Page

1-800 Line, Chief's 211
Abandoned Vehicles
Impounding 484
Left Alongside Roadway 487
Recovered – Identity Removed, Altered, Defaced, or Destroyed 552
Stolen 550
Abuse of Position 143
Abuse, Child and Adult-Dependent 554
ACCESS 196
Access to Foreign Language Resources 403
ACCESS/WACIC/NCIC Certification Requirements 403
Accident Investigation ..... *See Collision Investigation*
Accommodation, Reasonable 301
Activity Files – Officers 369
Administrative Services Section 197
Adult-Dependent Abuse Reporting 554
Aerosol Subject Restraint 71
Affirmative Action 220
Agency Accountability 345
Agency Image Policy 218
Agreements, Contractual 226
AIDS (Bloodborne Pathogens) 87
Airborne Diseases 103
Aircraft Registration Enforcement 493
Alcohol, Employee Assistance 151, 337
Alcohol, Use of 149
Alcohol/Drug Arrest Report 490
Alert Procedures 373
Allocation and Distribution of WSP Officers 319
Alternate Worksite 319
Ammunition – WSP Officers 66
Animal Destruction 38
Annual Report 216, 233
Annual Self-Assessment 369
Appeal – Right of, Disciplinary Action 133
Appearance Standards
Glasses 425
Jewelry 425
Non-Uniformed Employees 416
Uniformed Female 425
Uniformed Male 424
Appointment of Officers and Special Deputy 194
Arrest 1
Arrest Authority 1
Blood/Urine Sample Retrieval 22, 24
Citizen Contact 3
Citizen Stop 3
Citizen's Arrest 13

Page

Constitutional Rights 2
Consular Notification 12
Diplomat, Foreign, Arrest of 11
Driver's Licensing Violations 491
DUI 491
Duration of Detention 7
Employees 141, 330
Explanation to the Detained Person 7
Foreign Diplomats 11
Headquarters Notification 202
Immigration Hold 8
Injured Arrestee 202
Juveniles 9
Labor/Management Disputes 53
On-Scene Questioning 2
Patrol Car Riders 18
Police Authority to Detain Motorists 6
Police Authority to Detain Pedestrians 3
Police Conduct During a Temporary Detention 7
Prisoners 14
Reasonable Suspicion Standard 4
Rights of the Detained Person 7
Searches 20
State Arrests 1
Strikes 55
Temporary Detention 3
Undercover Officers, Public Contact With 14
Use of Force During the Detention 8
Violators in Patrol Vehicles 18
Without Warrant 20
ASP Baton 49, 72, 411
Asset Inventories 276
Assignments, Seeking Outside Aid 146
Assistance
Requests for 153
Requests From Federal Law Enforcement/National Guard 202
Associations with Known Criminals 144
Attendance at Public Functions 146
Attorney General
Public Records/Tort Claim Investigations/Lawsuits 119
Records Hold Notice Requirements 120
Audio Recordings 523
Audio Tapes, Release of 123
Audit, Property Inventory 539
Audits
Agency 198
Audits, Inspections, and Risk Assessment 367
Authority to Police Officers 1

Page

Authority/Creation 193
Auto Theft Section 196
Autonomous Patrol Area (APA) 319
Availability, Alert Procedures 373
Aviation Section 197
Awards, Department 310
  Award of Honor 312
  Award of Merit 313
  Awards Committee 310
  Awards Presentation 311
  Certificate of Appreciation 314
  Certificate of Promotion 315
  Chief's Award for Distinguished and Devoted Service 313
  Chief's Award for Professional Excellence 313
  Chief's Specialty Plaque 313
  Chief's Coin 315
  Commendation Award 313
  Medal of Courage 312
  Mike Buckingham Award 312
  Nominations, Awards Committee 310
  Perpetual Awards 316
  Quality Recognition Award 314
  Service Pins 315
Background Checks, Contractors 228
Backup Weapons
  Trooper Cadets 60
  WSP Officers 63
Badges
  Carrying of 416
  Purchase of Replica 422
Bail for Acquaintances 149
Bail, Quoting of 470
Bait Vehicles 498
  Activation 499
  Deployment 499
  Response (Not Stolen) 499
  Response (Stolen) 500
Ball-Point Pen 454
Basic Firefighter Training Program 198
Baton
  ASP 49, 72, 411
  Riot Control 70
  Side Handle 70
Bill of Rights 133
Blood Sample Retrieval 23, 24
Blood Samples 22
Blood Test, Refusal 24, 491
Blood/Urine Sample Retrieval 24

Page

Bloodborne Pathogens 87
Bomb Threats 247
Booking 472
Breath Test Program 199
Breath Test, Refusal 491
Breath Testing 489
Budget and Fiscal Services 195, 222
Bureau Director 200
Business Cards, Letterhead, and Envelopes 209
Business Cards, Ordering 209
Calls for Service 399
Camera Malfunctions/Repairs 459
Cameras 458
Camping in State Parks by Law Enforcement Officers 262
Canine Training Section 197
Captain 200
Car Wash 445
Career Development 252, 253
Case Files
  Sign-Out 506
  Storage 506
  Storage and Security 348
Case Filing System 505
Case Records (Sealing or Destroying) 118
Cash Receipts/Deposit of Monies/Requests for Invoice 224
CB Radios 443
Cellular Telephones 381, 443, 444
Certified Technical Specialists, Use of 511
Chain of Command 200
Chain of Command in Emergency Circumstances 363
Cheating on Examinations 147
Chevrons
  Sergeant 415, 420
Chief, Office of the 195
Chief's 1-800 Line 211
Chief's Coin 315
Chief's Suggestion Box ..... *See Chief's 1-800 Line*
Child and Adult-Dependent Abuse Reporting Guidelines 554
Child Care Leave 294
Children, Missing 532
Citizen Complaints 348
Citizen's Arrest 13
City Council Meetings, Attendance 146
Civil Actions – Employee-Initiated 146
Civil Actions Involving Department Employees 328
Civil Subpoenas and Witness Fees 331
Clinical Psychologist, Department 195, 335
Code of Ethics – Employees 164

Page

Code of Ethics – Officers 165
Collective Bargaining 157
Collision Broadcasts During Natural Emergencies 396
Collision Enforcement 521
Collision Investigation 509
Broadcasts During Natural Emergencies 396
Case File Sign-Out 506
Case File Storage 506
Case Filing System 505
Certified Technical Specialists, Use of 511
Collision Investigation Committee 528
Collision Memo 510
Collision Memo Submittal 510
Department Investigations 502
Employee Collisions 526
Enforcement 521
Enforcement/Collision Data Summaries 477
Fatality/Felony 512
Follow-Up 518
Forms 515
Headquarters Notification of 201, 526
Hit-and-Run 516
Impounding Vehicles 484
Investigator's Report 509
Logs 517
Major Accident Investigation Team (MAIT) 519
Minimum Reporting Requirements 516
Official State Business 432
Patrol Vehicle 431, 521
Photographs/Negatives 506
Preliminary 501
Privately-Owned Vehicle 431, 521
Road Closure 201, 510
School Bus 202, 511
Supplemental Report 510
Undercover Vehicle Collisions/Incidents 431
Victim/Witness Assistance Program 524
Collision Records Section 196
Collision/Criminal Investigation Section 196
Collision/Enforcement Data Summaries 477
Command Protocol 363
Command Responsibilities 364
Command Succession 199
Command/Supervision 363
Commercial Vehicle Division 196
Commercial Vehicle Enforcement Officer (WSP) 194
Commercial Vehicle Enforcement Section 196
Commercial Vehicle Enforcement, Appointments 194

Page

Commercial Vehicle Officer (WSP) 194
Commission or Deputization of an Employee by Another Agency 175
Communicable Diseases 87
Communication Services 377
Communication Systems 377
Communications
  Congressional and Federal 212
  Department Correspondence 205
  Internal, Chain of Command 205
  Plain Talk (Governor's Executive Order 05-03) 206
  Telephone 380, 443
Communications Division 197, 377
Communications Equipment, Alterations to 459
Communications Procedures 378
Community Relations 214
Commute Trip Reduction 447
Commute Trip Reduction Coordinator (CTRC) 447
Compensation for Employee-In-Charge 321
Compensatory Time 325
Complaint and Disciplinary Procedures 345
  Accepting Complaints 346
  Adjudication of Administrative Investigations 348
  Agency Accountability 345
  Citizen 348
  Complaint Process 347
  Complaints 346
  Complaints, Defined 346
  Discrimination/Harassment/Sexual Harassment 161
  Early Identification System 349
  Interference With Discipline 348
  Investigation of Complaints 345
  Notification of Accused Employee 348
  Prohibited Action During Suspension 147
  Suspension Without Pay 347
  Temporary Relief From Duty 347
Complaint Process 347
Complaints, Citizen 348
Computer
  Access by Non-Departmental Personnel 228
  Anti-Virus Software 273
  Federal Copyright Law 270
  Games 269
  Hardware 270
  Hardware/Software Acquisition and Use 268
  Hardware/Software Standardization 268
  Left On During Off-Shift Hours 275
  Purchase Request 271
  Software 269
  Software Patches 274
  Suspected Infection/Virus 274
  Virus 272, 273

Page

Computer Aided Dispatch (CAD) System 375
Conduct
Code of Ethics 164
Employee 142
Immoral 143
Misconduct 346
Private Life 167
Rules of 141
Temporary Detention, During 7
Unacceptable 142
Unauthorized Articles, Carrying 147
Undercover Officers 148
Confidential License Plates 442
Confidentiality 164, 166
Conflicting Orders 154
Congressional and Federal Communications 212
Consolidated Mail Services 207
Constitutional Rights – Advising a Suspect 2
Contacts, Congressional and Federal 212
Continuing Education 259
Contractor Background Checks 228
Contractual Agreements 226
Background Checks 228
Cooperation With Others 165, 167
Cooperative Disability Investigations Unit 196
Copying and Printing
Inside WSP Web Site 236
Local Printing Vendors 236
Promotional Items (e.g., Litter Bags, Key Chains, etc.) 236
State Copy Centers 236
State of Washington Printing Requirements 236
State Printer 236
Correction Notice 469
Correspondence Procedures Manual 205
Correspondence, Department 205
Congressional and Federal 212
Internal 205
Outgoing 205
Corruption, Public 507
Cost-Savings Incentive Program 233
Counseling 337
Court Case Disposition – Recommendation 156
Court Cases – Declined Prosecution/Court Dismissal 508
Court Scheduling 329
Court Trials, Attendance 146
Courtesy 153
Creation and Authority, Department 193
Credit Cards 222

Page

Crime Analysis 529
Crime Laboratory Division 199
Crime Scene Processing Responsibilities 504
Crime Scene Response Team (CSRT) 32, 242, 504
Criminal Actions 330
Criminal Acts Against Departmental Employees, Property, and Equipment 202, 507
Criminal History Record Information 129
Criminal Investigation Division 196
Criminal Justice and Social Services Referrals 375
Criminal Records Division 196
Criminals, Association With 144
Crisis Negotiation Team (CNT) 240
Critical Incident Stress Management Team (CISM) 342
Criticism of Orders 147
Criticism of the Criminal Justice System 156
Criticism of the Department 142
Cross-Training 259
Daily Bulletin 207
- Deadlines 209
- Guidelines 208
- Receiving 208
- Transmission and Contents 207
- Vital Statistics 207

Data (Fire Protection Bureau) 198
Deadly Force ..... *See Use of Force and Lethal Force Policies*
Dealing with Emotionally Disturbed (Mentally Ill) Persons 400
Deaths
- Deaths and Funerals 305
- Employees 132, 213, 215, 305
- Foreign Nationals 131
- Headquarters Notification 202, 213
- Reporting 34, 213, 557
- Retired and Non-Department Employees 309
- Retired Employee 305

Debts, Payment of 157
Decontamination 99, 108
Defective Weapons 69
Defense Advocate 352
Defense, Request for 328
Demonstrations, Attendance at 147
Department Authority and Organization 193
Department Management 203
Department of Transportation Endorsement of Permits Issued by Counties and Cities 494
Department Psychologist 195, 335
Department Relays 372
Deposit of Monies 224

Page

Deposition Requests 125, 334
Deputies, Special 152, 194
Deputization by Another Agency 175
Deputy Chief 195, 200
Detachment Collision Log 517
Detachment Numbers, Assigning 222
Detaining
  Duration 7
  Explanation to the Detained Person 7
  Motorists 6
  Pedestrians 3
Detention, Temporary 3
Diplomat, Foreign, Arrest of 11, 12
Diplomatic Immunity 11
Directive Control Sheet 114
Disability
  Employees 301
  Equal Opportunity 220
  Return to Duty, WSP Officers 291
  Return to Work, Classified Employees 299
  Return to Work, WSP Officers 298
  Temporary 290
  With Pay 290
  Without Pay 288
Disciplinary Procedures ..... *See Complaints*
Discipline, Interference With 348
Discretion 166
Discrimination in the Workplace, Employees With HIV or AIDS 103
Discrimination/Harassment/Sexual Harassment 159, 384, 389
Diseases
  Airborne 103
  Communicable 87
Disposal of Infectious Waste 99
Dissemination of Information 113
District Information Files 138
District/Division/Section Public Information Officer 216
Documentation
  Counseling 137
  Education 260
  Employee Awards 312
  Official Personnel Files 137
  Physician's 290
Dogs, Service 178
Domestic Violence 179
Donations (Cash/Equipment/Property) 230
Donations, Historical WSP Items 266
Door Locks or Key Codes, Changing 247
Dress Code 416

Page

Driver's License Re-Exam Referrals 493
Driver's License Required, Annual Inspection 430
Driver's License, Intermediate 492
Driver's Licensing Arrest 491
Drug Recognition Experts (DREs) 245
Drug Recognition Program 199
Drugs, Employee Assistance 151
Drugs, Use of 149
DUI
  Drug Recognition Experts (DREs) 245
DUI Arrest 491
Duty
  Attendance at Public Functions 146
  Carrying of Unauthorized Articles 147
  Code of Ethics 164
  Conducting Private Business 145
  Courtesy 153
  Entering Liquor Establishments 152
  Fitness-for-Duty Evaluation 340
  Neglect of 145
  Performance of 164, 166
  Relief From 557
  Temporary Relief From, Complaint 347
  Tour of – Motorcycle Officers 496
  Tour of – WSP Officers 467
  Unable to Continue 145
  Unable to Report 145
  Unsatisfactory Performance 153
Duty Officer, Headquarters 201
Early Identification System 349
Education
  Continuing 259
  Tuition Reimbursement 259
Educational Leave 289
Eighty-Work-Hour Audit – Officer's 370
Electronic Equipment Inventory 276
Electronic Information, Employee Access to 385
Electronic Mail (E-Mail) 383
Electronic Mail Retention 118
Electronic Records Storage 387
Electronic Services Division 197
Electronic-Messaging Systems 383
Emergencies
  Availability of Employees 373
  Collision Broadcasts During 396
Emergency 132
Emergency Data Card 286
Emergency Mobilization 201

Page

Emergency Notification, Death or Serious Injury of Employee 132, 213
Emergency Response 396
Emotionally Disturbed (Mentally Ill) Persons, Dealing With 400
Employee Advisory Services 159
Employee Annual Review Checklist 178
Employee Health 87
Employee Privacy, Searches 327
Employee Rights/Personnel Files 133
Employee Suggestion Program 233
Employee Transportation Coordinator (ETC) 447
Employee-In-Charge, Compensation for 321
Employees
- Abuse of Position 143
- Acceptance of Lawful Responsibilities 152
- Access to Electronic Information 385
- Alcohol/Drugs, Use of 149
- Appearance Standards 411
- Associations with Known Criminals 144
- Bail for Acquaintances 149
- Career Development 252
- Cheating on Examinations 147
- Civil Actions 146, 328
- Commission or Deputization of an Employee by Another Agency 175
- Compensation for Employee-In-Charge 321
- Conduct in Private Life 167
- Criminal Actions 330
- Criminal Acts Against 202
- Criminally Charged 330
- Death of 132, 213, 215, 305
- Defense, Request for 328
- Depositions 125
- District Informational Files 138
- Domestic Violence 179
- Dress Code, Non-Uniformed Employees 416
- Drug and Alcohol Assistance 151
- Entering Liquor Establishments 152
- Evaluations 282
- Falsification of Application 147
- Fighting 338
- Files, Access to 137
- Gambling 145
- Hardship Transfers 320
- Hazardous Materials (Right to Know) 109
- Health and Fitness 425
- Identification 148
- Identification Cards 266
- Injured 132, 213
- Insubordination 154

Page

Job Performance Appraisals ... 282
Layoff ... 321
Legislator Contacts ... 218
Neglect of Duty ... 145
Non-Represented Washington General Service ... 281
Payment of Debits ... 157
Performance Evaluations ... 282
Political Activity ... 163
Privacy ... 327
Probationary and Trial Service ... 281
Prohibited Action During Suspension ... 147
Promotions ... 283
Recruitment and Assessment ... 279
Rehiring After Retirement ... 318
Rehiring of WSP Officers ... 318
Release of Information About ... 125
Request for Department Employees ... 373
Requests for Assistance ... 153
Resignations ... 317
Rights ... 133
Salary Determination ... 322
Seeking Publicity ... 148
Tobacco Products, Gum, Use of ... 145
Truthfulness ... 155
Unable to Continue ... 145
Unable to Report ... 145
Unsatisfactory Performance ... 153
Violence in the Workplace ... 158
Visiting Prohibited Establishments ... 145
Employment
Off-Duty ... 168
Off-Duty, Enforcement Authority Not Related to Off-Duty Employer ... 175
Off-Duty, Wearing of Uniform ... 173
Employment of Relatives and/or Household Members ... 284
Endorsements and Referrals ... 144
Enforcement/Collision Data Summaries ... 477
Envelopes, Ordering ... 210
Equal Opportunity ... 220
Equipment ... 453
Alterations to Departmental Communications Equipment ... 459
Ball Point Pen/Forms ... 454
Care, Use, and Exchange of ... 453
Criminal Acts Against ... 202
Flashlights ... 454
Inspections ... 460
Inventory ... 276
Loss or Damage ... 456
Mobile Video Camera Equipment ... 462

Page

Necessary 454
Ordering of Supplies and Equipment 457
Photographic 458
Portable Radios 423
Purchase of Service Revolver Upon Retirement 454
Radar 455
Replacement 457
Return of Issued 456
Snowcat 461
Specialized, Use of 458
Speed Measuring Devices (RADAR and LIDAR) 455
Timepiece 454
Undercover WSP Officers – Exemptions 453
Equipment, Ordering 457
Escorting Vehicles by WSP Officers 478
Ethics
Code of 164
Gratuities, Gifts, and Rewards 143
Evaluations, Performance 282
Evidence
Evidence and Property Handling 537
Evidence Section 197
Evidence/Property, Disposal of 541, 542
Found in Vehicle 485
System 537
Evidence Section 197
Examinations, Cheating on 147
Exchange Time 325
Executive Services Section 197
Exit Interviews 317
Explosives Unit 247
Explosives, Headquarters Notification of 202
Exposure
Airborne Diseases 103
Bloodborne Pathogens 87
Commander Responsibilities 103
Contamination 99
CPR Training 102
Decontamination 97, 108
Employee Responsibilities 103
Hantavirus 105
Healthcare Provider 96
Immediate Follow-Up 94
Personal Protective Equipment 92
Post-Exposure Administrative Requirements 94
Property Contamination 97
Recordkeeping 109
Substantial 96

Page

Training and Education of Employees 101, 109, 110
Tuberculosis 103
Uniforms 98
Vehicles 98
Work Practice Controls 91, 107
Facilities Management Section 197
Facility Protection 246
Family and Medical Leave 292
Fatality Investigations 512
Fax Machines 383
Felony Investigation 512
Felony Prosecution Charges 489
Fictitious Illness or Injury Reports 146
Field Information Reports (FIR) 370, 553
Field Operations Bureau (FOB) 195
Field Supervision 367
Fighting, Employee 338
Files
Access to 137
Activity Files – Officers 369
Completed Case Files, Storage and Security 348
District Information 138
Inspection of Confidential 328
Official Personnel 137
Securing Selection/Hiring Material 280
Supervisory Desk 139
Vehicle Maintenance 434
Film, Acquisition/Processing 459
Fire Protection Bureau (FPB) 198
Firearms ..... *See Weapons/Firearms*
Fitness-for-Duty Evaluation 340
Fixed Asset Inventories 276
Flashlight 72
Fleet Section 197
Follow-Up Investigations 518
Hit-and-Run 518
Food Service Workers 102
Force ..... *See Use of Force and Lethal Force Policies*
Foreign Diplomats, Arrest of 11, 12
Foreign Language Resources 403
Foreign Nationals, Arrest or Detention 12
Foreign Nationals, Death or Injury 131
Forensic Laboratory Services Bureau (FLSB) 198
Form Control Numbers, Assigning 235
Formal Inspections 460
Forms and Document Management 234
Forms, Agency ..... *See Forms and Document Management*
Funeral Protocol – Uniformed Employees 307

Page

Funeral Protocol Reference Guide for Uniformed Officers 305
Gambling 145
General Leave 286
Gifts 143
Gloves 418
Government and Media Relations 195
Grants 225
Gratuities 143
Green Alert 374
Grievance Procedure 135
Guild Meetings 147
Gum, Use of 145
Gun Shots, Headquarters Notification of 202
Handcuffs, Keys, and Case 418
Hantavirus Pulmonary Syndrome ..... 105, *See also Exposure*
Harassment 159
Hardship Transfers 320
Hazard Communication Program 109
Hazardous Chemicals
  List of 112
  New Employee Orientation 111
  Written Plan 110
Hazardous Material Responses 397
Hazardous Materials (HazMat) (Fire Protection Bureau) 198
Hazardous Materials in the Workplace 109
Hazardous Materials Spills, Headquarters Notification 202
HBV Vaccination Program 102
Headquarters Duty Officer 201
Headquarters Notification of Serious Incidents 201, 214, 526
Headquarters Public Information Officer 215
Health and Fitness 425
Health, Employee
  Commander Responsibilities 103
  Employee Responsibilities 103
  Hazardous Chemicals List 111
  New Employee Orientation 111
Hearings, Public, Attendance 146
Hepatitis ..... 89, 102, *See also Exposure*
Historical Advisory Board 264
Historical Washington State Patrol Items 265
Hit-and-Run Investigations 516
HIV ..... 89, *See also Exposure*
Holiday Credits 287
Hollow Spike Strip 83
Holster 417
Homeland Security Division 197
Homeland Security Section 197
Honor Guard 251, 308

Page

Human Resource Division 197
Identification Card 423
Identification Cards, Employees 266
Identification of Persons in Department Facilities 266
Identification Section 196
Identification, Employee 148
Identity Theft Unit 196
Identity, Release of Persons Killed or Injured 131
Ignition Interlock Program 199
Illegal Orders 154
Illness, Fictitious Reports 146
Illness, Mental Health – Notification of Possible Victims 399
Immoral Conduct 143
Impaired Driving Section 199
Implied Consent Warnings (Initiative 242) 490
Impound Waiver 487
Impounding of Vehicles 480
Impounds
  Budget and Fiscal Services Requirements 485
  Property and Evidence Custodian Responsibilities 485
Improper Government Action, Reporting 176
Incentive Program 233
In-Charge, Employee 321
Incident Management Program (IMP) 243
Incident Report Form, Office of Financial Management 34, 557
Incident, Plane/Bus/Train, Headquarters Notification 202
Inclement Weather
  Collision Broadcasts 396
  Work Disruption 288
Inclement Weather or Natural Disaster 288
Indian Reservation Jurisdiction 497
Infectious Waste Disposal 99
Information Technology Division 197
Information, Dissemination of 113
Information, Forwarding Necessary 155
Information, Release of Employee 125
Injunctions 55
Injury Reporting 289, 557
  Death or Serious Injury Reporting 34, 213
  Emergency Notification 132
  Fictitious 146
  Foreign Nationals 131
  Notification 289
  On- or Off-Duty 289
In-Service Training 257
Inside WSP Intranet Site 393
Insignia of Rank 414, 415

Page

Inspection
Aircraft Registration 493
Equipment 460
Formal 460
Valid Driver's License 430
Vehicles 460
VIN 248
Inspections 367
Inspections and Plan Review (Fire Protection Bureau) 198
Insubordination 154
Integrity 164, 166
Intentional Intervention 82
Interference With Discipline 348
Interference With Legal Processes – Unauthorized Investigations 146
Internal Affairs Section 197
Internal Investigations 142
Internet
Access 388
Access Restrictions 388
Content and Maintenance of WSP Site 216
Department Internet Site 391
Exemption to Restricted Sites 390
Inside WSP 393
Intranet (Inside WSP) 393
ITD Web Support 392
Remote Access 390
Restrictions for Internet Access 389
Review Requirement (Annual) 388
Use of 388
Web Committee 391
Web Sites 393
Interviews 289
Interviews, Pre-Trial 124
Interviews, Security of Selection/Hiring Material 280
Inventory
Electronic Equipment 276
Fixed Assets 276
Inventory Record, Vehicle 488
Inventory/Audit, Property 539
Vehicles 488
Investigations
Employees Under Criminal Investigation 141
Investigations, Department 238, 501
Audio Recordings 523
Automobile and Heavy Equipment Thefts, Scrap Processors, Hulk Haulers, VIN, Wrecking Yards 238
Bill of Rights 133
Case File Sign-Out 506

Page

Case Filing System 505
Certified Technical Specialists, Use of 511
Child and Adult-Dependent Abuse 554
Collision 431, 509
Collisions 238
Computer/High Technology Crimes 238
Court Cases – Declined Prosecution/Court Dismissal 508
Crime Analysis 529
Crime Scene Investigations/Major Crimes 238
Crime Scene Processing Responsibilities 504
Crime Scene Response Team (CSRT) 504
Criminal Acts Against Department Employees and Their Property 238
Criminal Acts Against Employees, Property, and Equipment 507
Detachment Supervisor Responsibilities 504
Employee Collisions 526
Employee Questioning 133
Fatality/Felony 512
FOB Responsibilities 502
Follow-Up 518
General Investigations 238
Hit-And-Run 516
Human Trafficking 238
Interference With Discipline 348
Internal 142
ISB Responsibilities 503
Juvenile 9
Latent Fingerprint Processing of Evidence 238
License Fraud 238
MAIT Team, Use of 519
Missing and Exploited Children 238
Missing Children 532
Narcotics/Organized Crime 238
Preliminary and Follow-Up 501
Public Corruption 507
School Bus Collisions 511
Storage of Fatal/Felony Collision and Investigation Case Files 506
Use of Force 28
Victim/Witness Assistance Program 524
Violence in the Workplace 158
Investigative Assistance Division 196
Investigative Services Bureau (ISB) 196
Investigator's Report, Collision 509
Jacket 418
Job Description 326
Job Performance Appraisals 282
Job Performance Evaluations 282
Jump Suits 413
Jumper Cables 441

Page

Jury Duty 287
Juveniles
Arrest 9
Custodial Interrogation 10
Rights 10
Key Accountability 266
Labor Activity 157
Labor and Industries 94, 106, 263, 289, 291, 297, 300
Labor and Policy Advisor 195
Labor Disputes 53
Labor/Management Disputes 53
Language, Access to Foreign Resources 403
Law Enforcement Information Exchange (LInX) 405
Law Enforcement Radio Network (LERN) 397
Lawful Responsibilities, Acceptance of 152
Laws, Reporting Violations of 141
Lawsuits
Attorney General Involvement 119
Contacting the Attorney General's Office 119
Layoffs 321
Leave
Annual 287
Child Care 294
Denial and Changes 287
Disability of Employees 301
Educational 289
Family and Medical 292
Fictitious Illness Reporting 146
General Leave 286
Holiday Credits 287
Inclement Weather or Natural Disaster 288
Injury Reporting 289
Jury Duty 287
Life-Giving 289
Maternity 294
Military 284
Newborn, Adoptive, or Foster Child Care Leave 294
Parental 294
Paternity 294
Personal Holidays 287
Prohibited Action During Suspension 147
Return to Work – Classified Employees 299
Return to Work – WSP Officers 298
Shared 296
Sick 288
Temporary Disability Leave – With Pay 290
Testing or Interviewing for State Jobs 289
Without Pay 288

Page

Legal Inquiries 334
Legal Processes, Interference With 146
Legislative Contacts 218
Legislative Liaison Officer 217
Lethal Force ..... *See Use of Force and Lethal Force Policies*
Letterhead, Ordering 209
License
  Confidential License Plates 442
  Employee 430
  Intermediate 492
Licensing (Fireworks and Sprinklers) 198
LIDAR 455
Lie Detector Test ..... *See Polygraph Examinations*
Lieutenant 200
Light Bars 441
Lineups 142
Liquor, Entering Establishments 152
Logon Identification 385, 386
Logon IDs and Passwords 385
Logos
  Badge 219
  Flag 219
  Patch 219
  WSP Logo 218
LoJack 500
Magazine Pouch 417
Mail Regulations 206
Major Accident Investigation Team (MAIT) 196, 519
Manuals
  ACCESS 404
  Accessibility 203
  Acknowledgement of Receipt and Updates 203
  Administrative Investigation ..... ~~38~~, 70, 71, 73, 74, 81, 141, 163, 187, 192, ~~220,~~ 347, 348, 350, 431, 456, 504, 512, 523
  Administrative Investigation Manual 432
  Agency Format 204
  Assignment of Agency Control Number 115
  Budget and Fiscal Services Standard Operating Procedures 206, 223, 224, 225, 434, 435, 446, 447, 457
  Communications 380
  Control Tactics and Weapons 62, 63, 65, 67
  Correspondence Procedures 205
  Criminal Investigation Division 187, 192
  Directive Control Sheet 204
  Distribution 203
  Division/District/Section Standard Operating Procedures 115
  Equipment Standards Section Manual 238
  Format 115

Page

Funeral Protocol Reference Guide for Uniformed Officers 305
General Orders 204
Honor Guard 252
Incident Management Handbook 53, 245, 374, 397
Job Performance Appraisal 283
Media Relations 214, 216, 217, 220
Officer's Evidence Handbook 538, 539
Official Department Publications 203
Polygraph Procedure Manual 140
Pre-Academy Coaches 18, 20
Property and Evidence Custodian 539, 541, 542
Public Disclosure 123, 124
Rapid Deployment Force 71
Regulation 113
Review 116
Risk Management Division Standard Operating Procedures 369
Rules Writing Manual 237
Special Orders 204
Standard Operating Procedures 115
State Administrative and Accounting Manual (SAAM) 224, 225, 278, 369, 432, 433, 446, 447, 450
Supervisor/Employee Reference 152, 175, 279, 280, 281, 283, 288, 289, 290, 295, 298, 299, 300, 304, 317, 318, 319, 320, 321, 323, 324, 364, 366
SWAT 61
Time and Activity Reporting 289, 324, 549
Trauma Guide 132
WACIC 404

Media
Media and Public Relations 212
News 128, 213, 215

Media and Public Relations 212
Medical Examinations 142
Medical Relays 372
Meetings
Staff 210
With Commanders 210

Memo, Collision Submittal 510
Mental Illness – Notification of Possible Victims 399
Mentally Ill Persons, Dealing With 400
Military Leave 284
Military Reserve/National Guard 284
Minority and Women-Owned Business Opportunities Plan 229
Miranda Rights 7, 10, 489, 513, 514
Misconduct, Defined 346
Misconduct, Employee (Criminal) 141
Missing Children 532

Page

Mobile Video Camera Equipment 462
Mobilization (Fire Protection Bureau) 198
Monies, Deposit of 224
Motorcycle Program 494
  Instructor Staff 495
  Insurance Coverage 497
  Operations 497
  Qualified Operators 494
  Removal 495
  Tour of Duty 496
Moving Expenses 320
Narcotics Section 196
National Guard 284
National Guard, Request for Assistance 202
Natural Disasters
  Collision Broadcasts 396
  Headquarters Notification 201
  Work Disruption 287
Neck Holds
  WSP Officers, CVEOs, and Trooper Cadets 30
Neglect of Duty 145
News Media 128, 213
Nightsticks ..... *See Side Handle Baton*
Notice of Criminal Citation (NOCC)
  Booking 472
  Commercial Vehicle Division Control 476
  Detachment Control 474
  Distribution 471
  Division/District Control 473
  Division/District Responsibilities 475
  Field Operations Bureau Responsibilities 476
  Issuing 470
  Officer Accountability 475
  Quoting of Bail 470
  Race Reporting 471
  Supply Section Control 473
  Tracking 473
  Tracking Reports 476
  Voiding 472
Notice of Infraction (NOI)
  Booking 472
  Commercial Vehicle Division Control 476
  Detachment Control 474
  Distribution 471
  Division/District Control 473
  Division/District Responsibilities 475
  Field Operations Bureau Responsibilities 476
  Issuing 470

Page

Legibility 470
Officer Accountability 475
Quoting of Bail 470
Race Reporting 471
Supply Section Control 473
Tracking 473
Tracking Reports 476
Voiding 472
Notification of Possible Victims, Mental Illness 399
Observation Rides, Rules of 19
OC 27, 71
Off-Duty Employment Regulations, Employee 168
Off-Duty Employment Regulations, WSP Officers 175
Off-Duty Employment Regulations, WSP Officers and Cadets 170
Office of Financial Management Incident Report 557
Office of Professional Standards 197
Office of the Chief 195
Officer's Evidence Handbook 538, 539
Official Funds, Use of 224
Oleoresin Capsicum 27, 71
Order, Lawful 154
Orders 204
Conflicting or Illegal 154
Criticism of 147
General Orders 204
Personnel 204
Requirement to Obey 154
Special 204
Organizational Codes, Assigning 222
Overtime 324
Overtime Policies
Court Overtime Pay 370
Pagers 383
Parental Leave 294
Parking, Headquarters General Administration Building 448
Passwords 385
Patrol Car Riders 18
Patrol, Privately-Owned Rental Vehicle Collisions/Incidents/Vandalism ... 431, 521
Pedestrians, Detaining 3
Peer Support Team 343
Pens 454
Performance Appraisals 282
Performance Evaluations 282
Performance Records, Access to 137
Performance, Unsatisfactory 153
Permits, Department of Transportation 494
Personal Protective Equipment 92, 106
Personnel Issues 279

Page

Personnel Numbers 378
Personnel Orders 204
Photographic Equipment 458
Photographs
  Internal Investigations 142
  Processing 459
  Property of the Department 220, 507
  Victims of Abuse 556
Picket Lines
  Arrest Procedures 55
  Children 58
  Crossing of 56
  Law Officers at Strike Locations 53
  Mass Picketing 57
  Strikers Following Company Vehicles 58
  Train Movements 57
  Trucks Crossing 57
PIT ..... *See Pursuit Immobilization Technique*
Plain Talk (Governor's Executive Order 05-03) 205
Political Activity 163
Polygraph Examination 140
POPS 195
Portable Radios 395
Preliminary Investigations
  Hit-and-Run 516
Preparedness Division (Fire Protection Bureau) 198
Pre-Trial Interviews 124
Prevention Division (Fire Protection Bureau) 198
Printing ..... *See Copying and Printing*
Prisoners 14
  Escape 17, 202
  Injured 16
  Precautions, Detention Facilities 17
  Precautions, General 15
  Screening of 16
  Seat Belts 14
  Transportation 14, 17
  Treatment of 14, 16
Privacy, Department Property 327
Privacy, Employee 327
Private Business While On Duty 145
Probation, Troopers/Sergeants/Lieutenants 282
Problem Oriented Public Safety 195
Profiling 167
Prohibited Establishments, Visiting 145
Promotion of Troopers/Sergeants 283
Promotions 283
Pronouncements, Public 156

