6) Social contact shall be avoided unless necessary to conduct an official investigation, and only with prior approval of a supervisor.
- 7) In most cases, deputies/detectives shall not meet with informants alone without prior approval from a supervisor. At no time should a deputy/detective meet with an informant of the opposite sex in a private place unless accompanied by at least one additional deputy/detective or with prior approval of a Supervisor.
- 8) In all instances when Office funds are paid to informants, a voucher shall be completed, itemizing the expenses. Every effort should be made to have two detectives present for payments to informants so one may act as a witness to the transaction.

h) Notice of Termination

When an informant has satisfied their agreement and association with this Office, they will be given notice that their services as an informant except for possible witness testimony at a later time are no longer required. This notice should be given in writing if at all possible. The document advising them of the completion of their obligation will be made part of the informant file. If the informant is out of the area or otherwise cannot be contacted in person, close documentation of the advisement shall be made.

i) Unreliable Informant

Informants that do not complete their agreement, violate the terms, commit a crime, or are otherwise dismissed for actions or omissions that the supervisor identifies as detrimental to the investigation, shall be deemed unreliable. Unreliable informant files will be identified by with a closing letter describing the actions. The supervisor will cause the Western States Information Network to be notified of the informant and their unreliable status.

**4.A.7 Radio Communications** WASPC: 15.3

- a) Effective communications are essential to law enforcement. However, communications systems are only as effective as the people who operate them. For this reason, it is essential that members comply with established procedures and regulations in this area.
- b) All Office communications, including radio, telephone, teletype, and mail are reserved for official business and personal use shall be kept to an absolute minimum and incur no cost to the county.

**4.A.8 Notification**

a) Next of Kin

It shall be the responsibility of the Thurston County Sheriff's Office to, in a courteous and compassionate manner, make notification to the next of kin in cases of death, injury or serious occurrence of or to a member, whether on or off duty, while in performance of their sworn duties.

b) Office Members

It shall be the responsibility of the Sheriff or designee to notify the next of kin in the event of death, injury, or serious occurrence (illness included) of or to an office member.

c) Notification and Support

The notification will be made in person. The person making the notification will, if requested by the person being notified, to arrange for some kind of emotional support for the person being notified. This support includes, but is not limited to the Office chaplain(s), psychologist, and/or other personnel as requested.

d) Notification of Sheriff

It shall be the responsibility of the shift supervisor to notify, through the chain of command, the Sheriff, or designee of the incident.

e) Release of Information to Media

The name of the deceased/injured/involved Deputy or other office member shall not be released to the news media and/or public until all survivors residing in the immediate area are notified.

- 1) Survivors are the immediate family members of the deceased and/or injured member, to include spouse, children, parents, siblings, fiancée, and/or significant other (to include ex-spouse as may be deemed appropriate).

f) Emergency Notification Form



Each Office member shall complete an emergency notification form so that the Administration is aware of the wishes of the member and can notify the appropriate individuals in emergency situations. The office will adhere to the written wishes of the member as previously documented on the form, as best as is possible to accomplish.

- 1) These forms will be kept at the Sheriff's Office in the individual member's personnel file.
- 2) It will be in an envelope which may be sealed if the member so desires.
- 3) It shall be the responsibility of the individual member to keep the form current.

g) Appointment of Member Support

The Sheriff or designee shall appoint one or more members to provide the survivor(s) with the needed support services. These services shall include, but not be limited to:

- 1) Transportation to and from the hospital and/or funeral home/cemetery.
- 2) Coordination of survivor benefits.
- 3) Media relations liaison.
- 4) Emotional support and assistance.
- 5) Victim assistance liaison.

h) General Public

It shall be the responsibility of the Thurston County Coroner to make next of kin death notifications to or for the general public. The Thurston County Sheriff's Office may be called upon to assist.

i) Notification by Members

In the event that members are directed to make said notifications, they shall do so in a professional and compassionate manner. This shall also apply to incidents of serious injury and/or occurrence.

j) Notification of Serious Injury/Occurrence

In the event of a serious injury or occurrence, the Shift Supervisor shall determine the appropriate individual to make the notification.

k) Out-of-County Notification

If an out-of-county notification of death or serious injury/illness is requested, the request shall be verified and documented. The Shift Supervisor shall determine the appropriate person to make said notification.

**4.A.9 24-Hour per Day Coverage WASPC: 15.1**

a) Leaving Area of Service

When a deputy leaves his/her assigned area, the on-duty supervisor and Dispatch will be advised. Deputies will return to their assigned area as soon as possible and will remain responsible for area calls when out of the area.

b) Alternate Response to Calls

When a deputy is out of position to quickly respond to a call in their assigned area, or another deputy is closer to the call and volunteers to take the call, the Shift Supervisor will be responsible for deciding which unit will respond to the call.

c) Crime Scene Responsibilities / Upon arrival at any crime scene, Deputies shall:

- 1) Protect the crime scene
- 2) Render first aid to injured parties.
- 3) Arrest the suspect(s), if present.
- 4) Gather initial information from victim(s)/witnesses.
- 5) Advise the supervisor of any needed assistance.

d) Felony-in-Progress Calls

The response and actions in felony in-progress calls must be decided based upon the individual incident since a standard rule does not apply to all occasions. The Shift Supervisor is responsible for the proper response and actions by deputies in these situations.

e) Bomb Threat Incidents

It is the policy of this office to handle each incident as an actual bombing attempt until such time as sufficient evidence exists to the contrary.

f) Summoning of Paramedics

Paramedics will be summoned to death scenes by deputies, unless there is decapitation, postmortem lividity, or obvious signs of rigor or algor mortis of the body in question.

g) It is the policy of the Thurston County Sheriff's Office that deputies shall not routinely respond to Fire Service calls unless a legitimate law enforcement situation exists. Examples of such situations may include, but are not limited to: actively unruly or violent individuals who present a danger to fire service personnel, individuals who are armed, dangerous animals and crime scenes.

h) Determination of Death – Natural Causes

Once it is determined that a death has occurred, and that it is a result of natural causes, deputies will contact the Coroner's Office and refer the case to them.

i) Authorization to Remove Body

The Coroner will be contacted, and authorization will be sought to remove the body. If no relatives can be contacted, determination of where the body will be sent shall rest with the Coroner.

j) Determination of Death – Not by Natural Causes

Once it is determined that a death has occurred, and that it is a result of causes other than natural, deputies will treat the incident as a homicide.

- 1) The crime scene will be protected.
- 2) The appropriate investigative and staff members will be notified by the Shift Supervisor.
- 3) A determination will be made as to whether a crime has been committed.

k) Arrest, Booking WASPC: 2.3, 2.4, 2.5, 19.4, 19.5

When a crime is committed, deputies are to initiate a prompt and thorough investigation and to make every reasonable effort to identify and arrest the violator. In carrying out these responsibilities, deputies will not infringe upon the constitutional rights of any person.

- 1) Normally all Deputies shall conduct a “” search incident to arrest at the scene of the arrest. Searches of this nature should be conducted by a Deputy of the same sex as the prisoner, whenever practicable.
- 2) Prior to entering any security area of the jail, all deputies will secure their weapons. No one except the deputy(s), transporting deputy(s), booking and identification deputy(s), (if applicable), and the prisoner shall be allowed in the booking area. No witnesses, victims, friends, or relatives of the prisoner shall be allowed into the security area of the jail.
- 3) Prisoners of opposite sex will not be placed in a cell together.
- 4) Prisoners will not be allowed to smoke in transit.
- 5) Deputies shall advise radio when transporting prisoners and that advisory shall include their destination, unless security is a consideration for concern.
- 6) The driver of the vehicle used to transport a prisoner shall immediately after such delivery search the transporting vehicle for weapons and evidence.

l) Treatment of Individuals Under Arrest

Reasonable medical treatment will be provided when necessary when the person taken into custody is ill or injured.

m) Use of Force in Making an Arrest WASPC:3.6

In the event that force is used and an individual is injured by a member of this office, the individual will be closely screened by the arresting deputy. If there is any question as to the health of the individual, aid personnel may be called to the scene before the individual is transported. A Use of Force Report will be completed prior to going out of service.

n) Searches of Prisoners WASPC 2.6, 19.5

Any strip search or body cavity search will be accomplished at the County Jail in accordance with their procedures, or as directed and outlined by a Search Warrant.

It is the duty of the arresting deputy to determine that the prisoner possesses no weapons or anything that could be used as a weapon. If for any reason the prisoner cannot be thoroughly searched before being turned over to another deputy, the arresting deputy will, without fail, make this act known to the person receiving the prisoner.

o) Advising Suspects of Their Rights WASPC: 2.4

Deputies are responsible for advising suspects of their constitutional rights, when required by current case law. Advising of rights must also take place prior to any custodial interrogation or the taking of any oral, written, video or tape recorded statements from suspects.

p) Notification of Legal Rights of Victims of Violence and Sex Offenses

Members will supply a listing of the rights, pursuant to RCW 7.69.030, or 7.69A.030 to child and adult victims of sexual and violent crimes.

q) Volunteered Statements

Volunteered and spontaneous statements by suspects are admissible as evidence and need not be preceded by a warning. However, any follow-up questioning initiated by a Deputy will be preceded by the proper warning.

r) Processing Persons in Custody WASPC: 19.1, 19.3

1) In the arrest, transportation, and detention of suspects, deputies will take precautions to prevent escape, injury to themselves and others, or damage to property. When making an arrest, they will search suspects carefully and will immediately take possession of all weapons and evidence. All prisoners will be handcuffed at the time of arrest, whenever possible.

2) Any time a prisoner is to be transported, the prisoner will be handcuffed. Neglecting to handcuff transported prisoners will be the responsibility and sole liability of the deputy who made the decision, and may subject the member to disciplinary action.

3) A deputy making a custodial arrest will transport the arrested individual or cause him/her to be transported to the jail to be booked, as soon as possible.

4) A deputy making an arrest is charged with the responsibility of determining whether the individual arrested is to be booked or released without full processing, and without having to post bail. It is important, therefore, that individuals be carefully screened to determine their eligibility, and secondly, that the identifying data obtained from them is accurate and complete.

5) Juveniles not involved in the specific case for which an arrest has been made will not be transported in the same vehicle as an adult arrestee. Violation of this rule will be grounds for disciplinary action.

s) Field Release

Adults charged with general misdemeanor offenses (other than traffic infractions), who are residents of this county or nearby areas, and who are, in the opinion of the arresting deputy eligible for field release may be issued a citation. Such persons may be released in the field without further processing.

1) Prior to release, the case number must be entered on the citation. The subject will be given a copy of the citation

t) Response to Product Tampering

It is the policy of this office to respond to information about product tampering so as to protect the safety of the public. We have the general duty of protecting the residents and citizens in our jurisdiction. We should see that medical or other assistance is rendered to victims, provide security for any crime scene, preserve evidence, and notify the appropriate government agencies and businesses.

u) Hazardous Material Incident

1) Such incidents often involve a serious threat to life or property. It is the policy of this office that evacuation of potential victims shall be considered the highest priority.

2) The primary Deputy on the scene will insure that innocent bystanders and motorists stay clear of potential danger, will secure the scene until fire personnel arrive, control traffic until relieved or the situation is resolved, and will report their actions to their supervisor.

3) Upon receiving information that a hazardous materials incident has occurred, the Shift Supervisor 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 office members.

4) Deputies will continue to respond to hazmat situations as required by law and office policy. Nothing in this policy is intended to prevent a deputy from assisting in public safety or emergency medical situations when that deputy is in close proximity to same and is not en route to a priority call. The deputy shall inform their supervisor of this response, and the supervisor will monitor the level and length of this involvement.

v) Lock-Out Calls

Deputies of the Thurston County Sheriff's Office will not respond to assist citizens who have locked their keys in their vehicles unless there are emergent or exigent circumstances. People who request this service should be instructed to call a local locksmith of their own choosing. Thurston County Sheriff's Office members will not call a locksmith for people needing that service.

1) Emergency or exigent circumstances include a car with a child locked inside; a running vehicle in a hazardous location; a single person alone late at night or in very inclement weather. Dispatch should determine the circumstances before automatically denying the service.

w) Sexual Offender Notification WASPC: 5.9

RCW 9A.44.130 authorizes a public law enforcement agency to release "relevant and necessary information regarding sex offenders to the public when the release of the information is necessary for public protection".

1) Once information relating to a sexual predatory offender is received from the state or any other source, several levels of dissemination should be considered depending upon the risk that the offender poses to the community.

x) Emergency Assistance

It shall be the policy of this office to offer reasonable assistance at all times to the stranded motorist.

y) Civilian Escorts

Members are not to use county vehicles in lieu of an ambulance except under the most extreme emergency conditions and when no other reasonable alternative exists.

z) Hazardous Road Conditions WASPC: 16.3

Hazardous road conditions, such as holes in the road and missing road signs, will be reported to the appropriate agency responsible for road maintenance, either Thurston County or Washington State. When the conditions warrant traffic control, the responding deputy shall remain at the scene until relieved by the appropriate road department or the patrol shift supervisor.

**4.A.10 Emergency Equipment** WASPC 15.2, 15.5

- a) The use of emergency equipment by members of the Thurston County Sheriff's Office shall be in compliance with RCW 46.61.035.
  
- b) **Emergency or Hazard Lights**  
Emergency lights and/or hazard lights will normally be left on during traffic stops or where any part of traveled portion of the roadway is obstructed. Spotlights may be used to illuminate a stopped vehicle.
  
- c) **Units Authorized to Use Emergency Responses**  
Only the primary responding unit and their initial back-up unit will use emergency responses, unless otherwise directed by their supervisor.
  
- d) **Notification of Response Options**  
Members using response options will advise CAPCOM of their response, from where, and what type of response. Supervisors will monitor emergency responses and may modify or cancel units, as necessary.
  
- e) **Training**  
Entry-level FTO training and periodic EVOC Refresher update training will occur to remind deputies assigned with vehicles of their civil responsibilities and lawful use of Thurston County Sheriff's Office emergency equipment.

**CHAPTER 4 SECTION B ~ HATE CRIMES**      WASPC 17.5

*It is the policy of the Thurston County Sheriff's Office to safeguard the state and federal rights of all individuals irrespective of their race, color, religion, ancestry, national origin, gender, sexual orientation, or mental, physical, or sensory handicap. Any acts or threats of violence, property damage, harassment, intimidation, or other crimes designed to infringe upon these rights are viewed seriously by the Sheriff's Office. This Office will use all available resources to identify the perpetrators, and take appropriate enforcement action.*

*Also, each deputy must be sensitive at recognizing the particular fears and distress typically suffered by victims of these crimes, the potential for reprisal and escalation of violence and the possible far-reaching, negative consequences of these acts on the community and the Office.*

*Maliciously or intentionally causing physical injury to a victim or another person, causing physical damage, to or destruction of the property of the victim or another person or threatening a specific person or group of persons and placing that person, or members of the specific group of persons, in reasonable fear of harm to person or property because of his or her perception of the victim's race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity, marital status, political ideology, age, parental status, mental, physical or sensory handicap.*

**4.B.1 Investigations**

- a) Initial investigations to act(s) constituting Hate Crimes are processed as any other criminal act.
- b) When the investigation is complete and a decision on criminal charges is to be made officers should consider charging Malicious Harassment under RCW 9A.36.080. Certain offenses may also be violations of Federal Law and the Thurston County Prosecutor should be consulted in those events as to the possibility of charging the defendant in Federal Court.
- c) Any reports of hate or bias motivated activity are reported to the Washington Association of Sheriffs and Police Chiefs on the Office's monthly UCR/IBR Report

**4.B.2 Definitions**

- a) Hate Crime: Any unlawful action designed to frighten, harm, injure, intimidate, or harass an individual, in whole or in part, because of a bias motivation against the actual or perceived race, color, religion, ancestry, national origin, gender, sexual orientation, or mental, physical, or sensory handicap. Burns a cross on property of a victim who is or whom the actor perceives to be of African American heritage; or defaces property of a victim who is or whom the actor perceives to be of Jewish heritage by defacing the property with a swastika.



- b) Race: A group of persons who possess common physical characteristics (e.g. color of skin, eyes and/or hair, facial features, etc.) genetically transmitted by descent and heredity that distinguish them as a distinct division of humankind.
- c) National Origin: A group of persons of the same race or national origin who share common or similar traits, languages, customs, and traditions.
- d) Religious Group: Any persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.
- e) Sexual Orientation: for the purposes of this section means heterosexuality, homosexuality, or bisexuality.
- f) Mental, Physical, or Sensory Handicap. (See RCW 9A.36.080 Malicious Harassment)

**CHAPTER 4 SECTION C ~ RACIAL PROFILING**

WASPC 13.3

*The purpose of this policy is to set forth the Thurston County Sheriff's Office commitment to unbiased policing, to set forth those circumstances in which deputies can consider race/ethnicity when making law enforcement decisions, and to provide guidance in procedures that serve to assure the public that we are providing service and enforcing laws in an equitable way.*

**4.C.1 Condemnation** WASPC: 2.5

- a) No person shall be singled out or treated differently as a consequence of his/her race/ethnicity. All investigative detentions, traffic stops, arrests, searches and seizures of property, and asset seizure and forfeiture proceedings, will be based on a standard of reasonable suspicion or probable cause as required by the Fourth Amendment of the U.S. Constitution, Article 1, Section 7 of the Washington State Constitution, as well as relevant statutes or case law. Deputies must be able to articulate specific facts and circumstances that support reasonable suspicion or probable cause for traffic stops, investigative detentions, arrests, or search and seizures.
- b) Except as herein provided, deputies shall not consider race/ethnicity in establishing either reasonable suspicion or probable cause. Deputies may, however, take into account the reported race/ethnicity of a specific person based on credible or reliable information that links specific suspected unlawful activity to a particular individual or group of associated individuals of a particular race/ethnicity, in the same way they would use specific information regarding age, height, weight, etc. Race/ethnicity can never be used as the sole basis for probable cause or reasonable suspicion.

**4.C.2 Preventing Perceptions of Racially Biased Policing**

- a) In an effort to prevent perceptions of racially biased policing, deputies shall utilize the following strategies when contacting individuals:
  - b) Be courteous and professional.
  - c) Introduce them and explain to the person the reason for the contact as soon as practical, unless providing this information will compromise the investigation or the safety of deputies or other persons.
  - d) Ensure that the length of the contact is no longer than necessary to take appropriate action for the known or suspected offense and that the person understands the purpose of reasonable delays.
  - e) Answer any questions the person may have, including explaining options for the disposition of traffic citations, if relevant.

- f) Provide your name and call sign when requested.
- g) Apologize and/or explain if it is determined that the person contacted is not involved or was mistakenly identified.

#### **4.C.3 Violations**

- a) Any reported violations of this policy will be investigated and may result in disciplinary actions consistent with established office policy.

#### **4.C.4 Supervisor's Responsibility**

- a) Supervisors shall ensure all members of their command are familiar with the content of this policy and are operating in compliance.

#### **4.C.5 Training**

- a) The Sheriff's Office will provide training regarding racially biased policing to include current issues, trends, and legal updates.
- b) The purpose of this training will be to not only communicate the prohibition against racially biased policing, but to also provide staff with information regarding how the public perceives law enforcement practices as being biased based.

#### **4.C.6 Review**

- a) An annual review of this policy and racially biased policing in general will be completed by the Undersheriff and the Chief Deputy of Field Operations.
- b) The review shall include documentation of training, any racially biased policing issues which were addressed during the review period, and any complaints alleging racially biased policing.

**CHAPTER 4 SECTION D ~ ALARMS**

*Assignment of responding personnel to robbery or alarm situations will be governed by the details known to the dispatcher and deputies at the time of the call.*

*Deputies should be as familiar as possible with alarmed buildings and potential robbery sites within their normal patrol areas. The safety and well being of innocent civilians who are the victims of crime in these situations shall be the top priority of Deputies. The apprehension of suspects, recovery of property, and other factors involved will be of secondary consideration.*

*Deputies should be mindful to avoid creating a hostage situation by taking any action to force a suspect back inside a robbery scene. Rather, deputies should not jeopardize citizens and may consider staying out of sight until a safe apprehension can be effected.*

**4.D.1. Response Business**

- a) The Sheriff's Office will respond to all business alarms whether they are silent or audible. Supervisors may direct or approve the type of response for the situation.
- b) Silent
  - 1) Deputies may respond CODE 2 to the dispatched location and take up containment positions around the business.
  - 2) The positions should afford a view of the front and back doors to the business. Most containment can be accomplished with two deputies at opposing corners of the business.
  - 3) The deputies should remain out of sight and find a location that provides ample cover. The deputies will observe the business for suspicious activity.
  - 4) Once containment is set deputies should have dispatch call inside the business to contact the occupants. Dispatch will advise if someone in the business has been contact and the status inside.
  - 5) Deputies will direct dispatch as to which door of the business the contact person should come out and have them obtain a description.
  - 6) There are two resolutions to this response
    - (a) False alarm – Deputy will clear the call with resolved.
    - (b) Alarm / Crime Committed – Deputy will handle the call until it is resolved and clear with a report.

c) Audible

1. Deputies may respond CODE 2 to the dispatched location and take up containment positions around the business.
2. The positions should afford a view of the front and back doors to the business. Most containment can be accomplished with two deputies at opposing corners of the business.
3. The deputies should remain out of sight and find a location that provides ample cover. The deputies will observe the business for suspicious activity.
4. Once containment is set deputies will have dispatch call inside the business to contact the occupants. Dispatch will advise if someone in the business has been contact and the status inside.
5. Deputies will direct dispatch as to which door of the business the contact person should come out and have them obtain a description.
6. There are two resolutions to this response
  - (a) False alarm – Deputy will clear the call with resolved.
  - (b) Alarm / Crime Committed – Deputy will handle the call until it is resolved and clear with a report.

**4.D.2. Response Residential**

a) The Sheriff's Office will respond under the following circumstances:

1. If there is verification by the subscriber or a responsible party that there is a break in or crime in progress at the residence;
2. If the alarm is a panic or duress alarm;
3. If the deputy is not assigned to a call and is in close proximity. Supervisors may direct or approve the type of response for the situation.

b) Audible

1. Dispatch will take the call and dispatch it over the air as information only.
2. If there is a subscriber or contact person on scene and they discover a crime, the area car will be dispatched to the location.

3. Deputies will not run code to an audible alarm unless it is determined by verified response from a subscriber / contact person that a crime has been or is being committed. In the event of a crime in progress the deputy will respond according to the level of crime. (Code 2 or Code 3).
  4. If no subscriber or contact person is available the deputy will respond if they are in the area and they have no other pending calls for service.
  5. There are two resolutions to this response
    - (a) False alarm – Deputy will clear the call with resolved.
    - (b) Alarm / Crime Committed – Deputy will handle the call through until it is resolved and clear with a report.
- c) Silent / Panic / Duress
1. Deputies will respond to all residential silent / panic/ duress alarms.
  2. Deputies may respond code 2.
  3. Upon arrival deputies will take up containment positions around the residence and observe activity. Usually a residence can be contained with two deputies at opposing corners of the structure.
  4. Have dispatch call into the location to establish contact. If contact is made determine what is happening inside.
  5. Advise dispatch which door you want the occupants to come out and obtain a description.
  6. The deputy will make a determination as to whether a crime has been committed or not.
  7. If the duress / panic alarm was a call for medical purposes deputies will notify the appropriate aid for response.
  8. There are three resolutions to this response
    - (a) False alarm – Deputy will clear the call with resolved.
    - (b) Alarm / Crime Committed – Deputy will handle the call through until it is resolved and clear with a report.
    - (c) Medical Alarm – Appropriate Fire/Medical handled

## **CHAPTER 4 SECTION E ~ WARRANTS**

### **4.E.1 Approval for Search Warrant**

- a) No member of this office shall apply for any Search Warrant without knowledge and approval of the Shift Supervisor of the shift or division to which they are assigned.

### **4.E.2 Execution of Warrant**

- a) The warrant will be executed within the time limits set by the judge and returned to the court.
- b) The appropriate copies will be provided to the individual suffering the search or left on the premises.
- c) The original Search Warrant should be shown to the individual suffering the search, when applicable.

### **4.E.3 Service**

- a) In applying for and executing warrants, members will abide by relevant statutes and office procedures. In serving warrants on individuals, members will proceed to secure custody of the individual(s) in an efficient manner and with due regard for safety.
- b) When serving a warrant out of our jurisdiction, members will notify the controlling law enforcement agency of the intention to serve the warrant and request their cooperation.

### **4.E.4 Warrant Service (Under \$1,000) (Warrants \$1,000 or more must be booked)**

*Persons may qualify for the "Release from Custody" – Personal Recognizance (P.R. release) if they are defendants in warrants issued in District Court for bail amounts of \$999 or less, and, the individual warrants are NOT for crimes of violence, sex offenses, Domestic Violence related, or DUI. The following process will be used to facilitate this option:*

- a) Warrants Division
  - 1) Receive the warrant and confirm that it falls within the P.R. criteria.
  - 2) Work-up the warrant for the Patrol Division. This work-up will include a warrants worksheet and have attached to it two (2) photocopies of each warrant covered on the warrant worksheet.
  - 3) The resulting packet will be forwarded to Patrol for action.
  - 4) Process all returned paperwork for the court.

b) Patrol Division

- 1) Receive and assigned to a Patrol Deputy as time allows.
- 2) Once a Patrol Deputy contacts said defendant, the deputy will serve the warrant by:
  - (a) Confirm the warrant with dispatch.
  - (b) Read the photocopy of the warrant to the defendant.
  - (c) Sign both photocopies of the warrant.
  - (d) Leave one photocopy of the signed-off warrant with the defendant.
  - (e) Retain one photocopy of the signed-off warrant to be returned to the warrants division.
  - (f) Return the warrants worksheet to the warrants division.
  - (g) Fill-out the "Release from Custody" form, leaving the goldenrod copy with the defendant and returning all other copies to the Warrants Division.
  - (h) Have the warrant removed from the Washington State Patrol ACCESS System.  
During business hours, this can be accomplished by contacting the warrants division.  
At all other times, this can be done by contacting dispatch.
- 3) Patrol will report back all activity on warrant packets that have been sent to patrol and make sure P.R.'d warrant paperwork is sent back to the Warrant Division via the normal paperwork flow before the end of shift on the day the P.R. is made.

c) P.R. Release Instructions:

- 1) P.R. Less \$1,000 WARRANTS:  
P.R. for Tuesday or Thursday at 10:00 am.  
P.R. date must be at least 2 days from service and within the next 2 weeks of warrant service.
- 2) LEA & Case Number  
Fill-in information from the warrant's "COURT CASE NO." box. Be sure to include the law enforcement agency abbreviation.
- 3) Interpreter or needed:  
P.R.'d for Tuesday of the following week at 9:30 am (INDICATE LANGUAGE) check the "INTERPRETER NEEDED" box "YES".



- 4) Date  
Fill-in the date that the warrant was served.
- 5) Signature of Defendant  
Have the defendant sign on the defendant signature line.
- 6) Name / D.O.B.  
Deputy prints the defendant's name and date of birth.
- 7) P.R. Box  
This is the only box that the Deputy should check.
- 8) Warrant removed from ACCESS  
Contact the T.C.S.O. Warrants Division during business hours to accomplish this.  
Contact dispatch (TCOMM) at all other times.
- 9) Turn in all paperwork  
Turn in all related paperwork prior to the end of shift in the normal paperwork process.

## **CHAPTER 4 SECTION F ~ ANIMAL CRUELTY**

### **4.F.1 Team**

- a) A trained group of Deputy Sheriffs who will assist with animal cruelty/neglect complaint incidents by conducting the follow-up investigations, obtaining and executing search warrants and preparing cases for criminal prosecution.
- b) Each member will receive specialized training for the health and safety of animals and proper investigative techniques for these cases.
- c) This group will be referred to as the Animal Cruelty Team (A.C.T.)

### **4.F.2. Team Members**

#### a) A.C.T. Team Supervision

- 1) The A.C.T. will be supervised by a Patrol Division Sergeant or Lieutenant who is assigned by the Patrol Division Captain
- 2) The A.C.T. supervisor will:
  - 3) Assign Animal Cruelty Investigations and follow-up investigations.
  - 4) Train A.C.T. deputies in evaluating and investigating Animal Cruelty.
  - 5) Evaluate and assign necessary resources for an appropriate response to Animal Cruelty Investigations.
  - 6) Assist A.C.T. unit deputies with investigations when necessary
  - 7) Track case assignments and review cases to ensure an appropriate disposition of the investigation(s).

#### b) A.C.T. Members

- 1) A.C.T. unit deputies are individual patrol deputies selected and assigned to each shift in order to provide support and expertise to animal neglect / cruelty cases. A.C.T. deputies will conduct follow up investigations and serve as the primary investigators for animal cruelty cases when dispatched to the call or assigned.

- 2) The A.C.T. will consist of up to three (3) deputies from each patrol shift selected by the Patrol Captain and/or his designee from volunteers. The A.C.T. is not a specialty team and no additional benefits are authorized for members.

#### **4.F.3 Initial Response to Animal Complaints**

- a) When a patrol deputy receives an animal cruelty/neglect complaint they will respond to the scene and conduct an investigation:
- b) The patrol deputy will attempt to contact the owner or person(s) responsible for the animal(s) and obtain permission to look at the suspected neglected / abused animal(s).
- c) The patrol deputy will be looking for any obvious indications of neglect, checking for food, water sources, adequate shelter, and basic health body condition.
- d) If the patrol deputy does not observe anything obvious indicating a possible neglect / abuse, the deputy shall record the contact information and observations in the CAD call computer notes and resolve the complaint.
- e) When a patrol deputy responds to an animal complaint and observes obvious conditions of cruelty and/or neglect:
- f) The deputy shall take photographs (unless completed by another person on scene) of the animal(s) and the surrounding conditions in which the animal(s) lives in.
- g) The patrol deputy will write a detailed report with all suspect(s) / owner(s) information, detailed information concerning the deputy's observations and any other information that the deputy deems necessary for a continued investigation.
- h) The patrol deputy shall notify the on-duty supervisor who will evaluate the circumstances to determine how best to proceed. Supervisors should respond to most situations to ensure the investigation is properly handled.
- i) The supervisor will gather all information necessary concerning the investigation and contact one (1) of the A.C.T. unit members assigned to the shift if necessary.
- j) The A.C.T. unit member will assist with the investigation as directed by the Supervisor
- k) If the on-duty supervisor is unsure if an immediate response is necessary or there is no A.C.T. unit member on duty to assist, the on-duty supervisor may also contact the A.C.T. unit supervisor to consult on the most appropriate immediate action.

- l) If no immediate action is necessary at the initial contact, a copy of the report will be forwarded to A.C.T. Supervisor for a follow-up review.
- m) Complaints will not be closed or resolved without proper notes being attached to the CAD entry or a report written. On-duty supervisors will assure that deputies receiving animal neglect / cruelty complaints follow this directive.
- n) All animal neglect / cruelty complaints (CAD reports) and RMS incident reports will be forwarded to the A.C.T. Supervisor for evaluation / assignment.

#### **4.F.4 Investigations**

- a) Animal neglect / cruelty cases that need to have further investigation will be assigned to an A.C.T. unit deputy. The intent of the A.C.T. unit is to investigate animal neglect / cruelty cases for prosecution and / or conviction. With this in mind the A.C.T. unit deputy will:
  - b) Review the information provided to determine what needs to be investigated and what course of action is appropriate.
  - c) If the A.C.T. member does not have the expertise with the particular types of animal in question, the deputy will contact another A.C.T. member, Hooved Animal Rescue Thurston County (HARTC), Animal Services, or someone with the appropriate expertise.
  - d) A.C.T. members may need to obtain a search warrant to seize the neglected or wounded animal(s), search the property for evidence pertaining to the lack of food, inappropriate enclosure or confinement, evidence of cruelty such as blood or instruments used against the animal, photograph and video tape the scene, seize the animal(s), and complete an animal impound form.
  - e) If a search warrant is obtained, a copy of the search warrant, return of service / inventory and animal impound form will be left with the animal owner / responsible person. The original paperwork will be filed as required by the courts and Office policy / procedures.
  - f) A.C.T. members will conduct interviews of all parties (witness(s), veterinarian, and suspect(s)) at the scene and attempt to conduct follow- up interviews of potential witness(s), veterinarian, and suspect(s).
  - g) A.C.T. members will attempt to establish who owns or possesses the animal(s) and how long the animal(s) has been on the property.
  - h) If the A.C.T. deputy seizes any animal(s), they will fill out the appropriate seizure paperwork and notification forms.

- i) The seized animals will be turned over to the Thurston County Sheriff's Office designated livestock care agency or to joint animal services if domestic pets as appropriate.
- j) The A.C.T. unit deputy assigned to the case will, at the conclusion of the investigation, prepare a detailed case report that describes the condition of each animal and the condition of each animal's living area. The report will be forwarded to the A.C.T. supervisor for review and determination whether there is probable cause for criminal prosecution.

#### **4.F.5 Training**

- a) A.C.T. unit deputies will receive basic animal neglect / cruelty investigations training. Additional training will be made available as needed.
- b) The basic training will consist of animal neglect / cruelty identification (veterinarian's overview of signs of neglect and the seizure and body score forms usage), case investigations / preparation, animal seizure procedures, identification and use of available resources (Hooved Animal Rescue, Animal Services, Department of Agriculture), and prosecution requirements.

**CHAPTER 4 SECTION G ~ JUVENILE WASPC**  
**JUVENILE CUSTODY SITUATIONS; ARREST, ABUSE, CHILD WELFARE**

**4.G.1 Juvenile Arrests**

- a) Investigations involving juveniles do not differ from any other investigation in terms of either technique or procedure, except as provided below.
- b) For juveniles who have not violated the law but who are runaways, or dependent, or neglected children, deputies should take necessary action to protect the juvenile's welfare, consistent with RCW 13.32A, 13.34, and/or 26.44.050.
- c) Matters involving the investigation of juvenile delinquency and/or dependency shall be the responsibility of the Field Operations Bureau Chief.

**4.G.2 Release of Juveniles**

- a) In considering the release of juveniles, a deputy will determine the facts of the case, obtain all necessary report information, and will see that the juvenile can be released to the proper person.
- b) In the event that the parent or guardian cannot respond or be immediately located, the juvenile will be transported to a designated Child Protective Services location where the juvenile will be housed until the parent or guardian can be located.
- c) The juvenile may be released at the discretion of the shift supervisor to some other adult or relative, or be placed in the Youth Service Center if the juvenile is being detained for a criminal offense.
- d) Unless ordered by a court, no juvenile shall be released to themselves.

**4.G.3 Referral to Intake**

**a) Felony Arrests**

Where probable cause exists to believe a juvenile has committed a felony crime, the investigating deputy(s) will submit reports that accurately and completely articulate all of the facts and elements that support the charge. All juveniles arrested for felony offenses will be transported to the Thurston County Youth Services Center for processing. The case will then be forwarded to the Thurston County Prosecutor's Office for their consideration and disposition.

**b) Gross Misdemeanors and Misdemeanors**

All gross misdemeanors and misdemeanor cases shall be submitted to the Thurston County Prosecutor's Office for their consideration and disposition, where probable cause exists to believe a juvenile has committed an offense.

c) Completion of Juvenile Intake Report

The arresting deputy will follow current procedures for booking juveniles, as outlined by the Thurston County Youth Services Center.

**4.G.4 Juveniles In Custody**

*The Sheriff's Office will assure constitutional advisement of rights to juveniles, prompt placement in the juvenile facility, and system explanation to juveniles prior to interview or interrogation.*

a) Advisement of Rights WASPC: 2.4

All juveniles who have been taken into custody for a criminal offense shall be advised of their constitutional rights to counsel. Full Miranda notification shall be given, when necessary. The juvenile rights warning will be included in this advisement.

b) Administering of Medical Treatment

If, at the time the juvenile is taken into custody, an injury or medical problem is evident, medical treatment will take precedence over the investigation.

c) Incarceration

If a juvenile is to be incarcerated or placed out of the home, the action will take place as soon as practical.

**4.G.5 Juvenile Records** WASPC: 5.5, 5.8

a) The Chief Support Services Deputy is responsible to ensure that practices and procedures are established and followed pursuant to RCW 13.50. The collection, dissemination, and retention of juvenile information will be accomplished in accordance with the following provisions:

b) Collection

The collection of juvenile information by means of reports, field interviews, and arrest records.

c) Dissemination

Dissemination of juvenile records is governed by RCW 13.50, RCW 10, and RCW 13.40: The Juvenile Justice Act. Access to juvenile records is restricted to a need-to-know basis only. Information will only be released to criminal justice agencies that are authorized under state law to receive juvenile arrest information. Information pertaining to the name, address,

date of birth, telephone number, and parents' name is released to victims who are eligible to receive such information for the purpose of restitution. Juveniles who are arrested and their parents are permitted access to their own record upon demand to verify that record.

d) Retention

Retention of juvenile records is governed by the State General Records Retention Schedule, reference RCW 40.14.070 and WAC 414-24-050.

e) Sealing and Destruction of Juvenile Records

It is the policy of this office to comply with the minimum requirements of RCW 13.50.050 for the sealing and destruction of juvenile records.

**4.G.6 Child Abuse Reporting WASPC 17.3**

- a) All members of this Office are responsible for the proper reporting of child abuse. Any member who has reasonable cause to believe that a child has suffered abuse or neglect shall report such incident, or cause a report to be made, to the proper law enforcement agency or to the State Department of Social and Health Services (RCW 26.44.030).
- b) The report must be made at the first opportunity, but in no case longer than forty eight hours after there is reasonable cause to believe that the child has suffered abuse or neglect (RCW 26.44.030(1 )(e)).
- c) The report must contain the following information, if known (RCW 26.44.040):
  - 1) The name, address, and age of the child.
  - 2) The name and address of the child's parents, stepparents, guardians, or other persons having custody of the child.
  - 3) The nature and extent of the alleged injury or injuries.
  - 4) The nature and extent of the alleged neglect.
  - 5) The nature and extent of the alleged sexual abuse.
  - 6) Any evidence of previous injuries; including their nature and extent.
  - 7) Any other information that may be helpful in establishing the cause of the child's death, injury, or injuries and the identity of the alleged perpetrator or perpetrators.

**4.G.7 Unfounded Abuse**

- a) Members responding to incidents of suspected child abuse where it cannot initially be shown that a crime occurred shall document the incident in a general report as "unfounded".
- b) No suspected child abuse report is required if the incident is documented in a general or miscellaneous report.



- c) Information related to unfounded referrals in files or reports of child abuse or neglect may not be maintained for longer than six years and at the end of six years from receipt of the unfounded report, the information shall be purged unless an additional report has been received in the intervening period (RCW 26.44.031).

**4.G.8 Drug or Alcohol Related Driving Arrest of Parent or Guardian (RCW 26.44.250)**

- a) A law enforcement officer shall promptly notify child protective services whenever a child is present in a vehicle being driven by his or her parent, guardian, or legal custodian and that person is being arrested for a drug or alcohol-related driving offense.
- b) This section does not require law enforcement to take custody of the child unless there is no other responsible person, or an agency having the right to physical custody of the child that can be contacted, or the officer has reasonable grounds to believe the child should be taken into custody pursuant to RCW 13.34.050 or 26.44.050.
- c) For purposes of this section, "child" means any person under thirteen years of age

**4.G.9 Contacting Suspected Abuse Victims WASPC 17.3**

- a) Deputies should not involuntarily detain a juvenile suspected of being a victim of abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless any of the following apply:
  - 1) A reasonable belief that medical issues need to be addressed immediately.
  - 2) It is reasonably believed that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
  - 3) A court order or warrant has been issued.
- b) In all circumstances in which a suspected child abuse victim is contacted, it will be incumbent upon the investigating deputy to articulate in the related reports the overall basis for the contact and what, if any, exigent circumstances exist.
- c) Any juvenile student at school who is a suspected victim of child abuse shall be afforded the option of being interviewed in private or selecting any qualified available adult member of school staff to be present. The purpose of the staff member's presence is to provide comfort and support and such staff member shall not participate in the interview. The selection of a staff member should be such that it does not burden the school with costs or hardship

**4.G.10 Medical Exam WASPC 17.3**

- a) If the child has been the victim of sexual abuse requiring a medical examination, the deputy should arrange for transportation of the victim to the appropriate hospital

**4.G.11 Protective Custody**

- a) Members will take juveniles into custody whenever the juvenile has been harmed or is in danger of being harmed, and under circumstances authorized by state law. It is the policy of this Office that all Members will follow any current juvenile custody laws of the State of Washington.
- b) Office policy is that a deputy will take a juvenile into custody as a Youth at Risk if the juvenile is absent from parental custody without consent (which is required by RCW 13.32A.050); or the deputy reasonably believes, considering the juvenile's age, location and time of day, that the juvenile is in circumstances which constitute a danger to the juvenile's safety; or the agency legally required to supervise the juvenile has reported the juvenile runaway from placement; or the court has issued an order to take the juvenile into custody for violation of a placement order.
- c) The juvenile taken into custody shall be informed of the reason for such custody and transported home, to a designated crisis residential center or the home of a responsible adult. The name, address and telephone number of the parent, adult or agency accepting responsibility for the release shall be documented in the custody report, as well as verification that notice of appropriate services in the community has been completed. [Refer to RCW 13.32A.060 (1)].
- d) If a deputy places the juvenile with a responsible adult, other than the parent, the Department of Social and Health Services shall be immediately notified of the placement and the reason for taking the juvenile into custody. [Refer to RCW 13.32.070(1)].
- e) Whenever practicable, the deputy should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, deputies should contact a supervisor promptly after taking a child into protective custody.