Page

Property
Case File Requirements 546
Chief's Designee 542
Criminal Acts Against 202
Disposal of 541, 542
Donations 230
For Forfeiture 544
General Seizure Information 543
Handling 537
Inventory/Audit 539
Loss or Damage 456
Seizure, Narcotics Investigation 542
Unclaimed 542
Vehicle Storage and Processing 545
Property and Evidence Custodian Manual 539, 542
Property Damage, Reporting 34, 557
Property Management Division 197
Prosecution, Felony Charges 489
Prostitution, Visiting Prohibited Establishments 145
Protection Orders, Employees 142
Psychological Services 240, 335
Psychologist, Department Clinical 195
Public Corruption Investigation 507
Public Disclosure Section 198
Public Education (Fire Protection Bureau) 198
Public Functions, Attendance At 146
Public Information Officers 212
District/Division/Section 216
Headquarters 212, 215
Public Information 212
Public Pronouncements 156
Public Records
Attorney General Involvement 119
Attorney General/Labor and Policy Advisor Requests 124
Audio Tapes, Release of 123
Commander Responsibility 123
Confidential Information 124
Contacting the Attorney General's Office 119
Criminal History Record Information 129
Definitions 122
Depositions 125
Discovery 120, 466
Electronic Mail 118
Electronic Records Storage 387
Electronically Stored Information and Records (Examples of) 121
Employee Information, Release of 125
Manual, Public Disclosure 123, 124
Photographs, Release of 123

Page

Pre-Trial Interviews 124
Public Records Officer 116, 123
Records Hold Notice Requirements, Attorney General's Office 120
Release After Prosecutor Makes Determination 127
Requests 122
Requests for Personnel, Training, or Internal Investigation Records 129
Requests Received at Detachment/Section Office 124
Requests Received at Division/District Office 123
Response Time 123
Restricted Areas 128
Verbal Release of Investigative Information – Before Action by Prosecutor 125
Videotapes 466
Videotapes, Release of 123
Public Speaking 156
Publications, Official 203
Publicity, Seeking 148
Pursuit Immobilization Technique (PIT) 85
Investigation of 81, 431
Lethal Force 27
Other Requirements 86
Over 40 Miles Per Hour 85
Sight Assessment for Use of PIT 86
Special Service Vehicles 85
Under 40 Miles Per Hour 85
Pursuits, Vehicular ..... *See Vehicular Pursuits*
Quarterly Reports 216
Race Reporting 471
RADAR 455
Radio Frequency Use Approval 394
Radio, Portable 423
Raids 39
Checklist for Suspects 45
Equipment 48
Execution of 51
Gathering Information 43
Post-Raid Procedures 53
Pre-Raid Briefing 46
Safety of All 40
Search Warrants 52
Team Members 39
Types of Entries 41
Use of Force 48
Rank Insignia 414
Rapid Deployment Force Team (RDF) 241
Reading On Duty 146
Reasonable Accommodation 301
Reasonable Suspicion Standard 4

Page

Recorded Telephone Instruments 382
Recordings, Audio 523
Records Retention 116
Records Section ..... *See Collision Records Section*
Records, Sealing or Destroying Case 118
Recruitment and Assessment 279
Red Alert 374
Reexam, Driver's License 493
Referral to Prosecutor 557
Refusal of Blood/Breath Test 24, 491
Regulation Manual, Employee 113
Rehiring
  After Retirement 318
  WSP Officers 318
Relations, Community 214
Relays
  Department 372
  Medical 372
Release of Identity – Persons Killed or Injured 131
Relief From Duty 33, 347, 557
Remote Access 390
Rental Motor Vehicles
  Collisions/Incidents/Vandalism 431
Reporting 549
Reporting and Distribution 549
Reporting Violations of Laws, Ordinances, Rules, or Orders 141
Reports
  Annual 216, 233
  Quarterly 216
  Summary 549
  Time and Activity Report (TAR) 549
Request for Assistance from Federal Law Enforcement
  and/or the National Guard 202
Request for Defense 328
Requests for Assistance 153
Reservation Jurisdiction, Indian 497
Residence Definition and Requirements 285
Resignation or Retirement of Accused Before Completion of
  Trial Board Hearing 358
Resignations 317
  Exit Interviews 317
Respirators 107
Responsibilities
  Command 364
  Officer 165
  Supervisor 366
Restraining Orders, Employees 142
Restricted Areas 128

Page

Retention, Electronic Mail 118
Retention, Records 116
Retirement, Purchase of Replica Badge 422
Retirement, Purchase of Replica Vehicle License Plates 452
Retirement, Purchase of Service Pistol 454
Return to Work – Classified Employees 299
Return to Work – WSP Officers 33, 298
Rewards 143
Rides, Observation, Rules of 19
Right to Know, Hazardous Materials in the Workplace 109
Rights
  Appeal 133
  Bill of Rights 133
  Constitutional 2
  Detained Person Rights 7
  Employee 133
  Exercise of 133
  Juvenile Rights 10
  Miranda ..... *See Miranda Rights*
Riot Control Baton 70
Risk Assessment 367
Risk Management Division 120, 195, 197, 368
Road Closures 201, 478, 510
Roadblocks 83
Roadway Conditions Found During Patrol 477
Roadway Obstructions 477
Rule Making (WAC) 237
Rules of Conduct 141
Salaries, Above the Maximum 323
Salary Determination 322
Scalehouse Checks ..... *See Weigh Station Checks*
SCAN System 381
Scanners 443
School Bus Collisions, Headquarters Notification 202
Searches 20
  Department Property 327
  Warrantless 20
  Warrants 23, 52
Seat Belts
  Prisoners 14
SECTOR 369, 471, 472, 473, 475, 510
Seeking Outside Aid 146
Senior Trooper Pin 422
Sergeant 200
Service Dogs 178
Service Marks 420
Service Pins 315
Sexual Harassment 159

Page

Shared Leave 296
Shift Scheduling – Traffic Officers 375
Sick Leave
  Fictitious Reporting 146
Side Handle Baton 70
Smoking 145
Snowcat 461
Social Services Referrals 375
Speakers, Outside of Patrol Vehicle 441
Special Deputies 152, 194
Special Events – Traffic Control 479
Special Investigations Section 196
Special Investigations Unit 196
Special Operations Division 197
Special Orders 204
Special Weapons and Tactics Team (SWAT) 196, 239
Specialized Training 257
Specialty Positions, Selection for 326
Speed Measuring Devices (RADAR and LIDAR) 455
Speedometer Checks 436
Spike Strip 83
Staff Meetings 210
Standards and Accountability Section 199
Standards and Accreditation (Fire Protection Bureau) 198
Standards, Office of Professional 197
State Parks, Camping in (Law Enforcement Officers) 262
Statewide Integrated Intelligence Section 196
Stolen Vehicles 485
  Recovery of 550
Strategic Advancement Forum 232
Strategic Planning 232
Strategic Planning and Performance Section 198, 231
Strikes 53
  Law Officers at Strike Locations 53
  Prohibited 157
Subpoenas 125, 171, 331
  Civil 331
  Criminal 331
Succession of Command 199
Summons 328
Supervision and Command 363
  Activity Files – Officer's 369
  Audits, Inspections, and Risk Assessment 367
  Availability, Alert Procedures 373
  Command Protocol 363
  Command Responsibilities 364
  Criminal Justice and Social Services Referrals 375
  Department Relays 372

Page

Eighty-Work-Hour Audit – Officer's 370
Field Supervision 367
Request for Department Employees 373
Shift Scheduling – Traffic Officers 375
Supervisor Responsibilities 366
Unit Activity and Status 375
Supplies, Ordering 457
Supply Section 197
Suspected Intoxication – Mandatory Testing 150
Suspension, Prohibited Action During 147
Suspicion, Reasonable 4
Suspicious Packages 247
Taser 27, 73
Team Incentive Pay (TIP) Program 234
Technical Agency Coordinator (TAC) 404
Technical Services Bureau (TSB) 197
Telephone
Cellular 381, 444
Communications 380
Long-Distance Calls 381
Microwave 381
Personal Use of 377
Personal Use of Cellular 444
Printouts, Supervisory Review 381
Recording Telephone Calls 382
Telephone and Address 286
Teletype Terminal
Misuse 405
Security 404
Teleworking 319, 447
Remote Network Access Accounts and Passwords 391
Temporary Detention 3
Testimony
Criminal Case 330
Threats Against Departmental Employees 535
Threats Against State Officials 536
Time and Activity Reporting (TAR) 549
Timepiece 454
Tire Carcass Disposal 437
Tobacco Products, Gum, Use of 145
Tort Claim 330
Against Department 330
Attorney General Involvement 119
Contacting the Attorney General's Office 119
Defined 120
Employee Collisions 526
Patrol Vehicle Collisions/Incidents/Vandalism 431
Records Hold Notice Requirements, Attorney General's Office 120
Recovery of Damage to Department Vehicle 433

Page

Tour of Duty 467
Tour of Duty, Motorcycle Officers 496
Towing Services 250
Toxicology Laboratory 199
Toxicology Laboratory Division 199
Traffic Control, Special Events 479
Traffic Officers 201, 375, 518
Traffic Responsibilities 467
Traffic Stop Data 167
Train Movements and Railroad Right of Way 57
Training
- Advanced 255
- Attendance 255
- Career Development 252
- Continuing Education 259
- Criminal Justice Training Commission Course 255
- Cross-Training 259
- Department of Personnel Training and Development Services 255
- Department-Sponsored 256
- Domestic Violence 190
- Employees Instructing Employees 256
- Exemptions 256
- In-Service 257
- In-State 255
- Leave, Employee on Leave During Mandatory 256
- Mandatory 256
- Materials Obtained 256
- Occupational Exposure 101, 109
- Out of State 255
- Records 255
- Reimbursement 256
- Report of 254
- Required for Law Enforcement Officers 279
- Rules and Regulations for Instructors 256
- Specialized 257
- Training Committee 254
- Training Division 253
- Tuition Reimbursement 259, 260

Training Committee 254
Training Division 198, 253
Transportation, Emergency, Headquarters Notification 202
Trauma Guide 132
Travel Expenses ..... *See Budget and Fiscal Services Procedures Manual*
Trial Boards
- Amending Complaints 359
- Board Members 351
- Continuances 359
- Defense Advocate 352

Page

Deliberations of Board 357
Discovery 361
Drawing 354
Duties of the Trial Board Members 351
Effect of Criminal Proceedings 362
Evidence 360
General Regulations – Board Hearing 358
Hearing 354
Human Resource Division Commander 352
Policy Statement 351
Procedures 355
Resignation or Retirement of Accused 358
Trial Boards/WSP Troopers 351
Trooper 200
Trooper Cadets 194
Truthfulness 155
Tuberculosis 104
Tuberculosis, Exposure Determination 103
Tuition Reimbursement 259
Unbiased Policing 167
Undercover WSP Officers
Badge and Commission Card 417
Conduct of 148
Equipment, Exemptions 453
News Media, Posing as Members of 148
Public Contact 14
Vehicle Collisions/Incidents 431
Uniform Crime Reporting (UCR) 530, 550
Uniform Driver - Vehicle Inspection Reports
Commercial Vehicle Division Control 476
Detachment Control 474
Division/District Control 473
Division/District Responsibilities 475
Officer Accountability 475
Supply Section Control 473
Tracking 473
Tracking Reports 476
Voiding 472
Uniforms and Appearance 407
Academy Uniform 412
Appearance Standards 411
Appearance Standards, Uniformed Employees 424
Approvals 407
Authorized Uniforms 407
Award of Honor Pin/Medal of Courage Pin 422
Badge 148, 414
Badge and Commission Card 416
Badge, Purchase of Replica 422

Page

Ball-Point Pen/Forms 454
Baseball Caps 420
Belts 417
Bloodborne Pathogens 98
Cadet, Parking, Mansion/Legislative 410
Cadet, Pre-Academy (except Mansion, Legislative, and Parking) 410
Campaign Hat 419
Cleaning of Uniforms 412
Commercial Vehicle Division 410
Commission Cards 148
Communications Officer 410
Dress 408
Formal 408
Funerals 306, 408
Glasses 425
Handcuffs, Keys, and Case 418
Holster 417
Identification Card 423
Insignia of Rank 414, 415
Issue, Replacement, or Repair 412
Jacket and Gloves 418
Jewelry 425
Jump Suits 413
Magazine Pouch 417
Mansion, Legislative, Parking Cadets 410
Marksmanship Pin 422
Motorcycle 409
Name Plate 414, 421
Non-Uniform Attire 416
Off-Duty Wearing of Uniform 173
Oleoresin Capsicum 71
Personal Business, Wearing During 147
Portable Radio 423
Pre-Academy Cadet Uniform 410
Senior Trooper Pin 422
Sergeant Chevrons 420
Service Marks 420
Service Pins 315
Special Duty or Unit Insignia Pin 421
Special Uniform 411
Specifications – Pants/Shirts/Skirts 413
Summer 408
Tactical 409
Timepiece 454
Uniform Approval 407
Uniform Available for Emergencies 412
Vests, Armored 74
Vests, High-Visibility 76

Page

VIN Specialist/Inspector Clothing 410
Wearing the Uniform 411
Winter 407
Union Meetings 147
Unit Activity and Status 375
Unsatisfactory Performance 153
Urine Sample Retrieval 25
Urine Samples 25
Use of Force and Lethal Force Policies 27
Animal Destruction 38
ASP Baton/Flashlight 72
Communications Responsibilities 380
Defined 27
Department Standard 39
Detention Stop 8
Division/District/Section Responsibilities 32
Firearms, CVEOs and Trooper Cadets 30
Firearms, WSP Officers 29
Incident Report Form Requirement 34
Intentional Intervention, CVEOs and Trooper Cadets 31
Intentional Intervention, WSP Officers 31
Investigation 28, 32, 34
Involved Officer 34
Labor/Management Disputes 53
Lethal 28
Neck Holds 30
Oleoresin Capsicum 27, 71
Press Inquiries 215
Psychological Services 240, 335
Raids 39
Relief From Duty 33
Reporting Use of Force 28
Reporting Use of Force – WSP Officers 556
Review 38
Strikes/Lockouts/Labor Disputes 53
Taser 27, 73
WSP CVEOs and Trooper Cadets 29
Use of Official Funds 224
Vaccinations, Hepatitis B 102
Valid Driver's License Required 430
Vandalism
Patrol Vehicle 431, 521
Privately-Owned Vehicle 431, 521
Weigh Stations 479
Vehicle Identification Section 196
Vehicle Impound Waiver 487
Vehicle Inventory Record 488

Page

Vehicle Pursuits, WSP Officers
Headquarters Notification 202
Vehicle Recoveries – Reporting 550
Vehicle Seizure 542
Vehicles, Department 427
Antique, Use of 450
Assignment 427
Assignment of Permanent Equipment Numbers 428
Availability to Emergency Response 429
Bait 498
Bloodborne Pathogens 97, 98
Car Wash 445
Civilian Use of Department Vehicles 441
Collisions/Incidents/Vandalism 431, 521
Commute Trip Reduction 447
Commuting, Authorization for 428
Confidential License Plates 442
Discovery of Contraband 435
Discovery of Weapons/Contraband 435
Driving Protocol 430
Employee Collisions 526
Equipment 440
Gasoline 441
Inspections 460
IRS Reporting Requirements 449
Jumper Cables 441
Light Bars, Detachable 441
Location While on Leave 449
Maintenance and Orientation 429
Maintenance Files 434
Marking and Equipment 438
Observation Rides 19
Official Business 429
Operation 429
Out-of-State Travel 430
Parking at the General Administration Building 448
Passengers, Unauthorized 429
Patrol, Privately-Owned Rental Vehicle
Collisions/Incidents/Vandalism 431, 521
Personal Use Prohibited 429
Privately-Owned 445, 521
Reassignment 434
Recovery of Damage to Department Vehicles 433
Rental 446
Repairs/Modifications 433
Replica Vehicle License Plates, Purchase of 452
Riders 18
Safety Belts 445

Page

Scanners/CB Radios/Cellular Telephones 443
Speakers, Outside 441
Special Service 78, 85, 427
Speedometer Checks 436
Tire Carcasses, Disposal of 437
Tire Maintenance Checks 436
Transporting Unauthorized Passengers 432
Turn-In 435
Undercover Vehicle Collisions/Incidents 431
Valid Driver's License Required 430
Violators in 18
Vehicles, Escorting 478
Vehicles, Impounding 480
Vehicles, Inventory of 488
Vehicular Pursuits
Aircraft 78
Backup Units 77
Backup Unit's Responsibilities 79
Communications Center Responsibilities 79
CVEOs/CVOS/Exempt or Classified Employees 78
Definitions and Policy 77
Elude, Attempting to 77
Forcible Stop, Methods of 82
Guidelines 77
Headquarters Notification 202
Hollow Spike Strip 83
Intentional Intervention 82
Interstate 80
Into Another Jurisdiction or District 80
Investigation of a Pursuit/PIT 81
Officially Marked Patrol Vehicle 77
Other Agency Pursuits 80
Primary Unit 77, 78
Pursuit Immobilization Technique (PIT) 85
Roadblocks 83
Secondary Unit 77, 79
Special Service Vehicles 78
Supervising Officer 77
Supervising Officer Responsibilities 79
Termination 80
Wrong-Way 80
WSP Officers 202
Vehicular Pursuits, WSP Officers 202
Vending Machines 223
Verbal Warnings 469
Vessel and Terminal Security Section 197

Page

Vests
Armored 74
High-Visibility 76
Victim/Witness Assistance Program 524
Victims, Possible Notification, Health 399
Video Camera Equipment 462
Videotapes, Release of 123
VIN Inspections 248
Violator Contact 468
Violators in Patrol Vehicles 18
Violence in the Workplace 158
Virus, Computer 272
Visiting Prohibited Establishments 145
Visitors to Department Facilities 266
Voice Messaging 383
Volunteer Employment 168
Volunteer Program 263
Volunteer Work 168, 169, 170
Waiver of Vehicle Impound 487
Warning Shots 30
Warnings
Implied Consent 490
Written – Correction Notice 469
Warnings, Verbal 469
Washington Administrative Code, Rule Making 237
Waste, Disposal of Infectious 99
Weapons/Firearms
Aerosol Subject Restraint 71
Alterations to 61
Ammunition 66
Ammunition, Practice 67
AR-15s 60
ASP Baton/Flashlight 72
Backup (Trooper Cadets) 60
Backup, WSP Officers 63
Civilian Clothes (WSP CVEOs and Trooper Cadets) 60, 62
Civilian Clothes, WSP Officers 59
Court 147
Deadly Force 28, 29
Defective 69
Discharge 70
Duty Weapons 59
Exchange of Weapons 59
Firearm Inspection and Approval 59
Firearm, Use of 59
Firearms Qualification 67
Firearms Qualifications, Outside Agencies 68
Found in Vehicles 435

Page

Gun Shots, Headquarters Notification of 202
Handgun Guidelines 59
Impairment While Armed 62
Loaner Weapon 69
Off-Duty Carrying of Department-Issued or Approved Firearms 65
Ongoing NCIC and Firearm Checks 192
Privately Owned 62
Privately Owned Handgun 62
Proficiency, Demonstrating 62
Proper Firearm Operation and Condition 61
Purchase of Service Pistol Upon Retirement 454
Removal From Vehicle 61
Repairs 61
Revolvers 64
Security of Firearms 61
Semiautomatic Handguns 64
Semiautomatic Rifles 64
Semiautomatic Rifles, Issuing 60
Shotguns, Issuing 60
Side Handle Baton/Riot Control Baton 70
Special Weapons and Tactics (SWAT) 61
Training 67
Training Requirement 59
Use of Alcohol or Drugs 62
Weather, Inclement, Work Disruption 287, 288
Web Sites 393
Weigh Station Checks 479
Weigh Station Checks – Vandalism 479
Whistleblower – Improper Governmental Action 176
White Alert 374
Witness Fees 331
Written Warnings 469
WSP Officers, Allocation and Distribution of 319
Yellow Alert 374

WASHINGTON STATE PATROL

REGULATION MANUAL

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

NAME _____ BADGE NUMBER ___

DISTRICT _____ PHONE NO. _____

3000-365-100 (Rev. 2/10)

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

INTEROFFICE COMMUNICATION

WASHINGTON STATE PATROL

TO: All Employees

FROM: Chief John R. Batiste

SUBJECT: Regulation Manual

DATE: February 26, 2010

The *2010 Regulation Manual* has been approved for department use.

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

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

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

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

Blue Section (Appendix): This section contains miscellaneous information.

Many policies have been revised, one has been eliminated, and four new policies were added. This printing of the *2010 Regulation Manual* contains all General Order revisions from 09-001 through 09-004.

Employees are required to know and follow the policies and procedures in the *2010 Regulation Manual*. Supervisors will ensure all employees have access to a hard copy of the manual, which may also be accessed on the agency Intranet.

Changes to the policies and procedures of the *2010 Regulation Manual* will be made through the issuance of General Orders; changes shall be noted in printed copies of the current *2010 Regulation Manual*. Supervisors will ensure employees review all General Orders and sign a Directive Control Sheet (3000-323-070). Directive Control Sheets shall be maintained per the WSP Unique Records Retention Schedule.

JRB:tlu

GENERAL

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

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

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

ORDERS AND DIRECTIVES

Changes to information contained in this manual will be by General Order (GO) from the Office of the Chief or the yearly revision of the manual. Employees shall update their manual from the information on a General Order by highlighting the policy title and writing "Refer to GO 10-__" or by whatever means they deem appropriate.

REVISION OF POLICIES

This edition of the manual contains many policy revisions. One policy was removed. Four new policies have been added. A list of policies not distributed in a General Order in 2009 is included in the Section 2010 Changes by Chapter. Employees are responsible for reviewing all changes and shall be familiar with all new policies and procedures.

REPRINTING

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

MANUAL ORGANIZATION

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

GLOSSARY OF TERMS

Employees should familiarize themselves with the glossary terms.

INDEX

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

MANUAL COMMENTS

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

MISSION, VISION, VALUES, AND GOALS

MISSION

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

VISION

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

VALUES

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

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

GOALS

Goal 1 Make Washington roadways and ferries safe for the efficient transit of people and goods.

Goal 2 Reduce our citizens' vulnerability to fire, crime, terrorism, and natural hazards.

Goal 3 Meet the growing need for law enforcement, forensic, investigative, and other public safety services statewide.

Goal 4 Leverage technology to enhance and sustain business processes, public safety infrastructure, and statewide emergency communications interoperability.

Goal 5 Provide critical leadership, tools, and resources to foster an ethical, innovative, knowledgeable, and diverse workforce.

SERVICE WITH HUMILITY

3000-370-009 (R 4/08)

Chapter	Title	Page
	User's Guide	i
	Mission, Vision, Values, and Goals	iii
	Table of Contents	v
	2010 Changes by Chapter	xi
	Glossary	xiii
	RED	
1	Arrest	1
	Section 00: Arrest Protocol	
	Section 01: Patrol Vehicles	
	Section 02: Search Protocol	
	Section 03: Obtaining Samples	
2	Use of Force and Lethal Force Policies	27
	Section 00: Use of Force	
	Section 01: Department Standard	
	Section 02: Special Events	
3	Weapons/Firearms	59
	Section 00: Firearms	
	Section 01: Weapons	
	Section 02: Vests	
4	Vehicular Pursuits	77
	Section 00: Pursuit Requirements	
	Section 01: Forcible Stop	
5	Employee Health	87
	Section 00: Safety/Hazard/Disease Information	

YELLOW

6 ..... Dissemination of Information 113
Section 00: ..... Manuals
Section 01: ..... Records

7 ..... Employee Rights/Personnel Files/Polygraphs 133
Section 00: ..... Rights
Section 01: ..... Files
Section 02: ..... Polygraph Examinations

8 ..... Rules of Conduct 141
Section 00: ..... Conduct

WHITE

9 ..... Department Authority and Organization 193
Section 00: ..... Appointments
Section 01: ..... Agency Organization
Section 02: ..... Notification/Succession

10 ..... Department Management 203
Section 00: ..... Directives/Documents
Section 01: ..... Communications
Section 02: ..... Government and Media Relations
Section 03: ..... Human Resource Division
Section 04: ..... Budget and Fiscal Services
Section 05: ... Strategic Planning and Performance
Section 06: ..... Forms
Section 07: ..... Rule Making
Section 08: ..... Investigations
Section 09: ..... Teams/Units
Section 10: ..... VIN/Towing
Section 11: ..... Honor Guard
Section 12: ..... Training
Section 13: ..... Camping
Section 14: ..... Volunteers
Section 15: ..... History, Preserving Department

Section 16: ..... Identification
Section 17: ..... Keys
Section 18: ..... Computers
Section 19: ..... Inventory

11 ..... Personnel Issues 279
Section 00: ..... Training
Section 01: ..... Recruitment and Assessment
Section 02: ..... Probationary and Trial Service
Section 03: ..... Performance Evaluations
Section 04: ..... Promotions
Section 05: ..... Relatives and/or Household Members
Section 06: ..... Military Reserve/National Guard
Section 07: ..... Residency
Section 08: ..... Contact Requirements
Section 09: ..... Leave
Section 10: ..... Return to Work
Section 11: ..... Disability
Section 12: ..... Reasonable Accommodations
Section 13: ..... Deaths and Funerals
Section 14: ..... Retirements (DELETED)
Section 15: ..... Awards
Section 16: ..... Resignation Process
Section 17: ..... Rehiring
Section 18: ..... Telework
Section 19: ..... Staffing
Section 20: ..... Moving
Section 21: ..... Reduction in Force
Section 22: ..... Salary
Section 23: ..... Specialty Positions
Section 24: ..... Department Property
Section 25: ..... Civil Actions
Section 26: ..... Criminal Actions
Section 27: ..... Civil Subpoenas and Witness Fees
Section 28: ..... Depositions
Section 29: ..... Legal Inquiries
Section 30: ..... Psychological Services
Section 31: ..... Critical Incident Stress Management Team (CISM)
Section 32: ..... Peer Support Team

12 ..... Complaint and Disciplinary Procedures 345
Section 00: ..... Complaints

13 ..... Trial Boards 351
Section 00: ..... Trial Boards

14 ..... Supervision and Command 363
Section 00: ..... Communication/Supervision

15 ..... Communication Systems 377
Section 00: ..... Communications
Section 01: ..... Telephones
Section 02: ..... Electronic-Messaging
Section 03: ..... Internet
Section 04: ..... Remote Access
Section 05: ..... Department Web Sites
Section 06: ..... Communications Procedures (DELETED)
Section 07: ..... Radio Frequencies
Section 08: ..... Radios
Section 09: ..... Collision Broadcasts
Section 10: ..... Emergency Response
Section 11: ..... Law Enforcement Radio Network (LERN)
Section 12: ..... Calls for Service
Section 13: ..... Mental Illness
Section 14: ..... Foreign Language
Section 15: ..... ACCESS/WACIC/NCIC
Section 16: ..... Law Enforcement Information Exchange (LInX)

16 ..... Uniforms and Appearance 407
Section 00: ..... Uniforms
Section 01: ..... Insignia of Rank
Section 02: ..... Non-Uniform Attire
Section 03: ..... Uniform Accessories
Section 04: ..... Replica Badges
Section 05: ..... Identification Card
Section 06: ..... Portable Radio
Section 07: ..... Appearance
Section 08: ..... Health and Fitness

17 ..... Vehicles 427
Section 00: ..... Assignment
Section 01: ..... Operation
Section 02: ..... Collisions/Incidents/Vandalism
Section 03: ..... Repairs/Modifications
Section 04: ..... Reassignment

Section 05:..... Maintenance Files
Section 06:..... Turn-In
Section 07:..... Weapons/Contraband
Section 08:.. Credit Cards/Key Cards (DELETED)
Section 09:..... Checks
Section 10:..... Disposal of Tire Carcasses
Section 11:..... Marking and Equipment
Section 12:..... Civilian Use
Section 13:..... Confidential License Plates
Section 14:..... Scanners/CB Radios/ Cellular Telephones
Section 15:..... Safety Belts
Section 16:..... Car Wash
Section 17:..... Privately-Owned
Section 18:..... Rental
Section 19:..... Commute Trip Reduction
Section 20:..... Parking
Section 21:..... Securing
Section 22:..... IRS Reporting Requirements
Section 23:..... Antique Vehicles
Section 24:..... Replica Vehicle License Plates

18 ..... Equipment..... 453
Section 00:..... Equipment/Property

19 ..... Traffic Responsibilities..... 467
Section 00:..... Traffic
Section 01:..... Warnings
Section 02:..... Infraction/Citation
Section 03:..... Enforcement/Collision Data
Section 04:..... Roadway Conditions
Section 05:..... Escorting Vehicles
Section 06:..... Road Closures
Section 07:..... Traffic Control
Section 08:..... Weigh Stations
Section 09:..... Vehicle Impounds
Section 10:..... Vehicle Inventory
Section 11:..... Felony Prosecution
Section 12:..... Breath Test
Section 13:..... Alcohol/Drugs
Section 14:..... Driver's Licensing
Section 15:..... Aircraft

Section 16: ..... Permits
Section 17: ..... Motorcycles
Section 18: ..... Indian Reservations
Section 19: ..... Bait Vehicles

20 ..... Investigations 501
Section 00: ..... Investigation Process
Section 01: ..... Victim/Witness
Section 02: ..... Collision Investigation Committee
Section 03: ..... Crime Analysis
Section 04: ..... Missing Children
Section 05: ..... Threats

21 ..... Evidence System 537
Section 00: ..... Evidence Process

22 ..... Reporting 549
Section 00: ..... Reports
Section 01: ..... Serious Reporting

Appendix (Blue Pages)
Index
General Order Checkoff Sheet

2010 CHANGES BY CHAPTER

Listed below are changes made to the *Regulation Manual* since the last printing. General Orders numbered 09-001 through 09-004 are included in this manual. The revisions listed below did not appear in a General Order. This list may not be all-inclusive. It is the responsibility of each employee to read the manual and be familiar with its contents.

- "Process" was changed to "possess" in the Glossary under **CONTRABAND.**
- *Departmental Firearms Program Manual* was changed to *Control Tactics and Weapons Manual* in Policy 3.00.020, **USE OF PRIVATELY OWNED WEAPONS**; 3.00.030, **USE OF BACKUP WEAPONS**, and 3.00.060, **FIREARMS QUALIFICATION**.
- The RCW was changed from 42.32 to 42.52 in Policy 8.00.030, **EMPLOYEE CONDUCT**.
- In Policy 9.01.040, **TECHNICAL SERVICES BUREAU**, under the Property Management Division, the Fleet Section and the Supply Section have been made separate sections.
- In Policy 11.08.010, **TELEPHONE AND ADDRESS**, under "See also," the "Employee Change of Information Form" has been added.
- In Policy 11.29.010, **LEGAL INQUIRIES**, two references to the "Labor and Policy Advisor" have been changed to the "Risk Management Division Commander."
- In Policy 16.00.030, **WEARING OF THE UNIFORM**, under number 5, "Chief for a Day", pre-approved speaking engagements, and Special Olympics activities were added.

GLOSSARY

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

-B-

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

-C-

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

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

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

COMMINGLED FUNDS - Recovered funds that include marked and personally-owned money.

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

-D-

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

DEPARTMENT - The Washington State Patrol.

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

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

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

-E-

EMPLOYEE - Any person employed by the Washington State Patrol.

ENTRAPMENT - The act of police officers in inducing another to commit a crime for the purpose of apprehending and charging him/her with it. Entrapment is forbidden in the state of Washington.

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

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

-H-

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

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

-I-

IMPREST FUND - Petty cash fund used by businesses for small, routine expenses.

INQUEST - A judicial inquiry, aided by a jury, into a special matter, such as a suspicious death.

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

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

-J-

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

-M-

MALFEASANCE - Wrongdoing in general; unlawful or wrongful action. Distinguished from "nonfeasance" which means failure to perform an act, and "misfeasance" which means the doing of an act in an improper manner.

MANSLAUGHTER - A homicide when committed without design to effect death, but not justifiable or excusable. A homicide may only be classed as manslaughter when there is no design to kill; intent to kill is the element that distinguishes murder from manslaughter.

MAY AND SHOULD - Indicate permissive compliance.

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

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

-O-

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

OFFICER - Employees who have and exercise police powers and duties under general law enforcement authority throughout the state as described in RCW 43.43.030. This class includes troopers, sergeants, lieutenants, captains, assistant chiefs, deputy chief, and the

Chief. The term “officer” may also apply to Commercial Vehicle Officers, Commercial Vehicle Enforcement Officers, and Communications Officers where specifically indicated.

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

-P-

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

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

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

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

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

-R-

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

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

-S-

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

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

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

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

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

STAFF OR TECHNICAL OFFICERS - Employees assigned to a position by the Chief under the guidelines of RCW 43.43.370.

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

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

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

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

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

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

-T-

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

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

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

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

TRAJECTORY - The path of a bullet or projectile as it passes through space.

TRIAL DE NOVO - A new trial or retrial had in an appellate court in which the whole case is gone into as if no trial had been had in a lower court.

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

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

-U-

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

-V-

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

VOIR DIRE - To speak the truth. The phrase denotes the preliminary examination which the court may make of one presented as a witness or juror, as to qualifications.

-W-

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

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

WILL AND SHALL - Indicate mandatory compliance.

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

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

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

Chapter 1

ARREST

► SECTION 00: ARREST PROTOCOL ◄

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

I. POLICY

A. State Arrests

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

B. Arrest Authority

1. In Washington, the authority of a police officer to make an arrest without a warrant is restricted to situations where the following applies:

   a. There has been a misdemeanor or gross misdemeanor committed in the presence of the arresting officer.

   b. The arresting officer has probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving any of the following:

      (1) Physical harm or threats of harm to any person or property

      (2) The unlawful taking of property

      (3) The use or possession of cannabis [RCW 10.31.100(1)]

      (4) Traffic offenses listed in RCW 10.31.100 (3) through (6)

      (5) Possession or consumption of alcohol by a person under 21 years of age [RCW 66.44.270]

      (6) Criminal trespass under RCW 9A.52.070 or 9A.52.080

      (7) Violation of orders, including restraining order or foreign protection order

      (8) Domestic violence over the age of 16

      (9) Indecent exposure

      (10) Violation of RCW 9A.50.020, Interference with a health care facility

      (11) Illegal possession of a firearm on school property

(12) The arresting officer has probable cause to believe the person arrested has committed or is committing a felony.

c. No officer may be held criminally or civilly liable for making an arrest pursuant to RCW 10.31.100 (2) or (8) if the officer acts in good faith and without malice.

Applies to: WSP Officers
See Also: United States vs. DIRE, 332 U.S.581 (1948); RCW 9A.50.020, 9A.52.070, 9A.52.080, 10.31.100, 66.44.270

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

I. POLICY

A. Constitutional Rights

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

B. On-Scene Questioning

1. Officers may question persons during the general on-scene investigation as to pertinent facts without Constitutional Rights warnings until one of the following situations exists:

   a. The officer's suspicions focus on a particular individual or the person appears to be implicated in a crime.

   b. The officer's questioning becomes accusatory.

   c. Interrogation includes actions taken or words used by an officer that the officer intends or should know are reasonably likely to elicit an incriminating response.

2. Volunteered and spontaneous statements are not barred, and officers do not need to give warnings preceding them. However, questioning initiated by the police officer in clarification or amplification of the volunteered or spontaneous statements should be preceded by a warning.