**4.G.12 Arrest Procedures**

- a) When encountering an arrest situation deputies should make reasonable attempts to determine if the arrestee is responsible for minor dependent children.
- b) Inquire about and confirm the location of any dependent minor children.
  - 1) Look for evidence of children. Deputies should be mindful that some arrestees may conceal the fact that they have dependent children for fear their children may be taken from them.
  - 2) Inquire of witnesses, neighbors, friends, and relatives of the arrestee as to whether the person is responsible for a dependent child.

- c) Whenever possible, deputies should take reasonable steps to accomplish the arrest of a parent or guardian out of the presence of his/her child. Removing children from the scene in advance of the arrest will generally ensure the best outcome for the child.
- d) Whenever it is safe to do so, deputies should allow the parent to assure children that they will be provided care. If this is not safe or if the demeanor of the in custody parent suggests this conversation would be non-productive, the Deputy at the scene should explain the reason for the arrest in age appropriate language and offer reassurance to the children that both parent and children will receive appropriate care.

**4.G.13 Post Arrest**

- a) Whenever an arrest is made, the deputy should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered, dependent minor children.
- b) Deputies should allow the arrestee reasonable time to arrange for care of minor children. Temporary placement of the child with family or friends may be appropriate. However, any decision should give priority to a child-care solution that is in the best interest of the child. In such cases the following guidelines should be followed:
  - 1) Allow the person reasonable time to arrange for the care of minor children with a responsible party, as appropriate.
    - (a) Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), deputies should respect the parent's judgment regarding arrangements for child care. It is generally best if the child remains with relatives or family friends the child knows and trusts.
    - (b) Consideration regarding the child's familiarity with the surroundings, comfort, emotional state, and safety should be paramount.
    - (c) Except when a court order exists limiting contact, the deputy should attempt to locate and place dependent children with the non-arrested parent or guardian.
  - 2) Provide for the immediate supervision of minor children until an appropriate caregiver arrives.
  - 3) Notify the Department of Social and Health Services.
- c) If children are at school or at a known location outside the household at the time of arrest, the arresting deputy should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the parent's arrest and of the arrangements

being made for the care of the arrestee's children, and then record the result of such actions in the associated report.

- d) Deputies shall promptly notify Child Protective Services (CPS) whenever a child under age 13 is present in a vehicle and his/her parent, guardian, or legal custodian is arrested for a drug or alcohol driving offense in accordance with the department Child Abuse Reporting Policy.
- e) During the booking process the arrestee shall be allowed to make additional free local phone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the care of any minor dependent child. These phone calls shall be given immediately upon request or as soon as practicable and are in addition to any other phone calls allowed by law. Booking Deputy shall advise Corrections staff of child status at the time of booking.

#### **4.G.15 References and Definitions**

- a) Dependent Children – A deputy may take a juvenile into custody, without a court order, if there is probable cause to believe that the juvenile is abused or neglected and the juvenile 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. (Refer to RCW 26.44.050)
  - 1) Who has been abandoned; that is, where the child's parent, guardian or other custodian has evidence either by statement or conduct, a settled intent to forego, for an extended period, all parental rights or all parental responsibilities despite an ability to do so;
  - 2) Who is abused or neglected as defined in chapter 26.44 RCW by a person legally responsible for the care of the child;
  - 3) Who has no parent, guardian, or custodian capable of adequately caring for the child, such that the child is in circumstances which constitute a danger of substantial damage to the child's psychological or physical development; or
  - 4) Who has a developmental disability, as defined in RCW 71A.10.020 and whose parent, guardian, or legal custodian together with the department determines that services appropriate to the child's needs cannot be provided in the home. However, (a), (b), and (c) of this subsection may still be applied if other reasons for removal of the child from the home exist.
- b) Whenever a hospital administrator or physician, licensed pursuant to RCW 18.71 or 18.57, has reasonable cause to believe that a juvenile would be in imminent danger if released or left in the custody of a parent, guardian or custodian or other person, the administrator or

physician may notify law enforcement, who shall take the juvenile into custody and release the juvenile to Child Protective Services. [Refer to RCW 26.44.056(2)].

- c) Requirement for Written Notice by a Deputy – Members are required by RCW 26.44.110 to provide written notice to a parent, or in the residence of the parent if no parent is present, the reasons for the removal of the juvenile from the home and the telephone number of the local Child Protective Services office.
- d) Authority for Emergency and Routine Medical Consent – RCW 13.34.060 authorizes the supervising agency (generally DSHS) authority to consent for all necessary emergent and routine medical, dental, and psychological evaluations and care. Thus, the supervising agency is also responsible for the costs.
- e) Truants – A deputy taking a truant into custody, without a warrant, shall transport the juvenile to a person of parental relation to the juvenile or the school for which they are truant. (Refer to RCW 28A.225.060)
- f) Youth At Risk – (RCW 13.32A.030) means an individual under the chronological age of eighteen years who:
  - 1) Is absent from home for more than 72 consecutive hours without consent of the parent;
  - 2) Is beyond the control of the parent such that the child's behavior substantially endangers the health, safety, or welfare of the child or any other persons; or
  - 3) Has a serious substance abuse problem for which there are no pending criminal charges related to the substance abuse.
- g) Child Abuse or Neglect – (RCW 26.44.020) "Child abuse or neglect" shall mean the injury, sexual abuse, sexual exploitation, or negligent treatment or maltreatment of a child by any person under circumstances which indicate that the child's health, welfare, and safety is harmed thereby. An abused child is a child who has been subjected to child abuse or neglect as defined herein; PROVIDED, That this subsection shall not be construed to authorize interference with child-raising practices, including reasonable parental discipline, which are not proved to be injurious to the child's health, welfare, and safety; AND PROVIDED FURTHER, That nothing in this section shall be used to prohibit the reasonable use of corporal punishment as a means of discipline. No parent or guardian shall be deemed abusive or neglectful solely by reason of the parent's or child's blindness, deafness, developmental disability, or other handicap.

- h) Sexual Exploitation – (RCW 26.44.020) “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 for commercial purposes as those acts are defined by state law by any persons.
  
- i) Negligent Treatment or Maltreatment – (RCW 26.44.020) “Negligent treatment or maltreatment” means an act or omission which evidences a serious disregard of consequences of such magnitude as to constitute a clear and present danger to the child's health, welfare, and safety.

## CHAPTER 4 SECTION H ~ IN-CAR VIDEO

### 4.H.1 Definitions

- a) In Car Video Camera – this is a camera system mounted in patrol vehicles that records law enforcement activities and stores audio and visual information onto a storage medium.
- b) Storage Medium – this is a method of storing the video and audio recordings. The Thurston County Sheriff's Office currently uses a DVD recording system with a hard drive back up.

### 4.H.2. Use of In Car System

- a) Selected deputies are assigned the in car video system that is permanently mounted in their assigned patrol vehicle. The device is activated in several ways:
  - 1) Deputy activating the emergency lights of the patrol vehicle.
  - 2) Deputy can activate the record button on the overhead console.
  - 3) Deputy can remotely activate the record option by turning on the pager microphone.
  - 4) The machine will automatically turn on in the event of a collision and record. The device will record information 30 seconds prior to a motor vehicle collision.
- b) Deputies assigned the in car video system are required to use the device on all traffic stops and instances where subjects are either in front of the camera (front of the patrol vehicle), within audible recording range if the information is of evidentiary value or in the caged compartment of the patrol vehicle.

### 4.H.3 Traffic Stops

- a) The deputy will activate the emergency lights prior to all stop thus turning the in car video camera on (30 seconds prior to stop will be recorded automatically).
- b) The deputy will make contact with the driver of the stopped vehicle and ensure that the microphone is activated. The deputy will advise the driver that the traffic stop is being recorded with the following phrase: **“This stop is being audio and video recorded”**.
- c) The deputy will conduct the business of the traffic stop or other investigation and end the recording at the completion of the contact. The microphone shall remain on during the entire duration of the stop.

### 4.H.4 Other Situations – DUI Investigations / Pursuits / Arrests / Searches

- a) When dealing directly with a subject(s) the deputy will advise the individual that they are being audio and video recorded as soon as reasonably possible.

- b) It is important that in all of these investigative situations that the microphone be on whether it be the remote microphone or in cabin microphone. This will assist the deputy in obtaining valuable evidence that can be admissible in court at a later time.

#### **4.H.5 DVD Removal and Storage**

- a) Once the DVD indicator registers as full, the deputy assigned to the in car camera system, will transfer the information from the machine to the disk and retrieve the disk.
- b) The removed DVD will be placed into a white Thurston County Sheriff's Office Digital Media Storage envelope.
- c) The Deputy will indicate all criminal cases numbers associated with the DVD by writing the cases numbers on the outside of the envelope. The case numbers will be written on the case number line. The deputy will also write the type of criminal case(s) that are recorded on the DVD on the type of crime line located on the white envelope.
- d) They will write the start date and end date of the disk in the date space on the envelope (example 09-01-12 through 09-15-12). The deputy will also place his/her name in the area where it says deputy. No other information will need to be placed on the envelope.
- e) The DVD / envelope will be turned into the Administrative Lieutenant within the next working day. If not turned in due to it being a holiday or weekend the disk will remain in the deputy's possession.
- f) Administrative Lieutenant or Assigned Person
  - 1) When the administrative lieutenant or assigned person receives the DVD he/she will log the information onto an inventory sheet. The inventory sheets will be maintained as a permanent record kept in a file that is designated as the in car camera file.
  - 2) The storage of the DVD(s) will be in a locked file cabinet only accessible to the administrative lieutenant, designated person and the patrol captain.
  - 3) When a copy of the disk is required for court purposes the subpoenaed deputy will notify the administrative lieutenant as soon as possible so a copy of the DVD can be made. In some circumstances only the actual event (court case) may need to be copied. Again this function will only be performed by the administrative lieutenant or a qualified person.

#### **4.H.6 Copying of DVD(s)**

- a) The copying of DVD(s) will only be conducted by the administrative lieutenant or designated trained members. The following process will be followed:



- 1) The request for a copy of the DVD will go through the administrative lieutenant or patrol captain. When the request is received from the courts, or Prosecuting Attorneys Office the administrative lieutenant will verify the exact information or stop that is being requested.
- 2) The stop that is requested will be copied from the DVD onto another DVD. The new DVD containing just the traffic stop in question will be forwarded to the requesting party.
- 3) In certain instances where the specific event cannot be copied the entire DVD will be duplicated and submitted to the requesting party. There may also be instances where the Prosecuting Attorneys Office requests the entire DVD be copied which we will accommodate.
- 4) The original DVD will not be provided unless specifically requested by the Prosecuting Attorneys Office or subpoenaed by the courts.

#### **4.H.7 Duration of Storage of DVD(s)**

##### *Law Enforcement Records Retention Schedule - Version 6.0 (July 2010)*

- a) Recordings from Mobile Units – Incident Identified  
Recordings created by mobile units which have captured a unique or unusual action from which litigation or criminal prosecution is expected or likely to result, shall be retained until matter is resolved and until exhaustion of appeals processes then destroy.
- b) Recordings from Mobile Units – Incident Not Identified  
Recordings created by mobile units that have not captured a unique or unusual incident or action from which litigation or criminal prosecution is expected or likely to result, shall be retained for 90 days after date of recording then destroy

#### **4.H.8 Maintenance of In Car Video Camera**

- a) In situations where the in car camera or any component is in need of repair the assigned deputy will notify the administrative lieutenant immediately. The administrative lieutenant will make the necessary arrangements for repair at an approved vendor.
- b) Occasionally there may be a need to perform programming updates. This function will be performed by the administrative lieutenant or a qualified person.

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# Chapter 5

## Traffic Functions



- Section A ~ Traffic Functions
- Section B ~ Traffic Enforcement
- Section C ~ Vehicle Collisions
- Section D ~ Impounds and Towing

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**CHAPTER 5 SECTION A ~ TRAFFIC FUNCTION**

WASPC: 16

**5.A.1 Traffic Function**

- a) The Patrol Division of the Thurston County Sheriff's Office is responsible for the enforcement of traffic laws, the investigation of traffic collisions, and the direction of traffic when there is congestion or safety concern.
- b) Patrol Deputies will exercise enforcement actions through their discretionary powers with common sense judgment and fairness.
- c) Objectives
  - 1) The reduction of traffic collisions and injuries.
  - 2) The safe and expeditious flow of vehicular and pedestrian traffic.
  - 3) The public's voluntary compliance with traffic regulations.
- d) To accomplish these objectives, the Thurston County Sheriff's Office may:
  - 1) Attempt to educate the public of traffic regulations through programs intended to identify specific problems; i.e., the Citizen Speed Watch Program.
  - 2) Compile and make public traffic collision and injury statistics.
  - 3) Take enforcement action as needed, to include issuance of verbal and/or written warning notice, notice of infractions, and/or citation(s) and/or physical arrest.
  - 4) Engage in special enforcement programs and/or emphasis patrols singularly or with other law enforcement agencies DUI emphasis program.
  - 5) Give notices and warnings of changes in traffic regulations prior to taking enforcement action.

**5.A.2 Traffic Records System**

- a) The Sheriff's Office system of recording traffic collision and enforcement data is two-fold.
  - 1) Enforcement data will be channeled by the Records Division to the Chief of Field Operations.

- 2) Reportable data will be reported to the Washington State Patrol, who yearly shares with us a copy of the Abstract of Motor Vehicle Traffic Collisions.

### **5.A.3 Contents of Traffic Records System**

- a) The Sheriff's Office Records Section will maintain a traffic records system that includes the retention, processing, maintenance, release, and distribution of records.
- b) Maintenance of Traffic Information  
The Records Section shall maintain complete information of all traffic collisions and traffic citations, whether criminal or infraction in nature.
- c) It will be the responsibility of the Records Section to process all incoming traffic information in a timely manner. Traffic violation information will be logged as directed by the State Auditor.
- d) All traffic information will be maintained in the records management system and be available for review by all divisions in the Office for their use, as needed.
- e) Retention and Distribution  
Retention and distribution of traffic records will be in compliance with Washington State law.
- f) Release of Information  
Release of traffic information will be in compliance with public disclosure laws.

### **5.A.4 Traffic Report View**

- a) The Sheriff's Office will utilize a process of interaction between our Patrol Traffic Supervisor (or designee), the County Traffic Engineer, and the County Road Division Risk Management Officer in order to attempt to determine the causes or contributions of traffic collisions.
- b) The Patrol Supervisor will review and ensure that all traffic reports are forwarded to the Records Division. Data to be collected should include location, time, date, and any violation type.

## **CHAPTER 5 SECTION B ~ TRAFFIC ENFORCEMENT**

### **5.B.1 Traffic Law Enforcement**

- a) Members will take enforcement action when traffic violations of a possible or actual collision causing nature occur in their presence, or when probable cause exists upon investigation of a collision or criminal traffic matter.
- b) Members will use the following enforcement methods; a written notice of infraction/citation, written or verbal warning, or a custodial arrest for those traffic violations enumerated in R.C.W. 46.63.020.
- c) Enforcement of other traffic laws such as parking, equipment violations, and other non-hazardous violations is encouraged as assignment and/or workload permits. A N.O.I., written or verbal warning may be issued at the deputy's discretion

### **5.B.2 Special Considerations**

- a) Non-Residents  
Unless a traffic law is unique to our area, no immunity should be granted to any person because that person is not a resident of this community.
- b) Juveniles  
Juveniles sixteen and seventeen years of age can be cited and handled as adult violators. Juveniles under the age of sixteen cannot be issued traffic citations or notices of infractions. Information regarding the violation will be forwarded to the Prosecutor's Office in the form of a field investigation report. The deputy should make an attempt to contact the violator's parent or guardian and inform them of the violation.
- c) Legislators  
During the legislative session, legislators are, "privileged from arrest in all cases except treason, felony, and breach of the peace". (Article II, Section 16, Washington State Constitution). Legislators may be issued traffic citations and notices of infraction. They may also be taken into custody for the purpose of obtaining a breath test. Legislators should not be incarcerated for infraction or misdemeanor violations during the legislative session.
- d) Foreign Diplomats and Consulate Officers WASPC: 2.7  
Foreign diplomats and consulate officers may be issued traffic citations and notices of infraction. They may also be taken into custody for the purpose of obtaining a breath test. Should a question of proper protocol arise, we will contact the U.S. Department of State Operations Center at (206) 647-2412 (24hrs).
- e) Military Personnel

Military personnel may be issued traffic citations and notices of infraction. When a custodial arrest is made of military personnel, the arresting deputy should notify the individual's home base. If this is not possible, the deputy should contact the nearest base of the same branch of service and notify them of the detention.

f) Arrest and Detention of Other Foreign Nationals

Members will confer with supervision to assure that dealing with arrests and detention of Foreign Nationals follows the current U.S. Department of State Consular notification protocols.

**5.B.3 Information provide to Violators**

a) Upon issuance of a notice of infraction or citation, the deputy will inform the violator of the following:

- 1) The location of the court;
- 2) Whether or not the violation requires a mandatory court appearance;
- 3) The date of the court appearance, if applicable;
- 4) Whether the motorist may be allowed to enter a plea and/or pay a fine by mail or otherwise;
- 5) The location of the instructions on the front and back of the infraction or citation.

**5.B.4 Uniform Enforcement**

*The following uniform enforcement policies regarding the below enumerated traffic violations are necessary in order to provide a fair and reasonable approach to traffic enforcement, and to promote the public acceptance of traffic enforcement.*

a) Driving Under the Influence of Alcohol/Drugs

Because of the negative impact on society by the impaired driver, it is the Office's policy to vigorously seek out and arrest the impaired driver.

b) Speed Violations

A Notice of Infraction or a written or verbal warning may be issued at the deputy's discretion.

c) Other Hazardous Violations

Deputies will take enforcement action upon witnessing traffic violations of a possible or actual collision-causing nature.

d) Equipment Violations

Normally, warning citations will be issued for first offense equipment violations, unless the violations create a likely hazard to the public, then a notice of infraction may be appropriate.



e) Non-Hazardous Violations

Deputies are encouraged to work non-hazardous violations as assignment and work load permits.

f) Multiple Violations

No more than three (3) violations will be written on one citation form. Infractions and misdemeanors will not be cited on the same form. All traffic violations arising from the same incident should be cited into the same court.

g) Newly Enacted Laws and/or Regulations

Normally a period of public information and/or warnings will take place before written citations are issued regarding newly enacted laws and/or regulations.

**5.B.5 Reports**

- a) Traffic citations; arrest, collision, and all other supplemental reports, will be completed and turned in before deputies go off shift unless given specific approval by their supervisor.
- b) Reports in which a suspect is booked into the jail or juvenile facility must be completed before the member goes off shift.
- c) Following approval by the shift supervisor, the above paperwork is routed through the Detective Supervisor for proper dissemination.

**5.B.6 Contact with Traffic Violators**

- a) Deputies should maintain a positive and courteous demeanor when contacting traffic law violators, and shall present a professional image to the public during traffic stops by their dress, grooming, language, bearing and emotional control.

**5.B.7 Speed Measuring Devices**

- a) Speed measuring devices, referred to as radars may be used by Deputies for traffic enforcement when in compliance with this policy.
- b) Radar Operation Training  
Deputies will not operate traffic radar devices until they have satisfactorily completed an approved Radar Operator course, or Office provided training, and have had practical experience supervised by a qualified radar operator. Upon notification of completion, the training deputy will enter the training in the deputy's training file.
- c) Use of Devices  
Traffic radar devices will be used in accordance with the manufacturer's recommendations and instruction by State certified instructors.

d) Calibration Check

Radar operators will check the calibration of the radar units in the course of their use. Radar units that do not calibrate correctly, or have any other malfunction, will be immediately taken out of service and the Patrol Captain notified.

e) Routine Maintenance

Routine maintenance and certification of radar units will be done before a new unit is placed into service, and at least every two years for existing units.

f) Maintenance and Certification Records

The traffic unit supervisor will maintain all radar maintenance logs and certification records and will ensure that all radar devices are properly maintained and certified, as well as maintain a manual for each different type of radar the Office uses.

**5.B.8 Traffic Citations WASPC: 5.7**

a) Deputies shall utilize the standard uniform citation issued by the office when taking enforcement action on infractions and misdemeanor criminal violations, unless a SECTOR unit is installed in the patrol vehicle. Properly completed citations must be submitted by the end of each shift.

- 1) All citations for criminal violations must be accompanied by a written report regarding this incident.
- 2) Records members will issue citation books to deputies who shall sign for them and accept responsibility for their safekeeping. Copies of all issued citations shall be maintained by records members. All citation books will be sequentially numbered, and a record shall be kept of which citations are issued to which deputies. Each citation is accountable by the deputy. Discrepancies will be explained to the Records Division so a proper notation can be logged.

b) Lost or Stolen Citations

If a citation or citation book is lost or stolen, the deputy to whom it was issued will immediately notify his supervisor and submit a memo explaining the circumstances. The supervisor will forward the memo through the chain of command to the Chief Civil Deputy.

c) Spoiled Citations

In accordance with RCW 46.64.010, citations not used, or citations which have been changed for any reason will be notated "spoiled". They must be complete with all four copies present and they must contain a brief statement as to why they are spoiled citations. They shall also bear the signature of a supervisor and be witnessed by another person. It should

be noted that at no time will a traffic citation be written to an individual and then canceled by the member without reason. Once the citation is "issued" it can only be disposed of by the court into which the citation where the defendant has either signed or has been booked for an offense and has been given their copy.

d) SECTOR

SECTOR citations will be handled as trained. The operation in Sector for voiding the citation will be followed; a proper explanation will be submitted to the supervisor.

**CHAPTER 5 SECTION C ~ TRAFFIC COLLISIONS**      WASPC: 16.1**5.C.1 Reporting and Investigating Collisions**

- a) All collisions that are investigated by a Deputy will be documented on a Traffic Collision Report. The responsibility for investigating all traffic collisions occurring on state highways, interstates, and freeways will belong to the Washington State Patrol.
- b) Minor or non-injury collisions occurring on county roads will be investigated by the Sheriff's Office. The Washington State Patrol may be requested whenever a supervisor approves, depending on expertise required.
- c) Traffic Fatalities/Vehicle Homicide – Whenever a traffic collision results in death or there is reasonable cause to believe that injuries sustained are likely to cause death, the collision will be investigated by the Washington State Patrol, whenever possible; otherwise, the Sheriff's Office Traffic Specialist will be requested by the on-duty supervisor to investigate, due to their expertise.
- d) In the event of serious injury and/or fatality, it is the Shift Supervisor's responsibility to see that County Risk Management is notified.
- e) Blood and urine tests will be requested and/or taken per current procedures and requirements, as defined by the RCW.

**5.C.2 Public Roadway Vehicle Collisions**

- a) Deputies will respond to all reportable collisions as defined by R.C.W. 46.52.030. Deputies should also respond to collisions where there is impairment of an operator due to alcohol and/or drugs, damage to public property or vehicles, or if the collision is causing a traffic problem.
- b) Deputies arriving at a collision will first determine if there are injuries. The deputies will request aid and render first aid until relieved by fire or other trained medical personnel. For collisions or any other incident involving hazardous materials or fire, deputies will evaluate the scene, notify the fire department, and evacuate personnel as necessary.
- c) The Washington State Patrol Collision Report Form is the only approved collision report form. Deputies will complete a Washington State Collision Report on all collisions occurring on a public roadway that involve:
  - 1) Death or injury
  - 2) Hit and run
  - 3) Damage in excess of \$750.00

d) Other Collisions on Public Roadways

When a collision does not meet the above reporting requirements on a public roadway a deputy will respond to verify that it is a non-reportable, non-injury collision and that drivers have valid drivers' licenses and insurance. No collision report will be written or completed unless deemed necessary by the responding deputy or the on-duty supervisor.

e) Exigent Circumstances

On-duty supervisor has the ability to suspend deputy response to non-injury and non-blocking collisions that meet or exceed the damage amount threshold under the following circumstances:

- 1) Extreme Weather Conditions – In situations where the weather has created road conditions that are causing a large number of collisions on public roadways.
- 2) Emergency Situations – In situations where there may be a natural disaster or other event causing law enforcement personnel to focus their resource on the emergency situation. In these types of situations the on-duty supervisor has the authority to restrict the type of calls being dispatched to injury collisions, collisions where a crime has been committed and blocking collisions only. When the on-duty supervisor chooses to impose the exigent circumstances clause they will notify the dispatch supervisor and relay the changes. Once the event has calmed or normalcy has been restored the on-duty supervisor will reinstate our normal response as soon as possible.

f) All traffic collision reports taken by members of this office shall be forwarded to the Shift Supervisor for approval then forwarded to the Records Section for data entry into the Records Management System. Deputies will use the Washington State Patrol Police Traffic Collision Report as the standard method of reporting traffic collisions in which the damage to property/vehicles is greater than \$750, and/or injuries are reported.

g) A State of Washington Vehicle Collision Report (citizen report packet) may be provided to a citizen reporting a non-injury collision that they were involved in, which packet they complete and send to the Washington State Patrol, under the following circumstances (case number may be provided but is not necessary):

- 1) The collision is reported with delay and the scene no longer exists to evaluate (vehicles removed or damaged property already repaired, etc.) ;
- 2) If more than one vehicle was involved, drivers or owners exchanged information, or if vehicle versus property, the driver or vehicle owner provided necessary information per RCW to the property owner;
- 3) No crime appeared to have occurred (reckless driving, hit and run with property damage, suspended driver, etc.).

h) Hazardous Materials

The Patrol Supervisor will notify the chain of command and the Washington State Patrol, who will be the lead agency in hazardous materials spills on county roadways or rights of way. The Patrol Supervisor will also notify the Thurston County Public Works Risk Management Investigator for assessment of county liability and responsibility.

- i) Hit and Run & Driving Under the Influence Collision Scenes  
Completed police reports will be submitted to the Patrol Supervisor prior to the end of shift on all matters involving DUI or hit and run.
- j) High Visibility Vests WASPC: 8.4  
Anyone who is assigned to a traffic control function will wear a reflective vest while directing traffic, investigating traffic collisions, or any other circumstances requiring a person's presence on the street for an extended period.

### **5.C.3 Response**

#### **a) Deputy Response**

Deputies Responding to Serious Traffic Collisions – This policy applies to all deputies assigned to patrol duties, recognizing that the WSP will be handling most of the serious collisions in Thurston County. Refer to Operational Directive “Collisions” for procedural guidance.

Deputies responding to collisions should consider public safety as their primary goal. Rendering first aid, providing traffic control, and detaining suspected violators are a priority at vehicle collision scenes.

#### **b) Risk Management Response**

Collisions that occur on County roadways that involve serious injury and/or death will require a notification of the County's Risk Assessment Personnel. The county has personnel that will respond to serious injury or fatality collision to assess the exposure to the County.

Designated personnel can and should be contacted via dispatch. In the event that there are no risk assessment personnel available to respond, the on-duty supervisor will notify (via e-mail) the County Risk Managers of the collision and the circumstances surrounding it.

#### **c) Collision Investigator Call Out**

When a deputy responds to a vehicle traffic collision and makes the determination that there is serious injury and/or death they will notify the on-duty supervisor. The supervisor will make the determination as to whether the Washington State Patrol will handle the collision or if the Sheriff's Office needs to call out a traffic collision investigator.

#### **5.C.4 Traffic Control**

- a) Manual traffic control may be performed as necessary by deputies, reserves, and/or volunteers for collisions, road hazards, special events, or other problems.
- b) Traffic control will be accomplished with consideration for safety of the person involved. Manual traffic control will not be performed for intersections where traffic signals have simply gone out.
- c) If a deputy will be needed for traffic control for a prolonged period of time they will immediately notify the on-duty supervisor of the situation. The on-duty supervisor may elect to use an on-duty traffic unit for traffic control duties thus freeing up the deputy for calls.
- d) The supervisor may also call the Thurston County Road Department to have signage or flag personnel respond to the location and assume traffic control functions. All members will wear approved reflective vests when performing a traffic control function.

#### **5.C.5 Collisions Involving County Vehicles**

- a) Any employee involved in a collision while driving a county vehicle shall immediately notify the on-duty supervisor.
- b) All parties involved in the collision shall remain at the scene until the supervisor arrives and investigates. The employee will ascertain if anyone is injured and see that the injured parties receive medical attention.
- c) At no time will the county employee admit to fault for the collision.
- d) The On-duty Supervisor will ensure the following:
  - 1) The individuals involved are not injured. If there are injuries the supervisor will ensure all receive medical attention if the injured party chooses.
  - 2) Photographs of the collision will be taken to document all such collisions whether any damage is visible or not.
  - 3) Obtain names, addresses, and phone numbers of all parties who were in the vehicles at the time of the collision.
  - 4) If the collision occurred on a public roadway the investigating supervisor should have the collision investigated by the Washington State Patrol or the law enforcement agency that has jurisdiction. If the agency is not available the on-duty supervisor may elect to use another agency or have the collision investigated by Sheriff's Office personnel.

- 5) The supervisor will follow the Sheriff's Office collision checklist and complete all necessary areas.
  - 6) The deputy and supervisor will write detailed memorandums about the collision. The memorandums will be turned into the patrol captain prior to completing the deputy and supervisor going off shift.
  - 7) The supervisor will also ensure that the County Risk Managers are notified of the collision and provide them with all the necessary information for potential claims against the County.
  - 8) The memorandum will detail whether the member involved in the collision is requesting the collision be reviewed by an administrator or a collision review board.
- e) All collisions will be investigated and documented whether any damage or injury occurs.

#### **5.C.6 Capital Forest**

- a) Collisions that occur in the Capital Forest will be handled by the Washington State Patrol. The Washington State Patrol has entered into an agreement with the Department of Natural Resources.

#### **5.C.7 Enforcement Actions**

- a) Probable Cause

If a collision reveals probable cause to believe a traffic infraction or criminal violation occurred, the investigating deputy may issue a citation or notice of infraction to the violator(s).

- b) Other Public Agencies Involved

If an emergency vehicle belonging to a public agency is involved, the driver will not be cited for an infraction. Information regarding the collision will be forwarded to the driver's agency for an internal review. Any disciplinary action will be the responsibility of the driver's agency. Any enforcement action will be coordinated between the Thurston County Sheriff's Office staff and the driver's agency.

#### **5.C.8 Private Property**

- a) Deputies will not respond to collisions on private property except under the following circumstances:

- 1) The collision results in an Injury to person(s), or
- 2) The collision is a Hit and Run, or



- 3) There is a crime involved.
  
- b) In the event of serious injuries resulting from the collision, the Washington State Patrol will be notified and requested to conduct the investigation.
  
- c) Notice of infractions should not be issued on private property or parking lots. This includes infractions normally issued as a result of collision investigation. The following is a list of violations for which deputies may either arrest or cite on private property or in parking lots.
  - 1) Reckless Driving
  - 2) Negligent Driving
  - 3) D.U.I.
  - 4) Hit and Run
  - 5) Reckless Endangerment
  - 6) Handicap parking (properly marked)
  - 7) Blocking a fire lane or No parking (properly marked)
  - 8) Any felony
  - 9) Any exception must be approved by a supervisor.

**CHAPTER 5 SECTION D ~ IMPOUNDS AND TOWING** WASPC 16.2

*It is the policy of this Office to insure the legal formalities governing the impound of vehicles are complied with, to protect the public from unwarranted interference in their activities and to insure that the public streets are not used to store unauthorized vehicles. This applies generally to all unauthorized vehicles, other than those acquired by or sold to a hulk hauler or registered disposer for resale as junk or scrap.*

**5.D.1 Definitions**

a) Unauthorized Vehicle

A vehicle that is subject to impoundment after being left unattended on a highway for over twenty-four hours or is posing a hazard to public safety by blocking the lane of travel, and tagged as described in RCW 46.55.085.

b) Highway

The entire right of way of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel; RCW 46.04.431.

**5.D.2 Towing** WASPC 16.2

- a) Towing of vehicles by Office members will follow applicable state law, county ordinance, and policy, where specified. An impound form will be completed and distributed as a record of the tow.
- b) The reasons to tow a vehicle include hazard, when evidence or for safe keeping.
- c) When to tow includes when owner of the hazard either refuses or is unable to remove the vehicle within 24 hours.
- d) When it is otherwise necessary to store a motor vehicle. This would include situations involving the recovery of stolen or abandoned vehicles, and the removal from the streets of vehicles obstructing traffic in violation of state or local regulations.
- e) Office tow companies are those registered with CAPCOM, and are contacted in next order on the list, or contract tow companies for evidence vehicles to go to our evidence vehicle storage area.
- f) Records of the vehicles towed are initially stored at CAPCOM. Older tow records are to be channeled to the Records Division.
- g) Nothing in this policy shall require the agency to tow a vehicle

**5.D.3 Storage WASPC 16.2**

- a) In the interest of protecting personal property of arrestees, it is the general policy of this Office to tow vehicles driven by persons who are arrested. When appropriate, and at the arrestee's request, deputies retain the discretion not to tow the arrestee's vehicle.
- b) Whenever a vehicle is needed for the furtherance of the investigation or prosecution of the case, the vehicle shall be towed. The following examples are situations where the arrestee's vehicle might not be towed:
  - 1) Traffic related warrant arrest.
  - 2) Situations where the vehicle was not used to further the offense for which the driver was arrested.
  - 3) Whenever the licensed owner of the vehicle is present, willing and able to take control of any vehicle not involved in criminal activity.
  - 4) If the owner is not able to respond or is the party under arrest, and he or she authorizes a licensed third party to take control of the vehicle.
  - 5) If, at the owner's request the vehicle is left at the scene, it shall be parked in a lawful manner and secured. The owner shall be advised that the agency will not be responsible for theft or damage to the vehicle. In the event the vehicle is towed, the owner should be informed that the agency will not be responsible for towing or storage fees.

**5.D.5 Vehicle Inventory WASPC 16.2**

- a) All property in a stored or impounded vehicle shall be inventoried and listed on the Uniform Washington State Tow/Impound and Inventory form.
- b) A locked vehicle trunk shall not be opened, even if it may be opened without a key from an accessible area of the passenger compartment.
- c) Locked or closed containers located within the passenger compartment should be inventoried as a sealed unit, absent exigent circumstances.
- d) Members conducting inventory searches should be as thorough and accurate as practical in preparing an itemized inventory. These inventory procedures are for the purpose of protecting an owner's property while in sheriff's custody, to provide for the safety of deputies, and to protect the agency against fraudulent claims of lost, stolen, or damaged property.

**5.D.6 Vehicle Search WASPC 2.5**

- a) A search warrant should be obtained prior to conducting the search of a vehicle except in very limited circumstances as enumerated below:
- b) With valid consent of the operator and other occupants that may have a privacy interest.

Incident to an arrest if the occupants of the vehicle have not been secured and remain within reaching distance of the passenger compartment provided the evidence to be searched for within the vehicle is in support of or connected with the crime for which the defendant has been arrested.

- c) To make a limited search for weapons when a reasonable suspicion exists that a suspect is dangerous and the suspect may gain immediate control of a weapon.
- d) Under emergency circumstances not otherwise enumerated above. Warrantless searches of vehicles are subject to numerous other restrictions under specific conditions.

**5.D.7 Security of Vehicles and Property WASPC 16.2**

- a) Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, deputies should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g. cash, jewelry, cell phone, prescriptions) which are not considered evidence or contraband.
- b) If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft, or damage, search personnel shall take such steps as are reasonably necessary to secure and/or preserve the property, which may include taking valuable or dangerous items such as jewelry, electronics, currency, or firearms into safekeeping.

**5.D.8 Impounding WASPC 16.2**

Any vehicle, as described in RCW 46.55.085, is subject to impoundment after being tagged and left unattended on a highway for over 24 hours.

- a) Impounds of private vehicles (Law Enforcement purpose)  
Deputies who identify a vehicle that needs to be impounded by a towing company for legally authorized (RCW 46.55.113, 46.55.085) reasons such as the following:
  - 1) Hazard to the public (contains hazardous materials i.e. Meth. lab) and can be safely towed
  - 2) Illegally parked and a hazard on a public roadway or public right of way
  - 3) Abandoned over 24 hours on a public roadway or public right of way, after notice posted
  - 4) Evidence processing or recovery
- b) Stolen (Owner unavailable to retrieve vehicle or cannot be reached) WASPC: 5.11  
Deputy will notify CAPCOM of the need for an approved towing company to be dispatched. The Deputy will stand by and witness the legal and safe removal of the vehicle being impounded. Reasonable attempts should be made to notify vehicle's owner and noted in

any reports prepared. Vehicles impounded for evidence or removal of hazardous materials should be towed to the county shop to the designated area for those vehicles.

c) Vehicles being vandalized or stripped

If a vehicle has been abandoned within the county right of way and it is being vandalized (windows being smashed, tires deflated, etc.) and / or items stolen out of it, the deputy may impound the vehicle prior to the 24 hour period for public safety reasons if the registered owner of the vehicle cannot be located or contacted.

d) Vehicles Parked on Private Property

Deputies will not impound vehicles at the request of private property owners unless it meets one of the criteria in RCW 46.55.113, 46.55.085. Removal of abandoned vehicles on private property is the responsibility and liability of the property owner.

e) Tow Company

The deputy will provide the tow truck driver with a completed copy of the vehicle impound form. The vehicle impound form will contain the name and address of the registered and legal owners of the vehicle as well as all the impounded vehicle information. The form will also contain an authorization to the tow company to release the impounded vehicle to registered / legal owner, if appropriate.

f) Release of Impounded Vehicles

Individuals seeking the release of an impounded vehicle not impounded for evidence or containing hazardous materials, that need to be removed, will be directed to the tow company where the vehicle is stored and be released according to the instructions on the impound form. Vehicles seized for evidence will be released with approval of the Evidence or Detective Supervisor. Hazardous materials should be removed by the appropriate agency and the vehicle inspected by Thurston County Environmental Health prior to release of those vehicles.

g) Documentation

When a vehicle is removed or impounded, the deputy conducting the impound will complete a vehicle impound form to document the reason for the removal of the vehicle. The impounding deputy will also complete an impound inventory of the interior of the vehicle. An inventory of all items of value will be listed on the form as well as all noted damage to the vehicle prior to impound.

**5.D.9 Sheriff's Office vehicles**

- a) Office vehicles that need to be towed will only be done by a contracted towing company approved by TCSO and listed with CAPCOM for such purposes. Normally, all TCSO

vehicles will be towed to the Thurston County Shop on Tilley Rd. unless determined by a supervisor that it needs to go to a different location.

# Chapter 6

## Marine Operations



Section A ~ Marine Services Unit

Section B ~ Marine Activities

Section C ~ Marine Vessel Collisions

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## **CHAPTER 6 SECTION A ~ MARINE SERVICES UNIT**

### **6.A.1 Boating and Marine Enforcement Operations**

- a) The Office's Marine Services Unit (MSU) has the primary responsibility of ensuring safety and security on the public waterways of the county.
- b) The mission of the Marine Services Unit is the protection of life and property on all waterways located within Thurston County. This is accomplished by providing boater education to the public, enforcing all state and local boating related laws and investigating all boating collisions.
- c) If the MSU is unavailable, patrol deputies will investigate boating collisions

### **6.A.2 Marine Officer Qualifications**

- a) Deputies assigned to the Marine Services Unit shall meet the following minimum requirements.
  - 1) Two years experience in the Patrol
  - 2) MSU candidates should be willing to work any days that may be scheduled,
  - 3) Be willing to work long shifts if necessary
  - 4) Be willing to work during adverse weather conditions.
  - 5) Successfully complete the Washington State Parks 40 hour Basic Marine Law Enforcement Training course.
- b) After a training period, demonstrate competence in basic vessel operation during varying weather conditions without evidence of physical impairment such as motion sickness, impaired night vision, or difficulty maintaining balance.
- c) Deputies assigned to the MSU serve as assigned by the Sheriff.

### **6.A.3 Responsibility**

- a) The safety of the boat(s) and persons aboard is the responsibility of the Boat Operator. They will see that the boat is managed in a responsible manner at all times.
- b) When responding to a hazardous situation, they must weigh the risks to equipment and personnel against the circumstances of the call and their ability to handle the boat.
- c) Existing weather and water conditions shall be a primary concern.
- d) The Boat Operator has the authority to stop or correct any action that they feel is unsafe or could personal injury, damage to any vessel, or property.

**6.A.4 Personal Flotation Devices**

- a) The Boat Operator will ensure that every person is wearing a personal flotation device while underway; on docks or any time that they deem it is necessary.
  
- b) MSU members will routinely wear their personal flotation devices as an example to the boating public.
  
- c) All personal flotation devices used by members shall be US Coast Guard approved.

## **CHAPTER 6 SECTION B ~ MARINE ACTIVITIES**

### **6.B.1 Enforcement Actions**

- a) Members have the authority to board vessels and conduct vessel safety checks under RCW 79A.60. 100. Members have enforcement authority over all fish and game regulation under RCW 77.15.075 as ex officio fish and wildlife officer.
- b) Vessel boarding and marine violation contacts should be conducted with a minimum of inconvenience to the boarder vessel. Members shall maintain a polite and professional demeanor during the contact.
- c) Enforcement action may consist of the following:
  - 1) Verbal warnings
  - 2) Written warning by the issuance of a boarding form
  - 3) Written Corrections Notices with a time limitation to correct the deficiency
  - 4) Issuance of a Notice of Infraction
  - 5) Issuance of a Criminal Citation, or physical Arrest

### **6.B.2 Impound of Vessels**

- a) A deputy may impound a vessel under any of the following circumstances:
  - 1) Probable cause exists to believe that the boat constitutes evidence of a crime or contains evidence of a crime,
  - 2) The operator appears incapable of safely operating the boat,
  - 3) The operator refuses or neglects to obey an order to proceed from or to an area following a citation or in an emergency,
  - 4) The operator operates the boat in a negligent or reckless manner so as to endanger the safety of others or to interfere with the navigation of other watercraft; and the deputy believes that impoundment is necessary to cease such operation,
  - 5) The vessel, watercraft, or obstruction appears unsafe for water transportation,
  - 6) The vessel, watercraft, or obstruction is obstructing a public launch ramp or dock.
- b) The deputy will notify their immediate supervisor of the impending impound, and request the assistance of a Marine Services Unit Deputy to complete the impound process.

### **6.B.3 Towing Vessels**

- a) Vessels can be towed for a public safety reasons such as, endanger in washing up on shore, lost power, disabled in traffic lanes or during times of adverse weather or tidal conditions.  
The

- b) Boat Operator should tow only vessels that they deem are seaworthy. All passengers on towed vessels are required to wear a personal flotation device while under tow. The /Boat Operator shall use towing methods that would help eliminate any possibility of damage to the both vessels.
- c) Vessels that have run aground shall not be pulled free by patrol vessels. Passengers on grounded vessels will be advised to don their Personal Flotation Devices. The grounded vessel's owner will be referred to a commercial towing company for assistance.

#### **6.B.4 Vessel Equipment**

- a) All MSU vessels will be equipped with all safety equipment that is required by the United State Coast Guard and or by Washington State Regulations. Additional equipment can or may be included on board as the mission dictates.
- b) Basic Safety Equipment:
  - 1) Supply of loaner personal flotation devices
  - 2) Type VI personal flotation device, throwing device
  - 3) Fire extinguisher
  - 4) Flairs
  - 5) First aid kit
  - 6) Fenders
  - 7) Tow rope Lines
  - 8) Binoculars
  - 9) Horn

#### **6.B.5 Moorage, Storage, and Transportation of Vessels**

- a) The Boat Operator is responsible to ensure that patrol vessel is tied up properly while docked and that fenders are used to protect the patrol vessel's hull.

#### **6.B.6 Vessel Maintenance**

- a) MSU vessels shall be cleaned (washed) after each salt water patrol and all motor(s) shall be flushed. Equipment on board should be stowed away and or taken care of to insure serviceability.
- b) Maintenance records shall be kept on each vessel. The manufacture's service requirements for vessels and motors should be followed.
- c) Trailers and trailer lights should be checked before each use.

## **CHAPTER 6 SECTION C ~ MARINE VESSEL COLLISIONS**

### **6.C.1 Definitions**

- a) Boat: Any vessel or watercraft used or capable of being used as a means of transportation on the water. (Does not include inner tubes, air mattresses, small flimsy rafts, or flotation devices used as toys by swimmers.
- b) Operator: An individual who steers, directs, or otherwise has physical control of a vessel that is underway or exercises actual authority to control the person at the helm.
- c) Owner: A person who has a legal right to possession of a vessel by purchase, exchange, gift, lease, inheritance or legal action whether or not the vessel is subject to a security interest.

### **6.C.2 Washington Boat Accident Investigation Report (BAIR) RCW 79A.60.220**

- a) Deputies shall complete a BAIR for any boat accident involving the following:
  - 1) Death,
  - 2) Injury requiring treatment beyond first aid (i.e., hospitalization),
  - 3) Missing person under circumstances that indicate death or injury,
  - 4) Damage greater than \$2000 to any one boat or other property,
  - 5) Hit and Run or
  - 6) County boat or property is involved.

### **6.C.3 Boating Accident Report – Operator, RCW 79A.60.200**

- a) The Washington Boating Accident Report must be completed by each vessel operator when the incident involves any of the following circumstances:
  - 1) Death,
  - 2) injury requiring treatment beyond first aid,
  - 3) Damage greater than \$2000 to any one boat or other property,
  - 4) Missing person under circumstances that indicate death or injury.
- b) The investigating deputy shall instruct the vessel operators on how to complete the Boating Accident Report, and the time requirements for its submission to the Washington State Parks and Recreation Commission

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# CHAPTER 7

## UNUSUAL OCCURRENCE



- Section A ~ Planning
  - Section B ~ Active Shooter
  - Section C ~ Natural / Manmade Disasters
  - Section D ~ Emergency Mobilization
  - Section E ~ Civil Disturbance
  - Section F ~ Emergency Operations Plans
  - Section G ~ Command and Control
  - Section H ~ Mass Arrest Incidents
  - Section I ~ Related Information
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**CHAPTER 7 SECTION A ~ PLANNING**

WASPC: 7.3

**7.A.1 Unusual Occurrence Planning**

a) Planning preparedness should be considered flexible enough to meet the demands of any given emergency operation, whether it is multiple law enforcement responses or an established incident command. However, nothing shall restrict a member from deviating from this guideline when a particular situation requires reasonable alteration. Justification may be required at the conclusion of the incident. Unusual occurrence response planning will be the responsibility of the various Chiefs as follows:

b) Chief Deputy of Field Operations Bureau

- 1) Hostage situations
- 2) Barricaded persons
- 3) Sniper incidents
- 4) Bomb threats
- 5) School district unusual incidents
- 6) Major criminal death scenes
- 7) Roadway haz-mat spills and explosions
- 8) Human viral agent medical threats
- 9) Multiple vehicle collisions
- 10) Civil disturbances and demonstrations
- 11) Mass arrest functions:
- 12) Athletic events
- 13) Parades/races
- 14) Fireworks displays
- 15) Terrorist incidents
- 16) Search and Rescue operations

c) Chief Deputy of Support Services Bureau

- 1) Natural and manmade disasters, such as, but not limited to:
- 2) Aviation, marine and railway accidents
- 3) Fires
- 4) Power Failures
- 5) National emergencies
- 6) Nuclear emergencies
- 7) Earthquakes
- 8) Volcanic eruptions
- 9) Flooding
- 10) Dam failure

- 11) Windstorms
- 12) Ice and hail storms
- 13) Mudslides
- 14) Building collapses
- 15) Pipeline leaks and explosions

d) Chief Deputy of Corrections Bureau

- 1) Jail response plan:
- 2) Riots
- 3) Escapes
- 4) Emergency evacuation
- 5) Hostage Situation
- 6) In Custody Death
- 7) Use of Deadly Force
- 8) Natural Disaster
- 9) Gas Leak
- 10) Bomb
- 11) Pandemic
- 12) Fire
- 13) Mass arrest booking and housing

**7.A.2 Planning Consideration**

a) Planning Considerations should be given to identify the following:

- 1) Planning assumptions, i.e. problems we might encounter in planning
- 2) Hazard identification and vulnerability analysis (HIVA)
- 3) Emergency support functions (ESF's)
- 4) And possible appendices, such as:
- 5) Acronyms
- 6) Terms and definitions
- 7) Authorities and directives
- 8) Letters of agreement
- 9) Memos of understanding
- 10) Mutual aid agreements
- 11) Mitigation issues
- 12) Financial impacts
- 13) Preparedness activities
- 14) Response activities
- 15) Recovery activities
- 16) Current organizational chart

- 17) Emergency mobilization plan, policy 24.5
- 18) Time sheet completion to document human resources
- 19) Photographing and/or video-taping on the scene or video-copying from television broadcasts to help identify suspects committing crimes

### **7.A.3 Emergency Support Functions**

a) The following emergency support functions will be identical (when applicable) for both civil disturbances and natural/manmade disasters:

- 1) Mobilization and response
- 2) Communications
- 3) Field command posts
- 4) Casualty information
- 5) Court and prosecutorial liaison
- 6) Media/public information and community relations
- 7) General liaison with local agencies
- 8) Legal considerations
- 9) Mutual aid
- 10) Military support (National Guard)
- 11) Public agency security
- 12) Traffic control
- 13) Juvenile offenders
- 14) Equipment requirements
- 15) De-escalation procedures
- 16) Rumor Control
- 17) Availability for command
- 18) Post occurrence duties
- 19) After-action reports and financial accountability
- 20) Transportation
- 21) Arrest and confinement procedures
- 22) Mitigation activities

## **CHAPTER 7 SECTION B ~ RAPID RESPONSE AND DEPLOYMENT, ACTIVE SHOOTER**

### **7.B.1 Overview**

- a) Violence in schools, workplaces and other locations by any individual or group of individuals presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist responding deputies as they make decisions in these rapidly unfolding and tense situations.
- b) The policy of this Office in dealing with the crisis situation shall be:
  - 1) To obtain and maintain complete operative control of the incident.
  - 2) To explore every reasonably available source of intelligence regarding the circumstances, location, and suspect in the incident.
  - 3) To attempt, by every means available, to attain any tactical advantage over the responsible individual.
  - 4) To attempt, whenever feasible, a negotiated surrender of the suspect and release of the hostages through the expertise of the members of this Office and others.
  - 5) When an emergency situation exists, neutralize the threat as rapidly as reasonably possible to minimize injury and loss of life.
- c) Nothing in this policy shall preclude the use of necessary force, deadly or otherwise, by members of this Office in protecting themselves or others from death or serious injury.

### **7.B.2 Procedures**

- a) If violent acts by the suspect continue, and lives are in imminent danger, a decision to advance on the suspect may be made by the deputies at the scene.
- b) The decision should include the following considerations:
  - 1) If the deputy is alone, can you wait for two or more deputies to assist? It is highly recommended that any advance on a suspect be made in teams of two or more.
  - 2) Develop and implement immediate and planned tactics and communicate this plan to others in the field and to the field supervisor.
  - 3) Think about deploying rifles, shotguns, shields, control devices and any other appropriate tools that will provide a tactical advantage.

### **7.B.3 Decision to Advance on Suspect**

- a) The decision to advance on the suspect is a decision that the on scene deputy must make.
- b) The multitude of variables in such a circumstance requires a rapid assessment of the situation, a decision as to the best tactics to implement and the timely action necessary to resolve the incident.

c) The following are some examples:

- 1) Barricaded suspect, wait for additional assistance - probable SWAT response unless timely resolved.
- 2) Barricaded suspect with hostages and no harm done to the hostages - wait for additional assistance or SWAT response.
- 3) Suspect actively shooting hostages or others in the area - if possible take immediate action to neutralize the threat presented by the suspect while calling for assistance.

**CHAPTER 7 SECTION C ~ NATURAL AND MANMADE DISASTERS WASPC: 7.2**

**7.C.1 Responsibility**

- a) Planning for disaster response will be the responsibility of the County Roads and Transportation Services Department Director. Actual search and rescue activity or criminal investigation and counter-terrorism will be the responsibility of the Sheriff's Office. The following subjects are covered by plans: (are now called ESF's – Emergency Support Functions)

**Comprehensive Emergency Management Plan on file with the Chief Support Services Deputy**

ESF #1	Transportation and Evacuation
ESF #2	Communications and Warning
ESF #3	Public Works and Engineering
ESF #4	Fire Services
ESF #5	Analysis and Planning
ESF #6	Mass Care/Shelter
ESF #7	Resource Management
ESF #8	Health, Medical, and Mortuary Services
ESF #10	Hazardous Materials
ESF #11	Food, Water, Donated Goods
ESF #12	Energy and Utilities
ESF #13-19	(Reserved for federal expansion provisions)
ESF #20	Military Support to Civil Authorities
ESF #21	Recovery and Restoration
ESF #22	Law Enforcement
ESF #23	Damage Assessment
ESF #24-29	(Reserved for state expansion)
ESF #30	Direction and Control
ESF #31	Public Information
ESF #32	Administration and Finance
ESF #33	Solid Waste Management
ESF #34	Inter-government Coordination
ESF #35-39	(Reserved for county expansion)
Annex A	Counter-Terrorism

- b) Emergency Operations Center

Sheriff's Administrators may request the EOC to open in order to facilitate rapid support to field disaster responses. Other members may also be designated to open and staff the EOC, with interaction with the Emergency Management Program Director. We will also follow any current state and federal disaster plan.

c) De-Escalation Procedure

It is the responsibility of the Emergency Management Program Director to keep the Sheriff apprised of the progress and status of each incident. The Sheriff will be responsible for determining at what point and how the committed resources of the Thurston County Sheriff's Office shall be returned to normal non-emergency status in incidents of natural and manmade disasters.

d) After-Action Reports

It is the responsibility of the Emergency Management Program Director to complete an after-action report at the completion of any major incident.

e) Post Occurrence Duty

During and at the conclusion of any major disaster, either natural or manmade, the Chief Support Services Deputy shall be responsible for ensuring security of life and property within the disaster area.

f) Media Relations

Citizens or media questions should be referred to the Sheriff or designee in order to serve the public in an accurate manner.

## **CHAPTER 7 SECTION D ~ EMERGENCY MOBILIZATION PLAN WASPC: 7.3**

### **7.D.1 Provisions**

- a) The Sheriff's Office will have an emergency mobilization plan, including the following provisions:
- b) Communications and Reports – All members have a primary responsibility to communicate all pertinent emergency information upward to the next higher levels of authority. Periodic progress reports shall include:
  - 1) Current developments of the incident.
  - 2) Control measures implemented.
  - 3) Prognosis of the overall situation.
  - 4) Equipment and human resource needs, including what resources are already at the scene.

### **7.D.2. Alert Stages (At the direction of the Sheriff or designee)**

- a) For Mobilization:
  - 1) First Stage – Upon receiving an emergency alert, the Incident Commander will immediately call and notify the Sheriff of the emergency, or the Sheriff's next ranking deputy if the Sheriff is not available. The determination as to the degree of mobilization will be made at the time.
  - 2) Second Stage – Upon receiving the direction for the mobilization or information dissemination, the Incident Commander will notify each Mid-Manager or First-Line Supervisor of the matter, who will in turn notify their members. In the absence of a Mid-Manager or First-Line Supervisor, the next ranking deputy on shift will be notified.

**Each First-Line Supervisor will notify the Incident Commander of the results of their calls and their estimated arrival time to the scene or command post.**

- 3) Third Stage – All members must report at scheduled times and locations. If members are unable to appear for work due to roads blocked, power dangers or other disaster level reasons, then members must find another method to communicate with the Sheriff's Office. Examples could be to use CB radio, ham radio, walk to a working phone, or flag down any county vehicle to report in. Anyone believed missing for more than 24 hours will trigger an attempt to check on that member/family. However, all members need to realize that it may not be possible to send someone to determine health and availability of everyone.



The Sheriff's Office is a VITAL PUBLIC SERVICE to the entire community, not only a specific few. All members are cautioned to do their own community networking NOW and be well prepared at home to survive for 72 hours following a disaster.

- b) Types of Alert Status – There are three types of alert status that will be used in the notification of law enforcement personnel:
- 1) On-Call Alert – All members are on-call and will keep the office advised of their location and provide them with a phone number where they can be reached. Deputies must be prepared to respond to the designated assembly point, fully equipped, 45 minutes after notification.
  - 2) Standby Alert – Members will equip themselves, remain at home, and be prepared to respond to the assembly point immediately upon notification.
  - 3) Duty Alert – Members will report immediately to the assembly point in full uniform prepared for an indefinite tour of duty. The duty alert will include the location of the assembly point. All vacations, sick, or days off of any kind will be canceled during the occurrence.

#### **7.D.3 For Activation of the EOC (Emergency Operations Center);**

- a) Level I
- 1) Limited staffing
  - 2) Support for CAPCOM
  - 3) Support for field Command Post
  - 4) Public information
  - 5) News media information
  - 6) Setting up and testing equipment
  - 7) Initial contacts with appropriate agencies
  - 8) Limited staffing
- b) Level 2 (Intermediate)
- 1) Take over some CAPCOM duties
  - 2) Take over some duties of field Command Post
  - 3) More public information
  - 4) More news media information
  - 5) All equipment operational
  - 6) Planning with appropriate agencies
  - 7) Briefing of emergency plan officials

8) Increased staffing

c) Disaster

- 1) EOC fully operational
- 2) Disaster in progress
- 3) Emergency plan officials on duty
- 4) Control shifts from CAPCOM to EOC
- 5) Emergency plan officials now making decisions
- 6) Full staffing and 12-hour shifts around the clock of EOC personnel
- 7) Several field command posts

#### **7.D.4 Command and Control**

a) Sheriff or designee, and will handle:

- 1) The issuance of appropriate instructions for the purpose of ensuring coordinated and effective deployment of members and equipment for control of the incident and for providing effective law enforcement services to the remainder of the county.
- 2) The monitoring of law enforcement activities (the coordination of effort between the Task Force Commander and the Field Commander, as well as the coordination of the entire organization with outside agencies).
- 3) The informing of higher authorities (County Commissioners, Governor, etc.) of law enforcement 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 county or city departments, law enforcement agencies, or other State and Federal agencies.
- 6) The coordinating of law enforcement operations consistent with the County Comprehensive Emergency Operations Plan.
- 7) The review of requests and authorization for use of special equipment (whenever possible).

b) Primary and Alternate Assembly Areas

The primary assembly area is the courthouse parking lot, adjacent to the Red Lion Hotel. Currently, the alternate EOC location is the Tilley Road County Shop. Others will be determined by the specific nature of the mission.

c) Equipment Distribution

Any equipment to be distributed will be done so in accordance with the guidelines of the County Comprehensive Emergency Operations Plan.

d) Special Task Force Activation

May be activated by the Sheriff, Undersheriff, Chief Deputy, or designee and shall:

- 1) Establish a Command Center.
- 2) Evaluate and update Thurston County Sheriff's Office needs.
- 3) Establish a Staging Area to coordinate members and equipment for effective control of the incident.
- 4) Order the use of special equipment (if time does not permit authorization through the Chief Services Deputy).
- 5) Coordinate communications with assisting outside agencies.
- 6) Organize a critique at the completion of the Emergency Operation.

e) Key Personnel Designations

These will be determined on a case-by-case basis, unless otherwise controlled by the Thurston County Comprehensive Emergency Operations Plan.

f) Transportation Assignments

Assignments will be coordinated with the County Comprehensive Emergency Operations Plan.

g) Emergency Mobilization Plan Rehearsals

Rehearsals or Trainings will be determined by the County Comprehensive Emergency Operations Plan.

## **CHAPTER 7 SECTION E ~ CIVIL DISTURBANCE**

*The mission of the Thurston County Sheriff's Office in handling these types of law enforcement incidents is the protection of life and property and keeping the peace, as well as, safeguarding the constitutional right of all involved parties to the peaceful expression of opinion.*

### **7.E.1 Planning Guide**

- a) This plan is a guide to all members when preparing for police control of an anticipated event having the potential for civil disorder.
  
- b) Exception: Nothing contained herein shall restrict a member from deviation from this guide when a particular situation requires it. However, justification for such deviation may be required at the conclusion of the incident.
  
- c) 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.
  
- d) Law Enforcement Objective  
The objectives of the Thurston County Sheriff's Office in handling these types of incidents are:
  - 1) To adhere to a strict policy of neutrality.
  - 2) To adhere to a strict Unity of Command, thus reducing the possibility for incident escalation and/or loss of police control through nonessential police actions.
  - 3) To take immediate steps at the on-set of any escalation of hostility, to quickly defuse the situation.
  - 4) To initiate enforcement actions only as a last resort, when all else fails.
  
- e) Law Enforcement Response  
These types of incidents normally are considered to require only a Stage I Alert with minimum potential for escalation.
  
- f) Anticipated Event Reporting

The timely accumulation and forwarding of information concerning planned demonstrations and/or labor disputes, increases the Sheriff's Office's ability to pre-plan its responsive handling of such events.

- g) Field Operations Bureau has the primary responsibility for handling such incidents; information concerning any anticipated event shall be forwarded and processed in the following manner.
- 1) All members have a responsibility to relay any information concerning anticipated events to the Patrol Shift Supervisor of any shift.
  - 2) Patrol Shift Supervisors receiving such information shall utilize the resources available to attempt to ascertain the veracity of facts and/or solicit investigative assistance in qualifying the information. All information, whether confirmed or not, shall be forwarded to the Chief Deputy of Field Operations, via the chain of command. This information should be accompanied by an account of those activities already performed or planned by the Patrol Shift Supervisor(s).
  - 3) Patrol Shift Supervisors shall notify the Chief Operations Deputy, via the chain of command and review all information in determining the appropriate level of deputy response.
  - 4) If the anticipated event may affect more than one shift and/or require the assignment of additional personnel, the Patrol Shift Supervisor shall notify the other affected Patrol Shift Supervisor(s), Patrol Division Captain, and the Chief Deputy of Field Operations.
  - 5) The Chief Deputy of Field Operations shall determine that individual who will be delegated the authority and responsibility for the preplanning and operational control of the anticipated event. In most instances, preplanning will be accomplished by the Field Operations Bureau.

## **CHAPTER 7 SECTION F ~ EMERGENCY OPERATIONS PLANS**

### **7.F.1 Plans**

- a) The Sheriff will issue copies of Emergency Operations Plans to all supervisors within the agency. The plans will be reviewed and updated on an ongoing basis by the Administration, and all supervisors are required to notify upper managers when any modification is found advisable, due to experience or oversight.
  
- b) Operations/and/Administration:
  - 1) Response plans and maps to schools and correctional facilities
  - 2) Robbery, alarms and bomb threat procedures
  - 3) Code Zebra
  - 4) Methamphetamine lab response
  - 5) Helicopter operations procedure
  - 6) Natural and manmade disaster plan
  - 7) Civil disturbances plan and response guide
  - 8) Emergency mobilization plan
  - 9) Copies of any mutual aid agreements
  - 10) Corrections emergency evacuation plan
  - 11) Details jail response plan
  - 12) Hate crime procedure
  - 13) Emergency mobilization plan
  - 14) Mass arrest procedure
  - 15) Blood borne pathogen exposure plan/procedure
  - 16) Employee accident reporting form
  - 17) Current bargaining unit agreements
  - 18) Complaints against sheriff's members procedures
  - 19) Affirmative action plan and non-discrimination policies
  - 20) Detour route maps
  - 21) Juvenile court building emergency plan
  - 22) Information on dealing with foreign diplomatic and consular personnel
  - 23) Lake maps
  - 24) Employee final termination process checklist
  
- c) Corrections:
  - 1) Detailed jail response plan
  - 2) Corrections emergency evacuation plan
  - 3) Mass arrest procedure
  - 4) BBP exposure plan/procedure

**7.F.2 County-wide Comprehensive Emergency Operations Planning** WASPC:7.1

- a) The Sheriff's Office is a working partner with the program and will comply with the county planning and manual, and interact with the county emergency management program director and staff.
- b) The Sheriff's Office supports the use of the Incident Command System and National Incident Management System for emergency operations planning. Members shall be trained for compliance with NIMS standards.
- c) Planning is reviewed in perpetual process and housed in the Emergency Operations Center.

**CHAPTER 7 SECTION G ~ COMMAND AND CONTROL WASPC:7.3**

**7.G.1 Cooperative Effort**

- a) The Office will cooperate with all other local law enforcement agencies in the county during any unusual occurrence impacting civil law enforcement resource. Members will adhere to any needs required by the existing county-wide Emergency Management Plan.
- b) 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 police activities.

**7.G.2 Primary Responsibility**

The Field Operations Bureau and/or Support Services Bureau, depending on the type of emergency, shall retain the primary responsibility for the command and control of resources during emergency operations.

**7.G.3 Chain of Command**

- a) The operational structure of the Sheriff's Office may be modified during emergency operations. When necessary, an Incident Command Post and/or the Emergency Operations Center may be activated and staffed.
- b) Whenever a law enforcement incident requires the establishment of an Incident Command, the office chain of command for line control of the incident will be as follows:
  - 1) Sheriff
  - 2) Undersheriff
  - 3) Chief Operations Deputy
  - 4) Chief Services Deputy
  - 5) Patrol Division Captain
  - 6) Patrol Shift Lieutenant
  - 7) Sergeant assigned to the scene of the incident.
  - 8) Deputy assigned to the scene of the incident.

**7.G.4 Assuming Field Command**

- a) In an on-view situation or during the initial stage of an emergency incident investigation, the first deputy on the scene (senior deputy if more than one deputy arrives simultaneously) shall assume and retain Field Command until relieved by a First Line Supervisor or command level deputy (Mid-Manager or above).
- b) The supervisor of any cross-jurisdictional operation will be that senior supervisor within the geographical area of the primary jurisdiction. The initiating agency members and supervisor



will come under the direction of that geographical jurisdiction supervisor. At the point of change in jurisdiction, members will be accountable to be cognizant of:

- 1) Code Zebra
  - 2) Mutual Aid Agreements
  - 3) Mutual Aid Peace Officer Powers Act
- c) Field Command Exception  
 The modification of the Office's organizational structure for line control during an emergency situation does not supersede the Office's established chain of command. This means that any command-level deputy in the deputy'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 Office's Field Commander must be specifically informed that they have been relieved of their command and Communications and/or the Office Command Post notified of the new Field Commander.
- d) Presence of a Command Level Deputy at the Scene of a Law Enforcement Incident  
 The appearance or mere presence of a recognized supervisor at the scene of a law enforcement incident shall not indicate their assumption of command. However, should this command level deputy issue orders and/or direct the activities of any members, they then automatically assume the Incident Commander position and must follow the procedure outlined under this policy. If this command level deputy wishes to remain at the scene in an advisory capacity to the actual Incident Commander, they must not issue orders or direct the activities of police personnel.

**7.G.5 Incident Commander – Authority**

- a) When the Sheriff, Undersheriff, or Chief Deputy has personally appointed an Incident Commander, this deputy will be relieved of command by only the Sheriff, Undersheriff or Chief Deputy.
- b) The Incident 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 normally by the Sheriff, Undersheriff or Chief Deputy.
- c) All members assisting in or assigned to the involved area shall be subject to the direct command and supervision of the Incident Commander.

**7.G.6 Relieving the Incident Commander**

- a) When the Incident Commander is physically or mentally unable to perform their duties, a deputy of equal or junior rank may relieve the Incident Commander by identifying themselves and informing the Sheriff or designee.
- b) Whenever feasible, the deputy who plans to relieve the Incident Commander shall communicate their reasons and intentions to the Sheriff, Undersheriff, or Chief Deputy prior to initiating such action.
- c) Whenever the Incident Commander is relieved as indicated above, the deputy who assumes Incident Command must be prepared to substantially justify their actions.

**7.G.7 Change of Overall Command – Major Crime Scenes**

- a) After an emergency operation involving a major crime scene has been resolved and the Incident Commander decides that the Patrol Division has fulfilled its primary responsibilities, on-scene command of the incident shall pass to the Investigations Division for further investigation or follow-up.
- b) A supervisory deputy from the Investigations Division shall therefore assume Incident Command of the scene at this point and follow the procedure.
- c) All members from other Divisions will continue to assist as needed, obeying orders and directives given by the Investigations Division supervisor (Incident Commander), and remain on their assignments until properly relieved by that Incident Commander.

## **CHAPTER 7 SECTION H ~ MASS ARREST INCIDENTS**

### **7.H.1 Policy**

- a) The Mass Arrest Policy applies to any situation where a large number of individuals will be arrested due to a significant event or unusual occurrence.
- b) These arrests can be during, but not limited to the following types of events:
  - 1) Unlawful assembly
  - 2) Disruption of vehicle, rail, air, marine, or pedestrian traffic
  - 3) Rioting
  - 4) Looting
  - 5) Destruction of private or public traffic
  - 6) Any other event or incident deemed necessary by the Sheriff or his/her designee
- c) In all situations, it will be the determination of the on-scene incident commander if and when to activate the mass arrest directive.

### **7.H.2 Location Criteria** WASPC: 19.6, 19.7

- a) The facility should be located out of sight of the scene of the mass arrest, by the concurrence of both Corrections and Patrol supervisions.
- b) The facility should be large enough accommodate the anticipated number of prisoners, all processing procedures, and the storage of necessary supplies. Planned locations will likely change due to availability, but will be at least an annual decision by executive management.
- c) Accommodations will be made to keep arrested persons of different genders separate from one another.
- d) When feasible, possible arrangements will be made to keep persons arrested with different points of view separated from one another. This may not be possible due to space and time constraints.
- e) If transportation to jail is not immediately available, shelter, warmth, toilet facilities, food, water and security of the prisoners will be required. Those facilities may be rented or purchased from private vendors when no other option is possible, and triggered through chain of command.

### **7.H.3 Staffing of Field Booking Facilities** WASPC: 19.6, 19.7

- a) The on-duty supervisor will be in command until relieved by the Incident Commander.
- b) Refer to the Mass Arrest Operational Directive for procedural guidance.

## **CHAPTER 7 SECTION I ~ RELATED INFORMATION**

### **7.1.1 Annual Review**

- a) This manual and the unusual occurrence plans contained within this manual will be reviewed annually by the Administrative staff members of the Thurston County Sheriff's Office. An ongoing process of review and update revisions to the plans or manual will be conducted by the policy manager, who will be responsible for making recommendations for changes to the appropriate Captain or affected Bureau Chief(s).

### **7.1.2 Law Enforcement Mobilization Plan WASPC 7.3**

- a) It is the policy of the Sheriff's Office to participate in the both Thurston County and Regional Mobilizations as requested and authorized by the Sheriff or designee. .

### **7.1.3 Equipment Inspections**

- a) Any specialty equipment maintained by the Thurston County Sheriff's Office that is designated for emergency operations will be inspected by the Specialty Unit Commander on an annual basis for operational readiness.

### **7.1.4 Correctional Facilities**

- a) Any response by local law enforcement agencies to the Thurston County Corrections Facility operation in Thurston County will be governed by any mutual aid agreement in effect at the time.
- b) The primary responsibility for planning and implementation rests with the Thurston County Sheriff's Office. The Thurston County Corrections Facility shall maintain an emergency evacuation plan in cooperation with the agency's overall emergency plan.

### **7.1.5 Situational Maps**

- a) The Thurston County Sheriff's Office has situation maps available in the SWAT van. Field Operations Bureau and Corrections Bureau supervisors have situation maps relevant to their job functions, such as emergency response plan maps or sketches. Other situational maps are available with the County Emergency Management Division.

# Chapter 8

## Reports and Communications



- Section A ~ Reports
  - Section B ~ Integrity
  - Section C ~ ACCESS WACIC NCIC
  - Section D ~ Communications
  - Section E ~ Correspondence
  - Section F ~ Coordinating Information
  - Section G ~ Social Networking
  - Section H ~ PIO and Community Relations
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## **CHAPTER 8 SECTION A ~ REPORTS** WASPC: 5.1

### **8.A.1 Administrative Reporting Program**

- a) The Records Division Supervisor will be responsible to cause preparation of daily, monthly, and annual reports, and then prepare statistical and data summaries based on those reports.
- b) That information shall be forwarded to the Chief Deputies and Mid-managers for the purpose of planning for the allocation of resources to address responses to identifiable, law enforcement concerns.
- c) An accurate flow of information is essential to the Office's operations. Reports are the official memory of the Office. For this reason, Members must accurately complete all required reports and forms.
- d) Much of the information coming to the attention of the Office is of a confidential nature, Members will not divulge the content of reports, records, or other Office information except as authorized.

### **8.A.2 Purpose of Reports**

- a) Generally, if a Member takes any action, there should be a written notation of it. This can vary from a brief note in a notebook to writing multiple reports, depending on the specific circumstances.
- b) Accurate records protect the Office and the Member from unwarranted accusations of malfeasance or nonfeasance.
- c) Reports ensure that information about investigations is continuously available. Reports are necessary for trying the facts. They also inform Members of existing crime problems and assist in the identification of suspects, property, etc.
- d) Reports provide statistical data useful in determining crime patterns, the deployment of manpower for selective enforcement, Members needs, the effect of crime prevention, and in preparing budget requests.

### **8.A.3 Approved Reports/Forms**

- a) Only approved Office reports and forms shall be utilized by Members.

### **8.A.4 Individual Responsibilities**

- a) Members, while on duty, shall carry the report forms and related materials to properly perform their assigned duties.

- b) Members shall have approval of their submitted reports before going off duty. Delayed reports can be authorized by a supervisor.
- c) It shall be the responsibility of the originating Member to ensure that any report returned for correction is processed in a timely manner.
- d) Reports that have been approved by a supervisor and submitted to the Records Division shall not be modified or altered except by way of a supplemental report

#### **8.A.5 Supervisor Responsibilities**

- a) Supervisors are responsible to ensure that all reports, including supplemental include:
  - 1) Full heading (dates, time, correct code, and case numbers).
  - 2) Correct Spelling.
  - 3) Date of birth and appropriate identifiers on all persons involved.
- b) The report text must flow in a logical manner and have enough content to answer the questions – who, what, when, where, why, and how.
- c) The report, if an arrest has been made, must include elements of the crime supporting probable cause.

#### **8.A.6 Approve the report**

- a) The supervisor will ensure that all paperwork is appropriately routed.
- b) If a correction is necessary, the reviewing supervisor should return the report to the reporting member for correction as soon as practical.

#### **8.A.7 General Guidelines for Report Writing** WASPC: 5.1

- a) Reports will be accurate and legible. They must present a clear, concise picture of the incident.
- b) Reports should be written utilizing the RMS or ATIMS Report Writing Module. In the event of technical difficulties with the RMS or ATIMS, reports should be typed for easy reading and reproduction.



**CHAPTER 8 SECTION B ~ RECORDS INTEGRITY**      WASPC: 5.4, 5.5**8.B.1 Records Integrity**

- a) The Records Section will assure the integrity of records of the agency. Members will regard all information concerning the official business operations and policies of the Office as confidential and will not release such information unless its release is specifically permitted. Any person requesting such information should be told to submit the request in writing to the Office. Requests for information by other law enforcement or criminal justice agencies shall be referred to a supervisor.
- b) It is the policy of this Office to keep all information contained in the agency's criminal history record files confidential and secure as per the state Privacy and Security Act (RCW 10.97), except in instances where the law requires dissemination, or allows dissemination, which serves a legitimate law enforcement or other public interest function as per the state Public Disclosure Law (RCW 42.17).
- c) Criminal History Record Information (CHRI) consists of any information containing individual identification of a person together with a record of that individual's involvement as an alleged or convicted offender. Criminal Justice agencies are eligible to receive CHRI. Requests for CHRI will be referred to records Members for processing.
- d) All criminal history records shall be given to and kept by the records section in accordance with WAC 365-50-010 through 365-50-560.
- e) The records vault will be accessible only to authorized Members. Anyone needing information from the records system shall contact a records Member. Anyone needing information from the records system shall submit a records request form to records Members. The records request form shall explain what information is being requested. A 24-hour notice will be required when submitting a records request under normal circumstances. Emergency or urgent requests will be handled by records Members immediately, however these requests will be approved by the Chief of the Support Services Bureau.
- f) Requests involving time-consuming projects such as research will be handled as time allows.
- g) Original records may be removed when cleared by Records staff and when clearly necessary by explanation. Records copying will be either by Records staff or under their supervision.
- h) Any and all files removed will be by log entry and return file completion, without exception.

**8.B.2 Access to Records**

- a) Access to police records is restricted to sworn Members and records bureau Members. The Records Supervisor is responsible for maintaining the integrity of police records. Only detectives and sergeants and higher-rank have access after hours. The security door is keyed to match that entry need.

**8.B.3 Records Check Requests**

- a) All records check requests will be done by bureau Members insofar as practical. Deputies may access records with approval from records Members.

**8.B.4 Falsification, Destruction of Records WASPC: 5.6**

- a) Members will not falsify, destroy, alter, or remove any report or record of this Office. Anyone having knowledge of such behavior is required to report it to his/her supervisor.
- b) All record retention and destruction shall follow the Washington State Archives, Office of the Secretary of State, Law Enforcement Records Retention Schedule. (current version)

**8.B.5 Dissemination of Records WASPC: 5.5**

- a) Dissemination of records information will be limited to authorized criminal justice user agencies. In the event that doubt exists as to the requesting source, the request must be made in writing on official letterhead, or by teletype.

**8.B.6 Release of Office Information**

- a) Members will not communicate, relay, or release any official Office information to any person which would in any way hamper or compromise the agency's operations or investigations.

**8.B.7 Accessing Information in Computer System WASPC: 6.1**

- a) Accessing information in the computer system will be accomplished by those Members that have an authorized access code to log into the system.

**CHAPTER 8 SECTION C ~ WACIC / ACCESS / NCIC WASPC:5.3**

**8.C.1 Washington Crime Information Center (WACIC)**

- a) The Thurston County Sheriff's Office maintains full participation in the Washington Crime Information Center and, when applicable, the National Crime Information Center.
- b) All Members will strictly adhere to all rules and regulations set forth by WSP ACCESS, regarding system information as it relates to the use, dissemination, and destruction of information obtained.

**8.C.2 ACCESS System**

- a) The ACCESS computer system is the property of the Washington State Patrol.
- b) Operation of the system is to be conducted under the rules of the ACCESS and WACIC procedure manuals. Information obtained through ACCESS is restricted to use by law enforcement only.
- c) Dissemination of any information obtained through Sheriff's Office computers shall be strictly controlled following TCSO policy, ACCESS procedures, and public disclosure laws.

**8.C.3 Certification Required WASPC: 6.2, 6.3**

- a) All users must have ACCESS certification and have received TCSO training prior to using the Mobile Data Computers or sending inquiries to ACCESS.

**8.C.4 Wanted, Missing, and Runaway Persons**

- a) Missing adult persons and wanted persons will be entered into the WACIC computer following issuance or notification.
- b) The Sheriff's Office will follow state laws relevant to wanted, missing, and runaway people, and will comply with the 1990 Child Assistance Act, Public Law No: 101-647.
- c) Juvenile runaway and missing reports will immediately generate WACIC entries, upon complainant notification to the Thurston County Sheriff's Office. The safety of missing children is paramount. Thus, the response to missing and runaway children is to be without delay.

**8.C.5 Washington Uniform Crime Reporting WASPC: 5.12**

- a) This agency maintains full participation with the Washington Uniform Crime Reporting System (WIBRS) and the National Incident Based Reporting System (NIBRS).

### **8.C.6 Officer Safety File**

- a) The Chief Deputy of the Support Services Bureau is responsible for ensuring the entry of assault on officer data into WACIC, based on law enforcement reports.
- b) Purpose of the Officer Safety File  
The Officer Safety Data Base is intended to provide protection to the police officer/Deputy Sheriff when they contact an individual who has exhibited assaultive behavior during an arrest situation. This file will be available state-wide and all wanted inquiries will be checked against it.
- c) Criteria for Entry Into WACIC  
Entry of records in the Officer Safety Data Base is restricted to law enforcement agencies and correctional agencies. An individual can be entered when they have been placed in physical custody or under arrest by a law enforcement officer for any offense and have exhibited assaultive behavior toward a law enforcement officer.
- d) Records entered must be supported by documented incident and/or arrest reports wherein threats were made and reported, or where actual assaults occurred leading to the reasonable conclusion that the individual poses a threat in encounters with law enforcement officers.
- e) First Degree Assault/Officer Killed  
If the incident is First Degree Assault, or Officer Killed, the subject remains in the computer system forever, otherwise the name stays in for three years, per NCIC criteria. NCIC allows re-entry of the subject into WACIC for three additional years, following purging.