3. Once the accused has indicated a desire to respond only through counsel, all questioning must cease until counsel is made available, unless the accused personally initiates further communications, exchanges, or conversations with the officer. Suspects may waive their constitutional right to remain silent, but must do so knowingly, voluntarily, and intelligently after their constitutional rights have been read to them and they have indicated understanding.

4. It may be necessary for the officer to testify to the precise language used to warn the person and the precise language used to waive such rights.

Applies to: WSP Officers
See Also: --

1.00.030 TEMPORARY DETENTION (CALEA 1.2.3, 1.2.4, 41.2.4)

I. POLICY

A. Citizen Contact

1. The law enforcement officer interacts with members of the community on a daily basis. Occasionally, the officer must approach individuals in situations that appear to warrant inquiry and investigation.

2. In these situations, the officer may be preventing or detecting the commission of a crime or providing assistance to a person in need. The officer's approach may vary from a mere contact, to a formal stop or frisk, to a full seizure and search of a person.

B. Initiating Citizen Contact

1. The face-to-face communication between an officer and a private person under circumstances where the person is free to leave if he/she wishes is a contact. A contact may be undertaken by an officer when he or she reasonably believes that, under the circumstances, some investigation of a situation is justified.

2. The standard for initiating a contact is not dependent upon probable cause, reasonable suspicion, or any other specific indication of criminal activity.

C. Citizen Stop

1. A stop is a temporary detention of a person for investigation. A stop occurs when an officer uses his/her authority to compel a person to halt, or to remain in a certain place, or to perform some act (such as walking to a nearby location where the officer can use a radio or telephone).

2. If a person is under a reasonable impression that he/she is not free to leave the officer's presence, a stop has occurred.

II. PROCEDURES

A. Police Authority to Detain Pedestrians

1. Decisions by both the United States Supreme Court and Washington State courts have given express recognition to the power of police officers to detain a person for the purpose of questioning and other investigative purposes under circumstances which fall short of providing probable cause for an arrest. In 1968, the question before the United States Supreme Court was the legality of the police practice of stopping and "frisking" persons suspected of criminal activity.

2. Recognizing the public interest in the investigation and prevention of crime, the court found that the Fourth Amendment to the United States Constitution tolerates "stops" which are less intrusive than arrests, where less than probable cause for an arrest is present. The court went on to state that an officer may briefly detain for

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

3. The Supreme Court in 1980 reviewed the authority to stop a person as discussed in Terry and further explained the point at which a person is "seized." The majority adhered to the view that a person is "seized" only when by means of physical force or a show of authority his/her freedom of movement is restrained. The reasoning is that the purpose of the Fourth Amendment is not to eliminate all contacts between the police and the citizenry, but to prevent arbitrary and oppressive interference by enforcement officers with the privacy and personal security of individuals. United States v. Mendenhall 446 US 544 (1980)

4. The Court of Appeals for the state of Washington addressed the question of temporary detention and, in applying the analysis of the United States Supreme Court, stated that in order for a police officer to avoid Fourth Amendment violations, the officer must have a well-founded suspicion based on specific, objective facts that a person is engaged in criminal activity. The officer may briefly detain the person in order to investigate the suspicious activity. State v. Tocki 32 Wn App 457 (1982)

5. The United States Supreme Court and the Washington courts recognize an exception to the probable cause standard. This exception is known as "reasonable suspicion." This exception was required because the court had broadened the term "seizure" to include detentions that are less intrusive to personal liberty than traditional arrests.

B. Reasonable Suspicion Standard

1. The United States Supreme Court defined reasonable suspicion as a combination of specific and articulable facts, together with reasonable inferences from those facts which in light of the officer's experience, reasonably justify a belief that the person to be stopped has committed, is committing, or is about to commit a crime. Terry v. Ohio, supra.

2. To determine the reasonableness of seizures which are less intrusive than traditional arrests, the United States Supreme Court stated that consideration of the constitutionality of such seizures involves a weighing of the following:

   a. The gravity of the public concern.

   b. The degree to which the seizure advances the public interest.

   c. The severity of the interferences with individual liberty.

C. Factors Which May Establish Reasonable Suspicion

1. The following list contains some factors that alone or in combination may be sufficient to establish reasonable suspicion on the part of an officer:

   a. **The Person's Appearance** — Does it generally fit the description of a person wanted for a known offense? Does the person appear to be suffering from a recent injury, or to be under the influence of alcohol, drugs, or other intoxicants?

   b. **The Person's Actions** — Is the person running away from an actual or possible crime scene? Is the person otherwise behaving in a manner indicating possible criminal conduct? If so, in what way? Has the person made furtive gestures? Were incriminating statements or conversations overheard? Is the person with companions who themselves are reasonably suspicious?

   c. **Prior Knowledge of the Person** — Does the person have an arrest or conviction record, or is the person otherwise known to have committed a serious offense? If so, is it for offenses similar to one that has just occurred, or which the officer suspects is about to occur? Does the officer know the person's record?

   d. **Demeanor During a Contact** — If the person responded to questions during the contact, were the person's answers evasive, incriminating, or improbable? Was the person excessively nervous during the contact?

   e. **Area of the Stop** — Is the person near the area of a known offense soon after its commission? Is the area known for criminal activity (a high crime area)? If so, is it the kind of activity the person is thought to have committed, be committing, or about to commit?

   f. **Time of Day** — Is it usual for people to be in the area at this time? Is it the time of day during which criminal activity of the kind suspected usually occurs?

   g. **Police Training and Experience** — Does the person's conduct resemble the pattern or modus operandi followed in particular criminal offenses? Does the investigating officer have experience in dealing with the particular kind of criminal activity being investigated?

   h. **Police Purpose** — Was the officer investigating a specific crime or a specific type of criminal activity? How serious is the suspected criminal activity? Might innocent people be endangered if investigative action is not taken at once?

   i. **Source of Information** — If the basis of the officer's reasonable suspicion is, in whole or in part, information supplied by another person, what kind of person is the information source? Is the person a criminal informant, a witness, or a victim of a crime? How reliable does the person

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

D. Police Authority to Detain Motorists

1. Automobiles are frequently used both as a means for perpetrating a crime and as an instrument of escape. The courts have had to reckon with the problems involved in the detention of motorists. Stopping a moving vehicle comes closer to the definition of arrest than does a casual approach to a pedestrian on the street. When a pedestrian is confronted by a police officer who wants to ask a few questions, the pedestrian can generally continue on his/her course during the conversation. When a driver of a motor vehicle is forced off the road by an officer or directed to stop by use of audio-visual equipment, the driver's freedom of locomotion has been impeded without his or her consent for the duration of the stop.

2. Although the facts in Terry concerned the detention of a pedestrian on a street, there is no valid reason why this same reasoning cannot be applied in an automobile situation. Delaware v. Prouse 440 US 648 (1979)

3. The United States Court of Appeals decided in 1969 (Carpenter v. Sigler, 419 F. 2d 169) that the standard in Terry applies when detaining the driver of an automobile. In that case, officers—while patrolling the streets at 3:30 a.m.—noticed a car containing two men driving slowly through the streets located off the main highway. Noticing that the car had an out-of-county license, the officers kept the vehicle under surveillance for a period and noted that it moved slowly by several business establishments that were closed. They stopped the car and one of the officers asked an occupant of the car to step out. While the occupant was leaving the car, he bumped into some object on the floor, which gave a noise of metal hitting metal. The officer then shined his light inside and saw the ends of two pry bars sticking out of a pack on the floor of the car.

4. The defendant was convicted by the state court of burglary and possession of burglary tools. A motion was made at the trial to exclude the evidence because the original stopping was illegal, the defendants claiming there was no authority to arrest.

5. The court, however, rejected this argument and applied the Terry reasoning, stating that in applying the Terry analysis to the facts of this case, it seems clear that the police officers were "reasonable" in the initial "seizure" of Carpenter. It was an early morning hour in a small town where unidentified cars do not routinely travel at that time. The car had out-of-county license plates. There had been a series of burglaries in the town. During the period of surveillance by the officers, the car moved slowly past closed business establishments and pursued a rather erratic course through the streets of the town. These facts taken together all point to sufficient justification for stopping the defendant's vehicle and requiring the occupants to identify themselves.

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

E. Police Conduct During a Temporary Detention

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

2. For this reason, all police action during a stop must be conducted in a reasonable manner.

F. Duration of Detention

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

G. Explanation to the Detained Person

1. Officers should act with as much restraint and courtesy toward the person stopped as is possible under the circumstances. Police officers should make their identity as a law enforcement officer known as soon as practicable after making the stop.

2. At some point during the stop, the officer should, in every case, give the person stopped an explanation of the purpose of the stop. This explanation need not be very explicit. Its purpose is to reassure the person that the stop is not just for the purpose of harassment. This may help in obtaining cooperation from the individual.

H. Rights of the Detained Person

1. During the questioning, the detained person need not be advised of his/her Miranda Rights until probable cause to arrest develops, or until the questioning becomes sustained and coercive, rather than brief and casual.

2. When either of these events occur, the officer should immediately halt the questioning and advise the person of his/her Miranda Rights.

I. Use of Force During the Detention

1. An officer should use reasonable means, considering the totality of the circumstances to effect the stop. The reasonable means may be a verbal request, an order, or the use of physical force.

2. A police officer, in carrying out an investigative stop, may use his/her weapon and handcuffs if, under the circumstances, it is reasonable.

Applies to: WSP Officers
See Also: --

1.00.040 ARREST/DETENTION – ALIENS (CALEA 61.1.2, 61.1.3)

I. POLICY

A. Immigration Hold

1. Officers shall not stop, detain, interrogate, or place an immigration hold on any person solely for the purpose of ascertaining immigration status or in any other way attempt to enforce federal immigration laws.

2. If an individual is arrested for a criminal violation, officers may notify the Immigration Services office if the officer has a reasonable suspicion based on articulable facts—other than a person's nationality, name, or ability to communicate in English—that the person arrested is an undocumented or illegal alien.

3. Officers shall document all the facts upon which they base their suspicion.

B. Detainment for Immigration Status

1. A person shall not be held or detained any longer than is necessary to complete the normal processes in connection with a criminal charge or traffic violation for which the person was arrested. The time cannot be extended to allow Immigration Services persons enough time to respond.

2. If an officer needs the assistance of an interpreter because of a language barrier, every reasonable effort shall be made to obtain such assistance from sources other than the Immigration and Naturalization Service. The Immigration Service shall be used only when all other sources of translation are reasonably unavailable. All efforts to obtain interpretation services shall be documented when it is necessary to contact the Immigration Service for such assistance.

Applies to: WSP Officers
See Also: --

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

I. POLICY

A. Response to Juveniles

1. The department is committed to developing and perpetuating programs that prevent and control juvenile delinquency through procedures that facilitate the proper handling of criminal and non-criminal incidents involving juveniles.

2. The department recognizes that an effective police response to incidents involving juveniles requires awareness and understanding of the specific needs of youths. The ability to collaborate with other agencies providing services for young persons, as well as a knowledge of the law as it relates to juvenile matters, is a prerequisite for an effective program.

B. Supporting Juvenile Programs

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

C. Juvenile Investigations

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

II. PROCEDURE

A. Juveniles Under the Age of 16 and 18

1. Juveniles under the age of 16 who commit any traffic offense may be issued a traffic infraction/citation. Juveniles under the age of 18 who commit a non-traffic violation, such as possession of intoxicants, may be issued a citation. These juveniles shall be instructed to disregard the district court information, if a Notice of Infraction/Notice of Criminal Citation (NOI/NOCC) is issued, and that the juvenile court will contact or call them.

2. Juveniles 16 years of age or older who commit either a traffic infraction, such as speeding, or a criminal traffic offense, such as reckless driving, negligent driving, or DUI, and are issued a traffic infraction/citation shall be directed to contact district court.

3. Many juvenile courts now want the NOI/NOCC written for records purposes. District commanders shall ensure officers have been informed of the proper techniques for each county's juvenile court.

4. When appropriate, Uniform Crime Reporting (UCR) information shall be recorded on the Time and Activity Report.

5. Booking and/or referral to a juvenile detention center shall be determined by the applicable county procedures. Whenever possible, a juvenile shall be released to a parent or guardian, particularly for non-criminal behavior. The placing of juveniles into protective custody shall be guided by state law (13.32A.050) and applicable county procedures followed.

6. When subsequent investigation would substantiate a charge(s) against an individual and/or establishment for furnishing intoxicants to minors, a Liquor Violation form shall be completed and forwarded to the local liquor control board inspector.

B. Rights of Juveniles

1. Juveniles suspected of or arrested for specific acts shall be afforded the same care and regard concerning the rights of the individual as given adult offenders.

2. When advising juvenile suspects of their rights, officers shall include the clause "Your statement may be used against you in juvenile court or in a criminal prosecution in adult court in the event that juvenile court declines jurisdiction in your case."

C. Custodial Interrogation of Juveniles

1. Upon taking a juvenile into custody, in accordance with RCW 13.40.040 and prior to interrogation, the officer shall adhere to the following:

   a. Advise the juvenile of their Miranda Rights.

   b. Advise the juvenile of their Court Rule Rights.

      (1) Provide access to a telephone.

      (2) Provide the telephone number of public defender.

      (3) Provide any other means to place the juvenile in communication with a lawyer.

   c. Notify the juvenile's legal guardian (by telephone, in person, or by leaving a note at the juvenile's residence).

2. If the juvenile signs a written waiver of Miranda Rights or an attorney is present, the officer may proceed with interrogation within the following guidelines:

   a. At least one—and preferably both parents or guardians—should be present during interrogation. If a parent or guardian is unavailable, a juvenile court official should be notified prior to the interrogation.

b. The officer shall confer with the parents prior to the interrogation.

c. The officer shall explain the reason for custody and agency/juvenile justice system procedures to the juvenile suspect and parent or guardian prior to the interrogation.

d. No more than two officers shall be present during the interrogation.

e. The interrogation shall be limited in duration to a reasonable period of time, with a break each hour.

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

1.00.060 ARREST OF FOREIGN DIPLOMATS (CALEA 61.1.2, 61.1.3, 74.3.1)

I. POLICY

A. Diplomatic Immunity

1. As a rule, foreign diplomats cannot be arrested or detained. However, when a driver is stopped for a moving traffic violation and has proper and valid identification indicating diplomatic immunity, the officer may take appropriate enforcement, including the issuance of a Notice of Infraction/Notice of Criminal Citation (NOI/NOCC).

2. Issuance of an NOI/NOCC does not constitute an arrest or detention.

3. A person without proper identification, but believed to be a foreign diplomat, may be temporarily detained while verifying immunity status.

B. Testing and Physical Restraint of Foreign Diplomats

1. When an officer determines that, in the interest of public safety, a foreign diplomat cannot be permitted to continue to operate a motor vehicle, the officer shall immediately summon the detachment or shift supervisor.

2. The diplomat may be provided transportation to a mutually agreeable destination or may call for other transportation.

3. Persons having diplomatic immunity shall not be subjected to sobriety or other mandatory tests and, except in extreme cases, shall not be physically restrained.

4. The diplomat shall be advised that the officer's primary responsibility is to ensure the safety of the official and others.

5. Access to a telephone shall be provided, upon request.

C. Towing of Vehicles Bearing Diplomatic Plates

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

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

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

E. Criminal Investigations with Foreign Diplomats

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

Applies to: WSP Officers
See Also: --

1.00.061 CONSULAR NOTIFICATION (CALEA 1.1.4, 61.1.3)

I. POLICY

A. Notification Procedures

1. Bilateral agreements and international treaties legally bind federal, state, and local law enforcement employees to certain notification procedures whenever a foreign national is detained or arrested.

2. These agreements require departmental employees to comply with the following procedures:

   a. Promptly inform foreign nationals of their right to have their government informed whenever they are under arrest, jailed, or otherwise detained.

   b. If the detainee asks to exercise these rights, inform the appropriate foreign consulate or embassy without delay and make a written record of such notification.

   c. Subject to state law and jail regulations regarding access to detained persons, consular officers have the right to visit their nationals who are jailed or in custody or detention; to converse and correspond with them; and to arrange for their legal representation.

   d. If, at any point, the foreign national expressly objects to these actions, the foreign consular officer should not take such actions on behalf of the person.

e. Currently, over fifty countries require mandatory notification when their nationals are confined or detained. In these cases, the foreign national has no choice regarding notification, and departmental employees shall notify the consulate or the embassy of the situation without delay.

f. Communications shall maintain a current list of foreign consulates.

g. In cases where a detainee is identified as a foreign national and asks to exercise these rights or procedures, departmental employees shall provide Communications with the necessary details to make prompt notifications.

Applies to: WSP Officers
See Also: --

1.00.070 CITIZEN'S ARREST (CALEA 61.1.2, 82.2.2)

I. POLICY

A. Private Persons May Arrest Under the Following Conditions:

1. For any felony actually committed when the citizen has probable cause to believe the person arrested committed the felony.

2. For any breach of the peace committed in their presence. For purposes of this section, breach of the peace is defined as follows:

   a. "A violation or disturbance of the public tranquility and order. The offense of breaking or disturbing the public peace by any riotous, forcible, or unlawful proceeding...term signifies disorderly, dangerous conduct disruptive of public peace." (Black's Law Dictionary, Fifth Edition, page 171)

B. Private Person's Responsibilities

1. It is a matter of department policy that citizen arrests shall not be encouraged. The citizen desiring to make the arrest shall be encouraged to record all facts and contact the appropriate prosecutor's office. If any person(s) must be taken into custody, it shall be accomplished by duly trained and authorized law enforcement officers.

2. In the event of citizen arrest, the citizen's responsibility is to surrender the arrestee to a law enforcement officer. The officer's responsibility shall be to review the circumstances surrounding the arrest, and the arrestee should be taken into custody only after the officer has determined the arrest to be valid. If the arrest is valid and the arrestee is taken into custody, the case shall then be processed as would any initiated by a citizen.

Applies to: WSP Officers
See Also: Black's Law Dictionary, Fifth Edition

1.00.080 PUBLIC CONTACT WITH UNDERCOVER WSP OFFICERS

I. POLICY

A. Concealing Identity

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

B. Employees Who Encounter Undercover WSP Officers

1. Any employee who encounters an undercover officer shall not indicate recognition unless greeted first.

2. Officers assigned to undercover duties shall avoid contact with other employees if there is a significant danger of revealing their identity, and should not engage in off-duty activities that could compromise their undercover status.

Applies to: All WSP Employees
See Also: --

1.00.090 PRISONERS (CALEA 1.3.5, 41.3.3, 44.2.2, 70.1.1, 70.1.2, 70.1.3, 70.1.4, 70.1.5, 70.1.6, 70.1.7, 70.2.1, 70.3.1, 70.3.2, 70.4.1, 70.4.2, 70.5.1, 81.2.4)

I. POLICY

A. Treatment of Persons in Custody

1. Officers shall treat persons in their custody in accordance with law and established department procedures.

2. Officers should constantly be alert for the safety of themselves, by-standers, and persons in custody. They should be in control of the situation at all times and assume whatever physical and psychological advantages are necessary to maintain that control (see also **REPORTING USE OF FORCE**).

B. Transportation of Prisoners

1. Prior to being placed in the patrol car and transported, prisoners shall be thoroughly searched in accordance with departmental training.

2. In patrol cars with security partitions, prisoners shall be transported in the back seat with the partitions closed and secured. Prisoners must wear a seat belt when transported in the patrol car. In addition, the restraint straps may be used to further secure prisoners who are handcuffed to prevent the possibility of harm to the officer or to the patrol vehicle.

3. Officers must be aware that upon arresting a person, the time between the arrest and incarceration is very critical for officer safety. A subject facing the loss of freedom may become extremely desperate and dangerous. This unpredictability creates a serious threat to officers. The fact that a criminal submits peacefully to arrest does not guarantee that the individual will not resort to violence or trickery. Therefore, the transporting officer must be on guard for any eventuality.

4. Prisoners should be placed in the patrol vehicle through a rear door that is away from traffic. For this reason, officers should keep the doors unlocked whenever on patrol. The prisoner should be directed to sit in the right rear of the vehicle. This allows the officer, once behind the wheel, the best view of the subject while en route the detention facility. Officers should not lose sight of the prisoner.

5. When transporting prisoners of the opposite sex, additional precaution must be taken. This applies to both male and female officers. The officer shall advise Communications of the starting and ending mileage, the point of origin, and the destination and route to be traveled. Further information that includes the subject's name, description, and condition may also be helpful. This information may be supplied to Communications on any prisoner an officer is transporting if there is reason for concern.

6. In those instances where a partition is not installed, the prisoner shall be handcuffed and placed in the right front seat. The prisoner shall then be seat-belted.

7. When transporting felons or belligerent prisoners, officers shall utilize all assistance necessary. In particular instances, it may be necessary to utilize plastic cuffs or nylon rope leg restraints around the legs in conjunction with handcuffs to prevent damage to the interior of the patrol vehicle or injuries to the prisoner.

C. General Precautions

1. Prisoners should be transported to detention facilities as soon as practical and without delays en route.

2. Prisoners shall not be allowed to communicate with anyone during transportation.

3. Officers shall not stop violators nor engage in any pursuit activity while transporting a prisoner unless there are no viable alternatives and the circumstance is of such urgency as to warrant the stop or pursuit.

4. Prisoners should not be transported together when there is a possibility of harm occurring to any of the prisoners. Juveniles and adults should not be transported together if custody is for non-related offenses.

5. Officers should inspect the vehicle—especially under the back seat—after each transportation detail to look for any contraband, weapons, or personal property that may have been left by the prisoner. Evidence or weapons shall be processed in accordance with departmental property procedures.

6. Belligerent prisoners should be transported alone and handcuffed. The seat belt shall be used to further secure the prisoner to prevent harm to the officer or damage to the patrol vehicle.

7. If the vehicle is equipped with seat belts, all prisoners shall wear them.

D. Injured Prisoners – Medical Attention

1. Officers having injured prisoners in their custody shall ensure that medical attention is made available. This may require transporting the prisoner to a hospital, clinic, doctor's office, or similar facility, or in less serious circumstances, providing them an opportunity to call a physician to attend to their needs.

2. The duty sergeant or the officer's immediate supervisor shall be notified as soon as practical of all situations in which medical attention is required by or made available to prisoners.

E. Screening of Prisoners

1. In an effort to transmit all important information to the jail custodian, it is suggested that the custodian be apprised of any unusual circumstances relating to the arrest and the prisoner in question.

2. Such circumstances might include the health of the subject, the mental condition (suicidal, depressed, etc.), involved in a motor vehicle collision, etc.

F. Treatment of Persons in Custody

1. The authority of officers does not include the right to persecute any prisoner or to mete out punishment for any offense. Officers should bear in mind that it is not a crime for a person to offend the personal feelings of a police officer.

2. Officers should conduct themselves in such a manner as will minimize the possibility of having to use force against a person.

3. Officers should allow prisoners reasonable use of toilet facilities.

G. Precautions at Detention Facilities

1. Officers should walk behind the prisoner, keeping a safe distance while remaining close enough to retain control and prevent anyone from approaching the prisoner. Officers should not position themselves between two prisoners.

2. Officers' weapons should be secured either in a receptacle for that purpose, or in the trunk of the patrol vehicle whenever the officer is going to be within close proximity to a prisoner, such as when conducting a breath test.

3. Responsibility for the prisoner is not relinquished by the officer until the detention facility officially accepts the subject, or until the subject is released to a responsible person. The name and address of any person taking responsibility for a prisoner should be noted by the officer.

H. Transportation From One Facility to Another

1. When transporting prisoners from one facility to another, the officer shall ensure the necessary paperwork required by the detention facility/court accompanies the prisoner and is presented to the receiving officer/court (e.g., medical records, case reports, warrants, sentences imposed, etc.). In addition, when a prisoner is to be released to another officer, facility, or court, the officer shall obtain the signature of that person to whom the prisoner is released.

2. Officers shall confirm the identity of each prisoner being transported. This shall be accomplished by verifying with the detention facility the booking records, photographs, and/or contact with the original arresting officer.

I. Prisoner Escape

1. If a prisoner escapes custody, the officer shall notify Communications and make a reasonable attempt to capture the prisoner.

2. If the prisoner remains at large, the officer shall advise Communications to notify the duty sergeant. Communications should also be advised to notify local law enforcement agencies in the geographic area.

3. The officer shall prepare a report detailing the reason for the escape and the actions taken in trying to locate the escaped prisoner.

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

► SECTION 01: PATROL VEHICLES ◄

1.01.010 VIOLATORS IN PATROL VEHICLES (CALEA 61.1.8)

I. POLICY

A. Officers shall not invite nor shall they permit any violator to sit in their patrol vehicle while taking enforcement action.

B. This shall not apply to violators arrested and properly searched before being placed in the patrol vehicle.

Applies to: WSP Officers
See Also: --

1.01.020 PATROL CAR RIDERS

I. POLICY

A. When an Officer has an Observer in a Patrol Vehicle, the Following Applies:

1. Prospective/actual trooper cadet applicants may ride only upon approval of the district commander or designee. Generally, those who have submitted an application should be allowed to ride. District commanders may authorize a ride to a prospective applicant who has not yet submitted an application.

2. Employees must obtain permission to ride with officers from their immediate supervisor and the officer's supervisor. Employees may ride on duty only when necessary to perform the job. Off-duty employees may ride to familiarize themselves with an officer's job.

3. Communications officers shall complete 24 hours of on-duty ride time during probationary/trial service periods. Permanent status communications officers should complete 8 hours of on-duty ride time each quarter, contingent upon staffing needs and activity levels at Communications. Communications supervisors shall record the date and number of hours ridden by employees and monitor ride assignments to ensure proper variance.

4. Trooper cadet rides shall be as outlined in the *Training Division Pre-Academy Coaches' Manual*. While riding, cadets shall not make initial violator contacts and should only make any secondary contacts under the direct supervision of the officer with whom the cadet is riding. Cadets should participate as much as possible at collision scenes, motorist assists, and other investigations.

5. A spouse may ride with an officer, after obtaining approval from the officer's immediate supervisor. Supervisors may authorize two rides per year for the purpose of familiarizing spouses with the officer's duties. Spouses of employees who are a recipient of one of the department's annual awards will be allowed to ride in the award recipient's assigned patrol vehicle (if applicable) to and from the awards ceremony.

6. Public officials or journalists may obtain ride authorization through a commander. Relatives and friends shall not be allowed to ride in patrol vehicles; however, exceptions may be approved by the officer's division/district commander. Transportation of spouses, relatives, or friends in emergency situations shall be considered the same as emergency assistance to any person.

7. Police officers from other agencies may ride under emergency conditions or when permission has been obtained from both officers' immediate supervisors. Police officers shall be in uniform.

8. Individuals or employees who are not on official duty but are approved to ride shall not wear a uniform or carry a weapon when riding with an on-duty Washington State Patrol officer (with the exception of fully commissioned Washington law enforcement officers). Any exceptions must be approved by the Chief of the Washington State Patrol in writing.

9. Supervisors shall ensure armored and reflectorized vests and flashlights are available for sign-out. Whenever patrol car riders ride with an officer performing line duties, an armored vest will be available for the rider's optional use. The officer ensures the rider has a flashlight if riding after dark and a reflectorized vest is available and worn by the rider when engaged in manual traffic control, if trained to do so.

10. Before the ride, officers shall ensure riders are aware of the location of all emergency equipment in the vehicle. Emergency procedures and expected conduct shall be discussed and noted on the Field Training Officer Daily Events Log.

B. Rules for All Observation Rides

1. The Release and Waiver of Civil Claims form shall be read, dated, and signed by both the rider and officer. This does not apply to department employees riding while on duty.

2. The Orientation Check-Off Sheet on the back of the Release and Waiver of Civil Claims form shall be completed and signed by the rider and officer, and all conditions adhered to. The signed waiver form and Check-Off Sheet is turned in to the detachment supervisor before the ride.

3. The officer advises the duty sergeant and Communications of a rider and the expected duration of the ride.

4. Riders may use firearms or other weapons only when a need exists to protect the officer, themselves, or when directed by proper authority. Carrying of personal firearms is prohibited.

5. Riders shall not perform any duties of an officer without specific direction from the officer.

6. Riders shall not drive the patrol car, except in an emergency, as directed by the officer.

7. Only riders trained in manual traffic control shall assist in this function, unless life-threatening.

8. Non-law enforcement riders should not contact violators, except in an emergency situation.

Applies to: All WSP Employees
See Also: Release and Waiver of Civil Claims; *Training Division Pre-Academy Coaches' Manual*

► SECTION 02: SEARCH PROTOCOL ◄

1.02.010 SEARCHES (CALEA 1.2.4, 1.2.8, 70.1.1)

I. POLICY

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

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

C. Warrantless Searches

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

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

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

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

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

      (1) Consent is freely and voluntarily given.

      (2) The consent is clear and explicit.

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

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

(a) You have the right to refuse consent.

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

(c) You have the right to limit the scope of the consent to certain areas of the premises or vehicle.

(d) Evidence found during the search may be used in court against you or any other person.

(5) A Consent to Search form should be used when conducting any type of consent search.

(6) The search shall not exceed the scope for which the consent was given. If consent is revoked prior to completion of the search, all evidence found prior to the revocation may be retained. This evidence may be used as probable cause for a subsequent warrant or for an immediate arrest.

c. **Terry Frisk** – An officer having reasonable suspicion that a person is involved in criminal activity may frisk the person if the officer has reasonable, articulable suspicion that weapons are present or that the person presents an officer safety risk. The frisk must be limited to discovering weapons and may be extended inside clothing only if the officer reasonably believes a weapon may be present.

(1) A brief inspection of the immediate area around a person(s) in a vehicle may be conducted if one or more persons makes a furtive movement, as if to hide a weapon.

d. **At the Scene of a Crime** – Officers must have probable cause to believe a crime was committed in order to search a crime scene. Searches of crime scenes that are on public property may be conducted without a warrant. A search warrant shall be obtained prior to processing a crime scene that is on private property, unless permission to search and process the scene is obtained from the property's owner.

e. **Exigent Circumstances** – Officers faced with exigent circumstances or an emergency situation may be justified in making an immediate, warrantless entry and search of a dwelling or vehicle or in conducting an immediate, warrantless search of an individual's person, rather than delaying the search until they obtain a warrant. Examples of exigent circumstances might include:

(1) Suspect poses a danger to officer or public if not immediately apprehended.

(2) A grave offense is involved, particularly a crime of violence.

(3) The suspect is reasonably believed to be armed.

(4) Officers are in hot pursuit.

(5) Evidence associated with the crime is mobile or subject to destruction if the suspect is not immediately apprehended.

f. **Inventory of Seized Vehicles or Other Property** – Officers shall conduct a detailed inspection and inventory of all impounded vehicles. A warrant is needed to search locked containers or open the trunk of the vehicle, even if it may be opened without a key from an accessible area of the passenger compartment. Locked or closed containers should be inventoried as a sealed unit absent exigent circumstances. This inventory may be not be used as a pretext for an evidentiary search.

g. **Plain view** – An observation made from inside a constitutionally protected area where the officer has a lawful right to be; the item(s) are immediately recognized as contraband and as having some evidentiary value; and the discovery was inadvertent.

h. **Open view** – An observation made from outside a constitutionally protected area, while at a location the officer has a right to be.

Applies to: WSP Officers
See Also: RCW 10.79.040, 69.50.505; Washington State Constitution (Article 1, Section 7)

► SECTION 03: OBTAINING SAMPLES ◄

1.03.010 BLOOD SAMPLES (CALEA 61.1.5, 61.1.11, 61.2.1)

I. POLICY

A. Taking a Blood Sample – Non-Consensual

1. The taking of blood samples at the officer's discretion to determine alcoholic content or the presence of drugs shall not be done, except under the following circumstances (refer to the Special Evidence Warning in the DUI Arrest Report):

   a. If the driver is unconscious and the officer has reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug or was in violation of RCW 46.61.503.

b. If the driver is under arrest for vehicular homicide and there is reason to believe the driver is under the influence of alcohol or drugs.

c. If the driver is under arrest for vehicular assault and there is reason to believe the driver is under the influence of alcohol or drugs.

d. If the driver is under arrest for DUI resulting from a collision in which another person has been seriously injured.

2. A blood sample should be taken in any of the above situations and may be taken without consent when these circumstances exist. Vials for preserving the blood sample shall be available at district/detachment offices.

B. Taking a Blood Sample – Consensual

1. A blood sample may be taken to determine alcohol concentration or the presence of any drug from an incapacitated or injured person; a person being treated in a hospital, clinic, emergency medical vehicle, or similar facility; or where the officer has reasonable grounds to believe the person is under the influence of drugs, if after being read the Implied Consent Warning for Blood, the person consents to a blood test (see Implied Consent Warning For Blood in the DUI Arrest Report).

2. If a person refuses to consent to a blood or breath test after being read the Implied Consent Warning For Blood or the Implied Consent Warning For Breath, see **Search Warrants for Blood** below for guidance on obtaining a search warrant for blood.

C. Blood Sample Retrieval

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

D. Search Warrants for Blood

1. Officers may request a search warrant to extract samples of blood from a suspect as evidence of one or more of the following crimes: driving while under the influence, physical control of a vehicle while under the influence, and/or driver under 21 consuming alcohol when the officer (a) has probable cause to believe the suspect driver has committed one or more of these crimes; and (b) the suspect driver refuses a breath or blood test after being read the Implied Consent Warning and the Special Evidence Warning does not apply.

2. Officers should consider, at a minimum, the following factors, when determining whether to request a search warrant to extract samples of blood: (a) whether the suspect driver has one or more previous alcohol-related driving convictions; (b) whether the officer suspects the presence of drugs; or (c) whether or not a collision was involved.

3. OFFICERS MUST OBTAIN SUPERVISORY APPROVAL PRIOR TO REQUESTING A SEARCH WARRANT FOR BLOOD. IN CERTAIN JURISDICTIONS, THE LOCAL PROSECUTOR MUST APPROVE THE AFFIDAVIT IN SUPPORT OF THE SEARCH WARRANT BEFORE IT IS PRESENTED TO A JUDGE.

Applies to: WSP Officers
See Also: Special Evidence Warning in the DUI Arrest Report; RCW 46.61.503; Implied Consent Warning for Blood; WSP Policy **Blood/Urine Sample Retrieval**

1.03.020 BLOOD/URINE SAMPLE RETRIEVAL (CALEA 61.1.11)

I. POLICY

A. Blood Sample

1. In the event of a collision involving death or substantial bodily harm that involves a temporary but substantial disfigurement, or which causes a temporary but substantial loss or impairment of the function of any bodily part or organ, or which causes a fracture of any bodily part and such injury or death is proximately caused by a person who operates or drives a vehicle while under the influence of intoxicating liquor or any drug, the following procedures shall be adhered to when a blood sample is to be obtained for alcohol or drug testing.

2. In ALL cases where there is probable cause to arrest the suspect for Vehicular Homicide, Vehicular Assault, or DUI with serious bodily injury to another, A BLOOD SAMPLE WILL BE OBTAINED. DO NOT TAKE A BREATH SAMPLE.

3. An officer having personal knowledge of the details of the collision shall proceed to the hospital to contact the suspect driver, or shall transport the suspect driver to a hospital, or shall contact paramedics at the scene, for the purpose of obtaining a blood sample. If this is not feasible, the officer who goes to the hospital MUST BE ADVISED THAT PROBABLE CAUSE EXISTS TO TAKE THE BLOOD SAMPLE.

4. All elements of probable cause (e.g., smell, appearance, or any other evidence) must be communicated by a person having direct, personal knowledge of the probable cause. If not, the officer MUST ESTABLISH THE PROBABLE CAUSE.