### **8.C.7 Computer Virus**

- a) Members should be aware of the potential for computer virus introduction when files are used in a home environment, or when personal software and public bulletin boards are utilized.
- b) Office computers are equipped with virus scanning software. Although the software scans all incoming and outgoing files, members are highly encouraged to limit the sharing of such data as much as practical.
- c) Members need to be aware that while LAN connected PCs receive the most current virus scan software; the Mobile Computer Terminals (MCTs) may not get an update on a regular basis, thus making them more susceptible to new viruses.

- d) The detection of a computer virus shall be reported immediately to the System Administrator and Supervisor.

### **8.C.8 Computer Backups**

- a) Network backups are performed each night. Backup data is initially written to a disk pool and then copied to tape. The backup system manages rotation of tapes to an off-site facility. The off-site facility is located approximately 4 miles from the main data center.
- b) The main purpose of the network backup system is for disaster recovery. If a server loses all files, the system can be used to restore back to the last backup point in time. The backup system is not meant to be an archive system.
- c) Information that is stored on individual PCs and MCTs is not included in the nightly network backup. Any data that is stored on these devices that needs to be backed up should either be copied to a network drive for inclusion in the nightly backup or to a local backup media (CD, flash drive, etc).
- d) The network backup system backs up any files that have been changed since the last backup was performed. Up to 15 versions of each changed file is stored. Any of the 15 versions of a file can be restored.
- e) If all versions of a file are deleted from the network, the file is kept in the backup system for 30 days and can be restored during that period of time. After the 30 day period, the file will be unobtainable.

## **CHAPTER 8 SECTION D ~ COMMUNICATIONS WASPC: 15.3**

### **8.D.1 Overview**

- a) The Thurston County Sheriff's Office will maintain dispatching service by contract with TCOMM. TCOMM is a county-wide telephone and dispatch operation with a single access public safety telephone answering point and provides all public safety dispatching (with the exception of the Washington State Patrol) through the use of enhanced 9-1-1.

### **8.D.2 Communications System**

- a) The intergovernmental agreement with TCOMM is for radio, telephone, teletype, and computer-aided dispatch services for all Member agencies. Messages sent or received in the teletype will be regarded as the official business of the Thurston County Sheriff's Office and will not be divulged to persons outside the Office unless considered necessary for Sheriff's Office operations.

### **8.D.3 Telephone**

- a) Answering the Telephone  
The telephone is the primary means by which the public request the services of this Office.
- b) Members will conduct telephone conversations in a courteous manner and will attempt to see that the caller receives any and all Sheriff's Office services that are needed.
- c) Personal calls  
No Member will charge personal, long-distance telephone calls to the county. All Sheriff's Office, long-distance calls shall be placed through the SCAN network.
- d) Communications Services  
The Sheriff's Office agreement with TCOMM is to serve the public continually, 24-hour-per-day, in communications.

### **8.D.4 Radio**

- a) Common Procedures  
Radio communications procedures will be followed by all Members of this Office as defined in the TCOMM "Radio Procedures Manuals", which is provided to each agency. Standardized procedures and radio languages are defined in the manual.
- b) Criminal History Information  
Radio broadcast of criminal history information, booking information and citation information is prohibited. All procedures shall be in common language.
- c) Call Signs

Radio calls signs are assigned to each unit according to its designed function. Communications between TCOMM and field units will be conducted in a businesslike manner, using proper language and radio procedure.

d) Status

Field units will keep TCOMM advised of their service status during the shift. Whenever a field unit is out of service for any reason, the unit will notify dispatch, give a location, and briefly state the nature of activity.

e) Cooperation

Full reciprocal cooperation between the radio dispatcher and all units, regardless of rank, shall be exercised by the Members of this agency. Deployment of field strength and resources must be made with continuity and rapidity. These decisions must be placed with the individual having the most information available. While on-scene supervision is concerned with the single incident at hand, dispatch is concerned with multiple, simultaneous incidents.

f) Should the Shift Supervisor, or their designee, choose to override the dispatcher's judgment, that Shift Supervisor shall assume full responsibility for the response to all incidents within the affected area until control reverts to the dispatcher. The selection of methods and tactics to be used in the resolution of any single incident remains with the individual field deputies and supervisors.

g) Violations

Violations of radio procedures or causes for complaint from dispatchers or field units shall be reported to the complainant's supervisor and processed through the proper chain of command. Unit supervisors are responsible for ensuring that all complaints and violations noted are processed.

h) Frequencies

Through the use of primary and secondary tactical frequencies, local law enforcement agencies can communicate within the group (system) or switch channels and communicate with adjacent jurisdictions.

i) Discipline

Any unauthorized entry into files or computer programs by Members is grounds for immediate discipline action.

## **CHAPTER 8 SECTION E ~ CORRESPONDENCE**

### **8.E.1 E-Mail**

- a) E-mail is a communication tool available to Members to enhance efficiency in the performance of job duties and is to be used in accordance with generally accepted business practices and current law.
- b) Messages transmitted over the e-mail system must only be those that involve official business activities or contain information essential to Members for the accomplishment of business related tasks and/or communication directly related to the business, administration, or practices of the agency.
- c) It should be understood that the Washington State Public Disclosure Act requires the release of all emails with very few exceptions.
- d) All e-mail messages, including any attachments, that are transmitted over the Office networks are considered Office records and, therefore, are the property of the Office. The Office reserves the right to access, audit, or disclose for any lawful reason, any message, including any attachment, that is transmitted over its e-mail system or that is stored on any department system.
- e) The e-mail system is not a confidential system and therefore, is not appropriate for confidential communications. If a communication must be confidential, an alternative method to communicate the message should be used.
- f) Members using the Office e-mail system shall have no expectation of privacy concerning communications transmitted over the system.
- g) Members will not use personal accounts to exchange e-mail or other information that is related to the official business of the Office.
- h) Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing, or any other inappropriate messages on the e-mail system will not be tolerated and may result in discipline.
- i) E-mail messages addressed to the entire agency are only to be used for official business related items that are of particular interest to all users.
- j) Personal advertisements are not acceptable.



- k) It is a violation of this policy to transmit a message under another user's name. Users are strongly encouraged to log off the network when their computer is unattended.

### **8.E.2 CORRESPONDENCE**

- a) In order to ensure that the letterhead and name of the Sheriff's Office are not misused, all external correspondence shall be on agency letterhead.
- b) All agency letterhead shall bear the signature element of the Sheriff. Members should use agency letterhead only for official business and with the approval of the Bureau Chief.

## **CHAPTER 8 SECTION F ~ COORDINATING INFORMATION**

### **8.F.1 Briefings**

- a) At supervisor's discretion, all patrol shifts will hold a briefing prior to the commencement of scheduled duties.
- b) Information that is to be passed on to patrol shifts will be accomplished by either an oral, written or computer-generated briefing from the shift supervisor(s) and/or shift commander.

### **8.F.2 Staying Informed**

- a) Communications with the other units of this Office will usually be accomplished in writing, by oral communication, fax, E-mail or other computer-related methods of communication, or posted on the Office bulletin board.
- b) We need to be an agency that remembers to communicate from all directions and assure people affected are not left out of the loop of information-sharing. Supervisors are responsible for making their subordinates aware of communications.

### **8.F.3 Daily Bulletin**

- a) Daily Bulletin Transmission  
A Daily Bulletin will be originated and transmitted to all Sheriff's Office members via e-mail by the Executive Aide or designee.
- b) The bulletin contains personnel actions, policy and procedure updates, vital statistics, and other information.
- c) Vital Statistics  
Death or injury announcements shall be limited to current/retired members, their spouses, children (including step, foster, and adoptive), parents/parents-in-law, and grandparents.
- d) Bulletins announcing deaths or injury announcements of dignitaries, Members of other law enforcement agencies, or other individuals will require approval of the appropriate bureau chief, the Undersheriff, or the Sheriff before being published.
- e) Birth announcements will be limited to newborn and adoptive children of active members only.

## **CHAPTER 8 SECTION G ~ SOCIAL NETWORKING**

### **8.G.1 Purpose**

- a) This policy is intended to address issues associated with Member use of social networking sites and to provide guidelines for the regulation and balancing of Member's speech and expression with the legitimate needs of the Office.
- b) Nothing in this policy is intended to prohibit or infringe upon any Member's communication, speech, or expression that has been clearly established as protected or privileged.

### **8.G.2 Applicability**

- a) This policy applies to all forms of communication including but not limited to film, video, print media, public or private speech, use of all Internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file sharing sites.

### **8.G.3 Trust and Professionalism**

- a) Public employees occupy a trusted position in the community, and thus, their statements have the potential to be in conflict with the policies and performance of this Office. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that Members of this Office be subject to certain reasonable limitations on their speech and expression.
- b) To achieve its mission and efficiently provide service to the public, the Office will carefully balance the individual Member's rights against the Office's needs and interests when exercising a reasonable degree of control over its Members' speech and expression.

### **8.G.4 Safety**

- a) Members should consider carefully the implications of their speech or any other form of expression when using the Internet.
- b) Speech and expression that may negatively affect the safety of the Office Members, such as posting personal information in a public forum, can result in compromising a Member's home address or family ties.
- c) Members should therefore not disseminate or post any information on any forum or medium that could reasonably be expected to compromise the safety or privacy of any Member, a Member's family or associates.

### **8.G.5 Prohibited Speech, Expression, and Conduct**

- a) To meet the Office's safety, performance and public trust needs, the following is prohibited:

- 1) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation, or professionalism of the Office or its Members.
- 2) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Office and tends to compromise or damage the mission, function, reputation or professionalism of the Office or its Members.
- 3) Speech or expression that could reasonably be foreseen as creating a negative impact on the credibility of the Member as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination, or illegal behavior.
- 4) Speech or expression of any form that could reasonably be foreseen as creating a negative impact on the safety of the Members of the Office. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing Members by informing criminals of details that could facilitate an escape or attempted escape.
- 5) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by this Office.
- 6) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Office for financial or personal gain, or any disclosure of such materials without the expressed authorization of the Sheriff or designee.
- 7) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of Office logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Office on any personal or social networking or other website or web page, without the express written permission of the Sheriff.
- 8) Failure to take reasonable and prompt action to remove any content that is in violation of this policy and/or posted by others from any web page or website maintained by the Member (e.g., social or personal website).
- 9) Accessing websites for unauthorized purposes, or use of any personal communication device, game device or media device, whether personally or Office owned, for personal purposes while on duty, except in the following circumstances:

### **8.G.6 Unauthorized Endorsements and Advertisements**

- a) Unless specifically authorized by the Sheriff, Members may not represent the Office or identify themselves in any way as being affiliated with the Office in order to do any of the following:
  - 1) Endorse, support, oppose, or contradict any political campaign or initiative.
  - 2) Endorse, support, oppose, or contradict any social issue, cause, or religion.
  - 3) Endorse, support, or oppose any product, service, company or other commercial entity.
  - 4) Appear in any commercial, social, or nonprofit publication or any motion picture, film, video, public broadcast or any website.
  - 5) Additionally, when it can reasonably be construed that an Member, acting in his/her individual capacity or through some unofficial group or organization, is affiliated with this Office, the Member shall give a specific disclaiming statement that any such speech or expression is not representative of this Office.
- b) Members retain their right to vote as they choose, to support candidates of their choice and to express their opinions on political subjects and candidates at all times while off duty.
  - 1) However, Members may not use their official authority or influence to interfere with or affect the result of an election or a nomination for Office.
  - 2) Members are also prohibited from directly or indirectly using their official authority to coerce, command or advise another Member to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes.

### **8.G.7 Privacy Expectations**

- a) Members forfeit any expectation of privacy with regard to anything published or maintained through file sharing software or any Internet site open to public view (e.g., Facebook, MySpace).
- b) The Office also reserves the right to access, audit and disclose for whatever reason all messages, including attachments, and any information transmitted over any technology that is issued or maintained by the Office, including the Office e-mail system, computer network or any information placed into storage on any Office system or device.
- c) All messages, pictures, and attachments transmitted, accessed, or received over Office networks are considered Office records and, therefore, are the property of the Office.

- d) The Office reserves the right to access, audit and disclose for whatever reason all messages, including attachments, that have been transmitted, accessed or received through any Office system or device, or any such information placed into any Office storage area or device. This includes records of all key strokes or web browsing history made at any Office computer or over any Office network.
  
- e) The fact that access to a database, service, or website requires a user name or password will not create an expectation of privacy if accessed through an Office computer or network.

## **CHAPTER 8 SECTION H ~ PIO AND COMMUNITY RELATIONS WASPC: 5.8**

### **8.H.1 Public Information Function**

- a) The public information function is the responsibility of the Sheriff or designee for coordinating news releases concerning policies, procedures, programs, and agency philosophies on specific issues.
- b) Any member of the Sheriff's Office may be assigned to respond to a media inquiry. We must always keep in mind that we represent an expressed policy of openness and accessibility on the part of the Sheriff's Office and its administration. Our obligations are also to assist the media in acting responsibly and in obeying pertinent statutes.
- c) Most media inquires or press releases will be handled by the Investigative Services Lieutenant. This position is designated as the TCSO PIO.
- d) Any media request for information or access to a law enforcement situation shall be referred to the PIO, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, members shall consider the following:
- e) At no time shall any member make any comment or release any official information to the media without prior approval from a supervisor or the PIO.
- f) In situations involving multiple law enforcement agencies, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information.
- g) Under no circumstance should any member make any comments to the media regarding any law enforcement incident not involving this agency without prior approval of the Sheriff or designated representative.

### **8.H.2 Media Representatives**

- a) Authorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions:
- b) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.
- c) Media representatives may be prevented from interfering with emergency operations and criminal investigations.

- 1) Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the Public Information Officer or other designated spokesperson.
- 2) Whenever the presence of media or other aircraft pose a threat to public or officer safety or significantly hampers incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Shift Sergeant. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration should be contacted (Federal Aviation Regulations § 91.137).
- d) No member of this Office who is under investigation shall be subjected to media visits or interviews without the consent of the involved member.
- e) Media interviews with individuals who are in custody shall not be permitted without the approval of the Sheriff and the express consent of the person in custody.
- f) A tactical operation should be handled in the same manner as a crime scene, except the news media should be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Members shall not jeopardize a tactical operation in order to accommodate the news media. All comments to the media shall be coordinated through a supervisor or the PIO.
- g) To protect the safety and rights of deputies and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the news media, nor should media representatives be invited to be present at such actions except with the prior approval of the Sheriff.
- h) Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception the Sheriff will consider, at minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person or is otherwise prohibited by law.

### **8.H.3 Confidential Information and Disclosure**

- a) It shall be the responsibility of the authorized member dealing with media requests to ensure that restricted information is not inappropriately released to the media by this Office. When in doubt, authorized and available legal counsel should be obtained. Examples of such restricted information include, but are not limited to (RCW 42.56.240):



- b) Specific intelligence information and specific investigative records compiled by investigative, law enforcement and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.
- c) Information revealing the identity of persons who are witnesses to or victims of crime or who file complaints with investigative, law enforcement, penology agencies, other than the public disclosure commission, if disclosure would endanger any person's life, physical safety, or property. WASPC: 17.8
- d) If at the time a complaint is filed the complainant, victim, or witness indicates a desire for disclosure or nondisclosure, such desire shall govern. However, all complaints filed with the public disclosure commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath.
- e) Any records of investigative reports prepared by any state, county, municipal, or other law enforcement agency pertaining to sex offenses contained in RCW Chapter 9A.44 or sexually violent offenses as defined in RCW 71.09.020, which have been transferred to the Washington Association of Sheriffs and Police Chiefs for permanent electronic retention and retrieval pursuant to RCW 40.14.070(2)(b).
- f) License applications under RCW 9.41.070; Copies of license applications or information on the applications may be released to law enforcement or corrections agencies.
- g) Information revealing the identity of child victims of sexual assault who are under age 18. Identifying information means the child victim's name, address, location, photograph, and in cases in which the child victim is a relative or stepchild of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator
- h) Medical Information on persons, involved in incidents we investigate that is obtained from Medics, Fire personnel, or any health care providers should not be released. General statements can be made such as "seriously injured" or "possibly life threatening" in those circumstances. Information from the victim or their family should only be released with their permission. Information on injuries or conditions of involved persons from witnesses or personal observations is releasable if requested or necessary for public information. Graphic descriptions of injuries should be avoided.
- i) Do not guess or speculate, stick to the facts. "No Comment" is not an acceptable response to a media inquiry. If you don't know say "I don't know, I will check on that and get back to

you.” Most media outlets have deadlines they have to meet, so a timely response can be helpful.

#### **8.H.4 Authorized Personnel / Press Release**

Besides the Sheriff and Undersheriff, members authorized to release information to news media under the following categories are:

a) At the Scene of an Incident

- 1) Chief Operations Deputy
- 2) Chief Services Deputy
- 3) FOB Captain
- 4) Detective Supervisor
- 5) Patrol Supervisor

b) From Agency Files

- 1) Chief Operations Deputy
- 2) Chief Services Deputy
- 3) Administrative Lieutenant

c) On-Going Investigations

- 1) Chief Operations Deputy
- 2) Chief Services Deputy
- 3) Detective Supervisor

d) Corrections Related

- 1) Chief Deputy of Corrections
- 2) Corrections Captain
- 3) Corrections Supervisor

e) Issuance of Press Releases

Press releases will usually be completed by the relevant Bureau Chief or the designated Public Information Deputy, and given daily by the designated PIO when the media calls for items of general interest.

f) Requests for Additional Information

Requests for additional information concerning crimes or events responded to will be referred to the designated PIO. In his/her absence, they will be referred to the relevant Bureau Chief.

#### **8.H.5 Community Relations Function**

- a) The responsibility of the community relations function will be that of the Chief Services Deputy. In addition, each office member is charged with developing and maintaining positive community relations.

*Law enforcement officers often perform in public, under circumstances that could cause misunderstanding and/or misinterpretation of law enforcement activities. Witnesses and participants are influenced by their preconceptions and biases when they evaluate law enforcement action. This can lead to incidents that cause resentment of all law enforcement action, no matter how legitimate. If the public understands and appreciates the nature of the law enforcement task, they can better judge whether law enforcement officers are serving the community. As part of the process of the law enforcement/public communication, the public needs information about the nature of the law enforcement role in order to develop an understanding. Public acceptance of activities that are an essential part of routine law enforcement duties will then be understood.*

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# Chapter 9

## Vehicles and Equipment



Section A ~ Vehicles

Section B ~ Pursuit and Incident Response

Section C ~ Uniform and Appearance Standards

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**CHAPTER 9 SECTION A ~ VEHICLES** WASPC: 15

**9.A.1 Vehicle Operations and Training**

- a) Members shall operate vehicles in a careful and prudent manner and shall obey all laws of the state and all official orders pertaining to such operation. Members shall have a current Washington driver's license. Loss or suspension of a civilian driving license shall be reported to the member's supervisor, immediately.
- b) Supervisors are responsible for assuring public safety decision making. Unsafe driving practices will not be tolerated
- c) Emergency Vehicle Operations Training (EVOC)  
All commissioned Operations/Services Deputy Sheriffs and Level 3 Reserves who operate a county vehicle, shall undergo an emergency vehicle operations course. Captains and above are exempt from EVOC training.

**9.A.2 Operation of Vehicles – Normal Conditions**

- a) Any unauthorized private use of office vehicles or property is prohibited.
- b) Members shall not use office vehicles outside of Thurston County except when in pursuit of suspects or on authorized official business.
- c) Members shall not use issued vehicles without the knowledge or permission of their superiors.
- d) No member shall allow, at any time, an unauthorized person to operate a county vehicle or have in their possession the keys to such a vehicle, other than under an emergency condition or circumstance.
- e) A member operating a county vehicle shall not permit unauthorized persons to ride in said vehicle.
- f) If a member drives a marked vehicle off duty they shall be dressed appropriately.

**9.A.3 Vehicle Equipment**

- a) Each issued vehicle will be equipped in accordance to the specific needs of the deputy assigned.
- b) The Office Fleet Manager will have the final say on what is issued to each vehicle, but will receive input from the affected Bureau Chief Deputy.

- c) There shall be no modifications, additions, or deletions to the vehicle without prior written authorization by a Bureau Chief

#### **9.A.4 Equipment Inspection – Operator**

- a) It shall be the responsibility of an assigned vehicle operator to ensure that their assigned vehicle for the day is properly equipped with routine equipment (first aid kit, road flares, fire extinguisher, shotgun or rifle, extra ammunition, etc., as appropriate or required for their duties) at the beginning of their shift.
- b) All vehicles shall be inspected by operators for damage or faulty equipment prior to being driven. Special attention will be given to brakes, lights, fluid levels, and emergency equipment (sirens, lights).
- c) When damage or faulty equipment is discovered, it shall be reported to the on-duty supervisor immediately. The supervisor shall check the damage and/or faulty equipment and evaluate the vehicle's serviceability.

#### **9.A.5 Equipment Inspection – Supervisor**

- a) All supervisors will inspect vehicles every six months and ensure that the vehicle inventory log agrees with equipment in that vehicle and that all equipment is serviceable and in proper working condition.
- b) Vehicles with safety discrepancies will not be operated. All unsafe vehicles will be dead-lined at the county shop until repaired.
- c) Vehicle safety discrepancies caused by commission or omission of the assigned operator shall be reported to the respective Bureau Chief via the chain of command.
- d) Negligence in vehicle maintenance by the assigned operator shall be grounds for disciplinary action.

#### **9.A.6 Seat Belt Use WASPC: 8.8**

- a) It shall be mandatory for all office personnel and their passengers, while driving or riding in a county-owned vehicle that is equipped with seat safety belts, to use the belts in the manner for which they are designed.
- b) The belt must be fastened in the approved manner at all times when the vehicle is moving, unless circumstances dictate otherwise.

#### **9.A.7 Parking Vehicles on Public Streets**



- a) Members and employees of this office shall legally park county-owned vehicles on public streets except in situations involving official duties.

#### **9.A.8 Transportation of Sick or Injured Persons / Escort**

- a) Without authorization from a superior, no member of the office shall transport a sick or injured person or animal in a county-owned vehicle, except in case of emergency to save the life of a human being.
- b) If a superior is not available and a sick or injured person is transported, a written report shall be promptly submitted to a superior setting forth all details for such action.
- c) It shall be the policy of this office to NOT escort another vehicle while using emergency equipment.
- d) This section does not apply to persons in-custody.

#### **9.A.9 Civilian Passengers Riding Patrol**

- a) Division commanders may authorize civilian passengers.
- b) Any non-salaried individual who acts in the capacity of a student, trainee, or observer while riding on patrol or otherwise functioning with members of this office, shall be required to tender a waiver to release the office of any potential responsibility.
- c) Supervisors are responsible for securing and maintaining this waiver.

#### **9.A.10 Use of County Vehicles for Paid Details**

- a) The use of county vehicles traveling to and from extra paid details promotes and increases patrol visibility in the community, and is allowed when authorized by the office. However, routine patrolling of specific areas other than on office business is prohibited

#### **9.A.11 Special Purpose Vehicles**

- a) Special Purpose Vehicles will be utilized only by members who are licensed by the state and properly trained in their operation. Operation of these vehicles will be in compliance with all office policies, regulations, and state and federal requirements.
- b) These vehicles include, but are not limited to:
  - 1) Watercraft Vehicles; i.e., Boats. These are controlled by the Field Operations Bureau Chief, and may be utilized by the Dive Team, Marine Patrol Deputy, or any member whose competency has been established by our Marine Patrol Deputy. Storage will be as directed by the Field Operations Bureau Chief.

- 2) Communications Van. The Communications Van will be controlled by the Thurston County Sheriff's Office and utilized by Search and Rescue members or major crime investigation staff. The Support Services Bureau Chief has overall control and maintenance responsibilities of the Communications Van. Storage may be at any county facility, or with on-call members authorized by the Sheriff, Undersheriff, or Support Services Bureau Chief.
- 3) The Dive Team Van is controlled by the Support Services Bureau Chief and maintained by the county shop. The Support Services Bureau Chief will designate the storage location. The team leader is responsible for timely inventory, inspection, and cleaning after a dive incident. Call-outs with the van are controlled by the Dive Team Leader.
- 4) Evidence Vehicles are controlled by the Field Operations Bureau Chief, maintained by the county shop, and assigned to the Evidence Supervisor.
- 5) The SWAT Van is controlled by the Field Operations Bureau Chief, and is assigned to the SWAT Team Commander.
- 6) The Lab Response Trailer is controlled by the Field Operations Bureau Chief, and assigned to the Lab Team Commander.

#### **9.A.12 Assigned Vehicles**

- a) No member has a right to an assigned vehicle. It is a privilege and should be regarded as such. Restrictions on assigned vehicles shall be determined by current language in the Collective Bargaining Agreement.
- b) Required Assigned Vehicle Maintenance
  - 1) Regular preventative maintenance shall be accomplished according to established schedules
  - 2) Washed and cleaned inside and out.
  - 3) Routine inspection of all safety equipment on the vehicle, including tire pressure and fluid levels. Failure to properly maintain an assigned vehicle may result in revocation of assigned vehicle privileges or other disciplinary action as a result of inattentiveness, dereliction, or negligence on the part of the assigned operator.
- c) Assigned Vehicle Parking

Members shall see that assigned vehicles are locked, protected, and parked off street, if possible.

d) Assigned Vehicle Equipment Removal

All weapons, flashlights, radars, or any other “non-expendable supply” equipment items will be removed and secured if the county shop is unattended or the vehicle remains at the county shop unattended.

e) Assigned Vehicle Malfunctions

Whenever a vehicle malfunctions, or any discrepancy is noted, the vehicle will be taken to the county shop. The proper repair notification will be completed by the assigned operator and left in the vehicle for the mechanic. If there is a mechanic on duty, the problem will be explained to the mechanic. Otherwise, a clear and concise written explanation of the malfunction will be left in the vehicle for the mechanic.

f) Fuel Level – Fluid Levels – Oil Change Interval

1) Whenever a vehicle is used and the operator is nearing the end of shift, the operator will check for remaining gasoline in the vehicle. When the gauge indicates half of a tank or less, the operator will refuel before going off shift, if at all possible.

2) The operator will maintain the motor oil level, transmission fluid level, coolant reservoir level, and brake fluid level. Should additional fluids be needed, the operator will immediately add sufficient fluids, as required. Normally, the operator may go to the county shop to accomplish this task when the shop is open and only if the fluid level is sufficient to allow safe operation of the vehicle. Otherwise, the on-duty supervisor will be contacted to arrange for the transport of needed supplies. If the operator is unable to acquire the needed fluids, the vehicle will be placed out of service.

3) Whenever refueling of a vehicle is undertaken, the operator will also check the vehicle service tag to ensure that routine maintenance is accomplished according to established schedules.

g) Securing Weapons

1) The Office recognizes the rights of private citizens to keep and maintain firearms and does not intend to infringe on the rights of its Members by mandating the storage of personally owned firearms in the home. The Office does however have a vested interest in the safe storage of Office owned and issued weapons. This policy intends to provide for the safe and secure storage of Office issued weapons. In addition to the mandatory safe storage of issued firearms as outlined in this policy, all members are encouraged to use safe storage techniques for their personally owned firearms.

2) All office issued firearms, including pistols, rifles, and less lethal guns, which are not under the member's immediate control, shall be safely stored so as to prevent unauthorized persons from handling the firearm.

- 3) Safe storage techniques include the appropriate use of gun safes, gun lockers, trigger locks and trigger cables, locked gun cases, vehicle mounted locking devices, and other locked containers. Members shall use one of these safe storage techniques to safely store Office issued firearms.
- 4) A firearm is considered to be under immediate control when it is in the member's actual physical possession and the member has the ability to prevent unauthorized persons from handling the firearm. All weapons, lethal and non-lethal, shall be removed from a vehicle while in for repair, off duty, or on leave.

**9.A.13 MCT's in Assigned Vehicles WASPC: 6.3**

- a) Thurston County Sheriff's Office Mobile Computer Terminals (MCTs) are for business use only. Information obtained through the ACCESS system is restricted to criminal justice user agencies only and is carefully regulated. Thurston County Sheriff's Office MCT's are linked together by software. Problems with one MCT can affect the entire system (county-wide).
- b) Modifications Prohibited  
Only software authorized by Thurston County Sheriff's Office and installed by Thurston County Sheriff's Office technical support staff shall be loaded in Thurston County Sheriff's Office MCT's. Members (except technical support staff) shall not modify any settings (including, but not limited to screen colors, screen savers, display drivers, system device drivers, etc.) on Thurston County Sheriff's Office MCTs.
- c) Operational Safety  
Members shall not use MCTs in a manner that compromises driving safety.
- d) Security  
Members who are authorized to use MCTs are assigned a personal ID code and password. Members shall not divulge personal computer security information to others – with the sole exception of technical support staff.
- e) Member ID codes and passwords are required to activate an MCT.  
Members shall log off the MCT at the end of each shift (or at the end of the work assignment requiring mobile computer use, if such assignment is for less than a full shift).
- f) Periodic Reviews  
MCT activity is monitored. Periodic reviews of both text and inquiry history are conducted to assure that all communications are professional and are in compliance with State and Federal law and County and Thurston County Sheriff's Office policies and procedures.

- g) Only members who have current ACCESS certifications are authorized to make inquiries through the ACCESS system.
- h) Maintenance and Repair
  - 1) Members shall handle MCTs with appropriate care and shall report any damage or problems immediately.
  - 2) Members encountering operating problems with an MCT shall immediately cease use of that computer and report the condition to a supervisor as soon as practical. The shift supervisor is responsible for reporting to Dispatch whenever a unit is taken out of service for MCT reasons.
  - 3) Only approved cleaning materials provided by technical support staff shall be used to clean MCT touch screens. No other items (e.g. tissues, paper towels, clothing, hands), solvents, sprays, screen wipes, etc. shall be used to clean touch screens.
- i) The MCT shall be removed from the vehicle at the conclusion of duty in extreme hot or cold weather, and when the vehicle is left with the county shop or other vendor for repair or extended vehicle inactivity.
- j) Each member will be held accountable for the care, use, and custody of their assigned MCT.

**CHAPTER 9 SECTION B ~ PURSUIT DRIVING AND INCIDENT RESPONSE**

WASPC; 15.5

**9.B.1 Pursuit Policy / Decisions**

- a) It is the policy of the Thurston County Sheriff's Office to make every reasonable effort to apprehend all people who are attempting to evade arrest.
- b) When proceeding to overtake a vehicle, members will use due caution and have concern for public safety. All pursuits will be terminated when the risks outweigh the need for apprehension.
- c) The decision to pursue must be made by the Deputy involved. This decision will stand unless countermanded by a supervisor. In all cases, the decision must be made by weighing the hazards presented by the situation as compared with hazards created by the violator and Deputy. Good judgment in weighing the risks involved will avoid creating more serious hazards. The primary principle to be considered is:

**THE DEGREE OF HAZARD TO WHICH A DEPUTY MUST EXPOSE SELF AND OTHERS SHOULD DEPEND UPON THE DEGREE OF HAZARD PRESENTED BY THE SITUATION.**

- d) The driver of an authorized emergency vehicle, in the performance of their duties, may:
  - 1) Park or stand, irrespective of the provisions of law.
  - 2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
  - 3) Exceed the maximum speed limits so long as he/she does not endanger life or property.
  - 4) Disregard regulations governing direction of movement or turning in specified directions.
  - 5) "The exemptions herein granted to an authorized emergency vehicle shall apply only when such vehicle is making use of visual signals meeting the requirements of RCW 46.37.190, except that; Authorized emergency vehicles shall use audible signals when practical to warn others of the emergency nature of the situation but in no case shall they be required to use audible signals while parked or standing.

*46.61.210 (1 ) Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of RCW 46.37.190, or of a police vehicle properly and lawfully making use of an audible signal only the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.*

(2) *This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.*

*The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons,*

- e) The on-duty supervisor, who believes that apprehension of the subject does not override public safety, shall direct the pursuing Deputy to discontinue immediately. At that point, the decision to continue the pursuit shall NOT be made by the pursuing Deputy.
- f) In cases where the incident initially started with a traffic violation, and developed into a felony-level offense because the violator attempted to elude, the incident should be treated as if the violator is a misdemeanor offender, until such time as the violator's actions constitute felony crimes beyond eluding.
- g) The deputy initiating any pursuit has the responsibility for suspect apprehension. Unless relieved by a supervisor, the senior deputy or the primary unit shall be responsible for the control of pursuit tactics, including the decision to continue pursuit.
- h) The initial broadcast of information should include the location and direction of pursuit, a complete description of the vehicle being pursued, number of occupants if possible, and the reason for the pursuit.
- i) The second unit joining the pursuit will advise dispatch, and will be responsible for the backup of the primary unit. It is recommended that the backup unit broadcast the pursuit progress, and any post pursuit information.
- j) No more than three marked police vehicles shall be operated in direct pursuit unless otherwise approved by a supervisor. All other units should stay clear of the direct pursuit, but should remain alert to its progress. This will allow them to be in a position to assist quickly, if needed.
- k) Emergency lights and siren shall be used during the entire pursuit by all involved members
- l) Deputies shall not pursue a "wrong-way-on-the-freeway" violator on the wrong side of the freeway. In this event, Deputies will use the radio and attempt to pursue on the right side of the freeway and/or on parallel roads.
- m) Whenever a Deputy is engaged in an emergency pursuit of a vehicle that extends into another county jurisdiction, that Deputy will notify, via Dispatch, the affected agency that there is a pursuit in progress. As soon as possible, the Deputy will turn over the pursuit to the local law enforcement of that county's jurisdiction.

- n) Thurston County Sheriff's Office may assist another agency pursuit and keep the supervisor notified, until and if, the supervisor directs to discontinue that pursuit.

### **9.B.2 Response to Routine and Emergency Situations**

- a) Thurston County Sheriff's Office members assigned or otherwise responsible to respond to an emergency call shall proceed to the location of the incident as promptly and safely as possible.
  
- b) Routine Response  
A "routine response" as defined by this office includes all vehicle operation except emergency response and pursuit situations. This includes the use of any vehicle for transportation purposes, or general patrol driving.  
In responding to non-emergency calls, there is seldom a need for members to drive in excess of posted speed limits.
  
- c) Urgent Response  
An "urgent response" as defined by this office includes responses to calls that may or may not be life-threatening, but a quick response would enhance the likelihood of apprehension of a suspect or the preservation of life or property. This response allows for the use of emergency equipment when necessary to improve the response time, provided deputies exercise the care and caution required under Washington State Law.
  
- d) Emergency Response  
An "emergency response" as defined by this office includes all vehicle operation by Thurston County Sheriff's Office personnel responding to situations of an emergency nature. This response allows for the use of emergency equipment and would justify the operating a vehicle under the applicable Washington State Statutes covering emergency vehicle operation, and any associated policies of the Thurston County Sheriff's Office.



## **CHAPTER 9 SECTION C ~ UNIFORM AND APPEARANCE STANDARDS**

### **9.C.1 Uniforms**

- a) All members of the Sheriff's Office for whom a uniform is specified, whether on or off duty or coming to or from work, shall wear a complete uniform if any identifiable part of the uniform or accessories is worn.
- b) The Sheriff or his designee may make exceptions to the above stated general regulations for specialized assignments.
- c) In the event of a minor uniform discrepancy, it shall be at the discretion of the supervisor whether or not to allow the member to commence their shift.
- d) In the event of any major uniform discrepancy the supervisors shall not allow the member to commence the tour of duty until the discrepancy has been rectified.
- e) Repeat offenders of the uniform standards may meet with any disciplinary actions deemed appropriate by the Sheriff, within the guidelines of the collective bargaining agreement(s).
- f) Each uniformed member of the Sheriff's Office shall have and maintain in good condition the following articles of uniform apparel and accessories: Each member shall have uniform items in sufficient quantity to maintain a proper and professional appearance at all times. Members not properly attired will be subject to disciplinary action
  - 1) Shirt (long and short sleeve)
  - 2) Necktie and Clasp
  - 3) Trousers
  - 4) Black Shoes
  - 5) Uniform Coat
  - 6) Black Socks and T-shirt
  - 7) Uniform Trouser Belt
  - 8) Uniform Duty Belt with Accessories
  - 9) Handcuff case(s)
  - 10) Double magazine pouch
  - 11) Handcuffs and key
  - 12) Four (4) gun belt keepers
  - 13) Duty weapon
  - 14) Holster (compatible with duty weapon)
  - 15) Uniform Soft Body Armor
  - 16) Badge and Commission Card

g) Replacement Process

When a deputy determines that they need equipment or uniforms due to no longer serviceable or damaged while on duty they will fill out a Uniform/Equipment Acquisition Form. Once completed the form will be turned into their Lieutenant for approval. When turning in the form you must turn in the worn or damaged equipment at the same time. The Lieutenant shall acknowledging the need for the request by signing the form and provide the following distribution of paperwork:

- 1) Original to Accounting
- 2) Copy in the divisional file
- 3) Copy to the requesting deputy – this will be given to the vendor at time of purchase.

h) The worn or damaged equipment will be destroyed and thrown away

i) Members will carry the following listed office-issued or approved equipment and maintain it in good condition at all times while on duty

- 1) One office-approved handgun
- 2) Badge and Identification Card
- 3) All uniformed member will wear the badge on the outer office garment secured to a badge bracket and carry the proper identification card. Plainclothes members must carry their badge and identification card. Off duty member may carry the badge and must carry the identification card. Only the authorized badge will be carried
- 4) Handcuffs and Key: Peerless, Smith & Wesson, or equivalent, either gun metal or nickel-plated, chrome finish.

**9.C.2 Personal Appearance- Hairstyle Regulations**

a) In order to present a neutral image to the public, conform to contemporary community standards, and to maintain the appearance of office members as recognizable law enforcement officers, the following hairstyle regulations are adopted. This order applies to all members of the office.

In order to present a neutral image to the public, conform to contemporary community standards, and to maintain the appearance of office members as recognizable law enforcement officers, the following hairstyle regulations are adopted. This order applies to all members of the office.

b) Subordinates and supervisors should be aware that this order is intended to be subjective in its application; that is, the total appearance of the individual is what we are judging. We would expect supervisors to judge the overall appearance rather than focus on technical detail.

c) Men's Hair Regulations

- 1) The bulk and length of hair must not interfere with the normal wearing of a standard uniform hat or helmet.

- 2) The sides and back of the hair may be either tapered or block cut and the back may extend to the shirt collar. Cut hair shall be proportioned and stylish and may cover a small portion of the top of the ear. Sideburns may extend to approximately the middle of the ear and will be trimmed horizontally. No extreme hairstyles within the guidelines will be permitted.
- 3) Mustaches are permitted, but the extreme styles below the corners of the mouth in length or in bulk are not permitted. The remainder of the face will be clean shaven.

d) Women's Hair Regulations

- 1) Hair may be worn at a reasonable length commensurate with existing styles. However, it will be pinned up so as not to be below the collar while in uniform
- 2) The bulk and length of hair must not interfere with the wearing of a standard uniform hat or helmet.

e) Bureau Chiefs may authorize non-regulation hairstyles for individuals.

**9.C.3 Uniform Personal Appearance**

- a) Since the pride and professionalism of this office is conveyed to the general public through the appearance of the individual uniformed deputy, each deputy has the responsibility to project a superior uniform image or appearance at all times.
- b) The following uniform appearance regulations are outlined as a guide to members:
  - 1) Shirts and trousers shall be clean and pressed in the usual or traditional manner at the outset of each day's tour of duty.
  - 2) Uniform brass, buttons, badges, and other metal uniform parts shall be clean and reasonably shined or polished, free of dirt, corrosion, and tarnish.
  - 3) Duty belts and accessories shall be reasonably polished black, and free of raw or natural leather tones.
  - 4) Duty shoes or boots shall be clean and polished as outlined under that section.
- c) It shall be the responsibility of the shift supervisor to insure that the foregoing standards are met by individual members prior to the commencement of their respective tours of duty. The inspection of uniformed members may be conducted either formally or informally.

#### **9.C.4 Uniform Attire – Court Appearance (District and Superior)**

- a) Uniformed members shall wear the office uniform when said uniform was worn at the time of engaging in enforcement action that has led to the court appearance in District Court. Uniformed members will wear a long-sleeve shirt and tie when attending Superior Court.
- b) Civilian Attire – Court Appearances: When appearing in court in civilian attire, members of this office shall be clothed in appropriate business-like attire. Shoes will be clean and polished. Weapons, handcuffs, badge, ammunition holder, and other identifiable law enforcement equipment will be out of public view.

#### **9.C.5 Civilian Attire on Duty**

- a) All members on assignments which require wearing civilian clothes or where such clothing is permitted, and all members of this office, shall be clothed in appropriate, business-like attire.
- b) When wearing civilian attire, the suit coat or sport coat shall conceal all items of law enforcement equipment (handcuffs, key rings, ammunition holders, etc.) from normal public view. The Sheriff or his designee may, at his discretion, loosen the plain clothes restriction.

#### **9.C.6 Uniform and Accessories – Special Occasions**

- a) All uniformed members shall have a complete Class A uniform. The dress uniform is to be worn as ordered by the Sheriff or designee for parades, funerals, etc.

#### **9.C.7 Administrative Dress Uniform**

- a) All members the rank of Captain or higher will be issued the Administrative Dress Uniform which may be worn when authorized for formal occasions.

#### **9.C.8 Badge Band – Death of Officer**

- a) In the case of an office member's death, a ½ inch high black elastic band is to be placed over the uniform badge in a horizontal fashion over the seal across the center of the badge.
- b) Badge bands are to be worn for a period of 30 days following the funeral in remembrance of the office member who dies in the line of duty.
- c) For all other deaths of office members, law enforcement or correction officers (retired, active or other agency), the badge band will be worn only until the funeral is completed. The band may be worn from the date of death.

#### **9.C.9 Tattoos, Piercings, and Body Art Modifications**

- a) All members are prohibited from displaying offensive body art, tattoo(s), intentional scarring, mutilation, or dental ornamentation while on duty or representing the office in any official capacity.

- b) Tattoos that show above the shirt collar, except cosmetic tattoos for women, are not permitted.
- c) Visible body art/modifications and tattoos that could be interpreted as offensive - words, numbers, symbols, initials, or pictures - are not permitted. This includes, but is not limited to; foreign objects inserted under the skin, pierced, split or forked tongue, gauging, plugs or stretched out holes in the ears.
- d) Members and volunteers shall not have any dental ornamentation. The use of gold, platinum, silver, or other caps for the purposes of ornamentation are prohibited. Teeth, whether natural, capped, or veneered, shall not be ornamented with designs, jewels, initials, etc.
- e) With the exception of pierced ears on female members, body piercing of the face, head, and mouth detracts from a professional appearance and is not authorized for wear by any member when on duty or representing the office in any official capacity. Earrings of any kind are not permitted on male commissioned members, except when assigned to the Drug Task Force.
- f) Any other body piercing, which is not concealed by the authorized uniform or plainclothes, is prohibited for wear by any member when on duty or representing the office in any official capacity.

**9.C.10 Body Armor** WASPC: 8.3

- a) The Sheriff's Office shall provide body armor that meets threat Level 3A as set by the National Institute of Justice (NIJ) standards to all commissioned Operations Deputy Sheriffs and any other member approved by the Sheriff. Dual Puncture and Ballistic Resistant vests will be issued to all Corrections Deputies.
- b) At the minimum, it will be worn whenever routinely involved:
  - 1) In an arrest situation or where vests would be a reasonable safety device.
  - 2) When directed by a supervisor in specific circumstances.
  - 3) When involved in a pre-planned, potentially dangerous operation.
- c) Exceptions:
  - 1) When medical conditions may preclude the wearing of a vest but must be verified in writing by a physician.
  - 2) When duties are limited to courthouse, non-hazardous office functions.

- d) Replacement of Soft Armor will be at five year intervals, or whenever the vest life expectancy is determined otherwise.

**9.C.11 Authorized Uniforms**

- a) Class "A" Uniform – consists of the long sleeve shirt, trousers, neck tie (sheriff's pink) with clasp, black shoes, and a black leather (basket weave) duty belt and accessories. Campaign hat may be required as directed.
- b) Class "B" Uniform – consists of the long sleeve shirt, trousers, black shoes or boots and black leather or nylon duty belt and accessories. A black turtleneck with no markings may be worn in place of or over a black T-shirt. A utility hat (baseball-type) may be worn with this uniform.
- c) Class "C" Uniform – consist of the short sleeve shirt, trousers, black shoes or boots and black leather or nylon duty belt and accessories. A utility hat (baseball-type) may be worn with this uniform.
- d) Jumpsuit – Black, summer weight or winter weight may be worn year round. Sleeves may be worn long or removed. Black shoes or boots, black leather or nylon duty belt and accessories and a utility hat are authorized.
- e) Utility Uniform – shirt may be either short or long sleeved. Black shoes or boots, black leather or nylon duty belt and accessories and a utility hat are authorized.
- f) Dress Uniform (Command Staff) – white long sleeve shirt, trousers, neck tie (black) with clasp, black shoes, Ike jacket, and black leather (basket weave) duty belt and accessories. Campaign hat may be required as directed. A duty weapon may be worn concealed under Ike jacket in lieu of the duty belt and accessories.

**9.C.12 Uniform Specifications**

- a) Uniform Shirt – Long Sleeve and Short Sleeve  
 The uniform shirt shall be sheriff's green with the pockets of the flap-over type, and epaulets being sheriff's pink in color. The Thurston County Sheriff's Office patch shall be attached to both sleeves using the same color of thread as the patch border. It will be centered on the left sleeve ¾ to 1 inch below the shoulder seam. .
- b) Uniform Trousers  
 The uniform trousers shall be of a poly- wool blend, sheriff's pink in color and have a one inch British green commission stripe running the full length along the outer center seam of each pant leg. The pant may include sap pockets on either leg. They shall be tailored and

worn 2 ½ to 3 inches above the floor at the back press line and cut on the bias of ½ to ¾ of an inch shorter at the front press line.

c) Uniform Necktie

Sheriff's pink in color, made of polyester, rayon, or nylon material. Pre-tied, four-in-hand or half Windsor style knots are acceptable.

d) Uniform Tie Bar

The uniform tie bar shall be gold in color, bearing a replica of the Seal of the State of Washington and inscribed with the words "Deputy Sheriff". The tie bar is mandatory when the uniform tie is worn. It shall be placed in a horizontal position across the tie and even with the bottom of the shirt pocket flaps.

e) Footwear

Shoes for uniform wear shall be solid black in color with laces and no ornamentation and of either high or low cut style. Boots of good quality and black in color are also acceptable. Construction shall be of leather capable of a high gloss polish or corfam. When low cut or ankle height shoes are worn, black solid color stockings, exclusive or any ornamentation shall be worn. Uniform footwear shall be clean and polished at the outset of each day's tour of duty.

During periods of unusual weather, i.e., snow, flooding, etc., optional foot gear may be worn such as overshoes, rubber pac boots, etc., at the prerogative of the on duty supervisor.

f) Uniform Coat

The black "5.11- 5 in 1 Jacket" is the authorized jacket. The Thurston County Sheriff's Office patch shall be attached to both left and right sleeve of the uniform coat. The patch shall be ¾ to 1 inch below the shoulder seam and centered. Both patches will be in relative position below the shoulder seam. A cloth badge will be sewn on in place of the metal badge. A cloth name tag that is black with the members first name initial and last name in ½ " gold letters will be sewn on above the right breast pocket. (example: J. Doe) No rank insignia will be worn on the jacket.

g) Jumpsuits

Black jumpsuits are authorized year round for wear. They will be of professional grade nylon lycra/spandex material. They will have a breast pocket on each side of the main vertical zipper. There will be two pockets on the lower back side similarly placed as would be rear pants pockets. Two pockets will be located on the front side of the upper thighs of the pant legs. The above mentioned pockets will all be closeable by a horizontal zipper at the top. Additional "sap" pocket may be added to either or both sides of the pant leg. Sleeves will be constructed in such a way as to be removable by zipper and worn in a short sleeve fashion.

The Thurston County Sheriff's Office patch shall be attached to both left and right sleeve of the jumpsuit. The patch shall be ¾ to 1 inch below the shoulder seam and centered. Both patches will be in relative position below the shoulder seam. A cloth badge will be sewn on in place of the metal badge. A cloth name tag that is black with the members first name initial and last name in ½ " gold letters will be sewn on above the right breast pocket. (example: J. Doe)

Jumpsuits will not be worn for court appearances or on occasions when a dress uniform is appropriate.

h) Black Turtleneck Shirt

Turtleneck shirts that are black in color with no insignia's or ornamentation may be worn as an undergarment with the Class B uniform.

i) Campaign Hat

The hat will be made of felt and dark green in color. A gold colored braid shall be used and neatly twisted with approximately one twist per inch for the entire length around the crown of the hat. The acorns shall lie on the front of the brim. The black leather head strap shall be worn at all times. A hat cover may be worn over the hat for inclement weather. It shall be of good quality dark green or clear plastic material.

j) Utility Hat

Baseball type hats will be allowed with every uniform with exception of the Class A and Dress uniform. The hat shall be black with a small shoulder-type patch.

k) Uniform Duty Belt

A uniform duty belt suitable for attaching the required equipment will be worn. The belt shall be black basket weave or polished plain black. Belts may either be without buckle (hook and Velcro type) or having a buckle gold in color.

l) Uniform Trouser Belt

A uniform pants belt either black basket weave or polished plain black shall be worn. Belts may either be without buckle (hook and Velcro type) or having a buckle gold in color.

m) Dress Shirt (Command Staff)

A white uniform shirt with white shoulder epaulets and box pleated chest pockets. An office shoulder patch shall be worn on the left side and a United States Flag shall be worn on the right, consistent with the green Uniform Shirt. The gold color buttons will be used.

n) Black Tie (Command Staff)



To be worn with the white dress shirt only. Black in color, made of polyester, rayon, or nylon material. Pre-tied, four-in-hand or half Windsor style knots are acceptable.

o) Dress (Ike) Jacket (Command Staff)

Will be British green in color; having the same color epaulets; two (2) box pleat chest pockets with sheriff's taupe pocket flaps; center vent cut with peaked lapels; No lower coat pockets; and being center front button with four (4) large gold color metal buttons with an "S" in a wreath. The remaining epaulet, pocket, and sleeve buttons will be the shirt size gold "S" buttons. The jacket may be worn with the white Dress Shirt for formal occasions. Other commissioned members may only wear the jacket at the direction of the sheriff or designee. A TCSO shoulder patch shall be worn on each shoulder the same as for the uniform jacket. A metal badge and a metal name tag will be worn the same as on the white dress shirt. Gold stripes at the sleeve cuff shall match the wearer's rank. One  $\frac{3}{4}$  inch raised gold star will be worn on the left sleeve for each five years of service, horizontally, 4 inches above the end of the left cuff sleeve. Rank insignia will be worn centered on the sewn "X" on the epaulet.

p) Leather Goods

Leather goods shall be all black basket weave leather or leather like synthetic material. The gun belt, holster, cuff pouch, and ammo pouch shall be of a high quality material. The belt will not be less than two (2) inches nor more than two and one half (2  $\frac{1}{2}$ ) inches in width, and sturdy enough to carry the equipment without sagging. The trouser belt shall be not less than one (1) inch in width and must be completely covered by the gun belt. The ammo pouch shall be placed on the gun belt in such a manner that it is easily accessible, protected, and concealed. No less than twelve (12) rounds shall be carried. The holster shall be placed on the strong hand draw side and have a level two (2) or higher retention rating. Holsters will not be worn in a manner that is intended for a cross draw.

q) Utility Duty Belt and Accessories

The utility duty belt and accessories will be all black nylon material. All other requirements listed for leather goods shall apply. The utility duty belt and accessories is authorized for wear with all uniforms except the Class A uniform.

**9.C.13 Uniform Ornamentation**

a) Name Plate

The name plate will be gold colored and is to be without a border, with black line lettering bearing either the first and last name or the officer's first initial and last name, held by two clutch-type fasteners. The name plate is to be worn centered  $\frac{1}{4}$  inch above the right breast pocket of the uniform shirt. A name tag with "Serving Since (Year)" at the bottom in the same color as the rest of the tag is authorized. Cloth name plates will be used on the jumpsuit and jackets.

b) Buttons

Uniform shirt buttons shall be metal, gold in color, with an "S" in a wreath, and shall be detachable.

c) Service Bars

Bars denoting three (3) completed years of service with a civil law enforcement agency will be worn with a one (1) inch space between the bottom of the service bar fabric and the top edge of the left sleeve cuff of the uniform shirt. Bars for the uniform shirt will be made of gold silk thread, will be one and one half (1 ½) inch in size, and will be mounted on strip cut material of the same type upon which the bars will be sewn.

d) Service bars will be worn with the class A & B uniform shirts only and not on utility shirts or jumpsuits.

e) Collar Brass (TCSO)

The collar brass shall be gold in color in ½ inch bold/capitol letter type and having two clutch-type fasteners. TCS collar brass shall be worn on each side of the uniform shirt collar in an upright (legible) position and running parallel to the upper collar point seam, centered, and in a straight line perpendicular to and ¾ of an inch from the vertical collar point seam.

Insignia of Rank

<u>Rank</u>	<u>Insignia</u>
Sheriff	Three gold stars
Undersheriff	Two gold stars
Chief	One gold star
Captain	Two gold bars
Lieutenant	One gold bar
Senior Sergeant	Three gold chevrons and one rocker
Sergeant	Three gold chevrons

f) Placement of insignia's of rank on shirts is as follows:

The small metal insignia of rank, gold in color, for lieutenants and above will be worn on the collar of the uniform shirt parallel to the upper seam, centered, and ¾ of an inch from the vertical collar seam.

g) Sergeants and Senior Sergeants shall wear metal chevrons, gold in color, on the collar points of all uniform shirts with the forward edge of the chevron parallel to and ½ inch from the vertical edge of the seam. Cloth chevrons will be sewn on the uniform shirt, point up,

centered with the bottom points of the Thurston County Sheriff's Office patch and  $\frac{1}{4}$  to  $\frac{1}{2}$  inch below the Thurston County Sheriff's Office patch. The chevron shall be in the same relative position on the right sleeve.

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# Chapter 10

## Administrative Functions



- Section A ~ Evidence System
- Section B ~ Crime Analysis
- Section C ~ Planning and Research
- Section D ~ Budget and Fiscal

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**CHAPTER 10 SECTION A ~ EVIDENCE SYSTEM**      WASPC: 18**10.A.1 Evidentiary Items** WASPC: 18.1

- a) When evidence or property comes into the possession of a member of this Office, a held-in-trust relationship is created, which carries an obligation for accountability and trust. Among the duties of members of this Office is the collection of evidence, recovery of stolen property, seizure of hazardous materials and the safeguarding of private property.
- b) It is the responsibility of each Deputy to make every reasonable effort to recover lost or stolen property, to identify its owner, and to ensure its prompt return. The Prosecutor's Office has requested that prior to returning recovered property to the owner, their office be contacted to discuss whether the property has any independent evidentiary value. They have further requested that if the property can be released, it should be photographed and otherwise described with sufficient detail to individually identify separate items. Also, the owner must sign for the property on a form indicating they agree not to dispose of the property until the court proceedings are completed. WASPC: 18.3
- c) Evidence  
Evidence is property which may be related to a crime or which may implicate or clear a person of a criminal charge.
- d) Found Property  
Found property is that non-evidentiary property which, after coming into the custody of this agency, has been determined to be lost or abandoned. This property is not known or suspected to be connected with any criminal offense.
- e) Property Held for Safekeeping  
Property held for safekeeping is that non-evidentiary property which is in the custody of this agency for temporary protection on behalf of the owner.
- f) Care, Control, and Processing of Evidence and Property WASPC: 18.4  
It is the duty of all members to care for, control and correctly process all evidence or property which may come into their possession in the course of their official duties. Members shall, in every instance, place all property obtained in the course of their official duties in the agency's property system before going off-duty.
- g) Storing of Property  
In no instance, shall members store property in a personal locker or other unauthorized location.
- h) Property Report

Members shall prepare a report describing how, when, where and what they came into possession of with regards to property. The member will also complete an evidence form.

i) Marking/Tagging of Evidence

Upon completion of the evidence form, the member will properly mark and seal the evidence, or tag the evidence, as appropriate. The evidence form, original and one copy, will be placed with the evidence in the evidence locker. The evidence locker will be secured with a combination lock. An additional copy of the evidence form will be submitted with the report to the supervisor.

j) Explosives WASPC: 18.7

NO EXPLOSIVES of any type, with the exception of ammunition, will be impounded into the evidence lockers.

k) Toxic/Dangerous Materials WASPC: 18.7

NO TOXIC OR DANGEROUS materials will be seized or stored in the evidence vault or elsewhere in the Office.

l) County Shop Storage Area

Wheeled items, such as bicycles and motorcycles, are taken to the caged storage area located at the county shop. Other large objects, such as beer kegs, outboard motors, etc., will also be stored at the county shop storage area. The Deputy will be responsible for securing the evidence in the storage area.

m) Evidence Integrity

Each person handling or processing evidence is responsible for preserving the integrity of the evidence, while it is under their control, and for maintaining the chain of custody. Procedures on the methods and manner of collecting specific items of evidence are contained in the Washington State Patrol Crime Laboratory Handbook for Law Enforcement Officers. These procedures should be followed and are on file with the Evidence Deputy and/or Technician.

1) Deputies shall mark evidence as soon as possible, after it has been discovered, in order to help assure its identity at a later date. The evidence mark should be small and legible, while being distinctive, and not easily duplicated. The recommended procedure is for a Deputy to use their initials for marking evidence.

2) Evidence marks should be placed on an item in such a manner so as to prevent their being altered, destroyed, or contributing to the destruction of defacing of the item itself.



- 3) Items of evidence shall not be marked if such marking would alter or change the evidence in any manner. If in doubt, do not mark. Such items of evidence can be placed in separate containers and the containers themselves marked.
  - 4) Deputies must be careful not to mark items in such a way as to destroy the value of the article.
  - 5) Evidence shall be turned in at the end of the shift.
  - 6) Exception: On occasion, an investigator will retain items for a period of time while attempting to identify owners. This should be a brief period, no longer than two or three days, during which period the investigator is responsible for safeguarding the property. The evidence form will be completed and forwarded as usual indicating the items retained by the investigator.
- n) Conversion Destruction of Evidence/Property  
Members will not, under any circumstances, convert to their own use, loan, or give away any item of property or evidence coming into their possession in the course of their official duties. Nor will they destroy any such property or evidence without proper authority. Any instance of conversion or destruction will be grounds for disciplinary action.
- o) Seizure  
In all cases, the seizure of evidence or property shall be made within legal constraints and out of necessity for the proper performance of a police task. All items seized will be properly documented. Deputies will not dispose of contraband items in the field, but will turn them in with appropriate documentation for proper destruction by the evidence deputy/technician.
- p) Evidence to Other Agencies  
Evidence received from Deputies/Detectives relating to cases from other agencies is processed in the same manner as all other evidentiary items. The Evidence Deputy/Technician will make contact with the agency in question as to their desires of the evidence held by this Office. If the evidence is to be returned to the department/agency, it will be sent by a certified mail service (i.e., UPS, Fed Ex, etc.) In any case, a return receipt will be requested for our records.
- q) Evidence for Lab Testing  
Deputies/Detectives requesting testing of evidentiary items will so indicate on the Thurston County Sheriff's Office Evidence Form. The items to be tested will be hand carried or mailed to the appropriate agency for testing. Each item(s) will have the appropriate request forms filled out and a copy of the form will remain with the evidence form for accountability until the evidence is returned to this Office. Once the evidence is returned, the original paperwork will

remain with the evidence form until the evidence is released, then it will be placed in records with the other related paperwork.

### **10.A.2 Evidence Controls**

- a) The Thurston County Sheriff's Office will keep pace with the most efficient methods possible in order to properly control evidence in safekeeping.
  
- b) Securing Evidence WASPC:18.5, 18.6  
During business hours, all evidentiary items will be submitted directly to an evidence deputy/technician, when available. The items, together with the required documentation, will be handed to the evidence deputy/technician.
  - 1) If no evidence deputies or technicians are available, there are several evidence lockers and security locks available for the deposit of items of evidence and documentation.
  - 2) The items, along with documentation, will be placed into the locker and security lock affixed to the hasp, securing the evidence.
  - 3) A refrigerator and freezer are available for the temporary storage of sexual assault examination kits, and other items containing body fluids or items requiring refrigeration. Normally, all body fluids in liquid state require refrigeration and dried specimens require freezing.
  
- c) Cash Receipt Form  
This form is simply a form which shows the breakdown of the denomination(s) that are being submitted into evidence. Only the total amount of the monies by item needs to be annotated on the evidence form. Only the original form needs to accompany the currency.
  - 1) Any currency will require two members to physically count it. Upon completion of counting, both members will sign the "Cash Receipt" form and initial the seal of the evidence bag.
  
- d) Submission of US Currency  
When submitting currency into evidence, the total amount of the item will be annotated on the evidence form. In addition, a "Cash Receipt" form will be completed by the investigating deputy, showing the breakdown of the denominations. All currency – regardless of amount – will be sealed in an evidence bag prior to its submission. Foreign Currency will be handled in the same manner
  - 1) Currency in excess of \$10,000 (ten thousand dollars) will be submitted directly to an evidence deputy/technician.
  - 2) When items, which include monies equaling in excess of \$10,000, need to be submitted into evidence and it is after hours, an evidence deputy/technician will be called out to accept the items.

e) Submission of Counterfeit US Currency

Counterfeit US Currency will be photocopied front and back (black & white only) for the investigating detective's use. The counterfeit US currency will be sealed in an evidence bag with the deputy's initials on the seal.

- 1) Counterfeit US currency in excess of \$10,000 does not require an after-hour call-out by evidence office members.

f) Perishable Items

If members do not have the expertise to handle perishable items, a member of this Office with the expertise (Shift Supervisor, Evidence Deputy/Technician, or Detective) will be consulted as to the proper handling techniques.

g) Firearms

As the general rule, firearms must be unloaded prior to being placed in the evidence locker. However, there are exceptions to this rule.

- 1) Weapons used in death investigation, serious assaults, or other types of violent crimes often times require extensive examination and testing for latent fingerprints, blow back and diagramming of the cylinder, etc. In these types of cases the weapon may remain loaded; however,
- 2) AMPLE WARNING must be provided to the Evidence Deputy or Evidence Technician. This warning must consist of a VISUAL note indicating that the weapon is loaded. This note may be affixed to the outside of the evidence locker or in some other conspicuous location.

h) Destruction of Marijuana Plants

Marijuana, due to its sheer bulk, may be stored in an alarmed, locked facility with controlled access.

- 1) The Prosecutor's Office has given approval for the destruction of marijuana plants by the Evidence Office in marijuana-growing, large-volume cases.
- 2) The destruction of the marijuana will take place after the appropriate samples have been taken for testing and court purposes.
- 3) A 3.0 gram sample of each item will be retained for testing, and a 200 gram composite sample will be retained for court purposes.
- 4) The remaining plants and green vegetable matter will be incinerated.
- 5) Documentation, in letter form, will be provided to the Prosecutor's Office, which will include the total weight of the marijuana, when received.

i) Other Controlled Substances

Other controlled substances taken as evidence are to be placed in a plastic self-sealing evidence bag, and then initialed/marked by the Deputy placing it in the container. The item will not be opened by the Evidence Detective/Technician but will be sent intact to the Washington State Patrol Crime Laboratory for analysis. Upon return, the evidence will have been sealed by the Crime Laboratory with their distinctive tape and a written report will accompany the evidence providing their analysis. This sealed package will not be opened. For purposes of inventorying, depositing with the court as an exhibit, or disposing of evidence, the seal intact will authenticate that the evidence is as it left the crime laboratory.

j) Controlled substances shall be weighed each time the article/item(s) is removed from the evidence vault. The weight will be the total weight of the substance and the container. An annotation of the weight will be made by the Evidence Detective /Technician on the existing evidence form. WASPC: 18.16

k) Hazardous Materials WASPC: 18.7

Hazardous materials and items should not be brought to the courthouse where it might cause a safety or health problem for the Office staff or other courthouse employees. Explosive substances, such as dynamite, nitro, artillery shells, bombs, large quantities of powder, etc., should not be handled by the Deputy at all. The Deputy should notify the shift supervisor, who will notify or direct the Deputy to the proper agency for disposal or other appropriate disposition of the material.

l) Storage of High-Risk Items

A combination safe and other secure, locked containers for overflow will be part of the security system of the Sheriff's Office to secure and store high-risk items such as jewelry, cash, and controlled substances as evidence.

**10.A.3 Documentation** WASPC 18.14, 18.15

a) The person who initially seizes an item of evidence or property is responsible for initiating the Sheriff's Office Evidence/Property form. Upon receipt of the property by the Evidence Detective /Technician, both copies of the evidence form will be signed and the date and time indicated. The duplicate copy of the evidence/property form will be forwarded to records and the original will be retained in the evidence file until the property is returned or disposed of. At the time the property is returned or disposed of, the original document will be forwarded to records.

b) The Evidence Detective will maintain a log to record when anyone other than currently assigned Evidence members enters or leaves the evidence vault. The log will be kept for a minimum period of 6 years and then destroyed, in accordance with the existing county regulations.

- c) Items placed into evidence by the Deputy/Detective, will be marked with the case number. The Evidence Detective /Technician will assign a sequential number and/or letter to each item, as appropriate, after the case number. Evidence sheets, the computer entry log, and evidentiary items will all show the same case number and be stored in the evidence vault, in sequence, by case number. This system allows a "paper trail" which helps retrieve the item(s), audit the records and provides a check and balance on the system.

**10.A.4 Evidence/Property Form WASPC: 18.14**

- a) Only one case number will be assigned to an item. Other numbers may be reflected on the top right margin, and will be noted as a reference case number only.
- b) The complete name of the owner, or other responsible person, their address and telephone number will be listed in the spaces provided. The person will be listed as the owner or suspect by selecting the appropriate box. All items of evidence will use the owner's name, if known. In cases of found property, the owner may be listed as unknown, unless the finder intends to file a claim for the property, then their name will be listed as the owner with an annotation in the remarks section that the owner listed intends to file a claim for the property.
- c) Information from the Evidence/Property Form is entered into the evidence computer. This requires that all data be entered uniformly so that it may be easily retrieved. An example is in the case of firearms. There are four basic categories of firearms defined for computer data entry; Rifles, Shotguns, Revolvers and Pistols (semiautomatics). Therefore, all firearms will be identified in the computer under one of these four noun nomenclatures. The Evidence/Property Form contains these instructions. After entering the noun name of the item, the manufacturer is listed, then the caliber, model number, and the serial number, and finally the quantity. The same analogy may be applied to any other types of items listed on the Evidence/Property Form. WASPC: 18.13
- d) Special instructions may be indicated on the Evidence/Property Form for testing, fingerprinting, photography, special handling, disposal, etc.
- e) Annually, when possible, the Evidence Detective or Technician will furnish each Deputy/Detective with a list of all items held in evidence by the Deputy/Detective. These items are stored in the evidence vault/storage area, and that Deputy/Detective is responsible for the disposition of their evidence when the item is no longer required. If required, the Deputy/Detective will complete an Evidence Disposition Form, authorizing disposition of the item(s). If the item is to be returned to the owner, the Deputy will furnish the evidence officer with the name, address and phone number. In the event the evidence is the responsibility of another Deputy or Detective, that person will notify the evidence officer.

**10.A.5 Disposition and Disposal WASPC: 18.17, 18.19, 18.20**

a) Disposition

Items of property will be returned to the rightful owner as expeditiously as possible. When an item is no longer required as evidence, the owner will be notified by mail that they have sixty days to claim the property or it will be disposed of. Property unclaimed after the notification period has passed may be destroyed, sold, or donated to charity.

b) Disposal

An item of unclaimed property must be evaluated to determine how it will be disposed of. All property of value will be disposed of through an on-line auction website such as, "propertyroom.com". This does not include the following:

- 1) Vehicles which are covered by RCW Title 46.
- 2) Firearms which are covered by RCW Title 9.41.098 and RCW 63.40.010

c) Unclaimed Monies

Unclaimed monies will be transmitted to the County Treasurer, with a Treasurer Cash Receipt form. The Treasurer will provide a cash register receipt, which will show the date, the Sheriff's case number and the amount received. This receipt will be affixed to the Evidence/Property Form and notation will be made for the item in the evidence computer, and then forwarded to records for inclusion in the case file.

d) Evidence Submitted as Court Exhibits

Items of evidence submitted to the court will have the cause number and date placed on the Evidence/Property Form. The clerk receiving the evidence will sign for the evidence. The appropriate annotation will be made in the evidence computer for the evidence. Upon completion of the case, the Evidence/Property Form will be submitted to the Records Section and will be included in the case file.

**10.A.6 Inventories and Audits** WASPC: 18.21, 18.22

a) Whenever a new Evidence Sergeant, Evidence Detective, or Evidence Technician is designated, an inventory of property will be completed within 120 days, depending upon the workload. The inventory will ensure that the written property forms and the electronic inventory match the items in the evidence vault. This will also ensure that evidentiary items are accounted for; and audits of found property and other property that is owned, borrowed, or rented by the agency are randomly conducted.

b) Auditing the Evidence and Property Function

The Chief of Support Services Bureau will audit the evidence and property function each quarter. The audit will be random, and consist of both the evidence and its associated paperwork. The Chief of Support Services Bureau may use assistance from an outside agency, when necessary, to ensure the objectivity of the audit.

c) Inspection by State Auditor

Unannounced audit inspection of the evidence and property room areas are conducted by the Washington State Auditor's Office.

d) Controlled Substances in Evidence

A random and unannounced field test will be conducted on controlled substances held in evidence. This test will be at the Chief of Support Services' discretion. Specific items to be tested will include marijuana, cocaine, and methamphetamines. These items can be tested with field test packets and require no special training by the members assigned. Other controlled substances that require specific skills and certification will not be tested unless the person is certified by the Washington State Patrol Crime Laboratory to conduct these tests. The person(s) conducting the field test will submit a letter to include the case number, time, date, item number, and results of the test to the Evidence Detective for inclusion with the quarterly report within three (3) working days. Random testing of drugs held in evidence will be limited to those cases that have been adjudicated or the person conducting the test will obtain a court order to test a specific case or item number from the Prosecutor who has jurisdiction of the case. In all cases, the drugs that are tested will also be weighed before and after the test and the weights indicated on the report.

e) Copy of Master Evidence List

A copy of the Master Evidence List will be prepared monthly and maintained by the Evidence Sgt., to ensure integrity of the inventory and serve as a back-up the computer system.

**10.A.7 Evidence / Property Room Security WASPC: 18.8**

a) Items received by the Evidence Deputy/Technicians are primarily maintained in the evidence vault, located at the courthouse. A second evidence storage area is located at the Thurston County Vehicle Maintenance Shop. The evidence storage areas are secured with key and combination locks. The types of locks used are security combination locks, a special, jail-door-type lock, and a special, keyed padlock.

b) Vault Alarm Systems

The interior of the vault/storage areas are also armed with electronic detection alarms. The alarm systems are as follows:

1) Vault (Courthouse): Infrared monitoring device monitored by the Master Control Operators in the Thurston County Jail control room.

2) Storage Area (County Shop): VARDA (silent radio alarm), monitored by Dispatch and Thurston County Deputies.

c) Control of Vault/Storage Area WASPC: 18.10, 18.11

The vault/storage area is a controlled area and entry is only gained by being accompanied by the Evidence Deputy/Technicians. Visitors are required to sign in and must remain within visual sight of the Evidence Deputy/Technicians.

d) Access to Vault/Storage Keys

The Evidence Deputy and Evidence Technicians are the only members who have keys on their person and the combinations to the locks. The master keys and combinations to the vault, storage, and safes are located in the Sheriff's safe in a sealed envelope. The Sheriff's safe is accessible to the Sheriff alone.

e) Inventory of Keys

A sealed envelope containing the master keys and combinations are inventoried by the Evidence Deputy and Technicians annually and then returned to the Sheriff's safe.

f) Safe Storage for High-Risk Items WASPC: 18.12

The evidence vault contains combination safes for storage of controlled substances, monies, jewelry, and other high-risk items. Due to the quantity of controlled substances, it may become impossible to store all of the above items in the safes. In this event, the items sent to the Washington State Patrol Laboratory and items tested in-house will be stored on the shelf in the evidence vault/storage area until such time space in the safes becomes available.

g) Changing of Combinations

Combinations to the vault and evidence storage area shall be changed whenever the Evidence Detective or Technician is reassigned.

h) Entry in Absence of Evidence Members

Any entry into the vault or storage areas in the absence of the Evidence Detective or Technician requires an incident report to be filed. This report will include the date, time, circumstances and justification or authorization for entry into the vault or storage area. The report will include the supervisor or the senior Deputy responding who witnessed the entry and a summary of the actions taken while these persons were in the vault or storage area. Each person involved will be indicated in the report.

i) Alarm Activations

All alarm activations in the evidence vault and property storage area will require a memo from the responding Deputy to the Evidence Detective. The memo will include the date, time, and circumstances, as appropriate. This will ensure that the alarm system is checked by the Evidence Deputy/Technician, to preclude further activations of the alarm system or to detect a possible problem area.



j) Evidence Lockers

Evidence lockers provided for the use of Patrol Deputies and Detectives for storage of evidence are located on the lower level, at the Thurston County Sheriff's Office back entrance. These lockers are of metal construction with a hasp for the combination lock.

**10.A.8 Seizure of Illegal Drugs – Notification of Landlord (RCW 59-18-075)**

- a) Upon seizure of a legend drug pursuant to a violation of Chapter 69.41 RCW, or an imitation controlled substance pursuant to a violation of Chapter 69.52 RCW, this Office shall make a reasonable attempt to discover the identity of the landlord and notify the landlord in writing, at the last address listed in the property tax records and at any other address known to this Office, of the seizure and the location of the seizure of the illegal drugs or substances.
- b) Report copies concerning the drug seizure may be released from this Office to the landlord, apartment manager, or legal representative on behalf of the landlord.

**10.A.9 Assets Seizures** WASPC: 18.2

- a) It is the policy of the Thurston County Sheriff's Office to utilize the forfeiture provisions available in the Revised Code of Washington and/or Federal Laws. This effort is intended to have a direct impact on those individuals involved with criminal activity.
- b) Asset seizure is the confiscation by the government of tainted property or assets used to commit a crime or gained as a result of criminal activity. Forfeiture is the legal process by which the title or legal ownership to the seized property is turned over to the government.
- c) Asset forfeiture drug cases can be accomplished through either civil or criminal proceedings. Federal criminal forfeiture is pursued under two laws, the Racketeer Influenced and Corrupt Organization (RICO) Act (18 U.S. 1962) or the Federal Drug Abuse Prevention and Control Act (21 U.S.C. 881).
- d) Civil forfeiture proceedings are brought against property, not a person. Possession of the property may not be illegal, but the property may be subject to seizure and forfeiture because of the way it was used.
- e) Criminal forfeiture proceedings do not necessarily depend on the outcome of the criminal case against the owner of the property. The defendant does not have to be convicted of the crime for the department to be successful in the forfeiture proceeding.

**10.A.10 Supervisory Responsibility on Seizures** WASPC: 18.2

- a) Each supervisor is responsible for reviewing offense reports and arrests by members of their units to determine whether the possibility exists for the seizure and forfeiture of property.

- b) Items not to be seized include:
- c) Vehicles with less than \$1,500 (one thousand five hundred dollars) in value;
- d) Cellular phones and pagers;
- e) Money in the amount of less than \$50 (fifty dollars).
- f) If a supervisor or Deputy feels that the property seizure and forfeiture is warranted, they will seize the involved property as evidence following TCSO procedures.
- g) The Deputy initiating the seizure will draw a separate case number and prepare a report outlining the probable cause to believe that the property to be seized are fruits of a crime and/or part of and ongoing illegal enterprise or instruments used to facilitate the criminal act.
- h) The seizure report will be forwarded through the chain of command to the Thurston Narcotics Team (TNT) who will review the probable cause and determine the appropriate course of action; seize the property or return it to the owner.

**10.A.11 Hearing Determination**

- a) All Seizure/Forfeiture hearings will be conducted in accordance with WA State law, and coordinated by TNT members.

## **CHAPTER 10 SECTION B ~ CRIME ANALYSIS**

### **10.B.1 Crime Analysis Function**

- a) All Thurston County Sheriff's Office members will document criminal information.
- b) Field Incident and follow-up reports of any type will be completed that may suggest criminal activity and a need to be collected, collated, analyzed and disseminated.
- c) The DSSI Records Management System will be the storage facility whenever possible, to accommodate information sharing.
- d) The crime analysis information will be made available to the Chief Deputy of Field Operations for development of goals, annual enforcement strategies, objectives, and long-range planning. The Records Custodian, Detective Division supervisors, Patrol Division supervisors and Specialty Unit supervisors will keep the Chief Deputy of Field Operations informed by monthly.

### **10.B.2 Regular and Special Briefings**

- a) Uniform crime report data is available on the DSSI System, and is able to be compiled on a monthly, quarterly, bi-yearly, and yearly basis.
- b) Crime trends or patterns discovered by any member will be shared with the chain of command and between divisions.
- c) The Chief Deputy of Field Operations is responsible for special briefings for the Undersheriff or Sheriff whenever new, unusual, or dangerous trends have developed.
- d) These briefings will occur during the Administrative staff meetings or more frequently, as determined by a specific need conveyed by the Sheriff, or as dictated by the onset of a particular crime problem or trend.
- e) The purpose of these briefings to the Sheriff includes:
  - 1) Address current or projected crime trends or patterns.
  - 2) Assist in the development of budget, strategic planning, and personnel development.
  - 3) For public discussion and media relations
  - 4) Voice and electronic mail, memorandums, telephone contact, and in-person communications may be used to brief the Sheriff.

## **CHAPTER 10 SECTION C ~ PLANNING AND RESEARCH**

### **10.C.1 Planning and Research Function**

- a) The planning and research duties are done through the joint cooperation of the Field Operations and Support Services Chief Deputies, who are responsible for assuring the preparation of an annual analysis of operational activities by type, location, time, and date. Also the dissemination of analytical reports to affected members and organizational components.
  
- b) **Providing Policy/Exercising Discretion**  
The Chief Deputy of Field Operations is responsible to assure the study of significant policing problems and recommends policy changes and additions. All the chiefs will monitor and suggest improvements in the Office internal communications and operational effectiveness of the Sheriff's Office.
  
- c) **Single-Use Plans**  
Specific needs may require single-use plans with defined needs, objectives, scope, purpose, method for its implementation and means to evaluate effectiveness. Post-plan execution critiquing is for further development of standing procedures, methods, or policy, and intended to be a positive effort to improve our systems.
  
- d) **Planning Committee**  
A planning committee will be convened by the Undersheriff on at least an annual basis. Administrative staff meetings may also used as a substitute to this process. The planning purposes include:
  - 1) The research of the potential of systems and equipment to improve the operation of the agency.
  - 2) Monitoring efficiency and evaluating performance of existing and newly-acquired systems and equipment.
  - 3) Conducting and supervising surveys and collection of information to be used in administrative and procedural analysis and program development.
  - 4) Responding to requests for assistance from other divisions or bureaus.

### **10.C.2 Multi-Year Plan**

- a) All Sheriff's Office Management Team members (Captains and above) will participate in single and multi-year planning to efficiently enhance the budgeting and managing process.

- b) All available sources will be considered in order to anticipate workload trends, staffing needs, equipment, and capital improvement needs.
- c) The Sheriff's Office goals and operational objectives are determined by long-range planning, and include but are not limited to community oriented law enforcement as a major goal.
- d) Contiguous county data will be compared for known crime rate data, population and housing changes, and any other relevant data, to project future needs and service to the public.

## **CHAPTER 10 SECTION D ~ BUDGET AND FISCAL**

### **10.D.1 Fiscal Management** WASPC: 9.1

- a) By authority of RCW 36.28 the duties of the Sheriff include being the Chief Executive Officer and conservator of the peace of the county.
- b) The Sheriff is also responsible for the overall fiscal management of the elected office of Sheriff.

### **10.D.2 Other Authorized Members** WASPC: 9.3

- a) The day to day fiscal management of the Sheriff's Office budget is one of the duties of the Undersheriff.
- b) Purchase requisitions are completed for all purchases. Requisitions are routed through the immediate supervisor, Bureau Chief, then fiscal approval by the Financial Service Bureau Chief, with final approval by the Undersheriff.