5. The suspect driver MUST BE PLACED UNDER ARREST, whether unconscious or not, for Vehicular Homicide, Vehicular Assault, or DUI with serious bodily injury to another (refer to Special Evidence Warnings).

6. DO NOT advise suspects they are under arrest for "Investigation of..." or advise them of their Implied Consent Warnings. Under these conditions, they do not have the right to refuse to give a sample.

7. Verbally identify yourself to the person, giving your rank, name, and agency. Read the Special Evidence Warnings exactly as they are written on the form, including the right to additional tests. Read these out loud, regardless of the level of consciousness of the suspect. If the suspect cannot sign the forms or otherwise acknowledge they were read, record the response in the appropriate space. Do not read the "Voluntary Blood/Breath/Urine" section of the form, as the sample is not voluntary.

8. Ensure that only 10 mL. grey-top vials that are not past their expiration date are used for the sample. (BE SURE TO WEAR LATEX GLOVES while handling them.) Do not cover or overwrite the lot control number and/or expiration date on the 10 mL. grey-top vials. It is important to note on the vial if it contains a dry white powder. If two vials cannot be filled, obtain as much blood as possible and mark the vials with the suspect's name, the date, time, and your initials.

9. Obtain a copy of any release from liability/waiver forms you may have signed.

10. Complete a Property/Evidence Report, indicating in the remarks section if the blood was drawn for Vehicular Assault, Vehicular Homicide, or DUI with serious bodily injury to another.

11. Complete a Toxicology Laboratory Request for Analysis and indicate if a vehicular assault or homicide, as this may affect the course of testing. If a Drug Recognition Expert (DRE) exam on the subject was included, a copy of the DRE face sheet should be attached to the Toxicology Laboratory Request Form.

12. The completed Property/Evidence Report and the Toxicology Laboratory Request must be placed into the evidence box with the vials, before going off shift.

13. Complete a Report of Investigation form, listing your actions and observations of the suspect.

14. If probable cause does not exist to take a sample, attempt to obtain consent for a voluntary sample. For consent to be valid, it must be clear, explicit, and voluntarily given by a person with authority to give it.

B. Urine Sample

1. If mushroom or LSD ingestion is suspected, a urine sample may be requested from the suspect with his/her consent. If further probable cause exists, the officer may consider a search warrant to obtain the urine. Urine will not be obtained in lieu of the legal blood draw.

2. There is no statutory authority to require an individual to provide a urine sample without their consent [(RCW 46.20.308(3)]. Implied consent does not apply to urine samples.

3. Attempt to obtain consent for a voluntary sample. For consent to be valid, it must be clear, explicit, and voluntarily given.

4. If consent for a voluntary urine sample cannot be obtained and probable cause exists, a telephonic search warrant should be obtained.

5. It is suggested that all affidavits and search warrants be reviewed by legal counsel prior to presentation to a magistrate/judge.

6. BE SURE TO WEAR LATEX GLOVES IF HANDLING THE SAMPLE. Mark the vials with the suspect's name, date, time, and your initials.

    a. If a urine sample is collected, urine cups obtained from the toxicology laboratory (not hospital cups) should be used.

    b. Do not pour the urine sample into the 10 mL. grey-top vials.

7. Obtain a copy of any release from liability/waiver forms you may have signed.

8. Complete a Property/Evidence Report, indicating in the remarks section if the urine was taken for Vehicular Assault, Vehicular Homicide, or DUI with serious bodily injury to another.

9. Complete a Toxicology Laboratory Request for Analysis.

10. The Property/Evidence Report and Toxicology Laboratory Request must be placed into the evidence box with the vials before going off shift.

11. Complete a Report of Investigation, listing your actions and observations of the suspect.

Applies to: WSP Officers
See Also: RCW 46.20.308, 46.61.520, 46.61.522, 9A.04.110; DUI Arrest Report; Property/Evidence Report; Toxicology Laboratory Request for Analysis; Report of Investigation

Chapter 2

USE OF FORCE AND LETHAL FORCE POLICIES

► SECTION 00: USE OF FORCE ◄

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

I. DEFINITION

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

II. POLICY

A. Reasonable Use of Force

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

B. Reportable Uses of Force

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

C. Reporting Use of Force

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

D. Investigation of Use of Force

1. Use of force (including lethal force, which includes intentional intervention) is not, by definition, a criminal allegation.

2. Use of lethal force shall be investigated first by the Criminal Investigation Division, but for the purposes of this policy, it is not considered criminal, unless evidence is discovered which would lead to the filing of criminal charges by the appropriate prosecutor.

Applies to: WSP Officers
See Also: WSP Policy **Animal Destruction**

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

I. POLICY

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

1. When arresting or apprehending any person for the commission of any crime, an officer has probable cause to believe that, if not apprehended, the suspect's freedom poses a threat of death or serious physical harm to the officer or others. Among the circumstances which may be considered by an officer as a "threat of serious physical harm" are:

   a. When a suspect threatens an officer with a weapon or displays a weapon in a manner that could reasonably be construed as threatening.

   b. There is probable cause to believe that the suspect has committed any crime involving the infliction or threatened infliction of serious physical harm.

2. After capture, to prevent the escape of a suspect when an officer has probable cause to believe the suspect's freedom will represent a threat of death or serious physical harm to the officer or others. Where feasible, some warning needs to be given.

3. See RCW 9A.16.040, **Justifiable homicide or use of deadly force by public officer, peace officer, person aiding**.

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

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

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

I. POLICY

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

1. When a suspect threatens an officer with a weapon or displays a weapon in a manner that could reasonably be construed as threatening death or serious physical harm to the officer/cadet or to others in the officer's/cadet's immediate presence.

2. WSP CVE officers/trooper cadets shall not intervene in situations outside of their immediate presence. In these instances, WSP CVE officers/trooper cadets are to call for a WSP officer or other law enforcement officer to respond. A person who is fleeing is not a threat to the WSP CVE officer/trooper cadet and should not be pursued.

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

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

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

I. POLICY

A. A WSP officer may use a firearm only when (a) it would appear to a reasonable officer that any other alternative would be ineffective under the particular circumstances based only upon the facts known to the officer or reasonable assumptions made by the officer at the moment the firearm was discharged; and (b) it is consistent with **USE OF FORCE** or **USE OF LETHAL FORCE** policies.

B. Lethal force shall not be used in the following situations:

1. In any misdemeanor or gross misdemeanor case unless it qualifies under **USE OF LETHAL FORCE** or **USE OF FORCE - FIREARMS**, and there is a high degree of certainty no other person will be injured.

2. When it appears likely an innocent person may be injured.

3. From a moving vehicle, except in defense of self or others when the suspect is using deadly force.

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

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

Applies to: WSP Officers
See Also: RCW 13.32A.050, 13.40.040; WSP Policies **Use of Force – Firearms, WSP CVEOs and Trooper Cadets**; **Use of Force; Use of Lethal Force; Use of Force – Firearms**

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

I. POLICY

A. A WSP CVE officer/trooper cadet may use a firearm only when (a) it would appear to a reasonable officer that any other alternative would be ineffective under the particular circumstances based only upon the facts known to the officer or reasonable assumptions made by the officer at the moment the firearm was discharged; and (b) it is consistent with **USE OF FORCE** or **USE OF LETHAL FORCE** policies in this manual.

B. Lethal force shall not be used in the following situations:

1. In any misdemeanor or gross misdemeanor case unless it qualifies under **USE OF LETHAL FORCE** or **USE OF FORCE - FIREARMS**, and there is a high degree of certainty no other person will be injured.

2. When it appears likely an innocent person may be injured.

3. From a moving vehicle, except in defense of self or others when the suspect is using deadly force.

C. WSP CVE officers/trooper cadets shall not engage in pursuits of fleeing felons. They are to call for WSP officers or other law enforcement personnel to respond.

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

Applies to: WSP CVEOs and Trooper Cadets
See Also: WSP Policies **Use of Force – Firearms, WSP Officers; Use of Force; Use of Lethal Force; Use of Force – Firearms**

2.00.060 NECK HOLDS (CALEA 1.2.1, 1.3.2, 1.3.11)

I. POLICY

A. WSP Officers

1. The use of any type of neck hold that intentionally restricts blood flow or breathing shall be considered use of lethal force. It shall not be used to subdue an individual, except as a last resort, and then only when officers have a reasonable belief that their life is in imminent danger or to prevent the escape of any suspect whose

freedom is reasonably believed to represent an imminent threat of death or serious bodily injury to the officer or others.

B. WSP CVEOs and Trooper Cadets

1. The use of any type of neck hold that intentionally restricts blood flow or breathing shall be considered use of lethal force. It shall not be used to subdue an individual, except as a last resort, and then only when officers have a reasonable belief that their life is in imminent danger.

Applies to: WSP Officers, CVEOs, and Trooper Cadets
See Also: --

2.00.080 INTENTIONAL INTERVENTION, WSP OFFICERS (CALEA 1.2.1)

I. POLICY

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

B. Intentional intervention shall be used to effect an apprehension only as a last resort and only when the officer knows or has reasonable grounds to believe the occupant(s) has committed or is attempting to commit a crime that poses a threat of death or serious bodily injury.

C. Intentional intervention shall not be used to apprehend a traffic offender, misdemeanant, or fleeing felon whose only felony is attempting to elude a pursuing police vehicle.

D. Officers attempting intentional intervention with a vehicle shall be held to the same standards as are applied to any other use of lethal force.

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

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

I. DEFINITION

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

II. POLICY

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

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

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

I. POLICY

A. Investigation of Use of Force

1. Division/district commanders shall ensure all incidents of use of force by a subordinate are investigated. Every effort shall be made to ensure an open and transparent investigation that is thorough, fair, complete, and professional.

2. If the incident involves death, serious injury, the use of lethal force, or an alleged use of lethal force, the division/district commander shall request the assistance of the Criminal Investigation Division (CID). When CID begins an investigation, the local investigation shall be terminated and all evidence collected shall be relinquished to the assigned CID investigator(s).

   a. CID will consult with a crime laboratory representative for the assistance of the Crime Scene Response Team.

   b. Division/district commanders, in conjunction with CID, will engage the local agency of jurisdiction in conducting a joint investigation; they shall also ensure notification of the county prosecutor.

3. If the investigation is turned over to CID investigators, the division/district commander shall have the investigating supervisor submit a detailed written report within 48 hours to the CID investigator. The report shall include all actions, observations, and participation in the investigation.

4. All officers who assisted at the scene shall also be required to write a detailed report of their observations and actions.

5. In this section, the term “involved” means the employee(s) who used or allegedly used lethal force. “Involved” does not include employees who may have witnessed the actions of another officer or civilian.

6. The use of lethal force by departmental personnel is not, by default or definition, a criminal allegation. RCW 9A.16.040 provides that the use of lethal force is justifiable under limited circumstances. If an officer acts without malice and in good-faith belief that such act is justifiable under RCW 9A.16.040, the statute provides that the officer shall not be held criminally liable.

7. Use of lethal force shall not be considered criminal (for the purposes of this policy) unless evidence is discovered that could potentially lead to the filing of criminal charges by a prosecutor. If a determination of possible criminal conduct by the officer is reached, the involved officer will be advised of his/her Constitutional Rights

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

B. Office of Professional Standards Involvement

1. In those cases where policy violations are discovered, the division/district commander shall immediately notify the Office of Professional Standards (OPS) by use of the Internal Incident Report. The OPS Commander, in consultation with the division/district commander, shall determine whether to initiate an administrative investigation at that time or wait to make a determination until the conclusion of a criminal investigation.

2. If an administrative investigation is required in addition to the CID investigation, it will normally be conducted as a follow-up investigation. Under appropriate circumstances and with prosecutorial notification, an administrative investigation may be started prior to a criminal declination by the prosecutor. Upon approval of the Investigative Services Bureau Assistant Chief, the OPS Commander shall assign investigative responsibility and assign a case number.

3. When the CID investigation is completed, the investigator(s) shall forward a detailed report, along with copies of the Use of Force Report and all investigative documentation, through the local chain of command to the commander of OPS.

C. Relief From Duty

1. In cases of death or serious injury, division/district commanders shall relieve the officer(s) from line duty and place them on administrative leave. Division/district commanders shall also consider relief from duty in situations where the use of lethal force does not result in injury.

2. Commanders shall consult with their assistant chief/bureau director and the Human Resource Division when relieving officer(s) from duty.

3. Officers relieved of duty shall provide the division/district commander with a telephone number where they can be reached if the need arises.

D. Return to Work Protocol

1. After a statement is obtained from the involved officer, investigators shall provide the appointing authority, the affected assistant chief, the Investigative Services Bureau Assistant Chief, and the OPS and CID commanders with a detailed briefing on the investigation.

2. The appointing authority and OPS Commander shall make a determination based upon this briefing as to whether the use of force was “authorized,” then formulate a recommendation for the affected assistant chief as to whether the officer should return to full duty.

3. If the appointing authority recommends that the officer not be returned to full duty, the officer shall remain on administrative leave, or the appointing authority may temporarily reassign the officer to other appropriate duties.

4. Before an officer involved in a lethal force incident is returned to full duty, the following shall occur:

   a. The appointing authority shall contact the involved officer to determine the officer's input as to whether the officer is ready to return.

   b. The appointing authority shall arrange for the officer to team up with a fellow officer for one to three work shifts prior to return to normal duty.

   c. The officer shall qualify with their current duty weapon in order to ensure that the officer is familiar and confident with the issued weapon.

   d. A critical incident stress debriefing with the Department Psychologist.

E. Incident Report Form Requirement

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

Applies to: All WSP Employees
See Also: RCW 9A.16.040; WSP Policy **Reporting Deaths, Serious Injuries, and Substantial Losses**; Use of Force Report; Incident Report Form; Internal Incident Report

2.00.110 RESPONSIBILITIES – INVESTIGATION (CALEA 1.3.5, 1.3.6)

I. POLICY

A. Involved Officer(s)

1. The involved officer(s) shall immediately:

   a. Notify Communications of the incident and location.

   b. Determine the physical condition of any injured person and render first aid when appropriate.

   c. Request emergency medical aid if needed.

2. The officer(s) shall remain at the scene (unless injured) until the arrival of the investigator(s) or relieved by proper authority. If the continued presence of the officer at the scene might cause a more hazardous situation to develop (violent crowd, emotional trauma, etc.), the ranking supervisor or command officer at the scene shall instruct the officer(s) to proceed to a more appropriate location. The division/district commander, in consultation with the Criminal Investigation Division (CID), shall arrange to have the officer(s) transported to a secure location as soon as possible. The officer will remain at the secure location until released by CID Investigators.

3. All evidence, including weapons, shall be protected for examination and relinquished to the investigator.

4. The officer(s) shall prepare written reports of the incident.

5. The involved officer shall immediately provide the following critical information regarding the incident:

    a. Information necessary to apprehend suspects.

    b. Any immediate hazards to other responding personnel or the public.

    c. Identity and/or location of any witnesses.

    d. Location of all evidence, including any weapons.

    e. Identity of all scenes that must be protected.

    f. Any other exigent information the involved officer believes to be relevant.

6. The involved officer(s) shall relinquish any firearms, equipment, or uniform items requested by the supervisor(s) or investigator to the supervisor(s) or investigator.

7. The involved officer(s) shall not discuss the incident with anyone other than the following people until the officer has provided an official statement to the investigators or the employer; or, if none was provided, the conclusion of the investigation:

    a. The involved officer's spouse.

    b. The involved officer's lawyer or union representative.

    c. A member of the clergy.

    d. Health care provider.

    e. A psychologist.

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

B. Communications

1. The notified Communications Center shall:

   a. Dispatch requested medical aid.

   b. Notify the local duty supervisor.

   c. Notify the officer's supervisor.

   d. Notify the local district/section commander.

   e. Notify the local Criminal Investigation Unit Supervisor.

   f. Notify the Executive Staff.

   g. Notify the Department Psychologist.

C. Supervisor

1. The supervisor and/or division/district commander shall proceed immediately to the scene and conduct a preliminary use of force investigation. The supervisor shall respond to the scene and assume on-scene supervisory responsibility. This authority shall be maintained until the supervisor is properly relieved. When appropriate, CID shall be called to the scene to investigate the incident, but the supervisor shall not relinquish on-scene supervisory responsibility of the scene to CID.

2. The supervisor shall:

   a. As soon as possible, determine if exigent circumstances exist and ensure necessary resources are responding in order to protect other officers and the public and to preserve evidence.

   b. Initiate Unified Command and establish a Command Post.

   c. If there is a suspect at large, consider the use of canine or aircraft and/or canvassing the area.

   d. Identify, locate, and detain all witnesses.

   e. Assign an officer to ride in each ambulance with injured persons for the preservation of evidence, custody of persons under arrest, statement or dying declaration, or for support of any injured officer.

   f. Create perimeter, crowd, and traffic control and establish control of emergency vehicle ingress/egress routes. Maintain a log of all persons entering the scene.

   g. Ensure that any weapons and all evidence are secured. The firearm(s) are to be given to the assigned CID investigator.

   h. The supervisor shall ensure the involved officer(s) are provided a replacement firearm and holster (if it is necessary for the officer(s) to relinquish the holster, unless the

division/district commander determines that the issuance of a replacement weapon is inappropriate).

i. The firearm(s) shall be submitted into and remain in the evidence system until criminal proceedings, if any, have been adjudicated, administrative proceedings have been completed, and three-year statute of limitations on the filing of a wrongful death lawsuit has expired, and any such civil proceedings have been adjudicated.

3. The supervisor's use of force investigation consists of:

a. Ensuring an arrest report, if required, is completed by the appropriate officer.

(1) If necessary, the supervisor shall order the officer to complete the arrest report.

b. Examining all injuries, visible or not.

c. Ensuring medical treatment is provided.

d. Obtaining a medical release form, if applicable.

e. Interviewing all employees who were witnesses, any other witnesses, and the recipient of the use of force.

(1) Officers/employees involved in the use of lethal force shall not be interviewed by the supervisor. CID shall be called to the scene to investigate these incidents.

(2) In compliance with the appropriate labor agreements, the officer involved in non-lethal uses of force may be interviewed. In incidents where the force used may involve criminal conduct, the involved officer shall be advised of his/her Constitutional Rights prior to being questioned.

f. Photographing visible injuries. Clothing should be removed to display the injury or area of alleged injury and a scale measurement shall be used when available. (Photographs can be taken by medical personnel, when appropriate.)

g. Examining the involved officer’s service equipment and photographing any item of evidentiary value, if warranted.

h. Completing the Use of Force Report and forwarding it to the division/district commander.’

i. The supervisor shall complete an Internal Incident Report and forward it to the appropriate division/district commander only if there appears to be a policy violation. If no policy violations are discovered, the supervisor need only complete the Use of Force Report and forward it and all appropriate documentation to the appropriate division/district commander.

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

D. Detective(s)

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

Applies to: All Officers and Communications Officers
See Also: Use of Force Report; Internal Incident Report

2.00.120 USE OF FORCE REVIEW

I. POLICY

A. Review of Use of Lethal Force

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

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

2.00.130 ANIMAL DESTRUCTION

I. POLICY

A. The destruction of an animal is justified in the following instances:

1. For self-defense.

2. To prevent substantial harm to others.

3. When the animal is so badly injured that humanity requires its relief from further suffering.

B. A seriously wounded or injured animal may be destroyed only after reasonable attempts have been made to request assistance from the animal's owner. The destruction of vicious animals should be guided by the same rules set forth for self-defense and the defense and safety of others. Officers should attempt to have a witness present if no other agency can respond.

C. Immediate notification shall be made to the officer's supervisor upon destruction of any animal. A follow-up IOC shall be forwarded to the supervisor detailing the incident, but it shall not be considered use of force. The IOC shall include when/where occurred, the kind of animal, reason for destruction, type of weapon used, and the number of shots fired. The IOC shall be forwarded to the Office of Professional Standards for statistical purposes only.

Applies to: WSP Officers
See Also: --

► SECTION 01: DEPARTMENT STANDARD ◄

2.01.010 DEPARTMENT STANDARD

I. POLICY

A. Policy for Department Use Only

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

Applies to: WSP Officers
See Also: --

► SECTION 02: SPECIAL EVENTS ◄

2.02.010 RAIDS (CALEA 42.2.2, 43.1.5, 74.3.1)

I. POLICY

A. Team Members

1. Raids should be under the authority of one person—the incident commander. The incident commander is responsible for the entire operation from planning to execution.

2. When the raid is large or involves more than one location, the incident commander will designate team leaders. This allows all involved to know whose instructions to follow and gives the commander better control. In a small raid involving a single team of three or four, one person must still be in charge of the entire operation.

3. The incident commander should have sufficient staff so as to discourage resistance. There should be a sufficient number of employees to control the entire area of the raid, cut off avenues of escape, and control situations that may arise during the raid. The SWAT Team should be considered for raids involving known serious, violent, or heavily armed offenders.

4. In selecting team members, experience, ability, and discipline should be primary considerations. The incident commander has the final decision in team selection.

5. Areas to consider in the selection of team members:

   a. Those trained in using firearms during entry tactics.

   b. Employees directly involved in the case.

   c. Necessary technicians (evidence, photo, fingerprints).

   d. One to record all raid details for court presentation.

   e. Employees with specific skills, such as:

      (1) Dog handlers

      (2) Languages

      (3) Scuba diving

      (4) Appearance (subterfuge)

      (5) Technical equipment operations (e.g., videotape technicians)

      (6) SWAT Team

      (7) Bomb technician

      (8) Negotiation

B. Safety of All

1. The incident commander should ensure all involved become acquainted before the raid. This reduces the possibility of mistaking someone as a suspect and clarifies the identity of involved employees.

2. Team members shall be recognizable as law enforcement employees. Apparel must include coveralls, lightweight jackets with identifiable lettering or insignia, baseball caps of specific color, and appropriate markings.

3. Deploy employees for four unit functions: outer perimeter, inner perimeter, entry team, and support team.

a. **The Outer Perimeter** — Seal the outer boundary of the operation's area. The team must use a marked patrol car for security during the entire course of the raid. Uniformed officers and inexperienced raid employees should be used here.

b. **The Inner Perimeter** — Sealing the suspect within a specified area or capturing if he/she is able to break away from the entry team. This team should be positioned to not easily be seen, but to cover all possible exits. They shall not enter or actively search the building unless told by the incident commander. Members of this unit should clearly know their line of fire.

c. **The Entry Team** — Enters the building and apprehends the suspect. Entry team members must be familiar with each other, trained in entry techniques, and have proper equipment. This team must be identifiable as police officers. Team size should be kept to the minimum needed to accomplish the mission. A member of the entry team shall have a search warrant to serve, when applicable.

d. **The Support Team** — Follows the entry team in after the location is secured. This team takes custody of suspects and conducts a thorough systematic search of the target location. The team should include the officer holding the warrant, if not a member of the entry team. The support team should include:

(1) A recorder to maintain an accurate log of all raid events. The recorder notes details of what occurred and supplements notes with videos, photographs of raid conditions, the location of found evidence, and persons arrested.

(2) A photographer to photograph and videotape appropriate items or events.

(3) An evidence collector or property custodian to handle all goods or properties seized and persons taken into custody.

C. Types of Entries

1. Low-Profile Search Warrant Entry

a. Definition: Entering a location where existing risk factors are of the lowest level of danger to officers and others.

(1) Example: Serving search warrant on business establishments or storage facility for documents when no known threat exists.

b. Low-profile entry is appropriate when non-confrontational contact (entry) is expected and is used:

(1) When suspects appear non-violent.

(2) To avoid destruction of property.

(3) To reduce potential for injury.

NOTE: BE PREPARED FOR THE UNEXPECTED!

2. Medium Risk Search Warrant Entry

a. Definition: Entering a location where existing risk factors are of the intermediate level of danger to officers and others.

(1) Examples:

(a) Suspect disposing of evidence.

(b) Suspect leaves scene of felony collision (under influence).

(c) Fleeing felon enters residence.

b. Officers knock and announce. When there is no response from inside, wait an appropriate length of time and enter the building. When entering, use discipline, move no faster than required to accurately identify threat, and take the appropriate precautions, if necessary.

c. A medium risk search warrant entry is used when:

(1) There is a known target, suspect, or objective.

(2) There is disposable evidence.

(3) Officers are refused entry.

(4) An element of surprise is needed.

NOTE: BE PREPARED FOR THE UNEXPECTED!

3. High Risk Search Warrant Entry

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

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

b. A high risk search warrant entry is used:

(1) To diffuse a hostage situation.

(2) When the suspect has a history of being extremely violent.

(3) When there is high propensity to use weapons.

(4) When the location is barricaded/fortified.

NOTE: BE PREPARED FOR THE UNEXPECTED!

D. Gathering Information

1. The successful execution of a raid is a direct result of the attention given to its preparation.

2. Raid planning data is derived from four activities: reconnaissance of the area; background information of persons involved; surveillance of behavior patterns; and identification of persons frequenting the area or building.

3. A reconnaissance of the raid area should include the structure to be entered and the surrounding neighborhood. Study the building to determine construction and layout. Note locations of doors, windows, common exits, fire escapes, and Communications facilities. Obtain information about the placement of lights and switches. If the building is an apartment, hotel, or motel, the layout of one room can often be determined by studying a similar room. Obtain information about the layout from a blueprint or floor plan.

4. Survey adjoining buildings to determine accessibility from the raid site. Study the neighborhood's terrain to determine various approaches and escapes. Note obstructions, vantage points, and pedestrian and traffic patterns. A videotape of the neighborhood can help familiarize members with the target area. Issue diagrams depicting essential information.

5. If possible, conduct the raid when there is least likelihood of innocent parties being involved.

6. Intelligence regarding all suspects is vital for planning the raid. Determine each suspect's behavioral characteristics. Include information on the suspect's physical condition, state of mind, the possibility of surrender, and any criminal and personal history. Determine the armament available and skills of suspects. Determine the suspect's precise location and if likely to be awake or asleep. Raid plans should ensure that bystanders cannot be used as hostages or otherwise endangered. If necessary, evacuate bystanders in the immediate area.

7. Have a fixed surveillance to study habits and learn the identity of persons frequenting the building or the surrounding area. Maintain continuous surveillance just before the raid for last-minute information regarding persons, activities, and unexpected circumstances.

8. Use the following to gather information before conducting a raid:

    a. The case file of an ongoing investigation for providing information and intelligence on suspects and their habits, accomplices, and contacts. There may also be information on vehicles or the suspect's residence.

    b. Undercover officers can often provide information needed for the raid.

c. A reliable informant can provide information on suspects, associates, and personal habits. When possible, verify the information.

d. Subterfuge involves getting a team member or members into the target area to gather raid information. Methods of gaining access are endless. Disguises may include building inspectors, city inspectors, utility repair crews, deliverers, fire inspectors, or uniformed police officers in circumstances where their presence would not be unusual.

9. **Positive identification of the physical target is critical**. The agency initiating the case should firmly establish identification during the investigation and before planning the raid.

10. The incident commander must verify the target location submitted by the investigating agency. Team members should conduct additional surveillance to confirm the target location.

11. Intelligence-gathering before and during planning (a checklist for geographic locations):

a. Interior layout of the target.

b. Maps, photos, sketches of the target location (including commercial maps and aerial photographs, if needed).

c. Approach and escape routes at the target location.

(1) Fire escapes or stairs

(2) Dumbwaiters, elevators, laundry chutes

(3) Void air shafts

(4) Location of all doors, windows, skylights

(5) Access between adjoining buildings through roofs, basement, holes in wall, etc.

(6) Hidden rooms and underground bunkers

d. Construction and peculiarities of the target location.

(1) Can gunfire penetrate?

(2) Is the site a fire hazard?

(3) Underground parking facilities? An attached garage? Is the garage used?

(4) Doorman, porters, and/or superintendent?

(5) Barred windows? Reinforced door? Does it contain a complicated lock system?

(6) Which way do the windows and doors open?

(7) Is there an alarm system?

(8) Are there guard dogs or other animals present?

(9) Is there security or counter surveillance technology present?

e. Location of all utility shutoff points (internal/external).

(1) Water

(2) Telephone

(3) Electricity

(4) Sewer/waste/water lines

(5) Natural gas

f. Location of internal utilities.

(1) Sinks

(2) Toilet bowls

(3) Drains

(4) Ventilation outlets

g. People in the immediate area and their possible reactions to a police operation in their neighborhood.

h. Dangers to innocent people residing in the target area and nearby buildings; evacuation plan for bystander safety?

(1) Check regular delivery routes/school bus schedules

E. Checklist for Suspects

1. Number of suspects and persons involved.

2. Makeup of persons involved. Men or women? Children at the target site? Occupants' ages?

3. Number of suspects at the targeted site at any particular hour.

4. Identity and background of the leader among the suspects.

5. Capabilities of the suspects:

a. Magnitude of their violations and the suspects' classifications.

b. Previous police arrests.

c. Likelihood of resistance.

d. The physical and mental conditions. Are they professionals, junkies, psychotics? Are they known for resisting arrest, militancy, specializing in unarmed fighting (e.g., martial arts)?

e. Weapons proficiency.

(1) Do they have police records for use or carrying firearms?

(2) Usually armed?

(3) Military backgrounds?

(4) Access to weapons—if so, types, how many, how much ammunition? Location of weapons?

(5) Knowledgeable in the use of explosives?

(6) Knowledgeable in the use of toxins/poisons?

6. Suspect access to transportation.

a. Obtain all registration numbers and descriptions of autos, planes, boats, etc.

b. Locate all vehicles for the purpose of guarding them during the raid.

7. Anticipation of media reaction to arrest or possible death of the suspects.

8. Possible presence of dangerous substances.

a. Clandestine drug laboratory

b. Explosives

c. Poisons

d. Booby traps

F. Pre-Raid Briefing

1. During planning, the incident commander must meet with team members and supervisors. Keep operational planning among the immediate team and disseminate raid information on a need-to-know basis. All preparatory planning culminates in the pre-raid briefing.

2. The incident commander should conduct the pre-raid meeting and ensure:

a. Communications is notified of the raid. A representative from Communications should be invited to the briefing.

b. The affected district commander and the local sheriff or police chief of operations occurring within their respective jurisdictions is notified of the raid.

c. When practical, the commander of Government and Media Relations (GMR) or designee is notified of the raid.

d. Team members know the system established to identify one another. All team members, undercover people, and others involved must be present.

e. Team leaders of extremely large raid groups should be briefed by the incident commander and then brief their teams in detail on assignments to be performed by each member. In a small raid group, one person should brief all members.

f. Incorporation of a "mock-up" diagram of the objective. Team members can relate their moves to something they can see, and potential problems can be noted and eliminated during the briefing. The diagram should be as detailed as possible and complemented by photos, maps, and sketches.

g. All raid members understand the nature of the operation and that the suspect or suspects are clearly identified and known by the team. Raid members must review and be thoroughly familiar with the suspect's photograph and other descriptive material. Undercover officers should furnish information on the characteristics of the suspects and note any previous statements about expected violence.

h. Raid members know the criminal evidence being sought, since the nature of the crime may determine the amount of surprise necessary to prevent its destruction.

i. Detailed descriptions of vehicles (including boats or planes) used by the suspects are given. Provide license plate numbers and accurate, detailed descriptions of all vehicles involved.

j. Information on timing is specific. Give the exact time the raid team will meet at the pre-selected staging area, and allow a specific amount of time for them to leave the area and be in position at the target site.

k. Tactics for gaining entry are fully reviewed.

l. Team members know who will have the warrant.

m. Sufficient consideration and explanation should be given to post-entry assignments. These include:

(1) Custody and handling of prisoners, evidence, seized vehicles.

(2) Handling of additional suspects who arrive during or at the end of the raid.

(3) Transporting the team from the raid back to the staging area.

(4) Procedures for securing the target site or having post-raid surveillance, if needed.

n. All team members are aware of the type of entry to be used.

o. All team members are aware of procedures should the raid be aborted.

3. Team members should discuss special instructions and assignments, if any. ***Examples:***

a. Raid team members should know the identity and expected reaction of any undercover employee at the raid site (e.g., whether to treat the person as a suspect to protect the identity or if the person will openly assist the raid team).

b. If an informant is at the raid site, advise raid team members of the informant's identity on a need-to-know basis.

c. Ensure raid members know how to use needed specialized equipment.

d. Devise a system of hand or light signals in case the equipment fails or circumstances prohibit use.

e. If a clandestine laboratory is discovered during the execution of a search warrant, **TERMINATE** the search until the SWAT Team arrives and makes assessment.

f. Process juveniles separately from adult offenders, and maintain this separation until released to a responsible adult with parent's permission, or to an appropriate government agency.

g. If female suspects might be apprehended during a raid, have them searched and attended by a female officer.

4. Undercover officers involved in the situation creating the raid should not be present when the raid takes place.

G. Use of Force

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

H. Raid Equipment

1. All raid team employees shall be armed with their personal firearms. Other considerations:

a. High-powered rifles are good in anti-sniper work, but their use in raids in urban areas is severely restricted.

b. Standardize weapons and ammunition for the raid. It eases supply efforts and allows for ammunition exchange between team members. Members shall comply with firearms regulations.

2. Arrange vehicles for transporting the raid team, equipment, apprehended suspects, and seized evidence.

   a. Team employees will use marked or unmarked vehicles, or a combination.

   b. Sound, lighting, or communication-type vehicles, if needed.

   c. Marked patrol vehicles and uniformed patrol officers in case of a breakout.

   d. A standby medical unit could be needed.

3. If there is a long surveillance before initiating the raid, consider transportation of food, water, and equipment to the scene of the surveillance.

4. Communication among team members is a factor in determining success, since communication provides effective control of the raid. In addition to hand-carried radios, there are other devices that do not restrict officer mobility.

5. Avoid shouting commands. Hand and arm signals are an alternate means of communication in case of radio malfunction or other problems. During the pre-raid briefing, clearly explain the meaning of each signal to avoid confusion.

6. Include entry tools in the team's equipment, and augment with any special tools required by the type of operation, such as door slams, crowbars, sledgehammers, battering rams, and bolt cutters.

7. Equipment should include:

   a. Emergency medical kit

   b. Flashlights or hand lamps (even in a daytime raid, the darkened interior of a building may make a light essential)

   c. Protective equipment

      (1) Body armor

      (2) Helmets

      (3) Visors or goggles

      (4) Gloves

      (5) Heavy-duty shoes

   d. ASP batons

e. Department-approved chemical agent or oleoresin capsicum

f. Field glasses

g. Hand radios—ensure batteries are charged and all radios function and are set to the appropriate frequency

h. Spare handcuffs with keys/flex cuffs

i. Reserve ammunition

j. Sketches of the interior of the targeted building

k. Suspects' photographs, issued or circulated among team members

l. Field testing kits

m. Evidence containers

n. Cellular phone

o. Ram

p. Crowbar

q. Fire extinguisher

r. Tape recorder

8. Specialized equipment to consider for a raid includes:

a. Gas equipment—with employees trained in its use

b. Appropriate cameras, film, and flash

c. Flares for light and signal

d. Rope

e. Fingerprint equipment

f. High-intensity lights

g. Rubber gloves

h. Videotape equipment

i. Binoculars, night-vision devices, and distance-listening devices

j. Ballistic shield

k. Kevlar helmets

I. Raid Execution

1. After the pre-raid briefing, begin the raid. In the first phase of the raid, all raid team and support employees (including a representative from Communications) reports to the pre-selected staging area at the assigned time. This area should be useful for concealing the operation and its proximity to the target.

2. At the staging area, the team discusses any last-minute intelligence updates and resolves any last-minute problems.

3. Outer perimeter team members then proceed to their assigned positions and seal off the area. They set up roadblocks and have marked vehicles occupied and ready.