### **10.D.3 Budget** WASPC: 9.2

- a) The Bureau Chiefs are responsible for participating in budget preparation, including the preparation of written recommendations based on operation and activity analysis.
- b) Bureau Chiefs will develop and provide an annual assessment of present and future needs required to meet stated objectives for the next budget period, based upon operational and activity analysis.
- c) The Financial Service Bureau Chief is responsible for compiling the budget document for approval by the Sheriff and presentation to the County Commissioners.
- d) Bureau Chiefs have responsibility for each budget or portion of budget from which the Bureau expends funds.
- e) Financial Services Bureau members handle the technical functions of department finances, maintain fiscal records, and monitor the current status of all budgets to ensure fiscal responsibility.

### **10.D.4 Accounting System**

- a) The Sheriff's Office has an accounting system which includes the preparation of monthly expenditure reports showing:
  - 1) Initial appropriation of each BARS CODE.
  - 2) Expenditures and encumbrances made during the reporting period.

- 3) Expenditures made year-to-date.
  - 4) Balances remaining.
- b) The Sheriff's Office accounting system includes the preparation of monthly revenue reports indicating:
- 1) Initial monthly revenue prediction for each revenue source.
  - 2) Actual monthly revenue received for each revenue source.
  - 3) Year-to-date revenue collections.
  - 4) Revenue variance for the reporting period.

#### **10.D.5 Audits**

- a) The Washington State Auditor's Office conducts a yearly audit of all agencies within Thurston County. Federal audits may also be conducted with federal grant recipient agencies.
- b) The Financial Service Bureau Chief causes continual cash counts, fixed asset reviews, expenditure monitoring, effectiveness, and efficiency review.

#### **10.D.6 Cash WASPC: 9.6**

- a) It is the policy of the Sheriff's Office to centralize agency accounting authority to collect and disperse funds and safeguard those funds under the control of the Financial Service Bureau Chief. This Manager shall examine each system to assume compliance with current Thurston County Financial policies and procedures. This shall be in accordance also with the Washington State Budgeting and Accounting Reporting System.
- b) **Financial Statements**  
The Financial Services Bureau shall prepare monthly revenue and expenditure budget reports. At the minimum, the Undersheriff and each Chief will receive a complete copy of these monthly reports.
- c) **Internal Audits**  
The Financial Service Bureau Chief shall conduct audits of the Sheriff's Office accounting functions quarterly. The attached form shall be used in completing these audits, and the form shall be forwarded to the accreditation manager. All documentation for audit compliance shall be attached to the audit form.

	Daily Deposits to the County Treasurer	Date Audit Took Place	Comment:
1,	Daily Deposits to the County Treasurer		
2.	Inmate Account balancing		
3.	OPTIONS account balancing		
4.	Civil Fee daily transaction balancing		
5.	Civil Fee monthly transaction balancing		
6.	Investigative Fund balancing		
7.	Petty Cash balancing		

**10.D.7 Inventory control**

- a) Under the direction and responsibility of the Financial Service Bureau Chief, the Financial Services Bureau shall maintain an inventory of all fixed assets, which shall be reviewed and updated annually.

**10.D.8 Purchasing**

- a) The Sheriff's Office will comply with established procedures for equipment and supply purchasing.
- b) Purchase Requisitions
 

All purchases (with the exception of petty cash and ongoing services) require a purchase requisition. Requisitions are found in the County's financial system (MUNIS). Requisitions are completed by the individual responsible for ordering of the item or by a divisional designee. Purchase requisitions are then forwarded electronically, as follows:

  - 1) Appropriate supervisor approval.
  - 2) Bureau Chief approval
  - 3) Funding authorization approval by the Financial Service Bureau Chief
  - 4) Approval for purchase by the Undersheriff
  - 5) All purchases shall comply with the purchasing policy, as noted in the Thurston County Administrative Manual.
- c) Bidding Procedures
 

All members shall comply with the bidding requirements, as noted in the Thurston County Administrative Manual. If bid requirements are needed, then all members shall inform the Financial Service Bureau Chief and receive further instruction.



**10.D.9 Emergency Purchases**

- a) Emergency purchases exceeding \$50.00 require approval of a Bureau Chief.

**10.D.10 Supplemental Appropriations**

- a) When approved by the Sheriff, supplemental or emergency appropriations will be sought from the Board of County Commissioners. The Financial Service Bureau Chief will complete all the necessary resolutions for approval by the County Commissioners.
- b) Budget line transfers may be made by the accounting section upon approval of the Financial Service Bureau Chief.

**10.D.11 Contractual Services**

- a) The provision or receipt of any contractual services by the agency is effected and governed by an appropriate written agreement.
- b) The Financial Service Bureau Chief is responsible for the maintenance and filing of all agreements and contracts.

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# Chapter 11

## Custodial Care



### Section A ~ Standards

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**CHAPTER 11 SECTION A ~ CUSTODIAL CARE**

WASPC: 19

**11.A.1 Custodial Care Standards**

- a) The Thurston County Corrections Facility shall operate in compliance with the Thurston County Sheriff's Office policies and internal procedures, as set forth by the Chief Deputy of the Corrections Bureau.
  
- b) To ensure guideline compliance with the jail standards and agency policies and procedures, an annual inspection of the facility shall be conducted as directed by the Thurston County Sheriff. A person not in the Corrections Bureau chain of command will conduct the inspections.

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# Chapter 12

## Collective Bargaining and Compensation



- Section A ~ Collective Bargaining
- Section B ~ Benefits and Compensation
- Section C ~ Grievance

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## **CHAPTER 12 SECTION A ~ COLLECTIVE BARGAINING**

### **12.A.1 Collective Bargaining Unit and Role of the Sheriff's Office**

- a) Sheriff's Office members are represented by one of the following:
- 1) Thurston County Deputy Sheriffs' Association – for Deputy Sheriff, Sergeants, Lieutenants, and Administrative Support staff.
  - 2) Local 618CD of the Washington State Council of County and City Employees and the American Federation of State, County and Municipal Employees – for Corrections Deputies and Corrections Technicians.
  - 3) Captains and Chief Deputies Association

b) Management Role

The role of the Sheriff's Office management in the collective bargaining process is carried out by the Undersheriff, at the direction of the Sheriff, concerning issues of work hours and conditions of employment.

- 1) Final contract approval is by the Board of County Commissioners.
- 2) Administrative responsibility is by the commission, and includes the employee union.
- 3) All efforts shall be made to comply with the terms of the union contracts.

### **12.A.2 Dissemination of Bargaining Agreements**

- a) Bargaining agreement copies are the responsibility of the employer, via the Board of County Commissioners.
- b) The Sheriff will assure distribution of any recent or newly negotiated agreements to all members affected by these agreements.

### **12.A.3 Supervisory Personnel**

- a) The Sheriff, through the Undersheriff, will inform and train supervisory and management personnel, if necessary, of collective bargaining agreements affecting members under their supervision.

### **12.A.4 Collective Bargaining Compliance**

- a) There are no written directives necessary to ensure compliance with the bargaining agreements. Each agreement stands alone, and includes a process for reaching a determination should the two parties to the agreement be at odds as to any language meaning.
- b) Each party to the agreements has the obligation and duty to ensure the other party to the agreement is in compliance.

- c) To the extent that the Collective Bargaining Agreement conflicts with these policies, the Collective Bargaining Agreement will govern.

## **CHAPTER 12 SECTION B ~ BENEFITS AND COMPENSATION**

### **12.B.1 Compensation**

- a) All Sheriff's Office members are provided with complete and updated information on salaries, overtime, and compensation matters.
- b) Bargaining Unit Agreement  
It is the responsibility of the Executive Aide to the Sheriff to provide a copy of the current bargaining unit agreement to each member. It is the responsibility of each member to reference the contract regarding compensation issues.
- c) Non-Bargaining Unit Members  
Those members not covered by a bargaining unit agreement will be provided information by the Human Resources Department of Thurston County.

### **12.B.2 Benefits**

- a) Complete and updated information is provided to all members regarding the benefits program and county personnel rules by the Human Resources Department for Thurston County.
- b) All other member benefit information is routed to the Thurston County Sheriff's Office Financial Services Bureau for distribution to all members.

### **12.B.3 Peer Support**

- a) Any member involved in any incident which causes suffering of stress beyond normal levels, will be permitted immediate access to Office-approved, trained peer-support members.
- b) The exact nature of interaction, length of discussion and details surrounding the incident will be considered confidential between the member and peer support members.
- c) Members will also comply with:
  - 1) Thurston County Sheriff's Office Policy - Post-Shooting
  - 2) Thurston County Sheriff's Office Policy - Duty to Reply/Cooperated in Disciplinary Matters.
  - 3) And any state or federal laws.
- d) Training  
Peer support members will attend authorized training prior to giving peer support. Proof of training will be documented for the training deputy, who will notify all relevant, first-line supervisors, sheriff's Executive Aide and each division for posting.

#### **12.B.4 Leave**

- a) Sheriff's Office members will receive complete and updated information regarding leave matters.
  
- b) Bargaining Unit Agreement  
It is the responsibility of each bargaining unit member to reference the current bargaining unit agreement regarding leave policies and accruals. If an issue is not represented in the bargaining unit agreement then County Personnel Rules shall prevail.
  
- c) Non-Bargaining Unit Members  
Those members not covered by a bargaining agreement shall refer to the County Personnel Rules for reference regarding leave issues.
  
- d) Record of Leave  
The Sheriff's Office Fiscal Services Bureau shall maintain a record of each member's leave accruals and time taken. A listing of all members' leave balances shall be provided on a monthly basis.
  
- e) Request for Leave  
Requests for leave shall generally be made in writing to member's supervisor at least five days in advance.
  
- f) Sick Leave Notification to the Office  
When requesting to take sick leave time, members will personally contact the on-duty supervisor or others within their chain of command.
  - 1) Members will provide an estimate of how long they are expected to be absent from duty.
  - 2) Any member unable to report for duty because of illness or injury must notify the on-duty supervisor.
  - 3) Sudden onset of injury or illness or other emergency circumstances are sufficient cause for departure from this requirement.
  - 4) Any member who fails to report and does not have a bona-fide excuse will be subject to disciplinary action.
  
- g) Supervisors will require a written doctor's note that clears the employee to return to full, unrestricted duty whenever the member's absence for illness or injury exceeds three consecutive days.

#### **12.B.5 Insurance / Retirement Information**

- a) All Sheriff's Office members are provided with complete and updated information concerning any retirement program(s), health insurance program(s), disability and death benefits, and agency-provided professional liability protection.
- b) **Benefits Information**  
Information regarding insurance and retirement benefits for members is provided by the Human Resources Department of Thurston County.
- c) **Additional Information**  
The dissemination of any additional information regarding the benefits is the responsibility of the Sheriff's Office.

#### **12.B.6 Medical Examinations**

- a) Physical, medical, and psychological examinations required by the Thurston County Sheriff's Office are provided at no cost to the member.

#### **12.B.7 Physical Fitness**

- a) Members are required to maintain a level of physical fitness which will allow them to perform their duties effectively.
- b) 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.

#### **12.B.8 Member Time Records (Telestaff) WASPC: 9.5**

- a) The proper preparation and processing of member time records (Telestaff) is vital to the effective administration of payroll and the record keeping of overtime, vacation, and compensatory time, which are required by the County of Thurston and the Washington State Auditor's Office.
- b) **Pay Periods**  
Time periods normally run from the 1st day of the month to the 15th, then the 16th to the last day of the month.
- c) **Records Maintenance**  
Time records for every non-exempt member will be maintained in the Thurston County Sheriff's Office Financial Operations Division.
- d) **Overtime**  
When overtime is worked, the member shall properly document the time worked in Telestaff. Overtime hours may be submitted as compensatory time with supervisory approval.

e) Supervisory Approval WASPC: 9.4

A supervisor shall approve all overtime/compensatory time and make sure that the correct category code (i.e.: patrol, K9, Dive, SWAT, etc.) is marked for the overtime hours worked. All overtime and/or compensatory time will be in accordance with the current bargaining agreement of that member.

f) The member's supervisor shall review and approve all aspects of the member's recordings (hours worked, vacation, sick, overtime, etc.) in Telestaff in an appropriate and timely manner.

**12.B.9 Liability Insurance**

a) The County of Thurston provides insurance for all its members, including the Sheriff's members, through a system of self-insurance.

b) The loss liability fund is managed by the County's Insurance Risk Fund in the Human Resources Department.

**12.B.10 Legal Advice and Litigation**

a) Legal advice for the Thurston County Sheriff's Office is provided by the Thurston County Prosecuting Attorney. A Deputy Prosecutor is designated by the County Prosecutor to serve as the Sheriff's Office legal advisor.

b) Civil Litigation

The Sheriff has an interest in any civil action involving any member. The following general directive provides means of assuring that the Sheriff will be notified when a civil suit is contemplated or commenced.

c) Initiating Suits

Members shall not bring a civil action against any person for damages sustained in the line of duty without first reporting the case to the Sheriff.

d) Being Named as a Respondent

Any member who becomes aware that they will be named as a respondent in a civil action growing out of that member's acting in an official capacity, whether on or off duty, will immediately notify the Sheriff of such action.

e) Subpoenas Relating to Office Business or Operations

Any member who is served with a subpoena or other legal process relating to the business, operations, policies, or procedures of the office will inform their division Chief immediately.

## **CHAPTER 12 SECTION C ~ GRIEVANCE**

### **12.C.1 Procedure**

- a) A resolution of a grievance is a remedy sought concerning only issues covered in the collective bargaining unit contract(s).
- b) The procedures and timelines are outlined in the respective collective bargaining unit agreements.
- c) Probationary member provisions are addressed in the bargaining unit contract and civil service rules.
- d) Grievance procedure coordination responsibility is governed by the bargaining unit contracts.

### **12.C.2 Contents of Grievance**

- a) Each member of the Sheriff's Office should consult their respective collective bargaining agreement for procedure and time line for grievance methods.
- b) At a minimum, each grievance will include:
  - 1) A written statement of the grievance and the information upon which it is based;
  - 2) A written specification of the alleged wrongful act, including any resultant harm; and
  - 3) A written description of the remedy, adjustment or other corrective action sought.

### **12.C.3 Grievance Controls / Appeals and Records**

- a) Resolution of staff grievances are outlined in the current Sheriff's Office collective bargaining member contracts or county Personnel Rules. These rules set the time line and sequence of handling for presenting and responding to grievances.
- b) Informal Resolution of Potential Grievances  
The Sheriff's Office encourages informal resolution of potential grievances. Staff members are encouraged to resolve potential grievances through verbal discussion with their supervisor. Supervisors may arrange meetings with their superiors as they deem necessary.
- c) Appeals of Decisions of Grievance Matters  
Appeals of any decisions of grievance matters are determined by member contract. Decisions by arbitrators shall be final and binding upon the parties to the grievance, provided the arbitrator shall have no power to add to, subtract from or otherwise modify or amend any terms of the member contract agreements.

- d) A member may elect to pursue an appeal to the Civil Service Commission when the member is not covered by the collective bargaining agreement.
  
- e) Records of Grievances
  - 1) Records of grievances resulting in discipline are maintained in internal affairs or member personnel files, stored by the Sheriff's Executive Aide.
  
  - 2) Records of grievances involving a pay-related issue or dispute are maintained by the member Association.
  
  - 3) Boards or Arbitrators will maintain their own system of records keeping.



# Chapter 13

## Health and Safety



- Section A ~ Health and Safety
- Section B ~ HIPAA
- Section C ~ Transport Hood

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**CHAPTER 13 SECTION A ~ HEALTH AND SAFETY WASPC 8.1**

**13.A.1 Blood Borne Pathogen / Infectious Disease Exposure Control Plan**

a) The Sheriff's Office will adhere to the Thurston County Exposure Control Plan and the related WAC, as well as WISHA guidelines, as they relate to the blood-borne pathogen protections against occupational exposure. The primary work practice control methods of protection are:

- 1) The Exposure Control Plan.
- 2) Engineering and work practice controls.
- 3) Personal protective equipment.
- 4) Housekeeping.
- 5) Hepatitis B vaccinations for those in job classifications or tasks determined to be reasonably at risk of exposure covered in the control plan.
- 6) Post-exposure medical evaluation and follow-up.
- 7) Labeling, communication and training.
- 8) Decontamination and laundry.
- 9) Waste management.
- 10) Recordkeeping.

b) Health Risk Notification

Members and volunteers will receive a notification of the known health risks, if any, as they may relate to any assignment to an at-risk classification duty. Training on HIV/Hepatitis B matters is mandatory for all full-time, part-time, and temporary members in any at-risk classification. Training for volunteers of the Sheriff's Office is voluntary, but recommended. Vaccinations for volunteers are also voluntary and are made available at the county cost rate.

c) Matters Affecting Inmates

Inmates found to have clothing contaminated with human blood or other potentially infectious materials will place their clothing in double-plastic bagged containers, which shall be identified with the Bio-Hazard label. Examples are such as:

- 1) The following human body fluids: semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids.
- 2) County clothing will be provided during incarceration. Soiled clothing will be sealed in a Bio-Hazard bag and placed into the inmate's property, until the release of the inmate.

3) Only trained Office members will do work in any hazardous duty. All food service workers shall follow recommended standards and practices of good personal hygiene and food sanitation. They shall exercise care to avoid injury to the hands when preparing food. Should an injury occur, both aesthetic and sanitary considerations dictate that food contaminated with blood be discarded.

d) Members Compliance

All Thurston County Sheriff's Office members will be held accountable for utilizing personal protective equipment when in at-risk situations. Violations of this policy or procedures are subject to discipline.

e) Annual Policy Review

The Thurston County Sheriff's Office management will annually review and update, if possible, the Office's Blood-borne Pathogen policy and procedures.

**THURSTON COUNTY SHERIFF'S OFFICE EXPOSURE CONTROL PLAN**

CLASSIFICATION	EXP YES	EXP NO	ANTICIPATED METHOD OF EVIDENCE
Deputy Sheriff	X		First Aid/Arrest/Evidence
Operations Sergeant	X		First Aid/Arrest/Evidence
Lieutenant	X		First Aid/Arrest/Evidence
Captain	X		First Aid/Arrest/Evidence
Chief Deputy Operations	X		First Aid/Arrest/Evidence
Evidence Technician	X		First Aid/Arrest/Evidence
Sheriff	X		First Aid/Arrest/Evidence
Undersheriff	X		First Aid/Arrest/Evidence
Chief Deputy Service Bureau	X		First Aid/Arrest/Evidence
Services Sergeant	X		First Aid/Arrest/Evidence
Services Deputy	X		First Aid/Arrest/Evidence
Chief Deputy Corrections	X		First Aid/Evidence/Searching/Detention
Corrections Captain	X		First Aid/Evidence/Searching/Detention
Corrections Lieutenant	X		First Aid/Evidence/Searching/Detention
Corrections Sergeant	X		First Aid/Evidence/Searching/Detention
Corrections Deputy	X		First Aid/Evidence/Searching/Detention

**THURSTON COUNTY SHERIFF'S OFFICE COLLATERAL PLAN**

CLASSIFICATION	EXP YES	EXP NO	ANTICIPATED METHOD OF EXPOSURE
Food Services Supervisor	X		First Aid/Confrontation/Intervention
Food Services Asst. Supervisor	X		First Aid/Confrontation/Intervention
Food Services Specialist	X		First Aid/Confrontation/Intervention

**13.A.2 Procedures and Precautions** WASPC 8.1

- a) All members who may be involved in providing emergency medical care, or who come in contact with another person's blood or body fluids (e.g., during an altercation or while attending to any injured person), shall follow these procedures and guidelines (WAC 296-823-140 et seq.).
  
- b) Universal Precautions  
 All human blood and bodily fluids such as saliva, urine, semen, and vaginal secretions are to be treated as if they are known to be infectious. Where it is not possible to distinguish between fluid types, all bodily fluids are to be assumed potentially infectious. (WAC 296-823-14060).
  
- c) Personal Protective Equipment (PPE) WASPC: 8.2  
 The PPE is the last line of defense against communicable disease. Therefore, the following equipment is provided for all members to assist in the protection against such exposures and kept in each member's vehicle or work station: (WAC 296-823-15005).
  - 1) Not less than two pair of disposable latex gloves
  - 2) Safety glasses or goggles.
  - 3) Alcohol (or similar substance) to flush skin at emergency site
  
- d) Immunizations  
 All Office members who, in the line of duty, may be exposed to or have contact with a communicable disease shall be offered appropriate treatment and/or immunization for Hepatitis B (HBV) (WAC 296-823-130 and WAC 296-823-13005).
  
- e) Work Practices  
 All members shall use the appropriate barrier precautions to prevent skin and mucous membrane exposure whenever contact with blood or bodily fluid is anticipated (WAC 296-823-15005).

- 1) Disposable gloves shall be worn on all medical emergency responses.
  - 2) Disposable gloves shall be worn before making physical contact with any patient and/or when handling items (e.g., evidence, transportation vehicle) soiled with blood or other bodily fluids.
  - 3) Should one's disposable gloves become contaminated with blood or other bodily fluids, the gloves shall be disposed of as contaminated waste (WAC 296-823-15010).
  - 4) Care should be taken to avoid touching other items (e.g., pens, books and personal items in general) while wearing the disposable gloves in a potentially contaminated environment.
  - 5) All procedures involving blood or other potentially infectious materials shall be done in a way to minimize splashing, spraying, or otherwise generating droplets of those materials (WAC 296-823-14020).
  - 6) Eating, drinking, smoking, applying lip balm and handling contact lenses shall be prohibited in areas where a potential for an exposure exists.
- f) Use of Waste Containers Ref: WASPC 8.1.1, 18.5.2  
Members shall dispose of biohazard with the on scene fire response vehicle, or at the attending clinic/hospital with its approval, or in an appropriately marked biohazard waste container at the Office immediately upon arrival.

### 13.A.3 Decontamination and Disposal WASPC: 8.5

- a) Decontamination of Skin and Mucous Membranes  
Members shall wash their hands immediately (on scene if possible) or as soon as possible following the removal of potentially contaminated gloves. Antibacterial soap and warm water or an approved disinfectant shall be used to wash one's hands, paying particular attention to the fingernails.
- 1) If a member's intact skin contacts someone else's blood or bodily fluids or other potentially infectious materials, the member shall immediately wash the exposed part with soap and warm water or an approved disinfectant as soon as possible. If the skin becomes grossly contaminated, body washing shall be followed by an approved hospital strength disinfectant. If large areas of the member's skin are contaminated, the member shall shower as soon as possible, using warm water and soap or an approved disinfectant. Medical treatment should be obtained (WAC 296-823-14030).
  - 2) **Contaminated non-intact skin** (e.g., injured skin, open wound) shall be cleaned using an approved disinfectant and then dressed or bandaged as required.  
**Medical treatment is required.**

- b) Sharps WASPC 8.1, 8.5

All members shall avoid using or holding sharps (needles) unless needed to do so while assisting a paramedic or collecting them for evidence. Unless required for evidentiary reasons related to evidence preservation, members are not to recap sharps.

- 1) If recapping is necessary, a one handed method shall be employed to avoid a finger prick.
  - 2) Disposal, when possible, shall be into a puncture proof biohazard container.
  - 3) All sharps and items that cut or puncture (e.g., broken glass, razors and knives) shall be treated cautiously to avoid cutting, stabbing, or puncturing one's self or any other person. In addition, if a sharp object contains known or suspected blood or other bodily fluids, that item is to be treated as a contaminated item.
  - 4) If the item is not evidence, touching it with the hands shall be avoided. Rather, use a device such as tongs or a broom and a dustpan to clean up debris. If the material must be hand held, protective gloves must be worn (WAC 296-823-14015).
- c) Disposable Protective Equipment WASPC 8.1, 8.5  
Contaminated disposable supplies (gloves, dressings, CPR mask) shall be transported with the patient or suspect in the ambulance or member's vehicle.
- 1) The waste material shall then be disposed of in a biohazard waste container at the hospital or Office.
  - 2) Disposable gloves are to be worn while placing the waste into the waste biohazard container, placing the gloves in with the waste when through (WAC 296-823-15030).
- d) Decontamination of PPE WASPC 8.1, 8.5  
After using any reusable PPE, it shall be washed or disinfected and stored appropriately. If it is non-reusable (e.g., disposable gloves), it shall be discarded in a biohazard waste container as described in this policy.
- 1) Contaminated reusable PPE that must be transported prior to cleaning shall be placed into a biohazard waste bag and transported in the ambulance, paramedic truck, or sheriff's vehicle.
  - 2) Gloves shall be worn while handling the biohazard waste bag and during placement into the biohazard waste container, and then included in with the waste (WAC 296-823-15030).
- e) Decontamination of Non-Disposable Equipment WASPC 8.1, 8.5  
Contaminated non-disposable equipment (e.g., flashlight, gun, baton, clothing, and portable radio) shall be decontaminated as soon as possible. If it is to be transported, it shall be done by first placing it into a biohazard waste bag.
- 1) Grossly contaminated non-disposable equipment items shall be transported to a hospital, fire station or other approved location for proper cleaning and disinfecting. Porous

surfaces such as nylon bags and straps shall be brushed and scrubbed with a detergent and hot water, laundered and allowed to dry. Non-porous surfaces (e.g., plastic or metal) shall be brushed and scrubbed with detergent and hot water, sprayed with a bleach solution, rinsed and allowed to dry. Delicate equipment (e.g., radios) should be brushed and scrubbed very carefully using a minimal amount of a type of germicide that is approved by Environmental Protection Agency (EPA).

- 2) Contaminated equipment should be cleaned using an approved EPA germicide or a 1:100 solution of chlorine bleach (one-quarter cup of bleach per one gallon of water), while wearing disposable gloves and goggles. Large particles of contaminants such as vomit, feces, or blood clots should first be removed using a disposable towel or other means to prevent direct contact, and properly disposed (WAC 296-823-14055).

f) Decontamination of Clothing WASPC 8.1, 8.5

Contaminated clothing such as uniforms and undergarments shall be removed as soon as feasible and rinsed in cold water to prevent the setting of bloodstains.

- 1) If the clothing must be washed in soap and hot water, do so as soon as possible. If the clothing must be dry cleaned, place it into a biohazard waste bag and give it to the Evidence Technician.
- 2) The Evidence Technician will secure a dry cleaner that is capable of cleaning contaminated clothing, and inform them of the potential contamination. This dry cleaning will be done at the Office's expense (WAC 296-823-15030).
- 3) Contaminated leather boots shall be brushed and scrubbed with detergent and hot water. If the contaminant soaked through, the boots shall be discarded.

g) Decontamination of Vehicles WASPC 8.1, 8.5

Contaminated vehicles and components such as the seats, radios, and doors shall be washed with soap and warm water and disinfected with an approved germicide as soon as feasible.

h) Decontamination of Station and Cleaning Area WASPC 8.1, 8.5

The Office shall designate a location at the Courthouse Complex that will serve as the area for cleaning/decontamination.

- 1) This area is to be used to keep equipment clean and sanitary and for the members to wash any potential contamination from their bodies. This area is to be thoroughly cleaned after each use and maintained in a clean and sanitary order at all times between each use.



- 2) The application of cosmetics, smoking cigarettes, food, and drink are prohibited in this designated area at all times.

#### **13.A.4 Medical Treatment**

- a) Medical Consultation, Evaluation, and Treatment WASPC 8.1, 8.6  
Any member who was exposed or suspects he/she was exposed to any bodily fluids should be seen by a physician (or qualified health care provider) immediately following the exposure or as soon as practicable thereafter.
- b) The doctor (or qualified health care provider) should review the supervisor's report, the member's medical records relevant to the visit and examination and the Communicable Disease Notification Report.
- c) The medical consultation, evaluation, and treatment shall be provided at no cost to the affected member.
- d) If it is appropriate the supervisor should work with the attending physician and member on any follow up that may be required. Examples:
  - 1) If a post exposure treatment is indicated for the member.
  - 2) If the member received a post exposure treatment.
  - 3) Confirmation that the member received the evaluation results.
  - 4) Confirmation that the member was informed of any medical condition resulting from the exposure incident that will require further treatment or evaluation.
  - 5) Whether communicable disease testing from the source is warranted, and if so, which diseases should the testing include.
  - 6) All findings or diagnosis shall remain confidential and are not to be included in the written report

#### **13.A.5 Duties and Responsibilities**

- a) Supervisors will assure reasonable protection of the health, welfare, and safety of the general public and members. The supervisor will have overall command and control of situations / hazards until relieved by a person of greater rank or the scene is turned over to appropriate responding agency.
- b) The Patrol Division supervisor on duty is responsible for responding to and notifying the following regarding hazardous material incidents:
  - 1) The Washington State Patrol – The State Patrol is designated as the primary investigative agency, in Thurston County, for all hazardous material responses whether an actual or suspected hazardous material has been discovered, or an event has occurred.

- 2) The Fire Department – The local fire department may be used to provide fire/emergency medical and respond to assist in containment of the hazard and may assist in evacuation notification and restrict access to the site.
- 3) The Washington State Department of Ecology – Ecology will be contacted whenever an actual or suspected hazardous material spill occurs in or near a wetland or waterway, or any location in the county jurisdiction.
- 4) Washington State Labor and Industries – L&I will be notified whenever a county member, reserve or auxiliary person has been exposed to an actual or suspected hazardous material. This notification is not an immediate notification and can be done via sending L&I a copy of the report or exposure form.
- 5) Thurston County Public Works Risk Management Investigator – Risk Management Investigator will be notified, immediately, whenever an actual or suspected hazardous material incident involves a county right-of-way, or county property, or as a result of a member's action. If unable to contact or notify the Risk Investigator a copy of the report will be sent as needed.
- 6) Thurston County Lab Response Team – The Lab Team will be notified for any actual or suspected drug lab hazardous material situation or arrest. The Lab Team will assess the site and contact the appropriate agency for processing and/or disposal of the lab. Supervisors will assure reasonable efforts by subordinates to avoid chemical odors and fumes in the area. (A wider perimeter may be required.) Only lab certified officers with the 40-hour course may enter a contaminated vehicle or dwelling. All arrests will be made outside the lab crime scene unless otherwise ordered and properly equipped. Supervisors will cause drug lab suspects to be decontaminated as best as possible by showering or having the local fire department conduct a decontamination wash of the suspect prior to any transportation and subsequent booking in the corrections facility.
  - (a) Transportation to the Corrections Facility will be after suspects are provided clean Tyvek suits with hoods. Such clothing and or flex-cuffs will be used when appropriate to avoid unnecessary contamination.
  - (b) Contaminated clothing will be placed in plastic bags, left in place, for proper seizure or to be destroyed in place as deemed necessary for public safety.
  - (c) Inmates will not to be transported or booked into the Correctional Facilities while wearing contaminated clothing. Drug-contaminated clothing erroneously arriving at

Corrections will be discarded in the trash after double-bagging. Other clothing will be provided to prisoners.

- 7) The Sheriff's Office Corrections Facility – The Corrections Facility will be notified, whenever knowledge exists, that an arrestee being booked into that facility has been exposed to a hazardous material. When possible, they will also be informed as to what the hazardous material is, and what treatment and/or decontamination has been preformed; prior to entering the facility.
  - 8) The Emergency Management – Emergency Management will be notified as needed through the on-call member.
  - 9) The Chain of Command – The supervisor will ensure that they notify the next senior officer in the chain of command.
- c) Deputy - The primary Deputy on the scene will insure that innocent bystanders and motorists stay clear of potential danger, will secure the scene until fire personnel arrive, control traffic until relieved or the situation is resolved, and will report their actions to their supervisor.

#### **13.A.6 Hazardous Materials**

- a) Deputies will respond to hazardous material situations as required by law and office directive.
- b) Nothing in this directive is intended to prevent a deputy from assisting in public safety or emergency medical situations when that deputy is in close proximity to same and is not en route to a priority call.
- c) The deputy shall inform their supervisor of any response to these types of situation, and the supervisor will monitor the level and length of this involvement.

#### **13.A.7 Health Hazards**

- a) Sheriff's Office supervisors will take all reasonable precautions to protect office members from known or suspected health hazards.
- b) Pregnant members – will avoid all contact with potential infectious viruses and health hazard risks to themselves or their future newborns. Members will not apply makeup at such scenes, or use hands to touch the face, especially the mouth and eyes.
- c) Members will not:
  - 1) Taste or smell any suspect material.

- 2) Subject themselves to any, potentially hazardous or inhalation substance that may effect the respiratory system.
  - 3) Subject themselves to exposure to excessive fingerprint compounds such as:
    - (a) Ninhydrin spray vapors.
    - (b) Breathing of latent print powder, or natural graphite dust.
    - (c) Masks will be worn when fingerprinting in confined, small areas for extended periods.
  - 4) Use any carcinogenic substances or catalysts, narcotic testing chemicals, fingerprint powders, sprays, or fuming compounds, unless properly trained and equipment to safely utilize such substances.
  - 5) Break or improperly dispose of any hypodermic needles. Hypodermic needle evidence containers will be utilized for destruction and/or disposal of needles and such evidence will be processed in accordance to the Evidence procedure. The State Crime Lab will not accept syringes at all.
  - 6) Eat, drink, or smoke at crime scenes or hazardous material location where fluids are present or other contagious factors exist.
- d) Members will:
- 1) Utilize disposable gloves whenever handling bloodied evidence, suspicious substances, chemicals, or when any member has an open sore or injury and may be handling a prisoner or deceased body.
  - 2) Properly dispose of used disposable gloves and garments. Gloves should be rolled inside out and disposed of in a plastic bag lined garbage container.
  - 3) Document any other person or agency to which contaminated evidence will or has been relinquished.
  - 4) Supervisors will isolate possibly contaminated Sheriff's Office vehicles for inspection and proper decontamination.
  - 5) Advise Corrections members and/or Warrants members whenever a prisoner or wanted person is believed to have been infected or exposed to communicable disease or chemicals.

- 6) Remove and clean jewelry and watches as hands are disinfected in washing. Paper towels will be used to dry off and will be disposed of in a plastic lined garbage container for safe final disposal.
- 7) Change clothing soiled with blood or body fluids.
- 8) Wash contaminated vehicle surfaces with hot soapy water and 1:9 chlorine bleach solution, or other approved germicide. Pay special attention to the steering wheel and accessories such as radio equipment, etc., that came into contact with the hands or victim/suspect/witness contaminated.

### **13.A.8 Treatment**

- a) All members who have been exposed will receive immediate treatment for exposure and will receive follow up treatment as necessary.
- b) A member who is unsure if they were exposed will be treated and cleared by medical members prior to leaving duty.
- c) **Psychological Counseling**  
The Sheriff's Office will assure medical and psychological counseling for those members who have been exposed to high risk infectious diseases such as AIDS and Hepatitis through contact with the Member and Administrative Services.

*NOTE: Decontamination is important to avoid subjecting innocent persons from secondary exposure and also to avoid decommissioning emergency vehicles from further use.*

### **13.A.9 Reporting WASPC: 8.6**

- a) All Office members are required to immediately report to their supervisor any exposure to hazardous material(s). The supervisor will follow the exposure control plan and ensure all necessary paperwork is filed prior to leaving duty.
- b) All members who have been exposed or have a probability of exposure will follow the Thurston County Exposure Control Plan for treatment, notification, and filling out the required exposure forms.
- c) In order to provide appropriate and timely treatment should exposure occur, all members shall verbally report the exposure to their immediate supervisor and complete a written exposure report as soon as possible following the exposure or suspected exposure. That report shall be submitted to the member's immediate supervisor.

**13.A.10 Supervisor Reporting Requirements** WASPC: 8.6

- a) The on duty supervisor shall investigate every exposure that occurs as soon as possible following the incident, while gathering the following information (WAC 296-823-16005):
  - 1) Names of the members exposed
  - 2) Date and time of incident
  - 3) Location of incident
  - 4) The potentially infectious materials involved
  - 5) Source of material or person
  - 6) Current location of material or person
  - 7) Work being done during exposure
  - 8) How the incident occurred or was caused
  - 9) PPE in use at the time of incident
  - 10) Actions taken post event (clean-up, notifications, etc.)
  
- b) The supervisor shall use the above information to prepare a written summary of the incident, its causes, and recommendations for avoiding similar events. This report will be provided to the Bureau Captain, the consulting physician and to the County's Risk Manager.
  
- c) Confidentiality  
Most of the information involved in the process must remain confidential. The Bureau Captain shall ensure that all records and reports are kept in the strictest confidence.
  
- d) The Bureau Captain shall be responsible for maintaining records containing the member's HBV status and the results of examinations, medical testing, and follow up procedures that took place as a result of an exposure.

WAC 296-823-16005 **Make a confidential medical evaluation and follow-up available to employees who experience an exposure incident.**

**You must:** *Make immediately available a confidential post-exposure evaluation and follow-up to all employees with occupational exposure to blood or OPIM who report an exposure incident.*

*Definition: Exposure incident. Means a specific eye, mouth, other mucous membrane, nonintact skin or other possible injection or contact with blood or other potentially infectious materials (OPIM) that results from the performance of an employee's duties. Examples of nonintact skin include skin with dermatitis, hangnails, cuts, abrasions, chafing, or acne.*

**You must:** *Make sure that the post-exposure medical evaluation and follow-up are all of the following:*

- *Immediately available following an exposure incident*
- *Confidential*
- *At no cost to the employee*
- *At a reasonable time and place*
- *Administered by or under the supervision of a licensed physician or by another licensed healthcare professional.*
- *Provided according to recommendations of the United States Public Health Service current at the time these evaluations and procedures take place.*

**You must:** *Make sure that the evaluation and follow-up includes AT LEAST these elements: Documentation of the routes of exposure, and the circumstances under which the exposure incident happened*

- *Identification and documentation of the source individual, unless you can establish that identification is infeasible or prohibited by state or local law*
- *Collection and testing of blood to detect the presence of HBV and HIV*
- *Post-exposure preventive treatment, when medically indicated, as recommended by the United States Public Health Service*
- *Counseling*
- *Evaluation of reported illnesses.*

**You must:** *Make sure that all laboratory tests are conducted by a laboratory licensed by the state or Clinical Laboratory Improvement Amendments Act (CLIA).*

*[Statutory Authority: RCW [49.17.010](#), [49.17.040](#), [49.17.050](#), and [49.17.060](#).]*

**CHAPTER 13 SECTION B ~ HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT**

**13.B.1 HIPAA OF 1996**

- a) County Resolutions #12939 and #12940 are found on the Thurston County Intranet, and see Thurston County Administrative Manual Policy 45.1, also on the intranet.
- b) The Thurston County Sheriff's Office requires initial and annual training on HIPAA, and changes may well be expected. The County recognizes the information technical manager as security officer on HIPAA compliance. The Undersheriff is specifically responsible to assure initial and annual training to Thurston County Sheriff's Office Corrections Bureau, Accounting Office, and other members of the office of the Sheriff who are covered under HIPAA.
- c) The Act affects the daily operation of the Sheriff's Office, involving the sharing of medical and mental health information of inmates and all members of Thurston County Sheriff's Office.
- d) Protected Health Information (PHI) means information in any form – oral, electronic, or printed – which identifies an individual and relates to a person's physical or mental health. PHI excludes individually identifiable health information in employment records held by the Sheriff's Office. The Corrections Bureau will protect inmate medical and mental health records and deal with implied consent by individuals.
- e) Records Section will lock up and not release any medical information, other than to a victim, and will protect an individual's right to privacy and will protect from view any computer screen or hard copy of medical or mental health information.
- f) On criminal case investigations, members will acquire a proper release form, when asking for medical information on a victim, from the attending physician, and disclosed only on a need-to-know basis. Investigators should respect limitations placed on emergency response personnel who follow the same requirements.
- g) All members will not divulge medical mental health, or sick information of anyone unless expressed permission is given by the person affected. This includes the involvement of former Office members. Sometimes, their spouse can assist in what that person may want people to know. Supervisors should avoid asking detail when members calling in sick leave requests for leave.
- h) Violation of the HIPAA law, County resolutions and this policy, could result in a criminal penalty. Violation could also result in termination of employment.



**HIPAA CONFIDENTIALITY STATEMENT**

As a Sheriff's Office members, or any other agency member of Thurston County, you have the responsibility of maintaining the confidentiality of all records and health care information. By signing this statement, you agree to the following:

I understand that all client and Thurston County employee information, records, and health care information compiled, obtained, maintained, reviewed, or observed by me in the course of my duties are confidential. I agree not to disclose or otherwise make known to any unauthorized persons any information regarding the same, unless so directed by a Thurston County Supervisor, or if the person(s) affected otherwise authorizes disclosure of medical concerns. No otherwise privileged information, whether written or oral, will be shared with family members and/or friends.

I understand that I am not to read information, records and health care information concerning clients and case reports or any other confidential documents for my own personal information, but only to the extent and for the purpose of enabling me to perform my assigned duties. Discussions regarding clients or employees will be held in staff offices/areas or other places where privacy is assured. I will not discuss any identifying information except in the performance of job-related duties, being especially mindful that these discussions do not occur in hallways, elevators, lavatories, lunchrooms, or other public areas.

All charts, notes and other written material concerning a client or employee, will be filed in a secure place when I am not using the information. When working on network files on a computer, I will log off when I am finished or leave my work station for an extended period of time, to prevent access to confidential files and databases.

Violation of this agreement and HIPAA law may result in criminal penalty.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Thurston County Representative Signature

\_\_\_\_\_  
Date

## **CHAPTER 13 SECTION C ~ TRANZPORT HOOD USE**

### **13.C.1 Use**

- a) When deputies make an arrest, transport prisoners, or any other in custody situations where the individual may be deliberately spitting, coughing, and/or sneezing in such a manner as to create a concern by the member of exposure to bodily fluids or the person has blood or other infectious fluids coming from their mouth/nose area, they may choose to use the TRANZPORT HOOD.
- b) The determination as to whether to use the TRANZPORT HOOD will be left up to the member but will have to be justified in the report. Deputies are encouraged to use the hood in those situations where exposure may occur.
- c) The TRANZPORT HOOD will be applied only as directed by the manufacturer's instructions that are supplied with the device.
- d) When the TRANZPORT HOOD has been applied to a subject the deputy will ensure that the device does not interfere with the subject's breathing or cause any choking.
- e) When the TRANZPORT HOOD is used the deputy will document the fact in a field investigative report (FIR). The information may be included in the report documenting the arrest or the incident that led to the transport.

# CHAPTER 14

## PROFESSIONAL STANDARDS

### COACHING, COUNSELING, RECOGNITION AND THE DISCIPLINARY SYSTEM



- Section A ~ Policy and Purpose
  - Section B ~ Disciplinary Action
  - Section C ~ Investigative Findings / Determinations
  - Section D ~ Initiation of Complaints
  - Section E ~ Minor Investigations
  - Section F ~ Major and Moderate Investigations
  - Section G ~ Record / Brady Information
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**CHAPTER 14 SECTION A ~ POLICY AND PURPOSE**

WASPC: 14

**14.A.1 Overview**

- a) As the Sheriff's Office is a part of Thurston County government, it must be accountable for the official acts of all its members. To ensure and exercise the accountability, it is necessary to have a system of review, examining selected official acts. This review may be initiated by anyone. Its end product must be, at a minimum, assurance that any policies, procedures, or individual actions meet the test of fairness, equity and justice, or, being found to fall short of these tests, will be subject to prompt corrective action. In addition, the Sheriff's Office must assure that the members are recognized for their performance and, when appropriate, recognized, coached or counseled.
- b) A relationship of trust and confidence between members of the Sheriff's Office and the community they serve is essential to effective law enforcement. Office members must be free to exercise their best judgment and to initiate law enforcement action in a reasonable, lawful, and impartial manner without fear of reprisal. In addition, enforcers of the law have a primary obligation to respect the rights of all people.
- c) Meeting the responsibility to itself and the community, the office and collective bargaining agreements establish a system of complaint and disciplinary procedures by and through this policy. The system will not only subject a member to corrective action when improper conduct is evident, it will protect the individual member when they discharge their duty properly.
- d) It is the purpose of these procedures to provide a prompt, just, open, and expeditious disposition of complaints, from whatever source, regarding the conduct of the members of the Sheriff's Office. To this end the Office welcomes constructive and valid criticism of procedures, and complaints against members from citizens of the community and from its own members.
- e) It shall be the policy of the Sheriff's Office to recognize exemplary performance on the part of the members.
- f) It shall be the policy of the office to make use of coaching in an effort towards recognizing performance that is most generally acceptable.
- g) It shall be the policy of the office to make use of counseling techniques with a member when performance or action(s) are such that it is generally unsuccessful and needs improvement.
- h) Counseling should be considered as an option in lieu of or in conjunction with properly administered discipline. Counseling may be referred by a supervisor, command deputy or

the Sheriff based on a member's past performance. Areas of concern for counseling could include such subjects as anger management, alcohol problems, domestic problems, member relations, burnout, etc. Members have the option of using the Member Assistance Program or being referred to an office psychologist.

WASPC: 14.1

- i) It is the policy of the Sheriff's Office to accept and investigate all complaints of member misconduct or wrongdoing from any citizen or Office member. It is intended to be fair to all concerned, to assure the public of a thorough inquiry, and protect these same members from false or frivolous complaints. The process for investigating complaints against members of the Sheriff's Office shall protect the rights of the member as well as those of the public.
- j) Investigations will be conducted in a fair, consistent, and impartial manner while complying with current labor contracts as well as Sheriff's Office policy. With truth as its primary objective; investigations will allow the public and all members of the Sheriff's Office to have confidence in this process.

#### **14.A.2 Responsibility**

- a) The Undersheriff is responsible for all internal affairs functions for the Sheriff's Office. The Undersheriff may delegate to those in authority deemed appropriate.

#### **14.A.3 Policy Dissemination**

- a) The internal affairs policy will be included in all Office-wide policy manuals, and will be distributed to all members.

#### **14.A.4 Duty to Report Misconduct**

- a) Members will report any major violation of official orders, neglect of duty, or illegal conduct by any member of the office to their supervisors or division supervisor.
- b) Failure to do so will constitute a violation of regulations.
- c) Supervisors and division supervisors will take immediate, appropriate action on such reports.

#### **14.A.5 Duty to Reply/Cooperate in Disciplinary Matters**

- a) When ordered, a member will answer fully all questions asked by a supervisor or command deputy regarding performance of official duties and will cooperate with any internal investigation and/or disciplinary process or review board hearing.
- b) No member shall obstruct, hinder, or impede internal investigations, or knowingly conceal or misrepresent material facts relating to the subject matter of an inquiry.
- c) No member shall be deprived of any rights or freedoms afforded to any ordinary citizen by

the U.S. Constitution or by the laws of the State of Washington. (Statements made in the office internal investigation, which are involuntary, will not be admissible in a criminal prosecution.)

**14.A.6 Member Accountability**

- a) Like all public service agencies, the Sheriff's Office is accountable for the acts and omissions of all its members. To ensure and exercise this accountability, the Office utilizes an internal review system to examine official acts and omissions. This review may be initiated by any Office member, citizen, or third party.
- b) The goal of this system is the assurance that any policies, procedures, or individual member actions meet the test of fairness; and, if not, that corrective measures are taken.

**14.A.7 Relationship between Members and the Public**

- a) A relationship of trust and confidence between members and the community they serve is essential to effective law enforcement. Police officers must be free to exercise their best judgment and to initiate law enforcement action in a reasonable, lawful, and impartial manner, without fear of reprisal. In addition, enforcers of the law are obligated to respect the rights of all people.
- b) Public confidence in the ability of the Office to investigate and properly adjudicate all complaints against its members must be maintained. The Office has the responsibility to seek out and discipline those whose conduct discredits the Office or impairs its effective operation. The rights of the public, as well as those of the member, must be protected. In this application, discipline is viewed as a positive process whose main purpose is to train or develop by instruction.

**14.A.8 Investigation of Complaints WASPC: 14.1**

- a) The purpose of these procedures is to provide a prompt, just, and open disposition of complaints regarding the conduct of members. To this end, the Office welcomes constructive and valid criticism of Office procedures and complaints against its members from concerned citizens of the community.
- b) The Office considers all complaints against the Office and any of its members and fully investigates all such complaints as appropriate.
- c) The Office shall take no action that would cause a violation of the Fair Labor Standards Act (29 USC § 201 et seq.).

**14.A.9 The Objective of an Administrative Investigation is to:**

- a) Factually establish what happened.
- b) Determine if Office members were involved.

- c) Properly uncover and preserve all pertinent facts and evidence.
- d) Determine whether or not the member's alleged conduct was intentional.
- e) Determine if the member's alleged conduct was the result of action or inaction by the employer.
- f) Determine the basis and reasonableness of the member's actions and evaluate any explanation given.

**14.A.10 Definitions**

a) **Misconduct** is an act or omission by a member which, if proven true, would normally result in some form of disciplinary sanction. This would include:

- 1) Commission of an unlawful act.
- 2) Neglect of duty.
- 3) Violation of Office policy, procedure, rule, regulation, or training procedure.
- 4) Conduct which may reflect unfavorably upon the member or Office.

b) **Major Violations**

Major violations are the most serious and include an act or omission that, if proven true, would constitute willful or wanton disregard for policies and procedures. These include, but are not limited to:

- 1) Dishonesty or any breach of integrity by a member that reflects discredit on the Office.  
*This includes untruthfulness and/or issues related to the Brady Ruling.*
- 2) Insubordination.
- 3) Unauthorized use of weapons and/or unjustified use of force.
- 4) Failure to conform to a law that would constitute a gross misdemeanor or greater.
- 5) Discrimination/harassment/sexual harassment involving civil rights violations. This would include tort claims regarding the use of force, civil rights, false arrest and/or imprisonment, and wrongful death.
- 6) Alcohol and/or substance abuse. (If there is evidence and/or behavior to indicate alcohol or substance abuse, ensure all evidence is collected and preserved in accordance with Office policy.)
- 7) A serious breach of Office rules and regulations. (Serious breaches of Office policy depend on the elements of each case.)
- 8) Complaints against members where an outside agency is involved.
- 9) Allegations involving members on disability status.

c) **Moderate Violations**

Moderate violations are actions or behavior by a member in disregard of Office policies and procedures. Moderate investigations include, but are not limited to:

- 1) Abuse of position by a member.
- 2) Failure to conform to laws that constitute a misdemeanor or less.



- 3) Violation of the Code of Ethics which could bring discredit to the Office.
- 4) Ongoing performance problem, not rising to the level of a major. (This would include recurring work-related problems that have been addressed through counseling, documentation, performance improvement plans, and/or retraining.) There should be ongoing consultation with the Human Resource Division, if performance problems persist.

d) **Minor Violations**

Minor violations are those complaints against Office members that may involve perceptual differences and possible violations of Office policies, procedures, or service. Examples of Minor investigations are speeding and courtesy.

Supervisors have authority to administer findings on incidents classified as minor investigations or loss/damage of equipment where the result is counseling or reprimands, not discipline.

Minor investigations include, but are not limited to:

- 1) Speeding
- 2) Courtesy
- 3) Loss/damage to equipment

e) **Administrative Reassignment** WASPC: 14.3

By order of the Sheriff or designee, a member may be relieved of duty and suspended with pay during the course of an internal investigation involving allegations of

- 1) Criminal violation and/or arrest
- 2) Serious violations of Sheriff's Office policies/procedures/practices
- 3) Documented and repeated violations of Sheriff's Office policies or procedures

When a member is placed on administrative reassignment, they shall be ordered to surrender all Office-issued items. These items include but are not limited to, weapons, commission/ID cards, keys, and badge(s). While on administrative reassignment, the member shall not have access to any areas under the control of the Sheriff's Office unless escorted at all times by a member in good standing and only for official business with prior approval and coordination with a Captain or above.

During the time spent on Administrative Reassignment, the member's regular work hours will be assigned as Monday – Friday, 9 a.m. – 5 p.m.

Any deputy involved in an officer-involved shooting incident or other situations where traumatic injury and/or death occur to an involved party may be placed on Administrative Reassignment. Members placed on Administrative Reassignment for this reason shall not automatically be subject to forfeiture of Office-issued items, or restricted from accessing the Sheriff's Office.

A "fitness for duty" psychological evaluation and/or counseling may be required by the Sheriff or designee prior to return to duty.

- f) **Member Rights Form** - This will be provided to the member prior to an investigative interview. The form details the member's rights and provides the Garrity Advisement to the member. The form will be signed and dated by the member at the time of the interview.
- g) **Employer** - The definition will include Thurston County, Thurston County Sheriff's Office, Sheriff, Undersheriff, Chiefs, Captains, and all supervisors.
- h) **Complaint** - A complaint is one that is filed by a citizen or office member. The complaint will be in writing whether filled out by the citizen or taken by the on-duty supervisor. All complaints that could result in discipline will be taken on the Sheriff's Office Citizen Complaint form. The complaining party should read and sign the complaint if possible; however, unsigned or anonymous complaints will be accepted. The complaint form should contain as much information as possible, including future contact information.
- i) **Investigation Notice Form** - This is a notice served on a member prior to an Internal Investigation. The form will be filled out by the member's supervisor and served upon the member. The form will contain the alleged office policy violations and the type of complaint (Major, Moderate, or Minor). The association will be provided with a copy of the Investigation Notice Form after it has been served. The notice may be amended at any time as long as the accused member and their bargaining unit representative (if required) receive an amended notice in writing.

## **CHAPTER 14 SECTION B ~ DISCIPLINARY ACTION**

### **14.B.1 Overview**

- a) If the Office has reason to discipline a member, it shall do so privately and in a manner that will not embarrass the member before other members or the public.
- b) The Office will follow any disciplinary action as written in any current, collective bargaining agreement, related to written reprimand, suspension without pay, demotion, or termination.

### **14.B.2 Oral Warnings**

- a) Oral warnings are appropriate for isolated occurrences of minor offenses.
- b) Supervisors may issue oral warnings unilaterally.
- c) The supervisor should call the member aside to discuss the issue and agree upon a resolution.
- d) An oral warning should not be noted in the member's personnel file. The supervisor may keep a written record of such discussions for the annual evaluation.

### **14.B.3 Written Reprimands**

- a) Written reprimands are appropriate for more serious issues or repeated offenses where oral warnings have failed to correct behavior.
- b) The member shall receive a written notification from the supervisor clearly stating the policy violation and the corrective action to be taken. A written reprimand should document any prior oral warnings of the same or similar offense.
- c) The member and supervisor shall have a conference where the issues and required corrective action will be restated.
- d) The original copy of the written reprimand, signed by the member, the supervisor, and each successive member of the member's chain of command, up to and including the Bureau Chief, will be placed in the member's personnel file. The member may appeal per bargaining unit contract.

### **14.B.4 Last Chance Agreement/Work Plan**

- a) A last chance agreement/work plan should be used to put a member on notice that failure to improve could result in termination of employment.
- b) The supervisor shall notify the member in writing that the member is on a last chance

agreement/work plan. The written notification shall state the reasons for corrective action, the term of the last chance agreement, and explain consequences of failure to improve. The written notification shall be provided during a counseling session during which the issues and required corrective action should be clearly restated.

- c) During this period, the performance of the member shall be closely monitored and reviewed with the member.

#### **14.B.5 Suspension without Pay**

- a) Suspension without pay is appropriate for serious misconduct or when lesser disciplinary actions have been ineffective in correcting problems.
- b) Per the "Loudermill" hearing rule, the suspended member shall be notified in writing of the suspension.
- c) The written notification shall state the reasons for the suspension, the term of the suspension and explain the consequences of failure to improve. The written notification shall be provided during a counseling session during which the issues and required corrective action should be restated. During the counseling session, the supervisor shall notify the member of the right to a hearing required below.
- d) Prior to discipline, a member shall be given an opportunity to hear the facts presented in support of the proposed suspension without pay and to present any information or mitigating circumstances which may affect the decision. A hearing, which includes the member, the supervisor making the recommendation to suspend without pay, and the Sheriff or designee will be held for this purpose.
- e) Suspension without pay requires prior approval of the Sheriff or designee subject to a hearing which may affect the decision to suspend.
- f) The Civil Service Commission shall be notified as soon as possible of suspension without pay.
- g) A copy of the written notice of suspension without pay shall be forwarded to the member's personnel file.

#### **14.B.6 Withholding a Step Increase or Reducing a Step**

- a) Withholding a step increase or reducing a step may be appropriate for serious performance problems or when the performance review process and/or lesser disciplinary actions have been ineffective in correcting the problem.

- b) The member shall be notified in writing. The written notification shall clearly state the reasons for the withholding/reduction, the term of the action and explain consequences of failure to improve. The written notification shall be provided during a counseling session during which the issues and the required corrective action shall be clearly stated. During the counseling session, the supervisor shall notify the member of the right to a hearing required below.
- c) Prior to step reduction, a member must be given an opportunity to hear the facts presented in support of the proposed reduction and to present any information or mitigating circumstances which may affect the decision. A hearing, which includes the member, the supervisor making the recommendation to reduce a step, and the Sheriff or designee will be held for this purpose. Members may request the presence of the representative of their choice.
- d) Withholding a step increase or reducing a step requires prior approval by the Sheriff or designee, subject to a hearing which may affect the decision.
- e) Civil Service shall be notified of such action as soon as possible.
- f) A copy of the written notice of withholding a step increase or reducing a step shall be forwarded to the member's personnel file.

**14.B.7 Additional actions that may be considered by the Sheriff or designee:**

- a) Change of Assignment
- b) Loss of Vacation/Compensatory Time/or Pay
- c) Compulsory Examination by Physician, Psychologist or Psychiatrist
- d) Demotion in Rank
- e) Termination of Employment

## CHAPTER 14 SECTION C ~ INVESTIGATIVE FINDINGS / DETERMINATIONS

### 14.C.1 Findings

- a) **Proven** - There exists, by a preponderance of the evidence, sufficient proof to find the accused member committed the violation(s).
- b) **Undetermined** - There is insufficient evidence to prove or disprove the allegation(s).
- c) **Unfounded** - There exists sufficient evidence to conclude that the accused member did not commit the allegation(s).
- d) **Exonerated** - There is sufficient evidence to find that the accused member committed the act he/she was accused of, but that the member's actions were consistent with Office policy and training.
- e) **Unintentional Error** - This would be a minor allegation where there is sufficient evidence to support the claim, as well as equal evidence which shows the act was purely inadvertent. For example, if a complainant alleges a member failed to return a driver's license after a traffic stop, and after an investigation it is determined the member inadvertently lost the license.
- f) **Office Policy Error** - The investigation indicates the complaint is against the actions of a member who was following Office policy or procedure which was in error. The member was in compliance with those policies or procedures and is therefore not personally at fault. As a result, the error in Office policy would have to be addressed.

### 14.C.2 Determinations

#### a) **Non-Adverse Determination**

Whenever the actions or inactions of our members are considered to be undetermined, unfounded, exonerated, unintentional error, Office policy error, no policy violation, or authorized, they shall be considered "Non-Adverse" and shall not be considered in any future discipline, regardless of the similarity in circumstances.

#### b) **Adverse Determination**

If, however, the actions or inactions of our members are considered proven, a policy violation, or unauthorized, they shall be considered "Adverse" and may be considered in determining appropriate discipline for future incidents, after the facts of the current investigation have been established.

**CHAPTER 14 SECTION D ~ INITIATION OF COMPLAINTS****14.D.1 Overview**

- a) Any member contacted by a citizen wishing to file a complaint shall contact the on-duty supervisor who will be responsible for taking the complaint. Complaints may be taken in person, over the phone, by mail, and by other electronic means.
- b) All complaints that could result in discipline will be taken on the Sheriff's Office Citizen Complaint form. If a member wishes to file a complaint against another member, they may file the complaint with any supervisor via the Citizen Complaint form or written memorandum. The complaining party should read and sign the complaint if possible; however, unsigned or anonymous complaints will be accepted. The complaint form should contain as much information as possible, including future contact information. The complaining party should be read or be provided with the information at the end of the complaint form (including RCW 9.76.175) if the complaint is not taken in person. Inmates should follow the normal corrections inmate grievance procedure.
- c) A supervisor may also start a complaint on a member if a violation(s) of office policy or procedure are found, or if the supervisor feels that corrective actions/ retraining of the member are warranted.
- d) The completed form or memorandum will be forwarded to the accused member's Division Commander. If that person is unavailable the complaint form will be forwarded to the Bureau Chief.
- e) In all instances that could result in discipline (from Oral Warning up to Termination) the Undersheriff will be notified (via email) prior to any investigation within 24 hours after the violation is discovered. The email to the Undersheriff will include a copy to the Division Commander as well as the Bureau Chief.

**14.D.2 Reviewing a Complaint WASPC: 14.2**

- a) The accused member's Division Commander will review the complaint form. The Division Commander will determine if:
  - 1) More information is needed to make a decision and if so, forward the complaint to the accused member's supervisor for follow-up;
  - 2) If a complaint is minor in nature and would result in a written reprimand or less if sustained. If so, the complaint will be sent to the accused member's supervisor for investigation and disposition; and/ or
  - 3) The complaint constitutes a moderate or major violation that could result in suspension or greater discipline or appears to be a criminal offense, which will be forwarded to the Bureau Chief for investigation. The Division Commander should complete their review

within five (5) working days of receiving the complaint if at all possible. No review will take longer than ten (10) calendar days from the date that the complaint is received without the consent of the accused member.

**14.D.3 Notification and Service to the involved Member**

- a) The involved member shall be notified within five (5) working days after the Professional Standards Commander has signed the INF.
  
- b) A supervisor will serve the member with the following advising paperwork:
  - 1) INF
  - 2) Complaint letter if there is one
  - 3) Member Rights
  - 4) Restrictive Contact Order (if any)
  
- c) **Members on Leave**  
If the member is on extended leave (military, sick, annual, etc) the Supervisor shall track and ensure the member is served upon his/her return, within five (5) scheduled member workdays.



## **CHAPTER 14 SECTION E ~ MINOR COMPLAINT INVESTIGATIONS**

### **14.E.1 Overview**

- a) The investigation of minor complaint(s) will include but not be limited to interviews with the accused member, the complainant, and any relevant witnesses, along with the collection of any material evidence.
- b) The accused member will receive written notice of their scheduled investigatory interview within a reasonable timeframe, not less than four (4) hours prior to the interview unless mutually agreed to by the investigator and the accused member.
- c) The Employer will delay the interview for a reasonable period of time in order to allow a bargaining unit representative an opportunity to attend. The accused member will cooperate with the investigation as required.
- d) The investigation should be completed no later than seven (7) working days from the date the Division Commander assigns the complaint for investigation.
- e) The accused member will be provided with a copy of the complaint prior to the investigative interview. This will afford the member the ability to bring supporting documents or better prepare for the types of questions to be asked.

### **14.E.2 Investigative Interview (Minor)**

- a) Investigator shall ensure that member(s)' constitutional and contractual rights are preserved during the investigation.
- b) Interviews will be conducted during normal business hours at the Sheriff's Office when possible or by mutual agreement as to location and time between the investigator and the member.

### **14.E.3 Bargaining Unit Representation**

- a) The member is entitled to bargaining unit representation if he/she chooses.

### **14.E.4 Interview Rights**

- a) The Employer will delay the interview for a reasonable period of time in order to allow a bargaining unit representative an opportunity to attend.
- b) Members shall be read and sign the Member Rights Form prior to the start of questioning. The Employer will read the "Garrity Advisement" into the recorder after the header is placed on the statement. Members will cooperate fully with any interview and answer questions truthfully.

- c) Interviews shall not be unreasonably lengthy. Members will be afforded reasonable intermissions for personal necessities or to consult with their bargaining unit representative. Interviews will be recorded (via tape or digital) to ensure accuracy, with all breaks clearly noted on the recording. If the Sheriff's Office tape records the interview, a copy of the complete tape recorded interview of the member, noting the length of all recess periods, shall be furnished the member upon the member's written request. If the interviewed member is subsequently charged with misconduct, at the request of the member or on its own volition, the County shall transcribe the recording and shall provide a complimentary copy to the Association on behalf of the member. (*Verbatim from TCDA-CBA*)

**14.E.4 Additional Violations Discovered**

- a) If at any time during the investigation the supervisor discovers additional violations, evidence, or facts of more serious violations that may result in discipline greater than a written reprimand, or criminal conduct they will notify the Division Commander.
- b) At no time during the interview/investigation will the investigator promise or make assurances to the member as to the outcome or level of discipline that may occur. It is the investigator/supervisors responsibility to gather facts and take statements only.
- c) If the Division Commander agrees that the allegation(s) has increased above a written reprimand, the investigation will be forwarded to the Bureau Chief for investigation by the Professional Standards Unit. The accused member will be notified in writing of the new charges identified and of the change in the investigation's status. A new timeline as described in investigation of major complaints will be applied.
- d) The Undersheriff will be notified by a phone call or in person (via the chain of command) as soon as possible on more serious violations that have the potential for discipline above a written reprimand or on any case assigned for Professional Standards investigations.

**14.E.5 Completion of Investigation**

- a) Upon completion of the investigation the Undersheriff will be notified by email (copy to the Division Commander and the Bureau Chief) as to the outcome or determination of the investigation.
- b) If the investigator determines that a documented Oral Warning and/or Written Reprimand are to be issued, the Undersheriff will be forwarded a copy of the documentation via the chain of command within 48 hours.

**14.E.6 Determination / Discipline Minor Violations Only**

- a) If a complaint is sustained, the accused member's supervisor will within seven (7) days of the completion of the investigation determine and issue the appropriate level of discipline (Oral Warning or Written Reprimand) based on the circumstances of the complaint and any past discipline for similar violations.

**CHAPTER 14 SECTION F ~ MAJOR AND MODERATE VIOLATIONS****14.F.1 Overview**

- a) The Bureau Chief will forward any complaints that may result in discipline greater than a written reprimand to the Professional Standards Unit for investigation. Within forty-eight (48) hours of receiving the complaint for investigation, the Professional Standards Unit Supervisor will assign an investigation number and investigator to the case, who will prepare the Investigation Notice Form. A supervisor will serve this notice in person to each member who has been identified as the subject of the potential disciplinary complaint. A copy of the notice and the complaint will be provided to the member and the member's bargaining unit representative as required by the collective bargaining agreement.
  
- b) **Investigation Notice Form**  
Notification of an internal investigation may be delayed if the investigation is criminal in nature or the investigation would be hindered by such notification. However, the accused member will not be interviewed unless the Investigation Notice Form has been served upon them. The notice may be amended at any time as long as the accused member and their bargaining unit representative (if required) receive an amended notice in writing.
  
- c) The notification shall include the nature of the investigation and whether the member is a witness or a suspect, if and when known. Investigations will be conducted in fair, impartial, and professional manner. Investigations may include, but not be limited to, interviews of the complainant, the accused member, and all known witnesses, and the collection and analysis of material evidence. Investigations will be limited to the issues, facts, and circumstances contained in the complaint or notice form given to the accused member.
  
- d) **Timeline**  
The investigation should be completed within forty-five (45) days unless an extension is granted by the Sheriff or designee, which shall include advising the bargaining unit representative. The accused member will be notified of the extension in writing, along with the anticipated date of completion.

**14.F.2 Interview**

- a) Investigators shall ensure that member(s)' constitutional and contractual rights are preserved during the investigation.
  
- b) Members shall be given at least twenty-four (24) hours notice prior to any interview by an investigator unless the delay would hinder the investigation or when mutually agreed to.

- c) Interviews will be conducted during normal business hours at the Sheriff's Office when possible or by mutual agreement as to location and time between the investigator and the member.

#### **14.F.3 Bargaining Unit Representation**

- a) The member is entitled to bargaining unit representation if he/she chooses.

#### **14.F.4 Interview Rights**

- a) The Employer will delay the interview for a reasonable period of time in order to allow a bargaining unit representative an opportunity to attend.
- b) Members should be read and sign the Member Rights Form prior to the start of questioning. The Employer will read the "Garrity Advisement" into the recorder after the header is placed on the statement. Members will cooperate fully with any interview and answer questions truthfully.
- c) Interviews shall not be unreasonably lengthy. Members will be afforded reasonable intermissions for personal necessities or to consult with their bargaining unit representative.
- d) Interviews will be recorded (via tape or digital) to ensure accuracy, with all breaks clearly noted on the recording. Members and/ or their bargaining unit representative will be provided with a copy of the tape if they request such in writing.

#### **14.F.5 Criminal Conduct or Additional Violations Discovered:**

- a) If criminal conduct is discovered or reasonably suspected during an investigation, the investigator SHALL confer with the Bureau Chief and the Professional Standards Supervisor on how the investigation should proceed. As such, it may be necessary to suspend the internal investigation until a criminal investigation is conducted.
- b) It is the decision of the Sheriff or designee on who will conduct a criminal investigation of a member.
- c) If at any time during the investigation additional violations are discovered the investigator SHALL confer with the Bureau Chief and the Professional Standards Supervisor on how the investigation should proceed
- d) At no time during the interview/investigation will the investigator promise or make assurances to the member as to the outcome or level of discipline that may occur. It is the investigator responsibility to gather facts and take statements only.

#### **14.F.6 Completion of Moderate and Major Investigations**

- a) Upon completion of the investigation, the investigator will prepare a written report describing the investigation, attaching all statements, evidence forms and information, the complaint, and forms or other documents used or discovered during the investigation and issue a finding as to what policies, procedures, work rules or laws there is probable cause to believe have been violated. The investigator will forward the completed file to the Professional Standards Supervisor for review.
- b) If the investigation is sufficient and complete it will be forwarded to the originating Bureau Chief with notice to the Undersheriff, the complainant, and the accused member and their bargaining unit representative (if required) that the investigation has been completed. The Bureau Chief will make a determination if the complaint is sustained or not sustained. If sustained, the Bureau Chief will determine the appropriate discipline and follow the Determination/Imposition of Discipline section of this procedure.
- c) If the Bureau Chief has determined that probable cause exists for disciplinary action based on the outcome of the internal investigation, the Bureau Chief will provide the member and their bargaining unit representative with a copy of all materials a part of or related to the investigation upon which the allegation(s) or charge(s) are based, including directives, policies, procedures, work rules, regulations or other order of the County that allegedly were violated, within ten (10) days of receiving the completed investigation from the Professional Standards Unit. The member and their bargaining unit representative will also be provided, in writing, with the date and time of the scheduled Pre-Disciplinary meeting along with what disciplinary action is being considered.

#### **14.F.7 Pre-Disciplinary (Loudermill) Meeting**

- a) An opportunity to respond to the allegation(s) or charge(s) shall occur at a Pre-Disciplinary (Loudermill) meeting conducted by the Sheriff or designee at least seven (7) days after the accused member has been given the above information and materials, but not more than fifteen (15) days. The accused member shall be given full opportunity to be heard, to respond to the allegation or charge, and to have the responses considered prior to the imposition of discipline.
- b) Members will be afforded due process in disciplinary matters and will be notified in writing of the following:
  - 1) The charge/violation.
  - 2) Which specific policy, procedure, or rule was violated.
  - 3) Which action is being considered.

- c) The member may present any mitigating circumstances they wish to share surrounding the incident. (Members can tell their side of the story)
- d) Only the member or the member's representative shall be permitted to respond to the charges by explaining their side of the story, unless the office agrees to hear other testimony.
- e) A decision by the reviewing authority will be made within twenty days of the hearing. Written notice of the decision shall be supplied to the member.

#### **14.F.8 Finding of Discipline**

- a) Not more than twenty (20) calendar days from the date of the Pre-Disciplinary meeting, the Sheriff or designee shall issue a written decision of disciplinary action within TCSO Policy and the appropriate collective bargaining agreement.
- b) All disciplinary actions resulting from an internal investigation will be reviewed by the Undersheriff and the accused member's Bureau Chief prior to imposition to ensure the discipline is progressive, consistent, and fair.
- c) If the discipline imposed results in a suspension without pay or more serious discipline, then the Sheriff or designee shall cause a written notice to be sent to the Civil Service Commission.

#### **14.F.9 Appeal Process**

- a) Members may appeal the decision of the reviewing authority to the Civil Service Commission in accordance with R.C.W. 41.14.120, the Civil Service Rules or member contract grievance procedures, whichever is appropriate.
- b) The member may select which process, according to the respective bargaining unit contract.

**CHAPTER 14 SECTION G ~ RECORDS AND BRADY INFORMATION WASPC: 14.5**

**14.G.1 Record Keeping and Review**

- a) The Sheriff's Executive Aide will maintain Professional Standards Investigation files in a locked cabinet. Files are not part of personnel files, but numbered separately by year and sequential number. Files should be kept for seven years after a member leaves the employment. Lawfully required release of files to public view will be:
  - 1) Only by the Sheriff or designee; and
  - 2) After all members named in the potentially released documents have been given at least twenty-four (24) hours notice before the file is released; and
- b) A log of Professional Standards Investigations and disciplinary findings (All: from oral warnings up to and including terminations) going back at least seven (7) years shall be maintained by the Sheriffs Executive Aide to provide a guide for management to ensure consistency and fairness.
- c) At least once a year the Professional Standards Supervisor in consultation with the Undersheriff will review all investigations conducted during the previous twelve (12) months. This review will be conducted to ensure fairness, consistency, compliance with the collective bargaining agreements and to ensure the appropriateness of investigative techniques.
- d) Undetermined, Unfounded, Exonerated, Unintentional Error, and Office Policy Error cases will not appear on the individual's records, but will be maintained in a file that shows that the member was absolved of any wrongdoing. Disclosure of files to outside sources will not include those files containing these non-adverse findings.

**14.G.2 Internal Investigations Retention Schedule WASPC: 5.6**

- a) All Internal Investigations shall follow the Washington State Archives, Office of the Secretary of State, Law Enforcement Records Retention Schedule, Version 6.0 (July 2010) (7.1.1 Administrative Review)
- b) Records relating to administrative reviews conducted in response to specific events to determine staff compliance with policy or procedure shall be retained for 5 years after completion of review.

**14.G.3 Brady Policy**

- a) This Policy addresses Brady information that may be in the possession of the Thurston County Sheriff's Office. It sets forth duties and procedures regarding disclosure of information about members pursuant to the Brady rule. It is intended to meet prosecutorial obligations and preserve the constitutional due process rights of defendants, while permitting



efficient and effective law enforcement investigation and prosecution of criminal cases. This policy is intended to function in conjunction with established Brady policies/procedures applicable to prosecutors.

b) THE BRADY RULE

The prosecution must disclose to the defense evidence that is favorable to a defendant. *Brady v Maryland*, 373 U.S. 83 (1963). This duty to disclose such evidence is applicable even though there has been no request by the accused. *United States v. Agurs*, 427 U.S. 97, 107 (1976). The rule encompasses material exculpatory evidence including impeachment evidence. *United States v. Bagley*, 473 U.S. 667, 676 (1985). Evidence is material "if there is a reasonable probability that had the evidence been disclosed to the defense, the result of the proceeding would have been different," i.e. prejudice to the defendant must have occurred as a result. *Kyles v. Whitley* 514 U.S. 419, 433-434 (1995). Suppression by the prosecution of material exculpatory evidence violates due process where the evidence is material either to guilt or to punishment irrespective of the good faith or bad faith of the prosecution. Thus, violations can occur whether the State willfully or inadvertently suppressed the evidence. *Strickler v. Greene*, 527 U.S. 263, 280-281 (1999). In order to ensure compliance with these rules, the United States Supreme Court has urged the "careful prosecutor" to err on the side of disclosure. *Kyles v. Whitley*, 514 U.S. 419, 440 (1995)

- c) Law enforcement officers must collect and document exculpatory and impeachment information discovered pursuant to administrative and criminal investigations and provide the same to the prosecution. Law enforcement agencies with information that could impeach any non-law enforcement witness must provide that information to the prosecution as well. To this end the Thurston County Sheriff will work closely with the Prosecutor's Office to comply with the intent and spirit of "Brady Rule".

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# Chapter 15

## Definitions



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**Academy:**

A facility where agency training programs are conducted. The facility usually houses classrooms, gymnasium, library, and offices for academy instructors and staff. Other facilities, such as a firing range and drive-training track, are usually considered to be part of the academy but may not necessarily be located at the same site. The academy may be located at or near headquarters, on the campus of an institution of high education, or at some other location.

**Accountability of Authority:**

Any person designated by competent authority or holding an acting rank shall have the complete powers of that rank or position. TCSO deputies are 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 County of Thurston laws and commissions of authority.

**Actual Strength:**

The total number of persons currently employed in an agency.

**Adjustment:**

To resolve a juvenile case on an informational basis.

**Administrative Review:**

An investigation conducted to determine whether a member has violated any provision of this code, or any agency rule or regulation; or whether a member is impaired or unfit to perform their duties and responsibilities. .

**Advanced Training:**

Training often held outside the agency and designed to impart higher level supervisory and management skills to participants. Participants who are most often chosen for such training possess above average leadership skills. Examples of advanced training programs are those provided by the FBI National Academy, the Southern Police Institute, and the Northwestern University Traffic Institute.

**Advertisement:**

The direct or indirect contact between an agency and the general public by way of printed publications or broadcast announcements.

**Affirmative Action Plan:**

A written plan for recruiting, hiring, training, and promoting minorities and women.

**Allotment:**

An authorization for, or limitation on, expenditures for a given period. For example, the agency may be appropriated a certain amount for an entire budget year, but may be authorized to spend only one-fourth of the amount during any quarter allotment period.

**Appropriation:**

Money that the agency is authorized to spend for a specific purpose, such as for members services, operating expenses, supplies, etc.

**Area Patrol:**

Patrol or stationary observation in an area or beat that includes a number of streets, roads, or sections of highway.

**Assessment Center:**

Consists of a standardized evaluation of behavior based on multiple inputs. Multiple trained observers and techniques are used. Judgments about behavior are made, in part, from specially developed assessment simulations. These judgments are pooled by the assessors at an evaluation meeting during which assessment data are reported and discussed and the assessors agree on the evaluation of the dimensions and any overall evaluation that is made.

**Authorized Strength:**

The number of members legally or officially sanctioned by the agency's government.

**Auxiliary:**

A civilian affiliated with the law enforcement agency in part-time, unsalaried, non-sworn capacity because of their interest in contributing to the agency's role in a support capacity.

**Available Strength:**

The largest potential group or number of individuals eligible, qualified, and capable of assuming specific activities and responsibilities.

**Bailiff:**

A court officer who guards the jurors, maintains order in the courtroom, announces the opening, and closing of court, calls witnesses, and other persons to appear in court, attends to other matters under the court's direction, and may maintain secure custody of the defendants while in court. Their duties may include both security and clerical functions.

**Bi-Monthly:**

Every other month; every second month.

**Bio-Hazard:**

The existence of a condition which may pose a threat of illness to a human from contact with a biological material. Usually need to describe something contaminated.

**Bio-Hazard Label:**

A label affixed to containers of regulated waste, or container of blood or other potentially infectious materials. Universally recognizable and must be used to ship or store containers of contaminated materials.

**Blood:**

Human blood, human blood products, and products made from human blood.

**Blood borne Pathogens:**

Disease causing (pathogenic) microorganisms that are present in blood. Including, but not limited to, Hepatitis B (HBV), human immunodeficiency virus (HIV), malaria, and syphilis.

**Body Fluids:**

Fluids that have been recognized by Centers for Disease Control (CDC) as directly linked to the transmission of HIV and/or HBV to which universal precautions apply: blood, semen, blood products, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, peritoneal fluid, amniotic fluid, and concentrated HIV or HBV viruses.

**Booking:**

A procedure for admitting to a holding facility a person charged with an offense; includes searching, fingerprinting, photographing, medical screening, collecting personal history data, and inventorying and storing a person's property.

**Budgeted Strength:**

The number of members for who funds have been authorized for a given period. This number can, but does not necessarily have to, coincide with authorized strength.

**Bureau:**

A primary subdivision with responsibility of providing a specific specialized function as required by law (Operations).

**Bureau Commander:**

The commanding deputy, or chief, of a bureau.

**Candidates:**

Persons seeking employment who have completed a formal application.

**Career Counseling:**

The relationship (process) between trained counselor and member that is designed to facilitate a member's career choices; understanding of career goals; and achievement of career goals through meaningful, well-informed choices.

**Career Development Activities:**

An organized and supervised set of duties or functions designed to stimulate learning (e.g., counseling, training, job rotations).

**Career Development In-Service Training:**

A training process used to provide an advanced level of instruction that enhances a member's overall potential for upward mobility and/or job satisfaction.

**Career Specialty:**

An area of interest or specialization that enhances the upward mobility and/or job satisfaction of a member.

**Chain of Command:**

Lines of communication going downward or upward within the organizational hierarchy through each successive level of command.

**Chain of Evidence:**

The continuity of custody of material and items collected as physical evidence, whether at the crime scene or not. The connotation, under the law, is that the item or material introduced subsequently into the court at the time of the trial be proven to be the same as that obtained initially by the crime scene specialist, the investigator, or some other person delivered to the laboratory for examination.

**Circulation Patterns:**

Concern the movement of persons from place to place and for purposes of these standards are divided into three distinct routes. The first pattern is for the movement of the general public, who are usually allowed free movement from place to place, excluding restricted areas. The second pattern provides controlled access in areas used by judges, officers of the court, or visitors whose presence is under control; in many instances this pattern is also used to move prisoners under escort from a detention area to court and back. The third pattern is under the control of sworn law enforcement officers or custodial officers and is used exclusively for the movement of prisoners and may contain holding areas. The secure area is inaccessible by other than authorized members.

**Citation:**



Any traffic enforcement action that involves a written notice to the accused to appear and that contemplates trial adjudication or disposition to determine the guilt or innocence of the person charged with a violation.