4. The inner perimeter team, support team, and entry team move directly to the target location, using as much cover as available and, if possible, sticking to the planned approach. The raid team should be inconspicuous upon arrival. Lock all vehicles.

5. The inner perimeter team takes up assigned positions. Duties include:

    a. Cover all escape routes from the target.

    b. Set up observation posts, with an unobstructed view of the target.

    c. Prevent anyone from entering or leaving the target.

    d. Secure suspects' vehicles to prevent use in an escape attempt.

    e. Eliminate disadvantageous lighting.

    f. Where previously decided upon, secure all outside utility connections (telephone and water).

    g. Locate doormen or other building employees who might disclose the team's presence to the suspects.

    h. Notify the team leader when everyone is in position.

6. The support team, accompanied by the entry team, then enters the target location and observes the target for any activity where the suspects are. Support and entry teams should not cluster together, as this makes them a good target. Teams should avoid using more than one entry point, especially at night. The support team immediately takes up the assigned positions within the target location and initiates assigned duties.

7. Complete the Safety Plan/Risk Analysis before executing a search warrant. All team members shall be briefed with information from the Safety Plan/Risk Analysis.

8. A copy of the Safety Plan/Risk Analysis shall be placed in the case file.

J. Serving a Search Warrant

1. **REQUIREMENTS**: All warrants need to be served based upon the conditions identified within the four corners of the warrant.

2. The tactic of surprise may be needed if dangerous suspects may be apprehended or if hostages may be taken as a means of escape. Surprise is also essential when narcotics evidence may be seized. If the incident commander determines this type of entry is necessary, use maximum safety measures.

3. The tactic of subterfuge may be used to gain entry into a building without encountering resistance or having to use force.

4. Methods to gain entry are infinite. The specific tactic—surprise, subterfuge or warning—is determined before the raid team arrives at the target location. Allow some latitude for an on-site change by the incident commander, if needed.

5. After the incident commander determines the teams are in position, the signal to proceed is given.

6. Assigned duties of the entry team are to:

   a. Gain entry to the target location.

   b. Identify themselves and state the purpose of the entry.

   c. Gain control of the suspects.

   d. Secure all weapons found in the target location.

   e. Prevent the destruction of evidence.

   f. Establish order inside the target.

   g. Search all suspects and place them under guard.

   h. Advise all team members of the status of the Safety Plan/Risk Analysis.

K. Post-Raid Procedures

1. During the planning stages, develop plans for handling the target location after the raid.

2. After the conclusion of the raid, a debriefing shall be held. All team members should be questioned for pertinent raid information and notes taken. An After-Action Report shall be submitted as soon as possible after the debriefing and disseminated through the chain of command to the Chief.

3. The raid should be critiqued analyzing both strengths and weaknesses in the raid and possible improvements. Problems encountered should be noted on the tactical plan. The tactical plans and analyses from successful raids are valuable for future operations.

Applies to: WSP Officers
See Also: --

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

I. POLICY

A. Strikes, Lockouts, and Labor Disputes

1. Negotiation and collective bargaining are legally recognized methods of settling labor disputes. It is not the function of the department to deal with the unresolved issues which precipitate strike activity.

2. It is the policy of the department that the police role in strikes and labor disputes will be unbiased, reasonable, and impartial while protecting life and property, maintaining law and order, and assuring that the civil rights of all involved parties are protected.

3. When a strike, lockout, or other labor dispute occurs that involves picketing or similar physical actions of one of the parties, the district commander shall notify the Headquarters Duty Officer. The district commander shall monitor the dispute and keep Headquarters advised of changes in the situation.

B. Law Officers at Strike Locations

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

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

2. During routine assignment to the scene of a labor dispute, the following general guidelines will be adhered to:

   a. Officers must realize the position that they represent in any strike situation; that they are under constant observation by both labor and management. Officers will maintain an attitude of strict neutrality and impartiality at all times. The only purpose of law enforcement officers being detailed to a strike scene is to protect life and property and keep the peace.

   b. The causative issues of a strike are of no concern to an officer. Discussions regarding the issues involved must be tactfully avoided, regardless of whether this subject is introduced by labor, management, or a citizen who appears to be an uninterested, innocent bystander.

   c. If picketers are present, an attempt will be made to identify the picket captain and enlist cooperation in controlling actions of picketers.

   d. Officers should also identify a management representative of the struck company and solicit cooperation in controlling the actions of working employees.

   e. The number of uniformed officers at a strike scene will be kept to an absolute minimum, with officer safety as the determining factor in that decisions.

   f. Tact, diplomacy, and patience will usually lead to a peaceful resolution of problems at a strike location.

3. The primary duties of all officers at a strike location are to protect life and property and preserve the peace.

4. Because of the sensitive and generally non-criminal nature of most strike situations, extraordinary restraint and patience are required. Whenever possible, officers will request voluntary compliance by anyone whose behavior is unacceptable before resorting to verbal commands, physical intervention, or arrest.

5. Officers assigned to a strike situation will inform their supervisors regarding:

   a. The estimated size and mood of any gathering of picketers, spectators, and/or working employees.

b. Observations of signs of intoxication or open use of alcohol and/or drugs by anyone involved in the incident.

c. The names of picket captains, union officials, or management representatives present at the scene.

d. The number and approximate ages of any children at the scene and the likelihood of injury if they remain.

e. Observations of any activity indicative of potential "problems" developing at the scene.

6. When a strike develops and a picket line is established, picket captains are selected by the union to supervise the activities of the pickets. Normally a picket captain will be in charge of a group picketing a given gate or location. Picket captains are usually responsible persons, selected for leadership and their ability to supervise people. In most cases, they are willing to work with law enforcement officers at the location of the strike.

7. Each officer assigned should attempt to establish good relations with the picket captain or other union representatives, and also with management representatives. Care must be taken to avoid the appearance of fraternization with either side.

8. Officers should not enter company property, except for enforcement, and should not park department vehicles on company grounds. They should not use company telephones or fraternize with company guards.

9. At a strike location, both labor and management may have food available for their employees. Although they will often invite officers to partake in it, this shall be avoided.

C. Injunctions

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

D. Arrest Procedures

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

2. Situations will arise when attempts by officers to gain the voluntary cooperation of persons at the scene will be unsuccessful. Officers witnessing blatant violators of criminal, non-traffic, or traffic ordinances will take appropriate enforcement action, provided such action can be accomplished without unnecessarily subjecting the officers to an unreasonable risk of physical injury.

3. Physical arrests or citations for violations of trespassing ordinances should be avoided, if possible. Officers should discuss trespassing violations with their supervisors or local prosecuting attorney.

4. When officers anticipate an arrest situation, they should call for assistance before making the arrest. This cannot always be done because many incidents occur spontaneously and it is necessary for officers to make an immediate arrest. However, when possible, the call for assistance should be made prior to any attempt to take the offending person into custody.

5. Once an arrest is accomplished, it is important that the person or persons arrested be removed from the area immediately. For this reason, it is advisable to have requested assistance prior to making the arrest. Any delay in the area of the arrest may lead to an attempted rescue of the prisoner.

E. Crossing of Picket Lines

1. Restraint of vehicular or pedestrian traffic is illegal. All persons and vehicles have the right to enter and leave a strike location at will. Therefore, it is the duty of officers to peacefully guarantee restricted vehicular and pedestrian access to and from a strike location.

2. In some cases, the picket line will be tightly closed in order to prevent entrance. In this event, the picket captain should be requested to open the picket line to those wishing to enter and/or leave. If the picket captain fails to comply with the request or the pickets refuse to obey their leader, the officers will order the pickets to move away from the entrance. If the pickets still refuse to move, the officers should open the picket line without hesitation using the minimum amount of force necessary to accomplish this task.

3. When picket lines are opened by officers, they should face the pickets rather than the persons or vehicles entering the gate. This action affords the officers the opportunity to observe the actions of the pickets and reduces the possibility of assaults being committed or damage being done to vehicles entering the plant. It may also negate the possibility of an officer being pushed into or under the vehicles.

F. Trucks Crossing Picket Lines

1. Trucks can present a serious problem inasmuch as they are either delivering material to, or removing finished products from, the location.

2. The decision to enter or exit a struck location is entirely up to the truck driver. If a truck stops near a picketed vehicle access, the pickets should be allowed a reasonable period of time to present their case to the driver; provided, the truck does not constitute a traffic hazard. Officers will advise the driver of any vehicle stopped in a location that interferes with normal vehicular and pedestrian traffic to move the truck a reasonable distance to alleviate any problems.

G. Train Movements and Railroad Right of Way

1. Railroads are involved in interstate commerce as licensed common carriers. Federal law and rules of the Interstate Commerce Commission require that goods consigned for interstate shipment be transported without undue delay. Therefore, deliveries originating by rail from out of state must be made to the plant; and deliveries of finished products consigned for interstate shipment must be completed.

2. Management will generally enlist the aid of Railway Special Agents to facilitate movement of trains in and out of strike locations. If pickets attempt to block train movement, officers will request the assistance of a Railway Special Agent if one is present on the train.

3. The picket captain will then be asked to cooperate by advising the pickets to move off the tracks and allow the train to pass. In the event it is necessary to remove pickets, the officers should be certain that they are removed from the TRACKS ONLY, so the train can be moved in. Pickets should not be removed from the adjoining railroad property, as this is a problem for the Railway Special Agents. Every effort must be made to avoid forcible removal.

H. Mass Picketing

1. In some cases, the union might encourage mass picketing. This is done to prevent access in and out of the struck facility. The officers detailed must keep the gates from becoming jammed and must keep an open passageway for those persons desiring to move in or out of the plant. Mass picketing, in itself, is not illegal so long as there are no accompanying violations of the law.

2. Observations of picket line strategy changes and increases in picket strength should be immediately reported to a supervisor. Officers should be particularly alert for increased picket strength.

I. Children on Picket Lines

1. It is not uncommon to encounter young children walking picket lines with a striking parent. The presence of children at a strike location can be beneficial to law enforcement in that adult picketers are less likely to resort to violence due to concern for the safety and welfare of their children.

2. However, officers must assess the possibility of harm to children based on the totality of circumstances as they exist at a given location. If, for instance, a clear and present danger exists as a result of construction activity or movement of trucks, trains, or other heavy equipment near the picket line, officers should solicit the cooperation of the picket captain in removing children from the area.

J. Strikers Following Company Vehicles

1. Management frequently employs non-union drivers to pick up and deliver products and raw materials during a strike. Labor often responds to this tactic by utilizing what is known as a "roving picket line" or "ambulatory picketing."

2. Ambulatory picketing is legal provided no violations of criminal or traffic ordinances occur during the process. Picketers follow trucks to a pickup/delivery location and set up a picket line around the vehicle or at the entrance to the site in an effort to discourage the loading/unloading of the truck. As with picketing at the primary strike location, the pickets have a constitutionally guaranteed right to assemble on public property and should be granted a reasonable period of time to discuss their concerns with the truck driver and secondary employer representatives. The pickets may not interfere with vehicular or pedestrian traffic into or out of the secondary location.

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

Chapter 3

WEAPONS/FIREARMS

► SECTION 00: FIREARMS ◄

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

I. POLICY

A. Use of Firearm

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

B. Training Requirement

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

C. Firearm Inspection and Approval

1. The department shall inspect and approve any firearm carried by authorized officers while on duty. The Supply Section shall maintain a list of all department-issued weapons, including approved weapons for each job classification.

2. Employees not authorized by the Chief to carry a firearm shall not bring a firearm into the workplace.

D. Exchange of Weapons

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

E. Handgun Guidelines

1. All authorized officers shall carry a fully loaded handgun while on duty, subject to the following guidelines:

   a. Authorized uniformed officers shall carry a department-issued handgun.

   b. Standard department-issue shall be the Heckler & Koch Model USP 40 or USP 40C .40 caliber semiautomatic handgun.

   c. Officers in civilian clothes shall carry either a department-issued or department-approved privately owned handgun (as defined under the **USE OF PRIVATELY OWNED WEAPONS** policy).

d. Officers shall not carry firearms other than those outlined under the policy on **BACKUP WEAPONS**, unless such firearm is department-issued or authorized by the Chief. Trooper cadets shall not carry backup weapons.

e. Officers authorized to carry a firearm shall not display firearms in any public place except in conformance with the Use of Force policies of this department. Officers in civilian clothes who are authorized to carry a firearm shall carry the firearm in a safe and secure manner, concealed from public view. CVEOs and trooper cadets shall not carry a firearm when in civilian clothes.

F. Issuing Semiautomatic Rifles

1. AR-15s: Each line detachment, except the motorcycle detachments, will be issued two semiautomatic rifles.

   a. The rifles will be issued to the detachment's most senior trooper who has the desire to carry the weapon. If the sergeant desires to carry a rifle, he/she may be assigned a rifle in place of a trooper.

   b. If a detachment member assigned the rifle is transferred, the rifle shall be reassigned to another detachment member as outlined above.

2. Based on mission needs, and upon approval by the Field Operations Bureau (FOB) Assistant Chief, additional semiautomatic rifles may be issued to a detachment. The line detachment sergeant must submit a decision paper justifying the need for additional rifles through the district commander to the FOB Assistant Chief.

3. The rifles are the property of the detachment and will be the responsibility of the line detachment sergeant. When a line detachment sergeant transfers, his/her lieutenant and the incoming sergeant shall conduct a joint inventory of all rifles issued to the detachment. The results of the inventory will be reported to the Supply Section.

4. The rifle shall be carried in the receptacle designed to hold it in place inside the patrol vehicle.

5. If an officer has two rounds less than maximum magazine capacity for the AR-15, he/she is within regulation.

G. Issuing Shotguns

1. Authorized uniformed troopers shall carry a department-issued shotgun.

2. The shotgun shall be carried in the receptacle designed to hold it in place inside the patrol vehicle. The maximum number of shells should be loaded in the magazine, but the chamber shall be empty and the safety on until the officer is ready to fire.

3. Only department-issued 12-gauge, 9-pellet buckshot shall be used with the shotgun [see **AMMUNITION (WSP OFFICERS)** policy].

H. SWAT Weapons

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

I. Removing Weapons from Vehicles

1. The vehicle custodian or driver shall remove and secure all weapons from vehicles before they are:

   a. Left at a non-department facility, such as a repair shop.

   b. Left parked with the weapon(s) in sight at a residence or department facility or for more than five days, even if the weapons are out of sight.

2. Officers may secure weapons at their residences or at the district/detachment office where appropriate and secure storage is available.

J. Security of Firearms

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

K. Firearm Repairs

1. Repairs, adjustments, or alterations shall be made on department-issued firearms only by authorized employees; however, officers may purchase and use the Hogue Universal Grip Sleeve authorized by the Chief.

2. Alterations to department-issued firearms require approval from the Supply Section manager or a Training Division firearms specialist.

L. Proper Firearm Operation and Condition

1. Officers shall be held strictly accountable for the proper operation and condition of all firearms issued to or carried by them. Firearms shall be maintained in clean and functional condition at all times. Only a good grade of cleaning/ lubricant/preservative gun oil shall be used.

2. Officers shall not load or unload their weapons in an unsafe manner. Loading and unloading shall only be conducted:

   a. When ordered for inspection purposes.

   b. At the range for practice or training.

   c. When necessary for cleaning, and then only in a safe or designated area.

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

M. No Impairment While Armed

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

Applies to: WSP Officers
See Also: WSP Policies **Use of Privately Owned Weapons, Backup Weapons, Ammunition (WSP Officers);** *SWAT Team Manual*, Use of Force

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

I. POLICY

A. Carrying Privately Owned Handgun

1. On-duty officers in civilian attire may carry a privately owned handgun upon approval of the division/district commander, providing it has been inspected by a department firearms specialist or Supply Section designee and found to satisfy the specifications listed in the policy on **BACKUP WEAPONS**.

2. Officers using an approved privately owned pistol in place of a department-issued pistol must maintain proficiency with the department-issued pistol and holster system. The Supply Section shall maintain a record of approved privately owned firearms indexed by the officer's last name and cross-indexed by weapon serial number. The procedure for obtaining approval shall be as outlined in the Nondepartmental Weapon Authority form.

3. Commercial Vehicle Enforcement Officers and trooper cadets shall not carry privately owned weapons on duty in civilian attire.

B. Demonstrating Proficiency

1. Following inspection by the department, officers must demonstrate satisfactory proficiency with their privately owned weapon(s) as required under the policy on **FIREARMS QUALIFICATION** and the Training Division's *Control Tactics and Weapons Manual*.

2. Officers shall have their issued and/or approved privately owned weapons inspected annually according to schedules established by the district firearms specialists. Failure to submit to inspection may mean loss of approval to carry a privately owned weapon.

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

3.00.030 USE OF BACKUP WEAPONS (CALEA 1.3.9, 1.3.10, 1.3.11)

I. POLICY

A. Officers may carry a backup weapon in addition to their department-issued or approved duty weapon under the following conditions:

1. A request for approval shall be submitted in writing using the Nondepartmental Weapon Authority form through the chain of command to the respective division/district commander.

2. The weapon shall only be inspected and approved by a Training Division firearms specialist or their designee.

B. Before a backup weapon is carried, the Nondepartmental Weapon Authority form shall be completed. Copies of this form shall be maintained on file at the Supply Section and in each approved officer's performance record book.

C. Any approved backup weapon shall be inspected semi-annually by a supervisor in accordance with the **INSPECTIONS** policy.

D. The weapon shall be capable of and is required to use department-approved ammunition.

E. Officers shall qualify with their backup weapons once a year during the second firearms training period (May - August) and will train with them during the remaining firearms training periods, as directed in the department's policy on **FIREARMS QUALIFICATION** and the Training Division's *Control Tactics and Weapons Manual*. Officers will qualify and train with the weapon from the manner in which it is carried.

F. Officers who fail to qualify due to neglect shall be required to go through the approval process again before carrying the backup weapon. Officers failing to qualify due to other approved activity shall do so upon return to normal duty status. The Training Division shall maintain the applicable training/qualification records.

G. Weapons must be carried in a safe and secure manner. Backup handguns may be carried on the officer's person and/or remain concealed from public view.

H. Officers shall be responsible for personal backup weapons, including any cost for major repairs. Minor repairs and maintenance may be provided by the department.

I. Department-issued weapons may be carried for backup. Officers are allowed only one approved personal backup handgun. Officers may carry no more than two handguns on their person at any one time. If an officer wants to change to a different backup weapon, he/she must go through the approval process for the new weapon. Once completed, the officer is no longer authorized to carry the previously approved weapon.

J. Trooper cadets shall not carry backup weapons.

K. Backup weapons shall meet the following specifications:

1. **Revolvers**

   a. Shall have a legible serial number.

   b. Have a minimum 17/8-inch/maximum 6-inch barrel length.

   c. Shall have double-single action or double-action only capabilities.

   d. Have a swing-out cylinder of five or more chambers.

   e. Shall have fixed or adjustable sights.

   f. Shall be either a .38 Special, .357, 9mm, .44 Special, or .45 ACP caliber weapon.

   g. Shall be maintained in accordance with factory specifications. No weapons with a double-action trigger pull of less than 7.0 pounds will be allowed.

   h. Only factory-authorized modifications will be considered.

2. **Semiautomatic Handguns**

   a. Shall have a legible serial number.

   b. Have a minimum 2-inch/maximum 5-inch barrel length.

   c. Shall have double-action only or double-single action capabilities.

   d. Have a minimum magazine capacity of five rounds.

   e. Shall have fixed or adjustable sights.

   f. Have an external and/or internal safety and/or external decocking system.

   g. Shall be a .380 Auto, 9mm, .357 SIG, 10mm Auto, .40 S&W, .45 GAP, or .45 ACP caliber weapon.

   h. Shall be maintained in accordance with factory specifications. No weapon with a double-action trigger pull of less than 5.0 pounds will be allowed.

   i. Only factory-authorized modifications will be considered.

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

   a. Shall be a Colt AR-15 rifle or similar in design, function, and appearance; or a Ruger Mini-14 rifle.

   b. Shall be a .223 Remington caliber weapon.

c. Shall be maintained in accordance with factory specifications. No target triggers will be allowed.

d. Only factory-authorized modifications will be considered.

e. Officers approved to carry a semiautomatic rifle shall notify the division/district commander upon transfer to new assignment.

f. Training/qualification ammunition will be supplied for approved rifles. Officers shall carry only department-issued ammunition.

g. This weapon shall be carried in the trunk or receptacle designed to hold it in the patrol vehicle and shall not replace the department-issued shotgun.

L. Before purchasing or modifying a backup weapon, a Training Division firearms specialist should be contacted for assistance in determining if the weapon being considered meets the minimum specifications. Initial inspections of backup weapons shall be done by a Training Division firearms specialist. Weapons determined to be unsatisfactory for use shall be rejected. The firearms specialist's decision to reject an unsatisfactory weapon, if requested, may be reviewed by the Firearms Review Committee. This committee will consist of a representative from the Training Division, the Supply Section, the Crime Laboratory Firearms Section, the Troopers Association, a firearms specialist, and the Technical Services Assistant Chief. The review committee's recommendation will then be forwarded to the Chief for final decision.

M. Every approved backup weapon shall be subject to an annual inspection by district firearms specialists.

Applies to: WSP Officers
See Also: WSP Policy **Firearms Qualification; Inspection**; *Control Tactics and Weapons Manual*; Nondepartmental Weapon Authority form

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

I. POLICY

A. Carrying a Firearm Off Duty

1. The carrying of a firearm while off duty within the state by any WSP officer is optional. Officers who carry a department-issued or approved firearm while off duty shall:

   a. Carry their commission card and badge.

   b. Conceal the weapon from public view.

   c. Use only department-issued or approved ammunition.

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

B. CVOs, CVEOs, and Trooper Cadets

1. Commercial Vehicle Enforcement Officers and trooper cadets shall not carry department-owned firearms while off duty, except when in uniform and driving a state vehicle to and from their assigned duty station, or when the firearm is secured in the trunk or other secure case of their personal vehicle and they are off duty and going to and from work or to a firearms qualification.

2. Commercial Vehicle Enforcement Officers and WSP Commercial Vehicle Officers desiring to carry their own weapons off duty may not use their commission authority in lieu of a concealed pistol license.

C. Use of Firearm Off Duty

1. The use of any firearm off duty, except as provided by law for purposes such as hunting, target shooting, etc., is subject to official inquiry by the department.

2. The inquiry is to determine if the officer involved invoked police authority. If police authority was invoked, then the department shall investigate the firearms use to determine conformity with department regulations and procedures as outlined in the **WEAPONS/FIREARMS** and **USE OF FORCE** policies.

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

3.00.050 AMMUNITION (CALEA 1.3.9)

I. POLICY

A. Issuing Duty Ammunition

1. The department shall issue duty ammunition for only those calibers of weapons issued by the department. Officers who have a caliber other than those issued by the department are required to purchase their own approved duty ammunition. The Supply Section will publish a list of approved ammunition for all other approved calibers.

2. Officers shall carry only department-approved ammunition on duty or when carrying approved weapons off duty.

3. Duty ammunition shall not be used for practice unless authorized by a supervisor or the range officer.

4. Duty ammunition shall be used and replaced for all authorized/approved weapons during the qualification shoot.

B. Issuing Practice Ammunition

1. Upon request, the department will provide 50 rounds of handgun, 20 rounds of rifle, and 5 rounds of shotgun practice ammunition and a silhouette target each month. Requests for practice ammunition shall be submitted through the detachment or unit supervisor to the Supply Section.

2. Requests for practice ammunition must be made before the 15th of the month using the Monthly Training Ammunition Request form. Empty casings should be forwarded to the Supply Section each trimester.

3. Supervisors shall ensure that no practice ammunition or target is issued to an officer unless accompanied by a Monthly Training Ammunition Request form. Supervisors shall ensure that the request forms are kept for two years. Practice ammunition shall be kept separate from quarterly qualification/training ammunition.

4. The department shall only issue training ammunition for those caliber weapons issued by the department. It is the officer's responsibility to provide ammunition for training for those calibers not issued by the department.

5. Only ammunition that meets or exceeds departmental requirements will be allowed. Reloaded ammunition is not acceptable.

Applies to: WSP Officers
See Also: --

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

I. POLICY

A. Training

1. All officers authorized to carry weapons shall receive training on the department's use of force policies at least annually. Officers shall receive training on all belt weapons and handcuffs each trimester in conjunction with firearms training. The Training Division shall coordinate the training. A Report of Training shall be completed and forwarded to the Training Division.

2. Officers shall participate three times per year in firearms training/qualification, monitored by a certified weapons instructor. The three periods per year are January - April, May - August, and September - December. Procedures and scoring will be in accordance with the Training Division's *Control Tactics and Weapons Manual*. "Firearms" means department-issued and approved weapons. Officers shall qualify and train with their weapons from the manner in which they are carried while on duty.

3. Officers shall maintain a minimum current qualification of "Marksman" with all issued and/or authorized firearms before they may be carried.

4. Officers failing to qualify with an approved personal or backup weapon shall have an additional seven days to qualify. Any officer failing to qualify within the additional days shall have his/her authorization to carry the weapon canceled. When canceled, approval to carry the weapon may be regained only by reapplying under the process outlined in the **USE OF PRIVATELY OWNED WEAPONS** policy.

5. Officers failing to qualify with a duty weapon during any qualification period shall have an additional seven days for successful completion. An officer failing to qualify within the additional days shall be referred to the Training Division for up to seven days of remedial training. At the conclusion of this training, officers who fail to qualify shall be evaluated as to their fitness for duty and/or subject to appropriate administrative procedures.

Applies to: WSP Officers
See Also: WSP Policy **Use of Privately Owned Weapons**; Monthly Training Ammunition Request; *Control Tactics and Weapons Manual*

3.00.070 FIREARMS QUALIFICATIONS FOR OUTSIDE AGENCIES

I. POLICY

A. Outside Agency Request for Firearms Qualifications

1. Occasionally, outside agencies request the Washington State Patrol to provide firearms qualifications for one or more of their commissioned or sworn officers. It shall be the policy of the department to provide such services on a non-routine basis when authorized by the district commander and when the following requirements are met:

   a. A written request, including the names of employees authorized to receive training, must be submitted by the chief or departmental head of the requesting agency.

   b. The requesting agency shall furnish their own weapons, ammunition, targets, and eye/ear protection.

   c. Qualification of outside officers may be held in conjunction with regularly scheduled qualification shoots. Qualification of departmental officers shall take first priority. All officers will be required to meet department scoring standards to become qualified.

d. Officers from outside agencies shall review and abide by all departmental regulations and procedures. Officers shall obey the commands of department range officers. Infractions of these rules shall be reported to the appropriate agency chief by the district commander.

e. Requesting agencies shall be advised that the training provided is for requalification only, not basic firearms training.

2. Outside agencies shall maintain their own qualification records. The responsibilities of the department shall be limited to providing a copy of the qualification form to the chief of the outside agency. Failure to qualify shall be documented on the qualification form.

Applies to: Outside Agencies
See Also: --

3.00.080 DEFECTIVE WEAPONS (CALEA 1.3.9)

I. POLICY

A. Required Procedures for Defective Weapons

1. Defective weapons shall be brought to the immediate attention of a supervisor.

2. If a weapon is defective, the district firearms specialist shall be contacted immediately for repair or exchange of the weapon. The defective weapon shall be delivered UNLOADED.

3. Any misfired or expended cartridges sent shall be in a sealed envelope that is labeled to identify the contents. **IF A LIVE CARTRIDGE IS JAMMED IN THE WEAPON, ATTACH A SEPARATE, EASILY-IDENTIFIED WARNING NOTICE AND TRANSPORT WITH EXTREME CAUTION**. The weapon will either be repaired or exchanged as soon as possible.

4. If the problem is beyond the capabilities of the firearms specialist, the weapon shall be sent to the Supply Section. The Supply Section shall send the weapon to the factory.

B. Issuing a Loaner Weapon

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

Applies to: WSP Officers
See Also: Report of Unserviceable Equipment Card

3.00.090 FIREARMS DISCHARGE (CALEA 1.3.6)

I. POLICY

A. Investigation of Firearms Discharge

1. When an officer discharges a firearm, except for target practice, qualification shooting, sporting events, or ballistic examinations, the officer shall notify the immediate supervisor. The investigation shall be handled as outlined in the *Administrative Investigation Manual*.

2. If the investigation involves death or serious injury or indicates the need for investigative expertise beyond local level capabilities, the commander shall request the assistance of the Criminal Investigation Division.

Applies to: WSP Officers
See Also: *Administrative Investigation Manual*

► SECTION 01: WEAPONS ◄

3.01.010 SIDE HANDLE BATON/RIOT CONTROL BATON (CALEA 1.3.4, 1.3.9)

I. POLICY

A. Use of Side Handle Baton

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

B. Side Handle Baton and Riot Control Training

1. All Field Operations Bureau troopers and sergeants assigned to traffic duties shall receive annual training in riot control techniques and the use of the side handle baton.

2. Troopers and sergeants in assignments other than traffic or assigned to another bureau may receive side handle baton and riot control training upon approval of their supervisor, subject to the availability of training from the Training Division.

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

1. The side handle baton and baton ring shall be stored in the trunk of the patrol vehicle. The baton ring shall be stored inside the riot helmet case.

2. The side handle baton and baton ring shall be worn on the weapon side or reaction side immediately behind the portable radio or holster.

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

D. Additional Riot Control Information

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

Applies to: WSP Officers
See Also: *Rapid Deployment Force Manual*

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

I. POLICY

A. Issuance of OC

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

B. Use of OC Procedures

1. When OC is used, the subject should be informed not to rub the eyes, as this can heighten the effect. While incapacitated, handcuff and search the subject. If possible, flush the subject's eyes with cool water. Symptoms should disappear within 30 to 90 minutes. If symptoms persist, seek medical attention.

2. Whenever OC is used, the supervisor shall be notified as soon as possible but in no event any later than the end of the officer's/cadet's shift. If there are no indications or allegations of policy violations and the supervisor believes the use of OC was appropriate, the supervisor shall follow the use of force reporting procedures outlined in the *Administrative Investigation Manual*.

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

C. Requirement to Return Container to Supervisor

1. When the total weight of the OC container is 2.5 ounces or less (about two seconds of spraying material), the container shall be returned to the supervisor.

2. The supervisor is responsible for empty OC container disposal. The empty container shall be disposed of in the district. Any partially used OC container should be sent back to Supply for use at the Training Academy.

Applies to: WSP Officers and Designated Cadets
See Also: WSP Policy **Use of Force – Responsibilities – Investigation**; *Administrative Investigation Manual*; Use of Force Review

3.01.030 ASP BATON/FLASHLIGHT (CALEA 1.3.4, 1.3.10, 1.3.11)

I. POLICY

A. ASP Baton Training Requirement

1. All Field Operations Bureau (FOB) officers assigned to traffic law enforcement and to commercial vehicle enforcement duties shall be trained in the use of the ASP baton and flashlight as impact weapons. Training is optional for FOB lieutenants and above.

2. Upon completion of training, officers may carry the ASP baton during the course of traffic and commercial vehicle enforcement activities. The flashlight may be carried in the vehicle or on the person.

3. Officers not in FOB may receive ASP baton and flashlight training upon approval of their supervisor, subject to the availability of training from the Training Division or district ASP/flashlight instructors.

4. Employees who have been trained with the ASP baton and flashlight currently assigned to traffic, commercial vehicle enforcement duties, or other duties shall participate in ASP/flashlight refresher training, which is held in conjunction with firearms training/qualification.

B. Carrying the ASP Baton

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

C. Investigation of Use of Force

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

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

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

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

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

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

I. POLICY

A. Training Requirements

1. Officers and cadets who are assigned to carry a Taser must complete departmental Taser training as outlined by the Training Division prior to carrying or using the Taser. If the Taser is issued, it shall be worn according to training on the officer's gun belt.

2. All use of the Taser shall be according to departmental training. Deployment of the Taser without firing and/or use of the laser sight only is not a use of force.

3. Employees who have been trained with the Taser currently assigned to traffic duties, commercial vehicle enforcement duties, or other duties shall participate in Taser recertification/refresher training held in conjunction with belt weapons training/qualification.

B. Taser Deployment

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

C. Supervisor Notification

1. Whenever the Taser is used, the supervisor shall be notified as soon as possible.

2. If there are no indications or allegations of policy violations and the supervisor believes the use of the Taser was appropriate, the supervisor shall follow the use of force reporting procedures outlined in the *Administrative Investigation Manual*.

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

D. Maintenance

1. Taser malfunctions are to be reported to the officer's supervisor.

2. Maintenance and repairs of Tasers are to be referred to a Firearms Specialist.

3. All Tasers are to be inspected annually by a Firearms Specialist.

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

► SECTION 02: VESTS ◄

3.02.010 ARMORED VESTS (CALEA 22.2.5, 41.3.5, 41.3.6)

I. POLICY

A. Wearing Armored Vests

1. All officers of this department shall wear armored vests when in uniform performing traffic, commercial vehicle enforcement, or port of entry duties as their principal duties for that tour of duty.

2. All other officers shall wear an armored vest when they are so directed by a supervisory officer, or when they have previous knowledge that they are to be involved in situations which may result in their exposure to dangerous situations. Examples of dangerous situations are service of arrest/search warrants, participation in raids, assistance to other agencies on manhunts, and apprehension of a known armed, dangerous or violent person. Situational preplanning sessions shall include discussions regarding wearing of the vests.

3. All officers shall wear their armored vests while qualifying with their duty weapon(s).

4. The vest will normally be worn in a concealed manner under the regulation shirt, but may also be worn when assigned to duty in civilian dress. The department will issue each officer an armored vest.

5. Officers may wear a vest of their own choosing, purchased at their own expense, that meets or exceeds the specifications of the department-issued vest.

6. A list of approved vests is available from the Supply Section.

B. Exemptions to Wearing Armored Vests

1. Exemptions to wearing the vest are as follows:

   a. Medical condition that has been approved through the chain of command by the assistant chief.

   b. Administrative positions not routinely dealing with the public in a possible enforcement capacity.

   c. Non-uniformed officers, unless going into a hazardous situation but without compromising an undercover operation.

   d. Extreme hot weather when an officer's health or ability to perform would be impacted (wearing of only the front panel is an option in hot weather).

   e. While performing school bus inspections.

C. Accessibility of Armored Vests

1. When not wearing the armored vest, officers shall carry the vest in their assigned vehicle to be immediately accessible at all times while on duty.

2. Undercover officers shall store their vests, when not worn, in an area to be immediately accessible if it is not practical to carry the vest in their assigned vehicle.

D. Care of the Vest

1. The carrier may be machine washed in warm water and tumble dried; however, all insert panels shall be removed prior to laundering. The panels may be cleaned by wiping with a damp cloth, but shall not be laundered or dry cleaned.

2. Replacement carriers and panels are available from the Supply Section using a Report of Unserviceable Equipment card.

Applies to: All Officers
See Also: --

3.02.020 HIGH-VISIBILITY VESTS (CALEA 22.2.5, 61.3.2)

I. POLICY

A. Wearing Reflectorized Clothing

1. All employees shall wear high-visibility safety apparel when directing traffic, investigating collisions, and handling lane closures, obstructed roadways, and disasters within the right of way of any roadway. Upon arrival at a scene, employees shall comply with this directive as soon as practical.

2. Department-issued items meeting this requirement include the orange traffic control vest and the high-visibility yellow reflective raincoat.