**Civil Process:**

A civil arrest is made pursuant to a written order by a judge of a competent jurisdiction in a civil action or proceeding. Such written orders may be given by a supreme court, the family court, district court, or the surrogate's court. Depending upon the area of the country.

**Civilian Member:**

All members of the office or such county employees who are assigned to the Agency, who have not taken the oath of office and who are not authorized to make arrests.

**Class:**

A grouping of jobs for which duties, responsibilities, qualifications, and conditions of employment are sufficiently alike to justify the same treatment with respect to personnel practices. (See "Position" below for a differentiation among class, job, and position.)

**Class Specification:**

An official statement or guideline about the general duties, responsibilities, and qualifications involved in the kinds of jobs included in the same class.

**Code Driving:**

Emergency driving, using lights, and/or siren, under circumstances outlined by policy.

**Code Zebra:**

An alert for a multi-jurisdictional response plan to apprehend suspects fleeing from major crimes.

**Collision Diagram:**

A diagram of an intersection or section of roadway on which reported accidents are shown by arrows indicating direction approach and interrelated maneuvers (not necessarily to scale).

**Commissioned Deputy:**

A Thurston County Sheriff's Deputy who meets the same criteria as set out in RCW 10.93.070 for that of a general authority peace officer. In addition to any other powers vested by law, a general authority Washington peace officer who possesses a certificate of basic law enforcement training or a certificate of equivalency or has been exempted from the requirement therefore by the Washington State Criminal Justice Training Commission may enforce the traffic or criminal laws of this state throughout the territorial bounds of this state, under the following enumerated circumstances:

- (1) Upon the prior written consent of the sheriff or chief of police in whose primary territorial jurisdiction the exercise of the powers occurs;
- (2) In response to an emergency involving an immediate threat to human life or property;
- (3) In response to a request for assistance pursuant to a mutual law enforcement assistance agreement with the agency of primary territorial jurisdiction or in response to the request of a peace officer with enforcement authority;
- (4) When the deputy is transporting a prisoner;
- (5) When the deputy is executing an arrest warrant or search warrant; or
- (6) When the deputy is in fresh pursuit, as defined in RCW 10.93.120. [1985 c 89 7.]

**NOTE:**

Commissioned means also the law enforcement field, not the corrections field of service.

**Commissioned Member:**

A member of the Sheriff's Office commissioned depending on need, as needed by the Sheriff.

**Community's Languages:**

Languages used by ethnic or racial groups living within the agency service area.

**Compensation Program:**

A description of the complete salary plan of the agency, including the basic salary levels for all classes of positions and all forms of compensation provided by the agency.

**Concealed Observation:**

Stationary observation in which the observer is not visible to persons, using ordinary powers of observation, from the roadway being observed.

**Concurrent:**

Having equal jurisdiction or authority.

**Condition Diagram:**

A map of an intersection or section of roadway showing all objects and physical conditions having a bearing on traffic movement.

**Consent Letter:**

A letter from Sheriff or Chief of Police granting Peace Officer powers within their jurisdiction to certain specified law enforcement agencies.

**Construct Validity:**

The identification and measurement of the characteristics or traits believed to be important to successful job performance; must be demonstrated by statistical data.

**Contaminated:**

The presence or the reasonably anticipated presence of blood or other potentially infectious materials on a person or on something which could reasonably be anticipated to come in contact with a person. This includes: clothing, personal protective equipment, work equipment, and materials.

**Contaminated Laundry:**

Laundry which has been soiled with blood or other potentially infectious materials or may contain sharps.

**Contaminated Sharps:**

Contaminated objects that can penetrate the skin including, but not limited to needles, scalpels, broken glass, broken capillary tubes, and exposed ends of dental wires.

**Content Validity:**

The justification of a component of the selection process by showing that it measures a significant part of the job.

**Contraband:**

Items that are not permitted within a holding facility because of their illegality or possible use to disrupt security measures within the facility.

**Corrections Deputy:**

Those individuals who have been statutorily trained and so directed to provide for the supervision, care, custody and control of individuals legally detained through city, county, state and/or federal jurisdiction.

**Counseling:**

The giving of advice, advising. As used: discussions between the rated member and rater leading to advice to the former concerning performance.

**Course:**

A body of prescribed study about a specific topic.

**Court:**

A judicial officer or the room or space where judicial officers conduct trials, hearings, or other judicial activities.

**Courthouse Security Officer:**

A person who is responsible for the security of the courthouse. In some jurisdictions their responsibility may be limited to the courtrooms and related spaces, such as judge's chambers, jury deliberation rooms, and spaces occupied by officers of the court.

**Crime Scene:**

The location where the crime occurred or where the indication of the crime exists.

**Crime Scene Processing:**

The specific actions taken at the crime or accident scene, consisting of the taking of photographs, preparing the crime accident sketch, and the collecting and preserving of physical evidence.

**Crime Scene Sketch:**

A drawing, usually a planar projection, of the crime scene, to scale and showing all of the significant aspects of the crime scene.

**Crime Scene Detective:**

A person who processes the crime scene, who may have a higher level of training than the crime scene processor and whose primary duty is crime scene processing.

**Crime/Forensic Laboratory:**

A crime laboratory is defined as a laboratory that employs one or more full-time criminalists whose principal function is the examination of physical evidence for law enforcement agencies in criminal matters and who provide testimony with respect to such physical evidence to the criminal justice system.

**Criminal Process:**

Those writs, summonses, mandates, warrants, or other process issuing from a court of law compelling a person to answer for a felony or misdemeanor. This term also includes process issued to aid in crime detection or suppression, such as search warrants.

**Crisis Intervention:**

Training that is designed to modify or enhance performance in specific crisis situations, such as family conflicts, spousal abuse, disturbances, rape, and homicides.

**Cultural Environment:**

The customary beliefs, social forms, and material traits that influence the life of an individual or community.

**Curriculum:**

A series of courses related to a specific kind of training program.

**Custody:**

Legal or physical control of a person; legal, supervisory, or physical responsibility for a person.

**Cut-Off Score/Passing Point:**

The numerical result of a valid and useful test or examination used to determine minimum eligibility.

**Deadly Force:**

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

**Decentralized Location:**

An extension of a central location to designated sites in outlying areas.

**Decontamination:**

The clean-up of a contaminated surface by use of a chemical or mechanical means. Decontamination is designed to destroy blood-borne pathogens to a point where they are no longer infectious. The result of decontamination is that the surface is rendered safe for handling by people. The contaminated surface shall be decontaminated as soon as possible.

**Decoy Operation:**

Any one of various techniques for simulating a potential crime victim, with surveillance maintained by deputies (usually in plain clothes) in a position to make arrests.

**Deputy:**

Any person commissioned by the Sheriff to carry out a law enforcement function.

**Detail:**

A subordinate part of a squad or unit, and the assignment may be temporary or permanent.

**Detainee:**

A person who, having been detained, is held in a holding facility for not more than 72 hours. Such persons are held in the holding facility pending arraignment, release, adjudication, or transfer to another facility.

**Direct Order:**

A command, given by a superior deputy

**Disciplinary Rules:**

Specify an unacceptable level of conduct for all Deputies, regardless of their rank or the nature of their assignment. Any peace officer who violates any agency rule that applies to these Canons and Standards is guilty of unprofessional conduct, and is subject to disciplinary action. Violation of disciplinary rules requires appropriate adjudication and disciplinary action ranging from oral reprimand to termination and/or criminal prosecution or other administrative action sanctioned by law, as dictated by the individual case.

**District**

A geographic area assigned to a patrol deputy. The term "beat" applies to the area patrolled by a deputy in a vehicle.

**Dive Team Leader:**

Person assigned by the Lead Diver to be present and take charge of diving operations.

**Diversions:**

In the broadest sense, any procedure that (1) substitutes monetary for official entry into the justice process, (2) substitutes the suspension of criminal or juvenile proceedings for continuation, (3) substitutes lesser supervision or referral to a non-justice agency or no supervision for conventional supervision, or (4) substitutes any kind of non-confinement status for confinement.

**Division:**

The secondary subdivision and the principal subordinate part of a bureau, assigned to perform part of the responsibility of a bureau, and performing primarily line functions.

**Division Commander:**

The commanding deputy of a division.

**Domestic Violence:**

Physical harm, bodily injury, or assault between household members or the infliction of fear of imminent sexual assault by a family or household member upon another. A family or household member means a spouse or former spouses; adult persons related by blood or marriage, persons who are presently residing together or have resided together in the past, or persons who have a child in common, regardless of whether they have been married or lived together at any time.

**Emergency Medical Care:**

Initial attention (1) life-threatening situations, including airway care, pulmonary and cardiopulmonary resuscitation, control of bleeding, and prevention of shock; (2) injuries, including soft tissue injuries, internal injuries, and fractures; and (3) heart attack stroke, diabetic

coma, insulin shock, epileptic attack, emergency childbirth, alcohol and drug abuse, ingested and inhaled poison, bites and stings, and exposure to heat and cold.

**Emergency Medical Care Equipment and Supplies:**

It is assumed that the first responder will have necessary emergency care equipment and supplies. The equipment presumed to be available is as follows: triangular and roller-type bandages, universal dressing/gauze pads and occlusive dressing, adhesive tape, bandage shears, eye protector (paper cup or cone), stick (for impaled object/tourniquet), blanket, pillow, upper and lower extremity split sets, oxygen equipment and masks, \*bag-valve-mask resuscitator, \*and oropharyngeal airways (adult and child).\*

**Emergency Situation:**

An actual or potential condition that poses an immediate threat to life or property. In the context of mutual aid, it means a situation that exceeds the capability of a local agency to counteract successfully.

**Emotional Stability/Psychological Fitness Examination:**

Professional screening designed to identify candidate behavior patterns and/or personality traits that may prove either deleterious or advantageous to successful job performance.

**Member:**

Any permanent, extra-hire, or reserve of the Sheriff's Office. For purposes of matters regarding blood-borne pathogens, a member is someone whose position is in an at-risk job classification.

**Encumbrance:**

A commitment in the form of an order, contract, salary, or similar item that will become payable when goods are delivered or services rendered.

**Enforcement Procedures:**

The fundamental rights of an accused deputy which are applicable to a disciplinary investigation or proceeding against the deputy.

**Engineering Controls:**

The use of mechanical devices to isolate or remove people from coming into contact with blood or other potentially infectious materials, or remove the blood-borne pathogens hazards from the workplace. Some examples are plastic sheet barriers, sharp rigid disposal containers for waste, and tongs.

**Entry Level:**

The state at which a person is first employed in a position.

**Equal Employment Opportunity:**

The provision of equitable opportunities for employment and conditions of employment to all members regardless of race, creed, color, age, sex, religion, national origin, or physical impairment.

**Essential Persons:**

Designated staff and detainees are essential persons. All other persons are considered to be nonessential persons.

**Ethical Standards:**

Statements which express in general terms standards of a professional conduct expected of Deputies in their relationship with the public, the criminal justice system, and the peace officer profession. They represent the objectives toward which every peace officer shall strive. They constitute principles that can be relied upon by a peace officer for guidance in specific situations.

**Evaluation Checklist:**

A tool used in evaluating the effectiveness of the career counseling process. Indicated on the checklist are the criteria that determine whether the member has reached an effective performance level in the area of career development.

**Evaluation of Intelligence Information:**

To determine the worth or significance of raw information by care appraisal or study.

**Execution:**

The performance of an act required by the writ, warrant, or other process commanding the seizure of a person or thing, as opposed to mere delivery of an instrument without any concomitant seizure. For the purpose of this chapter, an attachment is deemed an execution.

**Exposure:**

Reasonably anticipated skin, eye mucous membrane, or parental contact with blood or other potentially infectious materials that may result from performance of member's duties.

**Exposure Control:**

The use of engineering controls, personal protective equipment, education, and enforcement to control exposures to blood or other potentially infectious materials.

**Exposure Control Plan:**

The written document, which is required by law, identifies regulations to protect members from exposure to blood and other potentially infectious materials. It is Thurston County Sheriff's



Office policy and is required to be read, understood, and followed by all members, in all operations.

**Exposure Incident:**

A specific eye, mouth, or other bodily contact with blood or other potentially infectious material or with a contaminated surface which results from performance of a member's duties.

**Exposure Source:**

The person, living or dead, or item which is the cause of the exposure incident. If it is a person, that person is referred to as a Source Individual for documentation.

**External Training:**

Any in-service training available beyond roll call or in-house programs.

**Field Interview:**

The stopping and questioning of a person by a law enforcement officer because the officer (1) has reasonable suspicion that the subject may have committed, may be committing, or maybe about to commit a crime, (2) believes the subject may be a hazard, or (3) believes the interview may have a preventive effect.

**Field Training Deputy (FTO):**

A deputy who has been carefully selected and trained to deliver the field training program to recruit deputies.

**Field Training:**

A structured and closely-supervised program provided to recruit deputies to facilitate the application of skills and knowledge obtained in the academy/classroom to actual performance in on-the-job situations.

**Firearm:**

A weapon that expels a projectile by means of exploding or expanding gases.

**Fixed Roadblock:**

A full or partial roadblock established at a fixed point.

**Follow-Up Investigation:**

An extension of the preliminary investigation. The purpose is to provide additional investigation in order to close a case, arrest an offender, and/or recover stolen property. The investigation may include the following ACTIVITIES: (1) identifying and apprehending the offender; (2) collecting, preserving, analyzing, and evaluating evidence; (3) recovering stolen property; (4) interviewing victims and witnesses; (5) interrogating suspects; (6) determining in detail the exact

circumstances of offense; (7) determining if other crimes may have been committed by the suspect; (8) reporting information obtained; and (9) preparing case for court presentation.

**Foreign Jurisdiction:**

Another municipality, county, state, or nation. For the purposes of this chapter, a foreign jurisdiction is one in which the agency has no legal authority to serve or execute process by use of its own personnel.

**Foreign Process:**

Any writ, warrant, mandate, order, or other process, either civil or criminal, originating in a foreign jurisdiction and intended to be served or executed in the agency's jurisdiction.

**Formal Application:**

A written form used to express interest in employment and to request information on a person's basic occupational qualification, work experience, educational background, training, and specific skills or abilities.

**Formal Discipline:**

The final adjudication of administrative or disciplinary charges.

**Function:**

The general term for the required or expected activity of an organizational component; e.g., the patrol function, the communication function, the planning function.

**General Assistance:**

Services of non-emergency nature provided by agency members, such as providing information or directions, assisting stranded or disabled motorists, etc.

**Grids:**

A geographical square with sides of one mile. Thurston County is divided into grids beginning at the northwest corner.

**Handicapped Prisoner:**

A prisoner with an anatomical, psychological, or mental impairment that hinders mobility.

**Hand Washing Facility:**

A facility providing running potable water, soap, and single use towel or drying machines.

**Hazardous Traffic Law Violation:**

Violation of any law, ordinance, or regulation affecting the use or protection of streets or highways and enacted primarily to regulate the same movement of vehicles and pedestrians.

There are two categories of this violation: (1) unsafe behavior – an action or omission in traffic that is hazardous even when vehicles, streets or highways and people involved are in legal condition; (2) unsafe condition – causing and permitting an illegal and possibly hazardous condition of a driver or pedestrian in traffic, streets or highways used by traffic, and/or vehicle used in traffic.

**HBV:**

The B type virus of Hepatitis. There are also four other types, A, C, D, & E. HBV is the only type with a vaccine. There is a 40 – 180 day incubation period from the time a person contracts the virus. Some of the complications of the virus are: chronic liver disease, cirrhosis, and cancer.

**High-Risk Trial:**

A trial by nature which indicates a serious security threat or can provoke a strong emotional response from the general public or interested groups. That response may threaten the safety of those involved or lessen the integrity of the judicial process.

**Highway:**

The entire width between the boundary lines of every way public maintained when any part thereof is open to the use of the public for purposes of vehicular traffic, a street, or a publicly maintained trafficway.

**HIV:**

Human Immunodeficiency Virus. The precursor to acquired immune deficiency syndrome (AIDS). There is no vaccine for HIV.

**Holding Facility**

A temporary confinement facility for which the custodial authority is usually less than 72 hours and where detainees are held pending release, arraignment, adjudication, or transfer to another facility. Excluded from this definition are rooms, areas, or space provided for processing, questioning, or testing a detainee when the detainee is under continuous supervision and control of agency members within the room, area, or space and for a period of time not to exceed two hours.

**Identifying Information:**

Any data included in personnel records and selection materials that directly or indirectly make a specific individual recognizable or known.

**Improper Conduct:**

The allegation is true; the action of the agency or the deputy was inconsistent with agency policy.

**In Custody:**

Being under the full control of an escort deputy during transportation.

**In Transit:**

State of being transported, such as when an escort deputy moves a prisoner from point of origin to the destination.

**In-Service Training:**

Training in addition to recruit training, which may include periodic retraining or refresher training, specialized training, career development, promotional training, advanced training, and roll-call training.

**Inactive Intelligence Information:**

Consists of that information that requires no further follow-up and is closed or pending until further information becomes available.

**Incident:**

An event that requires law enforcement action or the dispatching of deputies in response to citizen requests for law enforcement services. This includes any incident, whether criminal or non-criminal, for which there has been a response to the scene, an investigation, or the preparation of an oral or written report.

**Informed Consent:**

A voluntary agreement to participate in an activity and/or allow an activity or procedure to be performed based upon the availability of all pertinent information and the ability to understand the consequences of the agreement decision.

**Initial Application:**

A written form (referred to as a pre-application contact card) used to express a person's general interest in employment; it provides the prospective employer with such basic information as the person's name, address, age, telephone number, and the position desired.

**Instructional Material:**

Training guides, bulletins, and checklists.

**Instrument for Detection of Deception:**

A mechanical apparatus designed for the detection of deception by measuring and recording changes in a person's voice characteristics or respiration and heart activity.

**Insufficient Evidence:**

There is insufficient proof to confirm or to refute the allegation.

**Intake:**

The point at which a juvenile offender enters the juvenile justice system. "Intake" may be initiated on request of the law enforcement agency, but the intake process is generally supervised by a probation agency, juvenile court, or special intake unit.

**Intelligence:**

The end product of four distinct processes; collection, evaluation, collation, and analysis of raw data on individual organizations suspected of being or known to be criminal in nature. Prior to processing, raw data or information is not intelligence.

**Inventory:**

An itemized list of skills, knowledge, and abilities used to evaluate personal characteristics.

**Job:**

One or more positions with duties and responsibilities that are identical in all significant respects so that a single descriptive title can be used to identify the work done by incumbents. (See "Position" below for the differentiation among class, job, and duties of the job.)

**Job Analysis:**

A systematic examination of the functions and objectives of each job to be performed as it related to the skills, knowledge, and abilities required to perform the tasks or duties of the job.

**Job Classification:**

A detailed written statement that (1) identifies the characteristics of various positions (jobs) by assigning job titles and job specifications, (2) arranges positions according to a logical plan that groups those with common characteristics, and (3) establishes minimum qualifications and equitable salaries for each group.

**Job Related:**

A procedure, test, or requirement either predictive or job indicative of the work behavior expected or necessary in the position.

**Job Task:**

A description of what a member does, for what purpose, on instructions from whom, when and where, and with what materials and equipment.

**Job Task Analysis:**

A systematic examination of the functions and objectives of each job to be performed as it relates to the skills, knowledge, and abilities required to perform the tasks or duties of the job.

**Jurisdiction:**

The extent of authority and control of an official to act over a particular subject or a geographical area.

**Lateral Entry:**

A personnel practice that permits members from within or outside the agency to be selected for a position and be exempted from all or part of the agency's selection process for that position; if the members met the minimum qualifications of the employing agency, they are not necessarily subjected to the total selection process.

**Law Enforcement Services Under Contract:**

The provision of paid law enforcement services in accordance with a written contract. This does not encompass a situation in which an individual performs services for an agency under a personal services contract.

**Legal Process:**

Any item of civil or criminal process, whether original, intermediate, or final that is valid on its face and is to be served or executed by the law enforcement agency.

**Length of Service:**

From the date of the oath of office was administered as a regularly employed police officer or the date the civilian member was regularly placed on the county payroll.

**Lesson Plan:**

A detailed guide from which an instructor teaches. The plan includes the goals, specific subject matter, performance objectives, references, resources, and method of evaluating or testing students.

**License Health Care Professional:**

A person whose legally permitted scope of practice allows them to perform the activities required by subsection (6) of the law.

**Line Inspection:**

Inspection conducted by members in control of the persons, facilities, procedures, or other elements being inspected. Line inspection may be carried out by any supervisor within the chain of command and is often conducted by supervisory members who may also be responsible for ensuring that any substandard conditions revealed in the inspection are corrected.

**Line Safety Code:**

The current manual published by the National Fire Protection Association specifying minimum standards for fire safety necessary in the public interest. One chapter is devoted to correctional facilities.

**Made Available To:**

Means that the information cited is made easily accessible to each appropriate person. Posting on Office bulletin boards, publishing in official Office publications or providing copies to each person are all examples which satisfy this definition.

**Magnetometer:**

A device for measuring magnetic fields, used to detect ferrous and nonferrous metal objects in either handheld or walk-through configurations; commonly known as a "metal detector".

**Maintain on File:**

On hand; catalogued or recorded in an official written record (including microfilm, microfiche, or computer printout) that is available for visual inspection in the agency.

**Mandatory Training:**

Obligated in-service training in any subject, deemed necessary and ordered by the Sheriff, which equals or exceeds the State minimum standards.

**Manual:**

A collection of policies or procedures, rules and regulations, and/or other written directives.

**Mass Media:**

Printed/electronic means of communication designed to reach the general public.

**Measurable Objectives:**

A one-sentence statement of specific results that can be directly measured or determined; results that determine not only the direction of change that may occur but also the degree or amount of that change.

**Medical Consultation:**

A consultation which takes place between an member and a licensed medical professional for the purpose of determining the member's medical condition resulting from exposure to blood or other potentially infectious materials, as well as any further evaluation or treatment that is required.

**Member:**

Anyone directly connected to the office by employment, contract, volunteer organization, or appointment by the Sheriff.

**Memorandum:**

An informal, written document that may or may not convey an order; it is generally used to clarify, inform, or inquire.

**Moving Roadblock:**

Use of one or more moving vehicles to block the roadway and prevent approaching vehicles from continuing.

**Mucous Membrane:**

By way of the eyes, nose, or mouth.

**Mutual Aid:**

An exchange of services, personnel, and/or equipment between law enforcement agencies during times of emergency.

**Neighboring Jurisdiction:**

A law enforcement agency in an adjoining city or other unit of local government; in the case of a county, a city or other unit of local government within the county, or an adjoining county.

**Necessary:**

Includes meaning that no reasonably effective alternative to the use of force appeared to exist and that the amount of force used was reasonable to effect the lawful purpose intended.

**Non-Discriminatory Procedures:**

Components of the selection or appointment process that have no demonstrable adverse impact (or a minimum adverse impact) upon the selection or appointment rate of any race, sex, or ethnic group.

**Non-Intact Skin Exposure:**

By contact with an abrasion or open wound.

**Non-Reportable Exposures:**

The following examples are exposures which do not require formal reporting procedures.

1. Exposure to blood on intact skin; however, washing the exposed area is recommended, as soon as possible.



2. Blood on clothing or equipment. It is recommended to change clothing and wash down equipment as soon as possible.
3. Being present in the same room as the infected person.
4. Touching the infected person.
5. Talking to an infected person.

**Occupational Exposure:**

Reasonably anticipated non-intact skin, eye, mucous membrane, or potential contact with blood or other potentially infectious materials that may result from the performance of a member's duty.

**Office:**

The entire organization known as the Thurston County Sheriff's Office.

**On File:**

On hand; catalogued or recorded in an official written record (including microfilm, microfiche, or computer printout) that is available for visual inspection in the agency.

**On-The-Job Training:**

Instruction or training provided to a member by another member or members on a tutorial basis during a tour of duty while the trainee performs normal activities of employment.

**Order:**

An order is an instruction given by a ranking deputy to a subordinate either verbally or in writing.

**Organizational Component:**

A subdivision of the agency, such as a bureau, division, section, or unit.

**OSHA:**

Occupational Safety and Health Administration of the U.S. Department of Labor; the Federal agency with safety and health regulatory and enforcement authorities for most U.S. industry and business.

**Other Potentially Infectious Materials:**

1. All body fluids, except saliva, tears, and sweat. All bodily fluids visibly contaminated with blood, and all bodily fluids which cannot be distinguished.
2. Any unfixed tissue or organ from a living or dead human.
3. HIV or HBV cells or tissue or blood, organs or tissue from experimental animals infected with HIV or HBV.

**Other Traffic Law Violations:**

Violation of law, ordinance, or regulation affecting the use or protection of streets or highways but not enacted primarily to regulate safe movement of vehicles and pedestrians.

**Patrol:**

The deployment of deputies to repress and prevent criminal activities, investigate offenses, apprehend offenders, and furnish day-to-day law enforcement services to the community.

**Peace Officer:**

A fully commissioned regular or reserve deputy, and by extension and where applicable, any other paid or volunteer member of the Sheriff's Office.

**Performance:**

Something done or performed. As used: actions taken or omitted with regard to specific tasks or assignments.

**Performance Objective:**

Statements of operational behavior required for satisfactory performance of a task, the conditions under which the behavior is usually performed, and the criteria for satisfactory performance.

**Permanent Shift:**

The assignment of deputies to specific shift hours for an indefinite period of time.

**Permanent Status:**

The period of unconditional employment in a position following the completion of a probationary period.

**Personal Equipment:**

The apparatus or gear required by patrol deputies; includes, at a minimum, badge, baton and holder, belts, cartridge carrier, Office and rank insignia, flashlight, handcuffs and case, notebook, raincoat and cap cover, sidearm and holster.

**Personal Protective Equipment:**

Specialized clothing and equipment designed, issued and to be worn by an individual member for the protection of a hazardous environment. Regular work clothing not designed to protect against a hazardous environment are not considered personal protective equipment.

**Personnel Order:**

An announcement of changes in the status of members, such as a transfer or promotion.

**Physical Agility:**

A candidate's physical strength, endurance, coordination, and ease of movement as measured by a valid and useful test.

**Physical Arrest:**

Any enforcement action that consists of taking persons into custody for the purpose of holding or detaining them to answer a charge of law violation before the court.

**Physical Qualifications:**

Any quality or ability pertaining to the body (i.e., hearing, height, weight, visual acuteness or sharpness, physical fitness, physical agility) that has a bearing upon a candidate's suitability for employment and ability to perform the essential functions of the position held.

**Physical Security Plan:**

A plan concerning security of the physical aspects of an area, a structure, or areas within a structure.

**Physical Use:**

Any substance or material found or recovered in connection with a criminal investigation.

**Point Traffic Control:**

The control of vehicle and pedestrian movement at a particular place on a roadway, such as an intersection.

**Police Hazard:**

Any situation, person, property, or place that may induce an incident calling for some law enforcement action.

**Policy:**

A written directive that is a broad statement of agency principles. Policy statements may be characterized by such words as "may" or "should" and usually do not establish fixed rules or set procedures for conduct of a particular activity, but rather provide a framework for development of procedures and rules and regulations. Policy is based upon the intent of the laws, the desires of the community, police ethics, and experience.

**Policy Failure:**

The allegation is true; the action of the agency or the deputy was not inconsistent with agency policy.

**Polygraph Examination:**

A mechanical apparatus designed for the detection of deception by measuring and recording changes in a person's respiration and heart activity.

**Position:**

The duties and responsibilities, or work, assignable to one member. A position may be filled or vacant.

**Post:**

A fixed geographic location assigned to an individual deputy.

**Preliminary Investigation:**

Generally, the activity that begins when deputies arrive at the scene of an accident. The activity should continue until such time as a postponement of the investigation or transfer of responsibility will not jeopardize the successful completion of the investigation. The investigation usually includes the following tasks: (1) providing aid to the injured; (2) protecting the crime scene to ensure that evidence is not lost or contaminated; (3) determining if an offense has actually been committed, and if so, the exact nature of the offense; (4) determining the identity of the suspect or suspects and effecting an arrest if it can be accomplished either at the scene or through immediate pursuit; (5) furnishing other field units, through the communications system, description, method and direction of flight, and other relevant information concerning wanted persons or vehicles; (6) obtaining complete identification of all witnesses; (7) determining what information is known by the victims and witnesses; (8) arranging for the collection of evidence; (9) determining in detail the exact circumstances of the offense; (10) obtaining written statements from victims and witnesses, and from the suspect if such statements can be obtained legally; and (11) accurately and completely recording all pertinent information on the prescribed report forms.

**Prisoner:**

A person who has been arrested and taken into custody.

**Private Sector Organization/Vendor:**

Any business enterprise not under governmental control or ownership and capable of providing goods and/or services to a law enforcement agency.

**Probationary Period/Status:**

A latter phase of the selection process represented by some form of conditional employment.

**Procedure:**

A written directive that is a guideline for carrying out agency activities. A procedure may be made mandatory in tone through the use of "shall" rather than "should" or "must" rather than

“may.” Procedures sometimes allow some latitude and discretion in carrying out an activity. Procedure tells who does something.

**Processing:**

As used in the third paragraph of the Introduction and in the definition of “Holding Facility” (above), “processing” includes pre-booking activities involving detainees in custody, after which detainees may either be released from custody by one of several means or they may be escorted to a holding facility, at which time they would be booked. The Commission has exempted “rooms, areas, or space used for processing, testing, etc.” from compliance with the standards if certain conditions are met, namely”, continuous supervision and control” and “for a period of time not to exceed two hours.”

**Proficiency:**

The additional skills, knowledge, and abilities that are needed to remain competent in performing the duties and responsibilities of a job.

**Proper Conduct:**

The allegation is not true; the ACTION of the agency or the deputy was consistent with agency policy.

**Provided To:**

Means a copy is “given to” each appropriate person. This phrase is more restrictive than the phrase “made available to.” Posting on bulletin boards, inclusion in bulletins or memorandums which are not physically provided to each person is not sufficient to meet this requirement.

**Provider Agency:**

An agency that provides services, equipment, or supplies from another agency.

**Purged Intelligence Information:**

That which is no longer accurate, relevant, or useful for follow-up activity.

**Purified Protein Derivative (PPD):**

The standard test material used in tuberculin testing.

**Pursuit:**

An active attempt by a law enforcement officer in a motor vehicle to apprehend one or more occupants of another moving motor vehicle, where the driver of the fleeing vehicle is aware of the attempt and is resisting apprehension.

**Ranking Deputy:**

A deputy having the highest rank or grade. Deputies having the same grade will rank according to the date of their appointment to that grade unless otherwise directed by the Sheriff.

**Rated Member:**

The member whose performance is evaluated by the rater.

**Rater:**

The supervisor who evaluates the performance of a subordinate member.

**Rating:**

The estimate of the value, worth, strength, capacity of, etc.; appraisal. As used: an indication of the quality of performance or attributes.

**Ratio:**

The relationship is quantity, amount, or size between two elements; an indicator of the relative sizes of quantities compared.

**Raw Data:**

The raw data from which intelligence is produced. This may be public information, or it may be information gathered from a confidential source.

**Reasonable Relief:**

The facts or circumstances the deputy knows, or should know, are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

**Recompression Chamber:**

A chamber used to treat diving related injuries.

**Recruit/Basic/Entry-Level Training:**

The orientation of new deputies to their jobs and the development of basic law enforcement skills.

**Recruitment Activities:**

A systematic method of seeking potentially qualified job applicants.

**Recruitment Literature:**

A body of writing relating to methods of seeking qualified applicants for jobs.

**Regular Deputy:**

Full-time, commissioned (sworn) member placed on the payroll of the Thurston County Sheriff's Office, (meaning the law enforcement field, not the correctional field of public service).

**Regulated Wastes:**

Any blood, liquid or dried or other potentially infectious materials, contaminated items which would release blood or other potentially infectious materials, and any containers identified as containing a biological hazard.

**Remedial Training:**

Personalized training to correct a specific deficiency, which is usually identified by either (1) testing or other evaluation during training, or (2) supervisory evaluation during routine job performance.

**Service:**

The delivery of any item of civil process that is complete with the act of delivery and does not require physical or legal seizure of a person or thing.

**Shift:**

A time division of the day for purposes of assignment, such as an eight-hour period. Shifts may be consecutive eight-hour periods or they may overlap to meet unusual or peak loads.

**Simulation:**

An exercise or technique designed to elicit behaviors related to dimensions and performance on the job; requires the participants to respond behaviorally to situational stimuli that parallel or resemble stimuli in the work situations. Examples of simulations include group exercises, in-basket exercises, interview simulations, fact-finding exercises, etc.

**Skill:**

A present, observable competence acquired or developed through experience and/or training.

**Skills, Knowledge, and Abilities (SKA):**

Skills are the proficiency with which an individual performs. Knowledge is a body of information or the understanding gained through learning education, experience, or associations. Abilities are processes required to perform the various job responsibilities.

**Source Individual:**

Any individual, living or dead, whose blood or other potentially infectious materials may be a source of occupational exposure to a member.

**Span of Control:**

The number of persons reporting to any one supervisor.

**Special Assignment:**

Police service, the nature of which requires that members be excused from the performance of their regular duties.

**Special Event:**

An activity, such as a parade, athletic contest, or public demonstration, that results in the need for traffic control, crowds, or crimes.

**Special Order:**

A directive affecting only a specific segment of the organization or a statement of policy or procedure regarding a specific circumstance or event that is of a temporary nature.

**Special-Purpose Vehicle**

A vehicle used because of consideration of weather, terrain, the need for inconspicuous appearance, quietness, storage requirements, special operational needs, etc. Includes SWAT truck, mobile command posts, motorcycles, all-terrain vehicles (ATVs), boats, aircraft, prisoner transport vehicles, and dive team truck.

**Specialized Assignment:**

An assignment often characterized by increased levels of responsibility and specialized training, but within a given position classification; a specialized assignment may involve higher pay or additional benefits.

**Specialized Training:**

Training to enhance skills, knowledge, and abilities beyond the level taught in either recruit or other in-service programs. Specialized training may address supervisory, management, and/or executive development training and may also include technical and job-specific subjects (e.g., homicide, investigation, fingerprint examination, juvenile investigation, etc.)

**Specialty Training:**

That which is non-general, but rather narrow in scope to enhance a needed special area of law enforcement.

**Squad:**

A subordinate part of a unit.

**Staff Inspection:**

Inspection conducted by members who do not have control of the persons, facilities, or procedures being inspected. Staff inspectors in larger agencies are generally members of a specialized component responsible for conducting inspections throughout the agency. The results of staff inspections are usually reported to the agency's chief executive officer.



**Statewide Law Enforcement Radio System:** (LERN: Law Enforcement Radio Network)

A radio communications network that permits the law enforcement agencies within the state to communicate with each other directly, through another agency, or by means of a relay system.

**Stationary Observation:**

Traffic observations at a selected place, usually one with an unfavorable accident experience or traffic flow problem, for traffic law enforcement purposes – especially to detect violations and deter possible violators.

**Status Offense:**

An act or conduct declared by statute to be an offense, but only when committed or engaged in by a juvenile, and that can be adjudicated only by a juvenile court.

**Sterilize:**

The method of total destruction of microbial life, including highly resistant bacteria.

**Stress Management:**

The ability to cope with the impact of various types of situations.

**Superior Deputy:**

One having supervisory responsibilities either temporarily or permanently over members of a lower rank.

**Surveillance:**

The identification and reporting of all tuberculosis cases.

**SWAT:**

An acronym for Special Weapons and Tactics. A SWAT team usually refers to a group of deputies who have had special marksmanship training and who are equipped with shotguns, sniping rifles, automatic weapons, climbing gear, and other specialized equipment useful in dealing with snipers, barricaded persons, or hostage-takers.

**Sworn Officer:**

A commissioned law enforcement officer, subject to an oath of office and possessing those general peace officer powers prescribed by constitution, statute, or ordinance in the jurisdiction, meaning the law enforcement field, not the corrections field of public service.

**Temporary Assignments:**

Job tasks that are assigned for a limited time.

**Traffic Collision Investigation:**

Collection of factual information identifying and describing people, roads, and vehicles involved in an accident; describing the results of the accident in terms of damage to vehicles and roadside objects, injuries to people, marks and residue on the road, and final positions of vehicles and bodies; interpretation of these facts in terms of behavior of road users involved; and sometimes, an attempt to specify the peculiar combination of factors required to produce that particular accident.

**Traffic Collision Reporting:**

Basic data collection to identify and classify a traffic accident and the persons, vehicles, time/location, planned movements involved, and possible contributing factors, such as traffic law violations.

**Traffic Control Device:**

All signs, signals, markings, and devices placed on, over or adjacent to a street or highway by authority of a public body or official having jurisdiction to regulate, warn, or guide traffic.

**Traffic Control Signal:**

Any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

**Traffic Engineering Authorities:**

Persons responsible for traffic engineering in various local, regional, and state agencies (e.g., street or highway department, public works department, transportation department).

**Traffic Law Enforcement:**

Law enforcement as it applies to statutes, ordinances, and legally authorized regulations relating to the use of streets and highways and ownership and operation of motor vehicles and other road vehicles.

**Traffic Law Enforcement Action:**

The part of traffic law enforcement involving arrest, citation, or warning of any person alleged to have violated a law, ordinance, or regulation pertaining to the use of traffic ways when the person has knowledge of this action and when it is to (1) prevent such violation from endangering persons or property or inconveniencing other users of the traffic way, (2) prevent continued violation, or (3) discourage recurrences.

**Traffic Law Violation:**

Violation of any statute, ordinance, or legally authorized regulation relating to the use of streets and highways or the operation of motor vehicles and other road vehicles.

**Traffic Patrol:**

The part of law enforcement traffic supervision that consists of driving or walking within an area or a roadway for the purpose of providing protection, security, and service to the public.

**Traffic Survey:**

An examination of traffic characteristics, such as volume, speed, delay, accidents, origin, destination, etc.

**Traffic way:**

The entire width between property lines or other boundary lines of every way or place of which any part is open to the public for purposes of vehicular travel as a matter or right of custom. All highways are traffic ways, but traffic ways include also some areas on private property, such as shopping centers.

**Transport Vehicle:**

The vehicle used for transporting prisoners from one point to another. This term does not refer to commercial vehicles, such as buses, trains, or airplanes, that may be used for prisoner transport.

**Transporting Deputy:**

A sworn law enforcement officer who is responsible for transporting a prisoner from one point to another.

**Tuberculosis:**

A bacterial infection which generally involves the lungs, usually transmitted by the inhalation of droplets in the air which contain tubercle bacillus.

**Undercover Surveillance/Stakeouts:**

Activities that include plain clothes deputies assigned, for example, as clerks in stores targeted for robberies or deputies (armed with shotguns or rifles) stationed on the inside or outside of an unoccupied residence or business premises to apprehend burglars, etc.

**Unencumbered Balance:**

That part of an appropriation or allotment that has not been committed and is thus available for expenditure.

**Unfounded Complaint:**

Either the allegation is demonstrably false or there is no credible evidence to support it.

**Unit:**

A subdivision of a division, usually small in size, with members assigned to perform a specialized activity.

**Unit of Command:**

The concept that each individual in the organization has one, and only one, immediate supervisor.

**Universal Precautions:**

An approach to control an exposure incident by considering all bodily fluids as containing HIV or HBV or other potentially infectious materials.

**Unsatisfactory Performance:**

Member behavior or work performance that is substandard and may lead to disciplinary action.

**Update:**

To revise or modify a plan, procedure, directive, etc. An "updating" can be simply affixing a new date on a document (when no other changes are required) or can be a major revision.

**Utility/Usefulness:**

An assessment of the practical value of a component of the selection process based upon considerations of validity, selection/appointment ration, the number of candidates to be selected, and the nature of the job.

**Validity:**

Proof through statistical data that a given component of the selection process is job related either by predicting a candidate's job performance or by detecting important aspects of the work behavior related to the position.

**Verbal Warning:**

A warning given orally without any written record.

**Visible Observation:**

Stationary observation by an observer in full view but so located, such as on a side street, that effort is required by those in the traffic stream to discover the observer.

**Work Behavior:**

The manner of performance of one or more tasks (physical and mental) to achieve the objectives of the job.

**Work Practice Controls:**

The control of an exposure incident by altering the method by which a job is performed.

**Workload:**

The sum total of cases and other measurable activities occurring within a given area or time period.

**Written Directive:**

Any written document used to guide or affect the performance or conduct of agency members. The term includes policies, procedures, rules and regulations, general orders, special orders, memorandums, and instructional material.

**Written Warning:**

A warning in which the violator is given a written record of the action at the time of the violation