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

Chapter 4

VEHICULAR PURSUITS

► SECTION 00: PURSUIT REQUIREMENTS ◄

4.00.010 DEFINITIONS AND POLICY (CALEA 41.2.1, 41.2.2, 81.2.4)

I. DEFINITIONS

A. Vehicular Pursuit

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

B. Officially Marked Patrol Vehicle

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

C. Attempting to Elude (refer to RCW 46.61.024)

D. Supervising Officer

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

E. Primary Unit

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

F. Secondary Unit

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

G. Backup Units

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

II. POLICY

A. Pursuit Guidelines

1. The following guidelines are intended to assist officers in making sound decisions regarding pursuits:

a. No more than two patrol units should be committed to a pursuit, unless the primary unit or supervisory officer specifically requests a backup unit(s). Area patrol units shall monitor the progress of pursuits, but shall not engage in a pursuit unless requested by the primary unit or directed by a supervising officer. If a supervisor is unavailable, the duty sergeant shall be notified of the additional units as soon as practical.

b. Only officially marked patrol vehicles shall engage in pursuits. Emergency equipment shall be in operation throughout the pursuit.

c. Officers involved in pursuits shall use their personnel number with all radio transmissions, whenever possible.

d. Officers transporting persons other than fully commissioned officers shall not engage in pursuits. This does not apply to approved observation riders (see **PATROL CAR RIDERS** policy).

e. Motorcycle units may participate in pursuits only until relieved by an officially marked patrol vehicle, unless circumstances dictate the motorcycle unit is the more effective pursuit vehicle. Continued motorcycle involvement shall be approved by an on-duty/duty sergeant.

f. Special Service Vehicles may participate in pursuits only until relieved by an officially marked, pursuit-rated patrol vehicle. Special Service Vehicles may serve as the secondary unit, if the Special Service Vehicle is the only available unit.

g. Vehicles operated by WSP CVEOs/CVOs, exempt, or classified employees shall not engage in pursuits.

h. If available, aircraft should be utilized to maintain visual contact with the fleeing vehicle. Pilots should keep involved units apprised of potentially hazardous situations.

i. Any involved officer may discontinue his/her involvement at any time during the course of a pursuit.

B. Primary Unit Responsibilities

1. The primary unit is the officer who is closest to the fleeing vehicle. The primary unit shall advise the Communications Center of the following:

   a. Officer identification.

   b. Location, direction of travel, speed, and traffic volume on a continuous basis.

   c. Description of the fleeing vehicle and license number, if known.

d. Description of the suspect driver, if known.

e. Reason for the pursuit, including crimes or violation committed.

C. Secondary Unit Responsibilities

1. The acknowledged or assigned secondary unit, upon joining the pursuit, shall advise the Communications Center of their involvement and should be responsible for primary radio communications.

2. The secondary unit shall replace the primary unit in the event the primary unit cannot continue.

D. Backup Unit's Responsibilities

1. Other patrols in the pursuit area shall monitor the progress of the pursuit. They shall not engage in the pursuit unless requested by the primary unit or directed by a supervising officer. These units should be ready to replace any assigned unit in the event they cannot continue. They should be in position to respond to any collision that may result from the pursuit.

2. Backup units should be available to assist in the apprehension of the suspects at the termination of the pursuit or provide any needed traffic control.

E. Supervising Officer Responsibilities

1. Upon notification of a pursuit, the on-duty/duty sergeant shall assume supervisory command of the pursuit and will direct or change tactics as needed. Any supervisor who assumes command of the pursuit shall advise Communications. Supervisors engaged in a pursuit may have supervisory command of the pursuit.

2. The supervisor can order the termination of the pursuit. Supervision of pursuits that proceed from one geographic area to another should be transferred to a local on-duty supervisor, if one is available, as soon as practical. An on-duty/duty sergeant or higher ranking officer shall continue supervisory command of a pursuit until it has ended.

F. Communications Center Responsibilities

1. Communications shall immediately broadcast available information concerning a pursuit to local patrol units and designate the radio frequency to be used during the pursuit. They shall follow departmental procedures for the use of emergency traffic status and activation of channel marker tones.

2. Communications shall advise the appropriate supervisor or commanding officer of the pursuit. Initiation or any change of supervisory command shall be communicated to all involved units. Through available data information, Communications should attempt to obtain information concerning the identity of the driver and ownership of the vehicle. Other police agencies should be notified as soon as practical.

3. When a pursuit approaches another jurisdiction or autonomous patrol area (APA), Communications shall notify the affected jurisdiction. When a pursuit extends into an adjoining district, the controlling Communications Center shall transfer the pursuit to the newly affected district as soon as practical.

G. Wrong-Way Pursuits

1. Officers should not pursue vehicles which proceed the wrong way on a divided highway, freeway, freeway access, or one-way street unless specifically authorized by a supervisor.

2. Officers may attempt to stop the vehicle from legally available lanes of travel.

H. Pursuits into Another Jurisdiction or District

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

I. Interstate Pursuit

1. Officers may continue a pursuit of a person into Idaho or Oregon who reasonably is suspected of (1) having committed a felony, or (2) a violation of state law relating to driving under the influence of drugs or alcohol or reckless driving.

2. Officers making a felony arrest in another state shall take the arrestee, without unnecessary delay, before a magistrate of the county in the state in which the arrest is made. Officers shall not pursue vehicles into Canada. Canadian authorities shall be notified of all pursuits approaching the border. The pursuit shall be turned over to Canadian authorities at the border.

J. Other Agency Pursuits

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

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

K. Termination of a Pursuit

1. The decision to terminate a pursuit can be made by the primary officer or ordered by a supervisor at any time during the pursuit. Those making decisions should consider the nature of the offense, the time of day, and evaluation of weather, traffic conditions, geographies, familiarity with the area, types of patrol vehicles involved, and the actions of the fleeing driver. A pursuit should be terminated when:

a. The officer or supervisor believes danger to the public outweighs the need for immediate apprehension of the suspect.

b. A supervisor orders the pursuit terminated.

c. The suspect is known to the officer and the offense involved is a traffic infraction, misdemeanor, or non-violent felony.

d. The officer loses visual contact with the fleeing vehicle for an extended period of time.

2. Any time an involved patrol vehicle experiences mechanical breakdown or equipment failure involving lights, siren, radio, and/or brakes, that officer shall terminate his/her involvement.

3. Officers who have terminated a pursuit shall deactivate emergency equipment and drive at routine patrolling speeds. Upon termination, officers may follow the vehicle's predicted route of travel. The termination of a pursuit does not preclude any officer from further attempts to stop the suspect vehicle if the circumstances that lead to the termination no longer exist.

L. Investigation of a Pursuit/PIT

1. After all pursuits, the involved or detachment supervisor shall complete a Pursuit Review and conduct a review to determine compliance with Washington State Patrol policy and training.

2. If the PIT was executed at 40 miles per hour or higher, a Use of Force Review shall be included.

3. If the pursuit/PIT results in a collision, a supervisor shall respond. If a pursuit/PIT results in a collision involving an injury, a supervisor shall also request that the Criminal Investigation Division respond to handle the collision investigation.

4. If during the review there are no apparent policy violations, the supervisor will complete the Pursuit Review and the investigating supervisor's case log. These documents will be forwarded along with all appropriate documents/reports to the division/district commander (see *Administrative Investigation Manual*).

   a. The report(s) shall be forwarded to the Office of Professional Standards (OPS) within 10 days of the pursuit/PIT.

5. If there appears to be a policy violation, the sergeant shall immediately notify the division/district commander who shall, in turn, notify the OPS Commander by completing an Internal Incident Report (IIR).

6. The division/district commander shall make a determination within seven business days from the date the employer was made aware of the alleged policy violation to investigate the alleged misconduct.

7. The IIR shall be immediately faxed to OPS to ensure the IIR is accepted by the Standards Officer within contractual timelines.

8. The OPS Commander, in consultation with the division/district commander, shall determine and delegate investigative responsibility for the investigation. An OPS case number shall also be assigned at that time.

9. When an administrative pursuit/PIT investigation is conducted in the district, the completed packet shall be submitted to OPS by the due date indicated on the IIR.

10. OPS will review and track all pursuits/PIT to concur with the division/district commander's findings.

11. In those circumstances where a pursuit/PIT crosses district boundaries, a determination shall be made by the respective district commanders whether joint reporting or single district reporting will be made. In the case of allied agency involvement, a determination will be made by the district commander, in consultation with the OPS Commander, on the proper reporting procedure to be used.

12. The district commander has the option of conducting a critique of any pursuit/PIT for training purposes.

13. District commanders shall review all pursuits/PIT to ensure compliance with regulations. CID, the Training Division, and other appropriate resources shall be utilized to assist with the review in cases of pursuits/PIT that result in death, serious injury, or major property damage.

Applies to: WSP Officers
See Also: RCW 46.61.024; WSP Policy **Patrol Car Riders**; Pursuit Review; Use of Force Review; Internal Incident Report

► SECTION 01: FORCIBLE STOP ◄

4.01.010 METHODS OF FORCIBLE STOP (CALEA 41.2.2, 41.2.3)

I. POLICY

A. Four Methods of Forcible Stop

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

B. Intentional Intervention

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

2. It shall be used to effect an apprehension only as a last resort and only when the officer knows or has reasonable grounds to believe the occupant(s) has committed or is attempting to commit a crime that poses a threat of death or serious bodily injury. Intentional intervention shall not be used to apprehend a traffic offender, misdemeanant, or fleeing felon whose only felony is attempting to elude a pursuing police vehicle.

3. Officers attempting intentional intervention with a vehicle shall be held to the same standards as are applied to any other use of lethal force.

C. Roadblocks

1. A roadblock is a barricade using vehicles or other obstruction (excluding the Hollow Spike Strip) across a roadway set up to stop or prevent the escape of a fleeing vehicle.

2. Roadblocks may be used to apprehend fleeing felons when necessary, provided:

   a. A description of the suspect(s) and suspect vehicle is available (the description must be adequate for proper identification).

   b. Supervisory approval is obtained.

   c. An "escape route" is left available.

   d. The suspect(s) is wanted for any of the following:

      (1) Homicide

      (2) Robbery in the first degree

      (3) Rape

      (4) Assault with intent to kill or felonious assault

      (5) Prison escape (involving a felon)

D. Hollow Spike Strip

1. The Hollow Spike Strip will be utilized only after supervisory approval, if a supervisor is available; otherwise, a duty sergeant shall be notified as soon as possible. All officers must have received training in the use of the spike strip before utilization.

   a. **Communications**

      (1) All officers involved in the pursuit should be on the same communications frequency. The operator of the spike strip should have a portable radio for ready use.

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

(a) Location by milepost

(b) Direction of travel and speed

(c) Erratic driving behaviors

(d) Possible weapons involved

(e) Any other pertinent data to the chase

b. **Deployment**

(1) When deploying a Hollow Spike Strip, the following precautions should be considered:

(a) The operator deploying the spike strip should do so from a position of safety.

(b) Heavy protective gloves should be worn when setting up the device.

(c) The spike strip should not be used in locations where specific geographic configurations increase the risk of serious injuries to the operator, violator, or the public (alongside of rivers, embankments, etc.).

(d) The spike strip should be readied for deployment in such a manner that the spikes are directed toward the fleeing vehicle.

(e) Traffic cones or fusees should be set up, if possible.

(f) The spike strip shall not be deployed on two-way roadways, unless oncoming traffic has been stopped some distance from the actual deployment site.

(g) As the fleeing vehicle approaches, the officer should pull the spike strip onto the roadway surface and let go of the device in case the device jumps up when the violator's vehicle passes over it.

(h) When nearing the spike strip, pursuing officers and the officer deploying the device must maintain communication. The pursuing officers must back off to allow the device to be cleared from the roadway.

(i) The spike strip should be used to stop fleeing motorcycles only when attempting to stop for homicide, kidnapping, robbery with firearms, rape, assault with intent to kill, or prison escape (involving a felon).

(2) Every effort should be made to avoid uninvolved motorists running over the spike strip.

(3) If an uninvolved motorist does run over the strip, the driver should be contacted as soon as possible to explain the situation. They should be assisted in obtaining tires (at state cost).

c. **Investigation**

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

E. Pursuit Immobilization Technique (PIT)

1. The Pursuit Immobilization Technique (PIT) is a method to reduce risks in bringing pursuits to a conclusion. PIT is a forced rotational vehicle stop of a non-compliant suspect in an effort to end the suspect's flight.

2. Special Service Vehicles shall not be used to employ the PIT.

3. PIT - Under 40 Miles Per Hour

a. PIT maneuvers under 40 miles per hour may be executed at the discretion of a pursuing officer. If executed at less than 40 miles per hour, PIT may be used under the following conditions:

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

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

4. PIT - Over 40 Miles Per Hour

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

(1) After less intrusive methods have been tried or considered and have been judged to be ineffective; and

(2) When the totality of the circumstances requires immediate intervention to stop a fleeing suspect's vehicle.

5. Sight Assessment for Use of PIT

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

(1) Blind curves (PIT works best in curves, but should not be executed when the officer believes that visibility is significantly compromised).

(2) Bridge abutments.

(3) Major obstacles on road sides.

(4) Oncoming traffic.

(5) Pedestrians.

6. Other Requirements

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

Applies to: WSP Officers
See Also: Pursuit Review

Chapter 5

EMPLOYEE HEALTH

► SECTION 00: SAFETY/HAZARD/DISEASE INFORMATION ◄

5.00.010 COMMUNICABLE DISEASES

I. POLICY

A. Occupational Hazards/Illnesses

1. Public employees face the occupational hazard of potential contact with individuals who are infected with communicable diseases. Acquired Immune Deficiency Syndrome (AIDS) and Hepatitis B (HBV) are of particular concern to law enforcement personnel. This concern does not free employees from the obligation to perform their duties, especially when no unusual personal risk exists. Universal precautions reduce or eliminate the possibilities of exposure and are expected to be used at all times. If an infection results from job-related exposure to a communicable disease, it shall be treated as an occupational illness.

B. Communicable Disease Training

1. The department shall train and educate all employees about the transmission of communicable diseases; provide protection of employees facing occupational exposure; provide vaccination services for those who risk occupational exposure to HBV; and provide follow-up procedures for exposed employees and supervisors.

Applies to: All WSP Employees
See Also: --

5.00.020 BLOODBORNE PATHOGENS, EXPOSURE

I. DEFINITIONS

A. Antiretroviral — Counteraction to retroviruses, which includes the AIDS virus.

B. Bloodborne Pathogens — Disease-causing microorganisms found in human blood. These include, but are not limited to, Hepatitis B virus (HBV), and Human Immunodeficiency virus (HIV).

C. Contaminated — The presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item.

D. Contaminated Sharps — Any contaminated object that can penetrate the skin including, but not limited to, needles, scalpels, broken glass/capillary tubes, and exposed ends of dental wires.

E. Decontamination — The use of physical or chemical means to remove, inactivate, or destroy bloodborne pathogens on an item so it cannot transmit infectious particles, making it safe for handling, use, or disposal.

F. Engineering Controls — Controls (e.g., sharps containers) that isolate or remove the bloodborne pathogen's hazard from the workplace.

G. Exposure Incident — A specific eye, mouth, or other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials resulting from performing work duties.

H. Licensed Healthcare Professional — A person allowed to independently perform the activities required by the Hepatitis B Vaccination and post-exposure evaluation and follow-up.

I. HBV — Hepatitis B Virus.

J. HIV — Human Immunodeficiency Virus.

K. Occupational Exposure — Reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from performing work duties.

L. Other Potentially Infectious Materials (OPIM) — (a) Human body fluid or any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult to differentiate between body fluids; (b) any unfixed tissue or organ (other than intact skin) from a human (living or dead); and (c) HIV-containing cell or tissue cultures, organ cultures, and HIV- or HBV-containing culture medium or other solutions; and blood, organs, or other tissues from experimental animals infected with HIV or HBV.

M. Parenteral — Piercing mucous membranes or the skin barrier through needlesticks, human bites, cuts, and abrasions.

N. Personal Protective Equipment — Specialized clothing or equipment worn for protection against a hazard. General work clothes (e.g., uniforms, pants, shirts, or blouses) not intended to function as protection against a hazard are not personal protective equipment.

O. Source Individual — Any individual, living or dead, whose blood or other potentially infectious materials may be a source of occupational exposure to the employee.

P. Sterilize — The use of a physical or chemical procedure to destroy all microbial life.

Q. Universal Precautions — An approach to infection control. Using universal precautions, all human blood and certain human body fluids are treated as if infectious for HIV, HBV, and other bloodborne pathogens.

II. POLICY

A. Exposure Control Plan and Annual Update

1. The Washington State Industrial Safety and Health Act (WISHA) guarantees every worker in this state the right to a safe working environment. To fulfill this, the department instituted this exposure control plan.

2. This procedure shall be reviewed and updated at least annually.

III. PROCEDURES

A. Transmission of HIV and HBV

1. This procedure contains current knowledge about transmission of the HIV and Hepatitis B (HBV) viruses. It is designed to minimize or eliminate employee exposure and to provide information needed to prevent transmission of these infectious diseases.

B. Risk of Exposure to Infectious Diseases

1. Occupational exposure to infectious diseases is an inherent risk undertaken by department personnel. Employees are concerned when responding to emergencies involving trauma, CPR, or physical altercations with people who may have HIV, HBV, or other infectious diseases. Concerns do not free employees from their duties. Employees are not excused from carrying out their duties when no unusual personal risk exists.

2. It is essential employees understand the risks in contacts involving individuals with infectious diseases and how to reduce fear and confusion about HIV and HBV transmission.

3. Hepatitis B, HIV, and other infectious diseases are occupational risks for emergency medical providers. The risk is directly related to the degree of contact, through blood, contaminated needles, or airborne illnesses.

C. Hepatitis B Virus

1. HBV is much more infectious than HIV. The HIV virus is very fragile and cannot live long outside the body (about two to three days) when the virus is thoroughly dried. HBV can live outside the body for several weeks.

2. The risk of acquiring HBV from a needlestick of an HBV carrier ranges from 6 to 30 percent, versus less than 1 percent risk of HIV infection from a needlestick exposure involving an HIV positive person. Controls for HBV infection should also effectively prevent spread of HIV and other infectious diseases.

D. Transmission of HIV and HBV

1. HIV and HBV are transmitted through either sexual contact or direct contact with bodily fluids. Blood cells or semen must enter the bloodstream to survive and multiply. HIV is spread through sexual contact, needle-sharing, or through transfusions of blood or blood components. Direct blood-to-blood contact or semen-to-blood contact is necessary to transmit HIV.

2. Combative individuals who bite are of particular concern to law enforcement personnel. One cannot be infected with HIV through biting, unless the person who bites has blood in the mouth and that blood comes in contact with the victim's blood.

E. Seek Medical Treatment for Infectious Disease Exposure

1. For any infectious disease exposure, employees should seek medical treatment and follow exposure incident procedures.

F. Exposure Determination

1. The following employees are eligible for HBV vaccinations, issued/access to Quickits, and are provided annual training:

    a. Commissioned employees

    b. Commercial Vehicle Enforcement Officers and Commercial Vehicle Officers

    c. Crime lab personnel

    d. Toxicology Laboratory personnel

    e. Property and Evidence Custodians

    f. Identification and Criminal History Section Trainers

    g. Deputy State Fire Marshals

    h. Vehicle Identification Number Inspectors

    i. Trooper cadets

    j. Breath Test Technicians

    k. Equipment Technicians

    l. Maintenance Mechanic 1

    m. Custodian 2

    n. Property Management employees with field exposure

    o. Electronic Services Division employees with field exposure

    p. Information Technology Division employees with field exposure

    q. Electronic Services Division employees who work on patrol vehicles

2. In rare instances, an employee may have an exposure incident, even though the job classification or the tasks and procedures do not have occupational exposure. This is known as a "collateral exposure." **ANY** employee who has an exposure incident shall be offered post-exposure follow-up, including medical treatment and counseling, outlined in **Post-Exposure Procedures**.

G. Work Practice Controls

1. Employees will minimize the possibility of occupational exposure by using the engineering controls and work practice controls. Work practice controls are defined as reducing the chance of exposure by altering the manner in which a task is performed (e.g., prohibiting recapping of needles by a two-handed technique). If occupational exposure remains after instituting these controls, employees use and wear personal protective equipment as they consider appropriate.

2. To prevent exposure to blood or other potentially infectious materials, employees shall follow universal precautions.

3. Employees should be aware of, and comply with, the following when occupational exposure is possible:

    a. Do not eat, drink, or smoke at crime/collision scenes where blood or bodily fluids are present or contagious factors exist.

    b. Consult with a private physician if taking prescription medications. (Certain prescribed medications, such as steroids and asthma medications, suppress the immune system and cause more susceptibility to infectious diseases.)

    c. Report any direct contacts with blood or bodily fluids, while working, to the immediate supervisor and a physician. Pregnant employees should be aware infectious viruses can cause severe problems in newborns.

    d. Use extreme caution to prevent accidental needlesticks during searches of persons or vehicles and maintenance on patrol vehicles, particularly when reaching into areas not visible.

    e. When necessary to transport a person with blood or bodily fluids on clothing or the body, transport separately from others. If the situation allows, use the disposable blanket to protect the vehicle's interior.

    f. Inform other support personnel (firefighters, paramedics, sheriffs, jailers, detox, etc.) whenever a change or transfer of custody occurs and the **subject** has blood or bodily fluids on clothing or the body.

    g. Inform other support personnel (tow truck operators, court officials) whenever a change or transfer of custody occurs and the **property** has blood or bodily fluids present.

    h. In the courtroom, when possible, refer to biologically contaminated evidence by photographs or in sealed, clear plastic bags.

    i. When taking subjects into custody with blood or bodily fluids on them, take them directly to a designated holding area (where possible) for processing. Post an "**Isolated Area - Do Not Enter"** sign.

j. Note in the appropriate arrest/booking forms when there is blood or bodily fluids on a subject's person or clothing (i.e., "bodily fluids present").

k. Cases in which attempts are (allegedly) made to intentionally infect someone represent a criminal act. Call a supervisor to the scene. Complete a case report of the alleged occurrence for follow-up.

l. Use care when working with blood or other potentially infectious materials to minimize splashing and spraying.

m. If wounds or abrasions on exposed body surfaces are present, such as on the hands or face, protect or cover those areas.

n. Wash hands with soap and water as soon as possible even if gloves are worn and/or after handling any possibly contaminated items. Use antiseptic hand cleanser and paper towels, or antiseptic towelettes if there is no soap and water, but wash with soap and water as soon as possible.

o. In work areas where there is a reasonable likelihood of occupational exposure, do not eat, drink, smoke, apply cosmetics or lip balm, or handle contact lenses.

p. Do not place food and beverages anywhere where blood or other potentially infectious materials are present (e.g., evidence rooms).

H. Personal Protective Equipment

1. The department makes available personal protective equipment to use during incidents of occupational exposure. Along with using all available engineering and work practice controls, employees should select appropriate equipment for the task.

2. Employees shall use personal protective equipment unless—under extraordinary circumstances—it is the employee's professional judgment that its use:

   a. Would prevent the delivery of health care or public safety services; or

   b. Would pose an increased hazard to the safety of the employee or others.

3. When an employee makes this judgment, the circumstances shall be documented to determine if changes would prevent future occurrences.

4. Personal protective equipment must be ACCESSIBLE in employees' work environments. Accessible means on their person, within a department vehicle, and/or within a fixed work station.

5. Personal protective equipment includes, but is not limited to, rubber aprons, gloves (latex or vinyl) in all sizes, Tyvek suits, face mask/shields, and CPR mask.

I. Gloves

1. Employees with occupational exposure in the field (e.g., line troopers, line sergeants, WSP Commercial Vehicle Enforcement Officers) shall carry on their person, at all times, one pair of gloves.

2. Always wear gloves when dealing with trauma patients.

3. After use, remove the gloves without touching their exterior, and place in the resealable plastic bag, made available by the department for such use.

4. Do not use latex gloves near an open flame.

5. Supervisors shall ensure replacement gloves are readily available.

J. Masks, Eye Protection, and Face Shields

1. Employees with occupational exposure in the field (e.g., line troopers, line sergeants, Commercial Vehicle Enforcement Officers) shall have a face mask/shield readily available in their assigned vehicles at all times. "Readily available" shall mean accessible in a short amount of time without delay.

2. Employees shall wear masks with eye protection or face shields when splashes, spray, spatter, or droplets of potentially infectious materials may be generated and eye, nose, or mouth contamination could be anticipated.

K. Respironics Sealeasy Mask

1. This resuscitation mask is used to prevent rescuer contamination by a diseased victim. The mask should be readily accessible for medical emergencies.

2. The kit consists of:

   a. Mask

   b. Universal airway

   c. Two-way valve

3. Employees issued a mask shall periodically examine all parts of the kit for obvious damage or contamination. Also, the air seal in the mask shall be checked per manufacturer's instructions.

4. To prevent contamination, remove the parts from the bag and place them in a heavy-duty, sealable plastic bag, along with a red plastic biohazard bag. The sealable plastic bag ensures cleanliness and keeps the parts together.

5. After one use, seal all parts in the plastic bag and dispose of it in the same manner as gloves. **Do not clean or disinfect after use under any circumstances.**

L. Immediate Follow-Up at Exposure Site

1. If contact with human blood or other bodily fluids occurs, thorough cleansing with soap and water is necessary. Use antiseptic towelettes or hand cleanser at the scene and follow up with soap and water cleansing as soon as possible.

2. For open wound exposure, including needlesticks:

   a. "Milk" entry wound

   b. Clean/wash wound thoroughly

3. Following washing, rinse the area with an antiseptic solution or a 1-to-10 solution of household bleach. This may irritate hands and cause stinging at the wound site, but it will reduce the chance of infection.

4. For mucous membrane (nose/eyes/mouth) exposure:

   a. Blow nose/wipe inside of nostril with towelette

   b. Rinse eyes/mouth

5. Avoid touching mouth or eyes with hands or any item contaminated with blood or bodily fluids.

M. Post-Exposure Administrative Requirements

1. If an exposure incident occurs, notify a supervisor immediately, and prepare documentation. Seek treatment by a mutually-agreed-upon healthcare provider. Depending on the type and severity of the exposure, the employee may be offered a Hepatitis B booster vaccination and/or antiretroviral drug therapy. If the employee has not previously undergone the HBV Vaccination series, the healthcare provider will determine a vaccination schedule. HBV vaccinations must be initiated within 24 hours of the incident for maximum effectiveness. Antiretroviral drug therapy must be initiated within two hours of the exposure incident for maximum effectiveness. A Labor and Industries Accident Report detailing the exposure may be completed. The exposure incident may also be recorded on an OSHA 300 report maintained at the Human Resource Division.

2. The Human Resource Division requires the following information:

   a. Employee Injury Report.

   b. A detailed case report, including the route(s) of exposure and the circumstances under which the exposure occurred. This information may be included on the Injury Report.

3. The Human Resource Division shall review the exposure incident and evaluate policies, engineering and work practice controls, and personal protective equipment to determine cause of "failures of control."

4. A **confidential** medical evaluation and follow-up is available to the employee, following a report of an exposure incident. This evaluation is conducted by a licensed healthcare provider. The following information is included:

    a. Identification of the source individual, unless identification is not possible or prohibited by state or local law.

        (1) The source individual's blood is tested as soon as possible after obtaining consent to determine HBV and HIV infectivity. Consent is required to be "specific and informed" and in writing, and is to be obtained by the medical provider who is performing the blood draw. **NOTE:** Do not use the grey-stoppered evidentiary vials for blood testing. If consent is not obtained, a blood sample is obtained through the local Health Officer (see **Procedures After a "Substantial Exposure**").

        (2) If the source individual is already known to be infected with HBV or HIV, there is no further testing.

        (3) Results of the source individual's tests are available to the exposed employee, who is informed of applicable laws and regulations concerning disclosure of the identity and infectious status of the source individual.

    b. The collection and testing of the employee's blood for infectious diseases status:

        (1) The employee's blood sample is collected as soon as possible and tested after obtaining consent.

        (2) If the employee consents to baseline blood collection, but does not give consent to HIV testing, the sample is preserved for at least 90 days.

        (3) If the employee elects to have the sample tested within the 90 days, such testing is done as soon as possible by a licensed healthcare professional. No disciplinary action results from an employee's refusal to submit to testing.

    c. Post-exposure preventive measures are provided to the employee.

    d. Counseling and evaluation of reported illnesses are part of the post-exposure follow-up and are available to the exposed employee.

5. Post-titre testing is conducted at department expense through the local Health Department or a mutually-agreed-upon healthcare provider. The employee is offered repeat HIV testing six weeks after exposure and on a periodic basis, or in accordance with recommendations from the U.S. Public Health Service.

N. Information Given to the Healthcare Provider

1. When an exposure incident occurs, the healthcare provider is given the following:

   a. The WAC for Occupational Exposure to Bloodborne Pathogens (WAC 296-823), available at each office.

   b. A summary of the employee's duties as they relate to the exposure.

   c. Documentation of the route(s) of exposure and circumstances surrounding the incident.

   d. Any other relevant medical records, including the employee's vaccination record(s) and/or immune status.

O. Healthcare Provider's Written Opinion

1. The department must provide the exposed employee with a copy of the healthcare provider's written opinion within 15 days of completion of the evaluation. The following information is requested:

   a. If Hepatitis B vaccinations are recommended for the employee and/or if the employee has had such vaccinations.

   b. A written opinion of the post-exposure evaluation and follow-up, limited to the following:

      (1) The employee was informed of the evaluation results; and

      (2) The employee was told about any medical conditions resulting from the exposure requiring further evaluation or treatment.

P. Procedures After a "Substantial Exposure"

1. If an employee experiences a "substantial exposure," steps will be taken to learn about the infectivity of the source individual.

2. Testing of persons who have exposed law enforcement personnel to "substantial risk" of exposure to AIDS or HIV is allowed by law (refer to RCW 70.24).

3. The first option is consent. If the source person consents to blood testing, the healthcare professional who draws the sample provides the consent form and vials. Do not use the evidentiary grey-topped vials for source person testing.

4. Lacking consent, the local health officer **MAY** order the subject to test, based on the facts of the exposure. The health officer will need a detailed case report regarding the routes of exposure and will make a determination on whether the incident meets the criteria of "substantial exposure." The employee or supervisor

shall contact the local health department as soon as possible during regular business hours within seven days after the exposure incident.

5. The health officer is responsible for contacting the source person and ordering them to submit to testing. The source person can refuse the order and request a court hearing. If this occurs, the health officer obtains a superior court order. The court makes the final determination regarding testing.

6. Examples of "substantial exposure" are:

   a. Contacting bloody items when the employee has scratches, cuts, or open sores near the area of contact.

   b. Direct contact with bodily fluids (blood, semen, or vaginal fluids) from a person on an open sore or cut.

   c. Direct mouth-to-mouth resuscitation (CPR) if blood is in the mouth.

   d. Receiving a cut or puncture wound from potentially contaminated material as a result of contacting a subject.

7. Following a substantial exposure, the employee should be tested for evidence of HIV or HBV viruses and HBV immune status. Appropriate follow-up should focus on the severity, type, and/or risk factors involved with the exposure. Follow-up counseling for the employee is handled by a licensed healthcare professional, such as the local health department. Some emergency rooms have confidential counseling for occupational exposures.

Q. Property Contamination

1. Contamination in the field may be unavoidable in certain circumstances.

2. Clean and decontaminate all equipment and working surfaces after contact with blood or other potentially infectious materials.

3. If unsure how to clean something, bag the item(s) in question and attach warning labels or place out of service until properly decontaminated or disposed of.

4. Use the following decontamination procedures, depending on the type of contamination:

   a. Clean and disinfect vehicles, equipment, and work surfaces after exposure to blood or other potentially infectious materials.

   b. Complete decontamination procedures using a 1-to-10 solution of water and bleach (let soak 30 minutes) or other approved antiseptic (follow manufacturer's instructions on use).

c. Establish designated cleaning areas—physically separated from areas used for food preparation, personal hygiene, or public areas—at each facility.

R. Property Contamination: General

1. When any property is contaminated by blood or infectious materials and prompt disinfection procedures are not possible, notify the immediate supervisor and place the item(s) in a red plastic biohazard bag for disinfection or disposal at department expense. Complete an IOC for replacement items, if needed. Handle the sealed bag as outlined in the **Infectious Waste Disposal** section of this procedure.

2. Recheck all items that may have come into contact with an infectious material for possible contamination.

S. Property Contamination: Uniforms

1. Coveralls will be provided when uniforms become contaminated and employees require a change of clothing. Complete decontamination using department-approved processes.

2. UNDER NO CIRCUMSTANCES SHALL AN EMPLOYEE TAKE A CONTAMINATED UNIFORM OR CLOTHING HOME.

3. Place contaminated uniforms in a red plastic biohazard bag. The Property Custodian arranges for cleaning at a designated commercial establishment at department expense.

4. Scrub or brush shoes, boots, and leather in a designated area with a hot solution of soapy water, rinse with clean water, and allow to air-dry.

T. Property Contamination: Vehicles

1. Immediately clean any portion of a department vehicle that may become contaminated with an infectious material. If possible, use disposable blankets to protect the vehicle interior from infectious materials. Other areas frequently contaminated include the steering wheel and other vehicle controls, radio microphone, and door handles.

2. Designate a contaminated vehicle as out of service until properly cleaned. Clearly mark the windshield of the vehicle using window paint or a placard with **"Warning - Potential Biohazard."**

3. If the vehicle cannot be properly decontaminated by the employee, a designated commercial cleaning establishment shall decontaminate the vehicle at department expense.

4. No one will enter a vehicle which may be potentially contaminated by infectious materials until it has been thoroughly decontaminated.

5. Use a tuberculocidal cleaning agent (approved and registered with the EPA) to clean all upholstery.

6. Follow guidelines in the **Infectious Waste Disposal** section for proper bagging and disposal of waste generated during decontamination.

7. Clean and decontaminate all equipment and working surfaces after contact with blood or other potentially infectious materials.

U. Housekeeping Practices

1. Each facility posts a written schedule of cleaning and decontamination based upon the location and type of contamination. All employees shall comply with the schedule. It will, at a minimum, contain the following practices:

   a. Clean contaminated work surfaces with appropriate disinfectant (a) after completion of procedures; (b) as soon as possible when surfaces are contaminated or after any spill of potentially infectious materials; and (c) the end of the work shift if the surface may have become contaminated since the last cleaning.

   b. As soon as possible, replace any protective coverings (e.g., plastic wrap, aluminum foil, or imperviously-backed absorbent paper) if contaminated.

   c. Inspect and decontaminate—on a regularly scheduled basis—all reusable bins, pails, cans, and similar receptacles which are likely to become contaminated. Decontaminate as soon as possible upon visible contamination.

   d. Do not pick up potentially contaminated broken glass directly with the hands. Clean it using a brush and dust pan, tongs, or forceps. Do not use a vacuum cleaner.

   e. Do not store or process reusable sharps contaminated with potentially infectious materials in a manner requiring employees to reach into containers where they are.

2. The schedule also lists the cleaning agents available for all levels of decontamination.

V. Infectious Waste Disposal

1. Contaminated Sharps Discarding and Containment

   a. Discard contaminated sharps as soon as possible in closable, puncture-resistant, leakproof containers labeled or color-coded according to this plan.

   b. Have containers for contaminated sharps accessible to the area where sharps can be found. Keep containers upright throughout use, replace routinely, and do not overfill.

   c. Close containers before removal to prevent spillage or protrusion of contents. If leakage is possible, place in a

secondary container which is sealable, constructed to contain all contents and prevent leakage, and labeled or color-coded according to this plan.

d. Immediately place all syringes obtained in the field or as evidence into department-provided puncture-resistant cases to transport syringes to the nearest sharps container for disposal or processing.

e. Do not open, empty, or clean reusable containers in a way which would expose employees to injury.

W. Other Regulated Waste Containment

1. Regulated waste includes liquid or semi-liquid blood or other potentially infectious materials (OPIM), items contaminated with blood or OPIM and which would release these substances in a liquid or semi-liquid state if compressed, and items which are caked with dried blood or OPIM and are capable of releasing these materials during handling. Regulated waste also includes contaminated sharps and pathological and microbiological wastes containing blood or OPIM.

   a. Place regulated waste in sealable, leakproof containers constructed to contain all contents and prevent leakage of fluids during movement or handling. Label or color-code the containers in accordance with this plan. Close the containers just before removal to prevent spillage or protrusion.

   b. If outside contamination of the regulated waste container occurs, place in a second similar container, also leakproof and labeled or color-coded. Close this container before moving.

X. Laundry/Clothing/Uniform Items/Equipment

1. Handle contaminated laundry, clothing, uniform items, or equipment as little as possible with a minimum of agitation. Bag these items where used, and do not sort or rinse there. Label or color-code bags in accordance with this plan.

2. If an item is wet and could soak through or leak from the bag or container, put the item in an additional leakproof bag/container.

3. Properly label contaminated laundry going to another facility, or place in a red biohazard bag.

4. Employees who contact contaminated laundry, clothing, uniform items, or equipment shall wear protective gloves and other appropriate personal protective equipment.

5. Turn in contaminated items to the local Property and Evidence Custodian for decontamination procedures.

   a. Decontaminate by soaking the item in a 1-to-10 solution of bleach and water for five minutes. After decontamination, dispose of items in the normal method.

b. Uniform items may be returned to service after decontamination and cleaning at department expense.

6. Regulated waste shall be disposed of in accordance with all federal, state, and local laws.

Y. Warning Labels and Bags

1. Attach warning labels to containers of regulated waste, refrigerators, freezers, and other containers used to store, transport, or ship potentially infectious materials. These labels include the biohazard legend and are fluorescent orange or orange-red with contrasting letters or symbols. Attach labels as close as possible to the container by any method that prevents their loss or unintentional removal. Red bags or red containers may be substituted for labels.

2. Containers of blood, blood components, or blood products that have contents labeled and have been released for transfusion or other clinical use are exempt from the labeling requirements.

3. Individual containers of potentially infectious materials placed in a labeled container during storage, transport, shipment, or disposal are exempt from the labeling requirements.

4. Contaminated equipment must be labeled and should state which portion(s) of the equipment remain contaminated. Decontaminated regulated waste does not need to be labeled or color-coded.

Z. Training and Education of Employees

1. All employees with occupational exposure will participate in a training program, provided at no cost to employees and held during working hours.

2. Training is:

   a. At initial assignment to tasks where occupational exposure may take place.

   b. At least annually thereafter.

3. The department provides additional training when changes affect the employee's occupational exposure. Training may be limited to addressing the new exposures created.

4. Training records include the following information:

   a. Dates of training sessions.

   b. Names and qualifications of persons conducting the training.

   c. Names and job titles of all attending the sessions.

AA. CPR Training

1. CPR shall still be administered. There is no current evidence of transmission of the AIDS virus during CPR.

BB. Hepatitis B Vaccination Program

1. All employees who have occupational exposure to Hepatitis B are offered HBV vaccinations free of charge. Post-exposure evaluation and follow-up is offered to all employees who have an exposure incident.

2. Vaccinations are available at a reasonable place and time, performed by a licensed healthcare provider, and completed as per the U.S. Public Health Service.

3. All employees receive training in the cause and prevention of HBV. Employees with occupational exposure are offered the vaccinations within 10 working days of initial assignment with occupational exposure, unless previously vaccinated or the vaccine is not advisable for medical reasons.

4. The department HBV Vaccination Program involves three phases:

   a. Training, so each employee can make an informed decision about program participation.

   b. Scheduling and vaccination of employees.

   c. Accumulation of employee data.

5. Vaccinations are a series of three shots over a six-month period. A post-titre test is available after completing the series.

6. If an employee initially declines to participate and later decides to accept the vaccinations, the employee may start the vaccination series after signing the consent form.

7. Routine booster dose(s) of Hepatitis B vaccine will be provided, if recommended by the U.S. Public Health Service at a future date.

8. Vaccination for HBV does not relieve employees from using universal precautions when working. Use the proper equipment and training whenever possibly exposed to an infectious disease.

9. ***THE HBV VACCINATION DOES NOT PROVIDE IMMUNITY IN ALL CASES.***

CC. Other Issues in the Workplace

1. Food Service Workers

a. All food service workers shall practice good personal hygiene and food sanitation. Exercise care to avoid injury to the hands when preparing food. Discard any food contaminated with blood.

b. Food service workers known to be infected with the AIDS virus need not be restricted from work, unless they have other infections or illnesses which would restrict any other food service worker.

2. Discrimination in the Workplace

a. Workers infected with HIV or AIDS are protected from discrimination. They are not restricted from using telephones, office equipment, showers, eating facilities, water fountains, etc.

3. Employee Responsibilities

a. Every employee shall:

(1) Learn about universal precautions.

(2) At all times of potential exposure, use personal protective equipment and safe workplace practices.

(3) Be retrained if not in compliance with the mandates listed above.

(4) Become subject to corrective or disciplinary action for any non-compliance with this exposure control plan.

4. Commander Responsibilities

a. Ensure each area in the command is reviewed on a regular basis for compliance with this procedure.

b. Ensure all employees have access to a copy of this procedure.

c. Ensure all exposure incidents are handled in accordance with this procedure.

Applies to: All WSP Employees
See Also: RCW 70.24; WAC 296-823, OSHA 300

5.00.030 AIRBORNE DISEASES, EXPOSURE

I. POLICY

A. Training Division Responsibility

1. This procedure is the department exposure control plan for occupational exposure to airborne diseases. The Training Division has the responsibility and authority for this program. The Training Division Commander is responsible for annual review and recordkeeping related to airborne diseases.

B. Exposure Determination – Tuberculosis

1. Employees "with occupational exposure" to TB are those whose duties may require participation in high hazard procedures (i.e., entering areas designated for the treatment of TB or transportation

and/or prolonged contact in enclosed spaces with the public), in accordance with WISHA and OSHA guidelines. "High Hazard Procedures" are those with the potential to generate droplet nuclei, such as certain medical procedures (e.g., bronchoscopy, endotracheal entubation) and autopsies. The following job classes are eligible for annual skin testing, issued respirators, and annual training and fit-testing:

a. Commissioned employees

b. Identification and Criminal History Section Trainers

c. Breath Test Technicians

d. Deputy State Fire Marshals

e. Trooper cadets

C. Exposure Determination – Other Airborne Diseases

1. Employees with "occupational exposure" to other airborne diseases, including Hantavirus, are those who have duties in areas such as remote sites, outbuildings, storage sheds, attics, and crawl spaces. The following job classes with occupational exposure to airborne diseases (other than TB) are eligible for annual training and fit-testing and are issued respirators:

a. Commissioned employees

b. Commercial Vehicle Enforcement Officers and Commercial Vehicle Officers

c. Maintenance Mechanic 1

d. Custodian 2

e. Trooper cadets

f. Deputy State Fire Marshals

g. Fingerprint Technicians

h. Vehicle Identification Number Inspectors

i. Information Technology Division employees with field exposure

j. Electronic Services Division employees with field exposure

k. Property Management employees with field exposure

D. Tuberculosis (TB) Disease

1. Tuberculosis (TB) is a contagious disease, spread from person to person through the air by coughing or sneezing. TB usually affects the lungs, but is also found in other parts of the body, such as joints, and can be released into the air during certain medical procedures and autopsies.

2. TB is carried in infectious droplet nuclei. Because of the small size, normal air currents keep the nuclei airborne and can spread them throughout a room or building.

3. Likelihood of infection partially depends on the concentration of infectious droplets, the amount of time exposed, the carrier's level of infectiousness, and the force of coughing or otherwise expelling air. This is compounded in small, enclosed spaces or places with poor ventilation or recirculated air.

4. Less than 1 percent of newly infected people become ill quickly. About 5 to 10 percent slowly develop the illness after months, years, or decades. Symptoms of active TB include sputum-producing cough, coughing up blood, weight loss, loss of appetite, night sweats, lethargy/weakness, or fever.

E. TB Skin Testing Procedures

1. All trooper cadet candidates are screened with a TB skin test before employment.

2. All employees with occupational exposure to TB shall be offered an annual skin test, at no employee expense. Testing is the Mantoux technique, using an intradermal injection of purified protein derivative used to determine infection. The test is interpreted after 72 hours.

3. Those who choose to participate shall sign a consent form. Those who decline testing shall sign the waiver portion of the form. To participate later, sign a consent form. Forms shall be filed at the Human Resource Division.

4. If the skin test is positive or the employee has symptoms, follow-up care may include a chest x-ray, sputum sample, and/or medicine.

F. Hantavirus Pulmonary Syndrome

1. *Hantavirus pulmonary syndrome* is a rare, but serious, often deadly respiratory disease passed to humans through exposure to rodent urine, droppings, or saliva. These materials may be aerosolized during cleaning or sweeping. The disease is primarily carried by infected deer mice and has been found in 5 to 10 percent of the deer mouse population in rural and semi-rural Washington. The disease may also be transmitted through rodent bites or ingesting contaminated food. There is no evidence of person-to-person transmission.

2. Symptoms usually appear around 14 days after exposure, but can be as soon as three days or as late as six weeks. Early symptoms are general and flu-like, mainly fever and especially body aches. The disease progresses to pulmonary symptoms, including difficulty breathing. Intensive care intervention is crucial at this stage, as the earlier medical treatment is sought, the better the chance of recovery. No cure or vaccine is available.

G. Post-Exposure Procedures

1. Employees shall immediately report any suspected airborne disease exposure to their supervisor. A mutually agreed-upon healthcare provider will conduct any follow-up testing and treatment. Employees who suspect they have been exposed shall:

    a. Complete an Injury Report and forward it through the chain of command to the Human Resource Division (HRD).

    b. Complete a Labor and Industries Accident Report where medical care is obtained.

2. If the employee is infected, HRD shall record the exposure on the OSHA Log and Summary of Occupational Illnesses and Injuries. Depending on the type of disease, an infectious employee may be placed on leave until released by the attending healthcare provider. For TB exposures, retests shall be every six months after an exposure incident, or as recommended by a licensed healthcare professional.

3. To assist in the investigation of the source of TB disease, the infected employee's commander shall provide the following to the Public Health Officer, upon request:

    a. Coworker information.

    b. Venues to investigate (e.g., Academy training, court appearances).

    c. Violators and other persons contacted.

4. The Health Officer has full authority to investigate and quarantine. Investigations are conducted per federal and state regulations, including disclosure procedures.

H. Personal Protective Equipment

1. Use of personal protective equipment shall be based upon the employee's judgment. Personal protective equipment shall be made available, at no cost, to employees with occupational exposure to airborne diseases. Use the personal protective equipment unless, through professional judgment, it is determined its use:

    a. Would prevent healthcare or public safety services; or,

    b. Would create an increased hazard for self or others.

2. Document the circumstances to determine if changes could be made to prevent future occurrences. Forward documentation to the Training Division for review.

I. Respirators

1. All employees with occupational exposure to airborne diseases shall be issued a NIOSH-approved respirator.

2. Respirators are issued based on individual fit testing.

3. Physician guidelines will determine if a person can be assigned to a task requiring respirator use. A person who cannot meet the guidelines must be cleared by a qualified physician before performing such a task. All employees who may have occupational exposure to airborne diseases shall complete a Health Questionnaire prior to initial fit testing. A medical provider reviews the questionnaire and HRD coordinates follow-up medical examinations. A physician may determine if respirator wearers have enough protection and if further precautions are needed.

4. Supervisors shall evaluate any respiratory hazard by noting work areas and degree of employee exposure.

5. To keep the respirators ready for use:

   a. Keep clean. Store in the plastic bag so the respirator retains its original shape. Inspect for damage monthly and just before using.

   b. Keep it in the patrol vehicle or in the work area for immediate access.

   c. Do not wear if the respirator does not seal to the face.

J. Leaving a Hazardous Area

1. An employee may leave a hazardous area while wearing a respirator when:

   a. The respirator provides inadequate protection.

   b. The respirator malfunctions.

   c. There is leakage or increased resistance for breathing.

   d. Wearing the respirator causes severe discomfort.

   e. The wearer becomes ill, including breathing difficulty.

K. Work Practice Controls

1. Inspect the respirators monthly and immediately prior to use, for damage.

2. Respirators shall be worn whenever involved in a "high hazard procedure."

3. Respirators shall be worn when clearing rodent droppings or nests, disposing of rodent carcasses, or when following decontamination procedures involving rodent activity.

4. Respirators shall be worn when transporting or contacting a person with known or suspected TB in a closed space (e.g., patrol vehicles, holding cells).

5. Place a surgical mask on a person in custody with known or suspected TB disease before transporting to reduce the concentration of droplet nuclei. Do NOT place the personally issued respirator on the person (one-way valve).

6. To reduce employee exposure to airborne diseases, transport all persons with the vehicle temperature controls set at DEFROST or VENT (any non-recirculating setting) and the rear windows lowered approximately one inch.

7. After transporting a person with known or suspected TB or other airborne disease, open the rear doors of the vehicle and allow fresh air to circulate for 30 minutes.

8. When possible, minimize or eliminate the potential hazard by contacting persons with known or suspected TB or other airborne disease outside an enclosed space.

9. When entering an autopsy room, wear a respirator if an autopsy is in progress or has been conducted within five hours.

10. Wear a respirator if entering a room or medic van where a high hazard procedure has been or is being conducted.

L. Decontamination

1. When using cleaning products, follow the manufacturer's recommendations to ensure proper decontamination. If using a 1-to-10 bleach solution, leave on for 10 minutes (longer with caked-on contamination) before rinsing.

2. Respirators are single-use only. Place used respirators in a biohazard bag and dispose of in the biohazard bin.

3. Spray enclosed areas with an EPA-registered sterilant or 1-to-10 bleach solution.

4. Clean potentially contaminated surfaces with a 1-to-10 bleach and water solution or an EPA-registered sterilant.

5. If there are signs of rodent activity (droppings, shavings, etc.), if possible, air out the room/building for 30 minutes prior to entering.

6. Do NOT sweep or vacuum surfaces if rodent activity is present. Wet down surfaces or objects to clean with a 1-to-10 bleach solution, then wipe with sponge or towel (discard after use).

7. Soak used rodent traps, rodent carcasses, and any other potentially contaminated items in a 1-to-10 bleach solution, place in a red biohazard bag, and dispose of in a biohazard bin.

M. Recordkeeping

1. The Human Resource Division shall retain the following confidential medical records for employment duration plus 30 years:

   a. Reports of any medical treatment resulting from an exposure.

   b. All exposure reports.

   c. Health Questionnaire and any reports of medical examinations.

   d. Consent/waiver forms for skin testing.

   e. Records of fit-testing.

   f. Reports of contact investigation.

2. Training records, maintained by the Training Division, shall contain the names of persons trained, dates of training, and instructor names.

3. Supervisors shall maintain a monthly record of respirator inspections.

N. Training

1. Employees with occupational exposure shall be trained regarding airborne disease transmission, signs and symptoms, medical treatment, and work practice and engineering controls. Respirator wearers receive annual training to ensure proper respirator use.

2. Supervisors who oversee work activities of those who wear respirators shall receive training in ensuring proper use of respirators.

3. Persons who issue respirators shall receive training to ensure each person is issued the correct (fit, use, etc.) respirator.

Applies to: All WSP Employees
See Also: RCW 70.28.031; WAC 246-170, 296-62-071

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

I. POLICY

A. Hazard Communication Program

1. A Hazard Communication Program consists of the identification of hazardous chemicals in the workplace, making available to the employee information concerning the chemicals and training employees in the use of these chemicals.

2. Products that are marked or labeled as hazardous chemicals must be a part of a Hazard Communication Program.

3. Some hazardous chemicals used in the workplace are consumer-packaged for public use. If the use of these products results in employee exposures that are comparable to exposures experienced by the general public, a Hazard Communication Program is not necessary for these particular products.

B. Coordination

1. The commander of each applicable division/section shall select a supervisor from each detachment/unit to implement the Hazard Communication Program.

2. Each supervisor shall:

   a. Inventory all hazardous chemicals in the workplace.

   b. Determine the need for a Hazard Communication Program based upon chemical usage.

   c. Ensure that each hazardous chemical is properly labeled, tagged, or marked.

   d. Maintain Material Safety Data Sheets (MSDS) for the appropriate hazardous chemicals in the workplace. (The Human Resource Division shall supply MSDS's upon request.)

   e. Inform employees of any operations in their work areas that involve hazardous chemicals.

   f. Inform employees of the location and availability of the written Hazard Communication Program, including MSDS's.

   g. Document all hazardous chemical training.

C. Training

1. Supervisors must train employees who are exposed or potentially exposed to hazardous chemicals on:

   a. How the employee can detect the presence or release of hazardous chemicals.

   b. The physical and health hazards of hazardous chemicals in the workplace.

   c. How employees can protect themselves through work practices, emergency procedures, and personal protective equipment.

   d. How to obtain information from labels and MSDS's.

D. Written Plan

1. A written Hazardous Chemicals Plan shall be developed and maintained by the selected supervisors to explain how employees are informed and trained concerning hazardous chemicals in the workplace.

2. The plan shall include:

    a. A list of hazardous chemicals known to be present in the workplace, and a plan for updating the list.

    b. A description of labels used, with a procedure to review and update label warnings.

    c. Descriptions of how and where the MSDS's are to be maintained, who is responsible for them, the procedure for employee access, and how to update MSDS's with additional information.

    d. Descriptions of the information and training program, and who is responsible for it.

    e. An indication on how employees are informed about non-routine tasks.

    f. How contractors are informed of possible hazardous exposures and suggestions for appropriate protective measures.

E. Laboratories

1. Laboratories are covered less extensively than other departmental units and are not required to prepare a written Hazard Communication Program.

2. However, laboratories must:

    a. Ensure that incoming containers of hazardous chemicals are labeled properly and that labels are not removed or defaced.

    b. Keep MSDS's received for hazardous chemicals and make sure they are accessible to employees.

    c. Inform and train employees about hazardous chemicals in their work areas.

F. New Employees

1. Prior to starting work, each new employee will be provided a Health and Safety orientation that includes the following information and training:

    a. An overview of the requirements contained in the Hazard Communication Plan.

    b. Hazardous chemicals present at his/her workplaces.

    c. Physical and health risks of the hazardous chemicals.

    d. The symptoms of overexposure.

    e. How to determine the presence or release of hazardous chemicals in his/her work area.

f. How to reduce or prevent exposure to hazardous chemicals through use of control procedures, work practices, and personal protective equipment.

g. Steps the department has taken to reduce or prevent exposure to hazardous chemicals.

h. Procedures to follow if employees are overexposed to hazardous chemicals.

i. How to read labels and review MSDS's to obtain hazard information.

j. Location of the MSDS file and written Hazard Communication Plan.

2. Prior to introducing a new chemical hazard into any section of this department, each employee in that section will be given information and training as appropriate.

G. Non-Routine Functions

1. Periodically, employees are required to perform hazardous non-routine tasks. An example of a non-routine task is confined space entry for cleaning and painting.

2. Prior to starting work on such a project, each affected employee will be given information by the appointed supervisor about the hazardous chemicals he or she may encounter during such activity. This information will include specific chemical hazards, protective and safety measures the employee can use, and steps the department is using to reduce the hazards, including ventilation, respiration, presence of another employee, and emergency procedures.

3. It is the responsibility of supervisors to provide contractors with information about hazardous chemicals their employees may be exposed to on a job site and suggested precautions for the contractor's employees.

H. List of Hazardous Chemicals

1. A list of all known hazardous chemicals used by detachment or work unit employees shall be maintained at the work site.

2. The location of the MSDS on each such chemical shall be made known to all workers at the work site.

Applies to: All WSP Employees
See Also: WAC 296-800

Chapter 6

DISSEMINATION OF INFORMATION

► SECTION 00: MANUALS ◄

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

I. POLICY

A. Purpose of *Regulation Manual*

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

B. Contents of *Regulation Manual*

1. The instructions contained in the manual are orders of this department, and as such, they are the minimum standards that will be acceptable from any employee. Certain situations will require the employee use common sense and good judgment. Employees are expected to comply with the instructions contained in this manual and demonstrate the use of good judgment on all occasions.

2. The directives outlined in this manual establish a basis for operational standards to assist employees in the exercise of discretion in discharging their responsibility. Policies and procedures may be deviated from when circumstances create sufficient justification to do so. Deviation shall be subject to departmental review and, in the absence of sufficient justification may result in disciplinary action and/or training.

C. Format of the *Regulation Manual*

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

D. Initiating Changes to the *Regulation Manual*

1. Any employee who wishes to propose changes, additions or deletions to directives in the *Regulation Manual* shall submit a draft to his/her immediate supervisor.

2. Upon approval, the supervisor shall forward the draft through the chain of command to his/her respective division/district commander.

3. Upon approval, the division/district commander shall forward the draft to his/her respective assistant chief/bureau director.

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

E. Concurrence Review Process

1. All department policies shall be reviewed by a concurrence committee composed of members selected by the Chief.

2. The comments and suggestions offered by the concurrence committee members shall be compiled by the Strategic Planning and Performance Section for the Chief's review prior to approval.

F. Policy Review Schedule

1. Each policy in the *Regulation Manual* shall be reviewed by personnel in the originating division/district/section according to the review schedule maintained by the Strategic Planning and Performance Section.

2. At a minimum, each policy shall be reviewed and/or revised once every three years, in order to ensure the necessity and accuracy of all department policies.

G. Accessing the *Regulation Manual*

1. The *Regulation Manual* may be accessed electronically through the department int**ra**net site. When an updated manual is ready for printing, the Strategic Planning and Performance Section will survey the department to determine the number of employees who require a hard copy of the manual, prefer a CD copy of the manual, or who are able to use the int**ra**net link to the manual. An order will be made accordingly and manuals will be issued according to the employee survey requests. Each work location (i.e., district offices, remote detachment offices, etc.) or work unit in a larger building will maintain one hard copy and several CD copies of the manual.

2. Employees are responsible for reviewing the contents of the manual. All employees shall sign a Directive Control Sheet upon receipt of the paper or electronic *Regulation Manual* and all subsequent General Orders, either reviewed in hard copy or accessed via the int**ra**net.

3. If transferring, employees who were issued a manual shall take it to their new assignment. When an employee leaves the department the manual shall be returned to the employee's supervisor.

Applies to: All WSP Employees
See Also: --

6.00.020 STANDARD OPERATING PROCEDURE MANUALS (CALEA 11.6.2, 12.2.1, 12.2.2)

I. POLICY

A. Purpose

1. All divisions/districts shall have a Standard Operating Procedure (SOP) manual, unless a waiver by the respective assistant chief/bureau director has been attained.

2. SOP manuals shall also be established for any agency major programs or services, especially those programs or services that impact the majority of employees (e.g., *Time and Activity Reporting System Manual, Budget and Fiscal Services Standard Operating Procedures Manual, Public Disclosure Manual, Supervisor/Employee Reference Manual*, etc.)

3. Section SOP manuals may be created at the discretion of the division/district commander.

B. Format

1. Procedures shall be maintained in chronological order or by subject heading.

2. Procedures shall be sequentially numbered.

3. All SOP manuals shall be formatted using an outline style, with the exception of technical manuals.

4. A style guide is available on Inside WSP on the “SOP and Other Manuals” page.

5. All SOP manuals shall be assigned an agency control number (see **Deployment** below).

C. Deployment

1. All SOP manuals shall be sent to the agency Documents Manager for control number assignment, including subsequent revisions. SOP manuals may be posted to Inside WSP by the Documents Manager after consulting with the business owner, unless confidentiality or other exemptions apply. SOP manuals with directives affecting all agency employees shall be posted on Inside WSP by the Documents Manager (or approved designee).

2. Division/district SOP manuals shall be issued to each affected division/district supervisor and be available to all division/district employees. SOP manuals representing major programs or services shall be issued to all affected supervisors and be available to all affected employees.

3. SOP manuals shall be reviewed by all new employees assigned to the command.

4. All employees shall sign a Directive Control Sheet, acknowledging review of SOP manuals for their division/district/section and for any SOP manual relating to a major program or service in which they participate.

D. Review

1. All SOP manuals shall be reviewed annually by the division/district commander or major program manager to determine if revisions are necessary.

2. At a minimum, SOP manuals shall be updated every three years.

3. SOP manuals may be revised on a more frequent basis (e.g., quarterly, semi-annually), if evolving business processes dictate the necessity.

E. Policy/Procedure Conflict

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

Applies to: All WSP Employees
See Also: --

► SECTION 01: RECORDS ◄

6.01.010 RECORDS RETENTION (CALEA 42.1.3, 82.1.3, 82.3.5)

I. DEFINITIONS

A. Copies – Records not altered from the original or received from external sources with no retention value. Records used only for convenience, reference, and/or information purposes.

B. Originals – Shall include any copies that have been altered or expanded upon, to include the addition of handwritten notes.

C. Record – For retention purposes, a record is defined as: Any paper, correspondence, completed form, bound record book, photograph, film, sound recording, map drawing, machine-readable material, electronic data, compact disc, or other document, regardless of physical form or characteristics, and including such copies thereof, that have been made by or received by any agency of the state of Washington in connection with the transaction of public business.

D. Records Retention – The preservation, maintenance, and timely destruction of public records.

E. Retention Value – The classification of a record that determines the administrative, legal, fiscal, or archival requirements.

II. POLICY

A. Records Retention

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

2. The Washington State Patrol is only authorized to use the Unique Schedule and the State General Records Retention Schedule for retention requirements. Current retention information can be located on the Risk Management Division (RMD) Intranet Web site.

B. Schedule

1. Each division/district shall maintain, and keep current, their assigned Unique Schedule.

2. Any requested changes or additions to the Unique Schedule shall be approved by the Retention Officer located in the PDS.

C. Disposal

1. Records shall be retained according to the current retention requirements. Once records have reached their retention limit in the office, they shall be disposed of as follows:

   a. Records with a Records Center retention requirement shall be forwarded to the Records Center for the duration of the retention period.

   b. Archival records shall be forwarded to the State Archives following established agency procedures.

   c. All other records generated by the agency shall be shredded/recycled once they have met their retention requirement.

   d. Documents used only for convenience, reference, and/or informational purposes may be destroyed when no longer needed. No destruction form is required.

D. Process for Final Disposition

1. Retention, transfer, and destruction forms that are specific to the retention process shall be utilized according to form requirements.

   a. **Archival Box Content List** – This form is required when sending records to the State Archives.

   b. **Records Destruction Form** – This form must be completed with approval signature from the PDS before destruction of any record with retention value occurs.

   c. **Release Authorization Form** – This form is specific to the release of all commissioned officers' supervisory files. Prior to release, this form must be completed with approval signature from the PDS (WSPTA and WSPLA Collective Bargaining Agreements).

   d. **Transmittal Form** – This form is required when sending records to the State Records Center.

Applies to: All WSP Employees
See Also: RCW 40.14; General Records Retention Schedules; Release Authorization Form; Transmittal Form; Records Destruction Form; Archival Box Content List

6.01.020 ELECTRONIC MAIL RETENTION

I. POLICY

A. Electronic Mail Retention

1. Electronic mail (e-mail) is a public record in the same manner that other documents are considered public records under state law. The content of the message and any attachments determine how long the record shall be maintained.

2. The employee who sent the original message must retain the record if it falls under the Retention Schedule requirements. E-mails should not be retained on the server for longer than six (6) months. Current retention information can be found on the Public Disclosure Section Intranet site.

3. E-mail that is considered to have no administrative, legal, fiscal, or archival requirement for its retention shall be deleted. ("Archival" in this case means mail of a historical value; e.g., the Chief's mail.) According to the State General Records Retention Schedule (GS 50), the following e-mail may be deleted immediately without filling out a destruction form:

   a. Personal messages and announcements not related to official business.

   b. Information-only copies or extracts of documents distributed for reference or convenience, such as announcements or bulletins.

   c. Telephone-like messages that do not contain official policy or procedural directives.

   d. Copies of published materials.

   e. Extra copies of any document (duplicates).

   f. Preliminary drafts of documents that only have stylistic, spelling, or grammatical changes.

   g. Document errors; incorrect versions of documents.

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

6.01.030 SEALING OR DESTROYING CASE RECORDS (CALEA 42.1.3)

I. POLICY

A. Court Order to Seal Records

1. When required by court order to seal records of a department case file, the division/district commander in charge is required to comply.

2. If the order does not appear reasonable or there are questions, the order should be sent to the Labor and Policy Advisor. After review, the commander shall be notified of the action to take.

3. The case file shall be sealed by:

   a. Taping the file closed with evidence tape.

   b. Noting the date and name of the person sealing the file.

   c. Attaching a copy of the court order to the outside of the file.

4. The sealed file shall be left in its original location, and destroyed after the expiration of the retention period.

5. Contents or existence of the file cannot be given to anyone without court order or other legal process. If there is an inquiry, the response should be the records "are confidential, and no information can be given about the existence or non-existence of records concerning an individual."

6. If a court order indicates destruction of a case file or any of its parts, the order shall be sent to the Labor and Policy Advisor, who shall advise the commander of the procedure to follow. The normal procedure shall be shredding. Response to inquiries about a destroyed file shall be "no such file exists." After destruction, the court order requiring destruction shall be sent to the Labor and Policy Advisor for filing.

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

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

I. POLICY

A. Requesting Information

1. Employees shall not directly contact any Assistant Attorney General (AAG) unsolicited with questions pertaining to torts, lawsuits, or public disclosure. Employees shall route all questions through the appropriate chain of command as follows:

   a. Any unsolicited questions pertaining to department torts shall be routed to the Tort Claim Coordinator located in the Public Disclosure Section.

   b. Any unsolicited questions pertaining to department lawsuits shall be routed to the Risk Management Division Commander.

   c. Employees shall route all questions pertaining to public disclosure to their district Public Disclosure Coordinator or the department's Public Records Officer located in the Public Disclosure Section.

2. When an AAG or tort investigator requests an employee to contact him or her, the employee should contact that AAG or investigator directly, but not before first advising his/her supervisor of the contact.

Applies to: All WSP Employees
See Also: --

6.01.045 ATTORNEY GENERAL'S RECORDS HOLD NOTICE REQUIREMENTS

I. DEFINITIONS

A. Tort Claim – A claim that has been filed against a state agency for alleged liability, usually filed with the Office of Financial Management or the Torts Division of the Attorney General's Office (AGO).

B. Lawsuit – Filed in state court upon completion of the tort claim process or in federal court in lieu of the tort claim process in matters involving alleged liability of the state.

C. Discovery – The efforts of a party to a lawsuit and their attorneys to obtain information before trial through demands for production of documents, depositions of parties, and potential witnesses. The theory of broad rights of discovery is that all parties will go to trial with as much knowledge as possible and that neither party should be able to keep secrets from the other.

D. E-Discovery – Discovery that deals specifically with electronic records.

E. Electronically Stored Information – Any information stored on computers or other electronic devices.

F. Relevant Electronically Stored Information – Data in electronic form of any kind that may reasonably be understood to be relevant to the matter at issue, for use in defense of that state or state employees, and/or for possible disclosure in discovery.

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

H. Employees with Data – Any and all employees who have or might have electronically stored information that could reasonably be understood to be relevant to the issues raised by a claim or lawsuit.

I. Records – Includes writings, drawings, graphs, charts, photographs, and all other data compilations from which information can be obtained.

II. POLICY

A. Risk Management Division Responsibility

1. Meet with the AGO-assigned tort investigator to clarify the scope of the NOTICE.

2. Identify all employees with data or who have or may have knowledge relating to the claim or lawsuit.

3. Provide each identified employee with a NOTICE.

4. Assist the Assistant Attorney General (AAG) with coordinating employee responses associated with the lawsuit and NOTICE.

B. Employee Responsibility

1. The Risk Management Division (RMD) will provide a copy of the lawsuit or NOTICE to affected employees. Each employee will review the lawsuit and NOTICE to determine what records in their possession and/or under their control could reasonably relate to the lawsuit.

    a. Once a tort claim or lawsuit has been filed, each employee is obligated to retain all records in their possession that could reasonably be considered to be relevant to the matter. This includes any records that may be created in the future.

2. Each employee with data will follow the instructions of the NOTICE and reply to both RMD and the assigned tort investigator in writing within the designated time frame.

C. Attorney General's Responsibility

1. The AGO will send a NOTICE to the department when a tort claim or lawsuit has been filed, identifying the employee(s) named in that lawsuit.

    a. The AAG or tort investigator assigned to the lawsuit will be available to answer any clarifying questions regarding the NOTICE. The contact information for the AGO will accompany the NOTICE.

2. Once the AAG has received the requested response back from employees with data, the assigned tort investigator will contact the employee. The tort investigator will discuss and retrieve copies of the records identified by the employee in the signed statements sent to RMD.

3. The employee can anticipate being asked by the investigator to provide the records and sign a statement verifying that they have completed a diligent search for records.

4. Possible relevant electronically stored information and records include, but are not limited to:

    a. Word documents

    b. Excel documents

    c. Access information

    d. Inter/Intranet Web site

    e. E-mail

    f. Text messaging

    g. Computer drives

    h. Removable media

    i. Drafts

j. Office file material

k. Computer file material

l. Server file material

m. Drawings and photographs

n. Non-official file material notes

o. Audio or video recordings

p. Agency specialty software

q. CD/DVD disks

r. Floppy or zip disks

s. Remote hard drives

t. Privately owned devices upon which Washington State Patrol business is conducted

u. Other records

v. Duplicate records

w. All other data/records

Applies to: All WSP Employees
See Also: --

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

I. DEFINITIONS

A. Public Disclosure Request — Request from outside the department for copy of any public record used in the administration of the department or investigations completed by department personnel. Documents, pamphlets, or other department material published for distribution to the public do not fall under this policy. Department information requested by other law enforcement agencies will be handled on a case-by-case basis.

B. Law Enforcement Agency — For the purposes of this policy, means an enforcement agency that has a legal right to criminal history information.

C. Public Record — Any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

II. POLICY

A. Requesting Records

1. The public has a statutory authority to request to view or receive copies of documents produced by the department. There are

requirements setting out how requests must be made, how the department must respond, and under what specific situations all or portions of a request may be withheld.

a. Employees shall follow public disclosure policies and procedures, as outlined in state statutes, Washington Administrative Code (WAC), this policy, and the *Public Disclosure Manual*. The manual is available on the department Intranet site. All questions should be directed to the department's Public Records Officer in the Risk Management Division (RMD).

b. Original documents including audio/videotapes, photographs, negatives, and negative proof sheets shall not be released.

2. Requests for information by a union must be forwarded to the Labor and Policy Advisor.

B. Commander Responsibility

1. State law directs that the department shall make certain records "promptly available to any person." To streamline this process, the Fire Protection Bureau Director, Forensic Laboratory Services Bureau Director, and each division/district commander shall identify a position to serve as their Public Records Coordinator. The ultimate responsibility for public disclosure rests with the commander. It will be the commander's responsibility to ensure:

a. Requests are answered promptly.

b. Exempted information is redacted.

c. Appropriate training is provided to the identified coordinator(s) regarding this procedure.

C. Response Time

1. As required by Chapter 42.56 RCW, the bureau/division/district commander, or his or her designee, shall respond to a requester within five business days by either:

a. Providing the requested material.

b. Acknowledging the request by letter and providing a reasonable estimate of time that will be required to respond. Extensions longer than 20 days must be approved by the Public Records Officer.

c. Denying the public record request, stating the applicable exemption.

2. If a record or portion of a record cannot be released, the bureau/division/district commander, or his or her designee, shall advise the requester by letter, indicating the reason for denial. The appropriate RCW exemption shall be stated.

D. Public Records Requests Received at Division/District Office

1. If the records being requested are available in division/district files, within five business days, they shall be redacted (see *Public Disclosure Manual*), if needed, and disclosed immediately.

2. Every public disclosure request shall be entered into the department's public disclosure database by the coordinator who fills the request.

3. A fee, as set by the WAC or Department Cost Recovery study, will be charged for 20 or more pages of copy. The requester shall pre-pay before receiving documents.

4. The Public Records Officer in the Risk Management Division (RMD) shall be consulted on any unusual or questionable disclosure request. If a public records request involves more than one division or district, the Public Records Officer in RMD shall determine who will coordinate the response.

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

E. Requests Received at Detachment/Section Office

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

F. Confidential Information

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

G. Attorney General/Labor and Policy Advisor Requests

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

H. Pre-Trial Interviews

1. It is common practice in the legal field to interview all witnesses prior to trial. Department employees are not required to obtain permission of legal counsel to attend pre-trial interviews if the department, or another state agency, is not a party to civil action (see also I. **Depositions** below).

2. Information given during such pre-trial witness interviews shall be limited to facts regarding the case. Opinions, conclusions, and recommendations shall not be expressed during such interviews. Testimonies of forensic scientists should be excluded. Evidence involving opinions, conclusions, and recommendations are only admissible in court if given by a person who is qualified as an expert in the field.

3. Departmental employees are not allowed to testify as experts, unless the Labor and Policy Advisor approves. Testimonies of forensic scientists should be excluded.

4. A redacted version of the investigation file may be inspected during the interview.

5. Requests for copies of documents inspected at the time of the interview shall be made in accordance with this policy.

I. Depositions

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

J. Subpoena/Interrogatory for Records

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

K. Release of Employee Information

1. Employee residential addresses, telephone numbers, and e-mail addresses shall not be released to non-employees, unless approved by the employee, nor transmitted via department radio. Employee duty hours shall not be released to non-employees. This shall not preclude the release of such information to the prosecutor's office for official business. Information requests shall be released to family members, with supervisor approval.

2. Employees and former employees may request information contained in their official personnel, medical, payroll, or supervisory desk files without going through public disclosure. However, former employees may be required to pay copy and mailing costs.

3. Employee name, age, sex, and duty station can be released only after the immediate family member has been notified in the case of an on-duty death, injury, or involvement in a collision.

L. Verbal Release of Investigative Information – Before Action by Prosecutor

1. When a request is received from the media for information surrounding an investigation, before the prosecutor has made a determination of charges, the following information can be disclosed:

   a. Name (unless a juvenile), age, sex, and city of residence.

      (1) For juveniles, name, age, sex, and city of residence can be released only in specific circumstances; in the following situations, juvenile information may **NOT** be released:

(a) When the juvenile is a suspect in a crime.

(b) When the juvenile is a victim of a crime.

(c) When the juvenile (or their guardian) has indicated a desire for anonymity.

b. Alleged offense.

c. Name of the investigating and arresting units/agencies and approximate length of the investigation.

d. Circumstances of the arrest or violation, including the time and place, resistance, pursuit, possession of weapons, etc.

e. The above information may be compiled and released by Communications in a Collision Memo.

f. No video or photographs shall be taken on private property without the permission of the owner or the owner's representative (see **AGENCY IMAGE POLICY** and **MOBILE VIDEO CAMERA EQUIPMENT**).

g. Video or photographs may be taken at the scene of a collision/arrest to coincide with a media release and sent to the media providing:

(1) No victim(s) is shown.

(2) No license plates are shown; all plates must be blocked out before dissemination.

(3) No drivers pictured are under the age of 18.

(4) No pictures of fatal collisions can be released without notification of the next of kin.

(5) All materials shall be forwarded to the case investigator for inclusion in the case file as evidence. This includes the media release, and any photos or video taken and distributed to the media. This will allow the Public Disclosure Coordinator to go to one central location for requests instead of contacting each Public Information Officer (PIO) every time a disclosure request is made.

(6) The general public needs to have the same access to all information provided to the media (as required by law). If the public wants to see the media release or photos or video taken specifically for release to the media, they must have access to them without having to go through public disclosure. For this reason, each PIO must keep a file of all media releases, video, and photographs sent out so they are available on an immediate basis if citizens request to see them. This media file has a two-year retention schedule. Media releases, video, and photographs shall not be deleted prior to the two-year retention for any reason.

(7) Government and Media Relations (GMR) shall receive a copy of all media releases, video, and photographs sent out from all divisions/districts/sections (see **DISTRICT/DIVISION/SECTION PUBLIC INFORMATION OFFICER**).

2. When releasing information, employees shall release it to all media on an equal basis.

3. The above information may be compiled and released by Communications in a Collision Memo.

4. Employees shall advise their supervisor immediately when releasing information about a criminal investigation. If the information is newsworthy or there are requests for more details, the supervisor shall immediately notify the district/division/section PIO (see **DISTRICT/DIVISION/SECTION PUBLIC INFORMATION OFFICER)**.

5. The following information shall not be released:

   a. Opinions about a defendant's character, guilt, or innocence.

   b. Admissions, confessions, or the contents of a statement or alibis attributable to a defendant.

   c. References to the results of investigative procedures, such as fingerprints, polygraph examinations, ballistic tests, laboratory tests, and breath or blood alcohol levels.

   d. Statements concerning the credibility or anticipated testimony of prospective witnesses and their identity.

   e. Opinions concerning evidence or argument in the case, whether or not it is anticipated that such evidence or argument will be used at trial.

   f. Documents contained in an investigation in which the prosecutor has not made a determination shall not be released. If information is newsworthy or there are requests for more detail, the District Public Information Officer or department Public Records Officer shall be notified.

M. After Prosecutor Makes Determination

1. After the prosecutor makes a determination of charges, records are available for public disclosure. If the prosecutor declines prosecution, the records are available for disclosure immediately, unless the criminal case becomes an internal administrative case. If the prosecutor files charges, disclosure should be made in coordination with the prosecutor's office. If the prosecutor's office requests that records not be disclosed, all records requests shall be referred to the Public Records Officer in the Risk Management Division (RMD).

2. Employees shall keep criminal history record files confidential and secure, except when law requires or allows disclosure.

3. Employees shall not prevent the photographing of defendants in public places outside the courtroom, nor encourage pictures, nor pose defendants. The department may release a suspect's photograph if it serves a significant law enforcement or public interest, such as to apprehend a fugitive. Division/district commanders or the prosecutor shall determine release of such photographs. No departmental photographs, mug shots, videotape, film, or other composites of the subjects in custody shall otherwise be released to the media unless authorized by the commander of Government and Media Relations, who will consult with department legal counsel and the Chief (see **AGENCY IMAGE POLICY**).

N. Restricted Areas

1. Employees shall not prevent news media from entering an area, unless their presence might damage evidence or endanger department or other emergency personnel. Employees shall warn the media of any dangers in an area and shall obtain an acknowledgment that the risk is understood. The department shall not be held responsible for the safety of media representatives who enter an area after being warned of the dangers.

2. Any non-routine matters shall be channeled to supervisors, to District Public Information Officers, or to Government and Media Relations (GMR).

3. Inquiries shall be answered accurately, promptly, and impartially, with explanations for delays. If the facts are not known, employees shall advise the inquirer and attempt to obtain the information promptly.

4. Every effort shall be made to balance the needs of the media with that of the investigation.

5. The news media shall not be allowed access to any area or scene of an incident or crime where there is a possibility that evidence may be damaged, altered, destroyed, or otherwise prejudiced by its existence being published or portrayed. Once evidence has been processed, removed, and secured by the department, the media may be allowed to enter by permission of the on-scene supervisor.

6. Media representatives shall be denied access to the contents of investigative or incident reports and records where release of the information would:

   a. Interfere with law enforcement proceedings, including pending investigations.

   b. Deprive a person of the right to a fair trial or an impartial adjudication, or give one party to a controversy an undue advantage by exclusive access to such information.

   c. Constitute an unwarranted invasion of the personal privacy rights of another person.

d. Reveal the identity of an individual who has furnished information to the department under confidential circumstances.

e. Disclose investigative techniques and procedures, thereby impairing future effectiveness of the department.

f. Endanger the life or physical safety of any person.

7. Media representatives shall not be allowed on private property, photography, film, or videotape recording without the permission of the owner or the owner's representative (see **AGENCY IMAGE POLICY**).

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

1. Requests for records on department personnel or internal investigations shall be forwarded to the appropriate division commander. If the request is for records from two or more of these divisions, the entire request shall be forwarded to the Public Records Officer in the Risk Management Division (RMD).

2. The department shall refuse to disclose information in personnel or internal investigation files if that disclosure would violate the employee's right to privacy, as defined under RCW 42.56.050.

a. Upon receiving a request for all or part of a personnel or internal investigation file, the affected employee shall be notified and respond in accordance with the applicable collective bargaining agreement or Civil Service Rule. The affected employee may provide any objection to releasing the requested documents. The Assistant Attorney General may be consulted regarding the employee's objections.

b. If the department agrees that the employee's right to privacy would be violated, it will not release the document and will provide a defense in court, if necessary. If the department does not agree, it will notify the affected employee.

Applies to: All WSP Employees
See Also: RCW 42.56; *Public Disclosure Manual*; WSP Policies **Agency Image Policy, Mobile Video Camera Equipment, District/Division/Section Public Information Officer;** Department Cost Recovery Study

6.01.060 CRIMINAL HISTORY RECORD INFORMATION (CALEA 42.2.1, 42.2.2, 54.1.1, 82.1.1)

I. POLICY

A. Use of Criminal History Record Information (CHRI)

1. CHRI is available to department employees for purposes of investigations and increased personal safety. CHRI is confidential and, absent special circumstances, will NOT be disseminated to persons outside the department pursuant to the Washington State Criminal Records Privacy Act. Violations of this Act constitute a misdemeanor. Requests for CHRI by persons outside the

department are to be referred to the Identification and Criminal History Section.

2. CHRI shall only be requested for criminal justice purposes. All terminals accessing the NCIC III (Interstate Identification Index) through the state system (ACCESS) shall maintain a manual or automated log of III inquiries with notation of the individual making request for the record, person's name being inquired upon and date of birth, and the purpose code used. This log shall be maintained for one year. Purpose codes are as follows: "C" for criminal justice investigations; "J" for criminal justice employment (sworn and non-sworn employees); "F" for all firearms-related inquiries.

3. CHRI information shall only be disseminated to a second party when necessary to further a criminal investigation or to provide amplifying information for prosecution. When a CHRI is included in the Case File Tracking Envelope, employees shall indicate the CHRI's inclusion by checking the appropriate box under the "FILE CONTENTS" heading on the face of the envelope. When a case file is released with the CHRI, employees shall note the name and office of the person receiving the file under the remarks section on the face of the envelope. CHRIs shall be destroyed when no longer of use.

II. PROCEDURES

A. Requesting a CHRI Check

1. Officers shall request a CHRI check from Communications using the following information:

   a. Name

   b. Date of birth

2. Include other identifiers, if known:

   a. Sex

   b. Race

   c. Social Security number

   d. FBI

   e. State Identification number (SID)

3. All CHRI obtained is based on descriptors provided. Positive identification can be based ONLY on fingerprint identification.

4. Communications will submit the request to the Identification and Criminal History Section.

B. Methods of Retrieval

1. CHRI inquiries will generate a positive or negative automated response:

a. A negative response will provide a short automated message noting no records found.

b. A positive response received by a “QH” inquiry will provide a candidate list of names that are algorithmically closest to the query.

c. Upon receipt of a negative response, Communications shall advise the requesting officer "(subject's last name), no criminal history record."

d. Upon receipt of a positive response, Communications shall advise the requesting officer "(subject's last name), response forthcoming." This will indicate to the officer that the subject may have a criminal record.

e. Upon receipt of CHRI, the inquiry will be identified by the subject’s last name. Communications will advise the requesting officer "(subject's last name), prior record."

f. Upon acknowledgment, the officer will be advised of the CHRI.

C. Exceptions

1. If all known searches produce "No Hits" and there is sufficient reason to believe the subject has a criminal history record, a terminal message requesting assistance may be routed to the Identification and Criminal History Section.

2. CHRI may be obtained via telephone on an emergency basis; however, the Identification and Criminal History Section will respond only to telephone numbers listed on the official department directory on a call-back basis.

Applies to: All WSP Employees
See Also: --

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

I. POLICY

A. Releasing Names of Persons Injured or Killed

1. When investigated by the department, names of persons injured or killed will be released as follows:

a. When positive identification is made, requesting news media shall receive the information. However, when names are released, the media shall be advised if the next of kin has not been notified.

b. When requested, employees shall assist the coroner, medical examiner, prosecutor, or any other law enforcement agency in notifying next of kin.

c. Supervisors shall ensure the nearest appropriate embassy or consulate is informed of death or incapacitating injury of foreign nationals.

d. Each Communications Center shall maintain a current list of consulates.

e. When notifying Headquarters regarding fatalities, it shall be noted whether next of kin were notified and by which agency.

B. Department Employees

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

C. Emergency Notification

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

2. The commanding officer of the deceased employee shall initiate the necessary notification of the next of kin. A death notification shall be made in person by the commander or his designee unless physical conditions make it impractical. If necessary, death notification information may be transmitted by telephone to the detachment in the area nearest the residence of the person to be notified; the detachment supervisor shall then arrange for a personal notification. Supervisors, whenever practical, shall elicit the assistance of a member of the clergy and/or a friend of the family to contact the residence. After notification, the person should not be left alone.

3. The notification of a spouse or next of kin about a serious injury to an employee may be handled by a supervisor or a co-worker. The notification shall be made in person. Telephone notification shall be made only as a last resort. Arrangements should be made for transportation of the spouse or the next of kin to the hospital.

4. Notification of employees about the serious injury of an immediate family member should be handled by the employee's immediate supervisor whenever possible. Bereavement leave and/or other leave shall be granted immediately. The situation shall dictate whether or not the person should be left alone.

5. The provisions of this policy shall apply to notification of the next of kin of retired employees when the department receives timely notification of a serious injury or unexpected death.

Applies to: WSP Officers and Public Information Officers
See Also: Division (if applicable)/district procedure **Line of Duty Death or Serious Injury**; Emergency Data Card; *Trauma Guide*

Chapter 7

EMPLOYEE RIGHTS/PERSONNEL FILES/ POLYGRAPH EXAMINATIONS

► SECTION 00: RIGHTS ◄

7.00.010 EMPLOYEE RIGHTS (CALEA 52.2.5)

I. POLICY

A. Bill of Rights

1. Service to the people of the state of Washington, the protection of life and property, and the integrity and reputation of the Washington State Patrol depend upon the manner in which employees of this department perform their duties. The performance of these duties involves all employees in their contacts and relationships with the public.

2. Questions may arise from these contacts and relationships concerning the actions of employees. Those questions require prompt investigation by superiors designated by the Chief or other competent authority.

3. To ensure that investigations are conducted in a manner conducive to order and discipline, while observing and protecting the individual rights of each employee, the following rights are established.

B. Right of Appeal

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

C. Lawful Exercise of Rights

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

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

7.00.020 INVESTIGATIONS AND QUESTIONING (CALEA 52.2.5)

I. POLICY

A. Conditions of Questioning

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

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

a. Employees under investigation shall be informed of the nature of the investigation prior to any questioning. They may proceed to answer questions or may request time, not to exceed five days (excluding weekends and holidays), to consult with an attorney and/or prepare to participate in the investigation.

b. The employee under investigation shall be informed of the name of the person in charge of the investigation and the name of questioners and all other persons to be present during the questioning. The employee shall be informed of what investigative section the investigator represents.

c. The questioning shall be conducted at a reasonable hour, preferably at a time when the employee is on duty or during the normal waking hours for the employee, unless the seriousness of the investigation requires otherwise. If such questioning occurs during off-duty time of the employee being questioned, the employee shall be compensated for such off-duty time in accordance with regular department procedures.

d. Any questioning session shall be for a reasonable period, taking into consideration the gravity and complexity of the issue being investigated. Persons being questioned shall be allowed to attend to their own personal physical necessities as needed.

e. If prior to or during any questioning it appears the employee's actions or omissions may amount to a crime, the investigation shall stop and the Chief shall be notified immediately. The Chief shall determine whether to continue the administrative investigation or to conduct a criminal investigation.

f. In most instances, a criminal investigation of an employee will be conducted by the Investigative Services Bureau. Any attempt to obtain a statement from the suspected employee will be preceded by the giving of and inquiring as to the understanding of the employee's Constitutional Rights. A suspected employee is one for which a criminal investigation has gone past the investigatory stage to the accusatory stage.

g. Employees are required to comply with the regulation concerning **INTERNAL INVESTIGATIONS**. This regulation requires employees to fully and truthfully answer all questions asked during, and cooperate fully in, any and all administrative investigations. All questions asked and actions taken during such administrative investigations will be specifically, directly, and narrowly related to performance of duties within the scope of employment and fitness to hold the position.

h. During the course of an administrative investigation, employees may be asked questions which would incriminate them. These questions must be answered or the employee will be subject to disciplinary action, which could include termination of employment with the department. This does not constitute giving up any Constitutional Rights, as any information gained as a result of an employee's answers to such questions cannot and will not be used in any manner against them in any criminal proceeding. This is consistent with law which provides no employee may be directed or required to give up their Fifth Amendment right against self-incrimination.

i. Employees, at their request and own expense, shall have the right to be represented by a person of their choice who may be present at all times during questioning. The person's representative may not interfere with the investigation and will be subject to the direction of the investigator.

j. Employees shall not be subjected to any offensive language, nor shall investigators make promises or threats as an inducement to answer questions.

k. The department shall not cause employees being questioned to be subjected to visits by the press or news media, nor shall their home address be given to the press or news media without their express consent.

l. The complete questioning of an employee may be recorded. If a tape recording is made of the questioning, the employee shall be entitled to a copy of any tape recording in which they participated. The employee shall be informed at the start of the questioning that the session is being recorded.

B. Not Applicable in Normal Course of Duty

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

Applies to: WSP Officers
See Also: Garrity Advisement; WSP Policy **Internal Investigations**

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

I. POLICY

A. Grievance Process for Non-Represented Employees

1. The grievance procedure is established to effectively process grievances of employees in an orderly and timely manner.

2. A grievance is any dispute concerning the interpretation of regulations contained in the *Regulation Manual*.

3. The grievance process shall be overseen by the Labor and Policy Advisor, who shall maintain and control grievance records.

4. Employees with a grievance shall attempt to resolve the problem through their immediate supervisor.

5. Employees shall follow the steps outlined below in an attempt to resolve their grievance.

B. Step 1

1. Aggrieved employees shall bring grievances to the attention of their immediate supervisor and division, district, or section commander within 15 calendar days of occurrence. The grievance shall be presented in writing on the Grievance Form. The Grievance Form shall contain the following information:

   a. A statement of the grievance and the facts upon which it is based specifying any regulation violated.

   b. The specific wrongful act and the harm done.

   c. The remedy sought.

2. The supervisor shall note the time and date the grievance was received and advise the Labor and Policy Advisor, within 15 calendar days, that a grievance process has been started.

3. The supervisor and division, district, or section commander shall hold a meeting with the aggrieved employee within 15 calendar days of the receipt of the grievance to discuss the problem. The division, district, or section commander shall analyze the facts and render a decision. Within 15 calendar days of the meeting, the division, district, or section commander shall notify the employee in writing of the decision by affirming or denying the grievance and identifying the remedy or adjustments, if any, to be made.

C. Step 2

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

2. Employees may have a representative of their choice attend grievance meetings when it is determined to be necessary by the employee.

D. Reporting

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

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

► SECTION 01: FILES ◄

7.01.010 OFFICIAL PERSONNEL FILES (CALEA 26.1.8, 35.1.5)

I. POLICY

A. Human Resource Division Responsibilities

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

B. Contents of the Official Personnel Files

1. Contents of personnel files may include, but are not limited to, the following documents:

   a. Routine personnel/payroll transactions

   b. General personnel information

   c. Job performance

   d. Job Performance Improvement Plans

   e. Employee development and training

   f. Employment status

   g. Work history

   h. Work directives and counseling documentation

C. Access to Personnel Files

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

a. Employees with proper identification requesting to examine their own file. Examination will be in the presence of the HRD Commander or designee. Employees will not remove any material from their files; copies may be made for them by the HRD staff.

b. Executive Staff.

c. Human Resource Division Staff.

d. The employee's chain of command.

e. Prospective WSP supervisors.

f. Individuals whose official duties require access to personnel files (e.g., Personnel Appeals Board, Department of Personnel, State Auditor, Attorney General's Office, etc.). These individuals will be determined by the HRD Commander or designee.

g. Employee's representative as authorized by employee.

h. WSP Internal Auditor while conducting an audit on behalf of the Chief.

Applies to: All WSP Employees
See Also: Applicable Collective Bargaining Agreements

7.01.020 DISTRICT INFORMATION FILES (CALEA 35.1.5)

I. POLICY

A. File for Informational Purposes Only

1. The employee's district/section may keep this file for information purposes only. The file may include:

   a. Employee vital statistic information.

   b. Data concerning the employee's personal development.

   c. Data aiding department operations.

   d. Employee Action Request.

B. Disposition of Information Files

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

Applies to: All WSP Employees
See Also: Employee Action Request

7.01.030 SUPERVISORY DESK FILES (CALEA 26.1.8, 35.1.5, 52.1.1)

I. POLICY

A. Contents and Maintenance of Supervisory Desk Files

1. Supervisory desk files shall contain positive and/or negative supporting documents, counseling, work directives, evaluations, and/or records relating to an employee's job performance throughout the performance period.

2. Supervisory desk files for represented employees will be maintained in accordance with collective bargaining agreements.

3. Supervisors will retain supervisory desk files for employees through completion of the employee's annual performance evaluation. Material retained in a supervisor's desk file is considered confidential and will be maintained in a secure area.

4. Employees may review the supervisory desk file at any time.

B. Civil Service Employees

1. For civil service employees, once the evaluation has been completed, the file shall be destroyed unless it contains information relevant to a disciplinary action, a discrimination or civil rights complaint, or is part of an ongoing performance issue (such as an improvement plan), public disclosure, tort, or lawsuit.

2. A Records Destruction Authorization must be completed and forwarded to the Retention Officer for signature prior to destroying the file. In addition, once the employee leaves state service (resigns or retires), the file shall be maintained for one year before requesting destruction.

C. Commissioned Employees

1. For commissioned employees, once the evaluation has been completed, the file shall be returned to the employee unless it contains information relevant to a disciplinary action, a discrimination or civil rights complaint, or is part of an ongoing performance issue (such as an improvement plan), public disclosure, tort, or lawsuit.

2. A Records Transfer form must be completed and forwarded to the Retention Officer for signature prior to returning the file. In addition, once the employee leaves state service (resigns or retires), a copy of the file shall be maintained by the department for one year before requesting destruction.

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

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

► SECTION 02: POLYGRAPH EXAMINATIONS ◄

7.02.010 POLYGRAPH EXAMINATION (CALEA 32.2.6, 52.2.6)

I. POLICY

A. Polygraph Test Requirement

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

B. Voluntary Request of Polygraph

1. An employee at any time may request a polygraph examination when subjected to an interview or interrogation, except in cases of routine discussion, counseling, instruction, verbal admonishment, or other similar contact with a supervisor or other employee.

2. During any investigation, a polygraph examination can be administered only with the consent of the employee and the authorization of the Chief.

C. Use of Polygraph Results

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

Applies to: All WSP Employees
See Also: RCW 49.44.120; *Polygraph Procedure Manual*; Applicable Collective Bargaining Agreements

Chapter 8

RULES OF CONDUCT

► SECTION 00: CONDUCT ◄

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

I. POLICY

A. Employees Required to Obey Rules of Conduct

1. The Washington State Patrol Rules of Conduct shall govern the official and unofficial actions of all employees. A violation of the Rules of Conduct may be sufficient cause for disciplinary action.

2. Employees shall obey all laws of the United States, of this state, and of local jurisdictions.

3. Employees shall not commit any acts or omissions which would constitute a violation of any of the rules, regulations, directives, orders, or policies of the state of Washington or the Washington State Patrol. Ignorance shall not be considered justification for any violation.

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

1. Employees who know of or observe violations of laws, ordinances, rules of conduct, or official orders on the part of other department employees shall proceed as follows:

   a. Report such incidents at once to their immediate supervisor.

   b. Employees who believe that they possess information of such gravity that it must be brought to the immediate personal attention of the Chief may do so.

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

2. An employee shall not make a knowingly false complaint against any other employee.

C. Employees Under Criminal Investigation

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

2. Additionally, any employee who is the subject of a restraining/protection order shall notify their division/district commander immediately. The division/district commander will then conduct a review of the facts surrounding the order.

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

8.00.020 INTERNAL INVESTIGATIONS (CALEA 52.2.6)

I. POLICY

A. Preparation of Written Statements and Answering Questions as Required

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

B. Medical Examinations; Tests; Photographs; Lineups

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

Applies to: All WSP Employees
See Also: RCW 49.44.120

8.00.030 EMPLOYEE CONDUCT (CALEA 26.1.1, 33.7.1, 61.1.8)

I. POLICY

A. Unacceptable Conduct

1. Employees shall not engage in conduct which:

   a. Impedes the ability of the department to effectively fulfill its responsibilities.

   b. Causes a lessening of public confidence in the ability of the department to perform its functions.

   c. Causes an adverse effect on the discipline or efficiency of the department.

d. Impairs their ability to perform their job.

e. Constitutes a conflict of interest as prohibited by law or department regulation.

f. Creates a hostile or discriminatory work environment.

B. Immoral Conduct

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

C. Abuse of Position

1. Employees shall not use their official position, official identification cards, or badges for:

   a. Personal or financial gain.

   b. Obtaining privileges not otherwise available to them, except in the performance of duty.

   c. Avoiding consequences of illegal acts.

   d. Converting official contacts for social purposes.

2. Employees shall not lend to another person their identification cards or badges or permit them to be photographed or reproduced without the approval of the Chief.

3. Employees shall not authorize the use of their names, photographs, graphics, video or official titles which identify them as employees in connection with testimonials or to advertise or promote any commodity, commercial enterprise, political endorsement or not-for-profit organization without the approval of the Chief through the Office of Government and Media Relations.

D. Gratuities, Gifts, and Rewards

1. Employees must comply with the requirements of chapter 42.52 RCW, Ethics in Public Service, and chapter 292-110 WAC.

2. Employees shall not, either directly or indirectly, solicit or accept any gratuity or any other item of value where there is any connection, however remote, between such offer or solicitation and the employee's position with the department, except as expressly approved by the Chief. This prohibition includes:

   a. Merchandise, meals, beverages, or any other item of value which might tend to influence their or any other employee's actions in any matter of police business, or which may cast an adverse reflection on the department or any of its employees.

b. Any discounted services or merchandise whatsoever as a result of their employment with the department, unless such discount is routinely offered to various groups or individuals and not limited to state employees.

c. Gifts or gratuities from other employees if such items would adversely affect the actions of the employee in connection with departmental operations.

d. Becoming financially or otherwise indebted to any other person, business, or organization to the extent that work performance is affected.

e. Receiving any reward for services rendered incident to their position or duty as an employee of the department.

f. Free admission to places of amusement for themselves or others, unless such discount is routinely offered to various groups or individuals and not limited to state employees.

3. Under specific circumstances (e.g., Executive Services at special functions), or at commemorating official occasions, employees may accept unsolicited gifts from foreign or domestic dignitaries where custom or etiquette so requires. Such gifts shall be reported to the Chief, who shall direct their appropriate disposition.

E. Endorsements and Referrals

1. Employees shall not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional service, or commercial service (such as a specific attorney, ambulance service, towing service, bondsman, mortician, etc.).

2. In the case of ambulance or towing service, when such service is necessary and the person needing the service is unable or unwilling to procure it or requests assistance, employees shall proceed in accordance with established department procedures.

F. Associations with Known Criminals

1. Employees shall avoid regular or continuous associations or dealings with persons whom they know, or should know, are persons under criminal investigation or indictment, or who have a reputation in the community or the department for present involvement in felonious or criminal behavior or are known to be a convicted felon. Exceptions include those contacts necessary to the performance of official duties or family members.

2. For the purpose of this regulation, a family member shall be defined as parents, spouses, children, blood relatives, or those related through a legal marriage as defined by Washington State law.

G. Visiting Prohibited Establishments

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

H. Gambling

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

I. Use of Tobacco Products/Gum

1. Employees shall not use any tobacco products in departmental buildings or state-owned pool vehicles.

2. When smoking, employees shall maintain 25 feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited.

3. Use of tobacco products is prohibited during meetings. Individuals responsible for conducting meetings shall arrange for breaks at least every two hours for a period of time appropriate to accommodate those individuals who use tobacco.

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

J. Neglect of Duty

1. Neglect of duty is established when it is shown that an employee has a duty to his/her employer and that he/she failed to act in a manner consistent with that duty.

2. Employees shall not sleep or engage in any activities or personal business which would cause them to neglect or be inattentive to duty (e.g., playing games, watching non-work-related television/videos/DVDs/CDs), except in the performance of duty.

3. Employees shall immediately notify their supervisor if they are unable to continue to perform their duties or will be unable to report for duty as scheduled or assigned.

K. Conducting Private Business While On Duty

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

L. Reading On Duty

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

M. Fictitious Illness or Injury Reports

1. Employees shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the department as to the condition of their health.

2. Employees shall not deceive or attempt to deceive any official of the department regarding the reason for requesting or taking any form of sick leave.

N. Assignments, Seeking Outside Aid

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

O. Interference With Legal Processes – Unauthorized Investigations

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

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

P. Civil Actions – Employee-Initiated

1. Employees shall not interest themselves in any manner in any civil action growing out of their official police knowledge or actions, except by due process of law.

2. Employees who initiate a civil action for damages sustained in the line of duty shall advise their supervisor in writing. Supervisors shall forward all available reports and information to the appropriate assistant chief/bureau director.

Q. Attendance at Public Functions

1. Employees are prohibited from attending any of the following functions while on duty without prior approval of their commanding officer, unless their attendance has been requested as part of their official duties:

   a. Court trials and hearings

   b. Public hearings, city council, legislature, etc.

c. Guild or union meetings

d. Public demonstrations

2. This order does not preclude employees from carrying out their normal work assignments, but does prohibit their attendance at the above functions solely as spectators.

3. Employees shall not attend to personal business in any court case, hearing, arbitration, or mediation while in uniform. An officer in civilian clothing armed with a department or personal weapon attending to personal business in any court case, hearing, arbitration, or mediation shall check his/her weapon at court security in the same manner as any citizen with a concealed weapons permit.

R. Falsification of Employee Application

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

S. Carrying of Unauthorized Articles

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

T. Prohibited Action During Suspension

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

U. Cheating on Examinations

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

V. Criticism of Orders

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

W. Seeking Publicity

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

Applies to: All WSP Employees
See Also: RCW 42.52; Initiative 901

8.00.040 EMPLOYEE IDENTIFICATION (CALEA 22.2.7, 61.1.8)

I. POLICY

A. Furnishing Employee Identification

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

B. Carrying Badges and Commission Cards

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

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

Applies to: All WSP Employees
See Also: --

8.00.050 CONDUCT OF UNDERCOVER WSP OFFICERS (CALEA 26.1.1)

I. POLICY

A. Lawfully Fulfilling Duties of Undercover Assignments

1. Obtaining information and evidence regarding criminal activities may necessitate the department utilizing officers working in undercover capacities.

2. While working undercover, officers shall not knowingly and willfully commit any criminal act or omit to perform any duty imposed by law when such omission constitutes a crime, unless approved by the Chief.

B. Undercover Officers Posing as Members of the News Media

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

society and the news media which serves them, and could expose members of the media to danger.

Applies to: Undercover WSP Officers
See Also: --

8.00.060 BAIL FOR ACQUAINTANCES

I. POLICY

A. Furnishing Bail to Self or Others

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

Applies to: All WSP Employees
See Also: --

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

I. POLICY

A. This policy will be used in conjunction with the drug and alcohol testing procedures located in the *Supervisor/Employee Reference Manual*.

B. Alcohol – On Duty

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

C. Alcohol – Off Duty

1. Employees, while off duty, shall refrain from consuming alcohol or intoxicating beverages to the extent that it could constitute unacceptable conduct as described in these rules, or render them unfit to report for their next regular tour of duty.

D. Alcohol – Use in Department Facilities

1. Employees shall not possess, use, or store alcoholic beverages in any department facility or vehicle, except those being held as evidence, used for training under the direction of a supervisor, or as provided by law.

E. Drugs – Use

1. Employees shall not use or possess, outside of duty requirements, any narcotic, dangerous drug, or controlled substance, whether on or off duty, except at the direction of a physician, dentist, or other medical authority for medical purposes. Employees who are directed by competent medical authority to use a narcotic, dangerous drug, or controlled substance shall not use such medication to the extent that their performance is affected while on duty.

2. Employees directed by a licensed medical authority to use a narcotic, dangerous or prescription drug, or controlled substance while on duty shall be responsible for ensuring the drugs do not affect the performance of their job.

3. Employees are responsible for consulting with the medical authority as to any limitations on their ability to perform the duties of their position as a result of taking any legal/over-the-counter or physician-prescribed drugs. Employees shall immediately report any such limitations for taking the prescribed medications to their immediate supervisor or on-duty supervisor or authority before resuming their work duties.

4. The supervisor shall advise the division/district commander of any job limitations placed on the employee by competent medical authority. The supervisor and/or division/district commander shall consult with the Human Resource Division for a determination of appropriate job assignment based on limitations identified by competent medical authority.

5. An employee charged with a drug- or alcohol-related crime shall immediately notify his/her supervisor, in writing. Upon notification of the charge, the supervisor shall, within 24 hours, notify the Office of Professional Standards (OPS) of the facts of the case, through the chain of command. When OPS is notified of an employee's criminal conviction in a drug- or alcohol-related crime, the conviction shall be reported to Budget and Fiscal Services within 24 hours (see **GRANTS**).

F. Suspected Intoxication – Mandatory Testing

1. Appearing for work when the odor of alcohol or any signs of intoxication are observed or reported by another employee or a member of the public shall be reasonable grounds to constitute being under the influence of intoxicants while on duty.

2. If a supervisor has reasonable grounds to believe that any employee, while on duty, is under the influence of alcohol, drugs, or any intoxicating substance, the supervisor shall immediately require that employee to submit to physical and chemical tests for intoxication by alcohol, drugs, or any intoxicating substance.

3. In the event that alcohol is suspected, the employee shall immediately be required to submit to a breath alcohol test on a DataMaster, administered by a department officer at the direction of a supervisor or transported by the department to a collection site. Results of these tests shall be reported in the DUI packet. A DataMaster test result showing a breath alcohol concentration of 0.02g/210L or more shall be considered proof of violation of this policy.

4. If intoxicants other than alcohol are suspected, or if there is no DataMaster immediately available (within one hour of the initial report), a fully commissioned employee shall be transported to a collection site and shall be required to provide a blood sample, to be drawn by competent medical or paramedical personnel. Civil Service employees shall be transported to a collection site and shall be required to submit to a urinalysis.

5. The time lapse between the initial report of the employee's condition and the breath or blood test shall be accurately recorded. If a period of three hours or more pass before the first observed odor of alcohol or signs of intoxication are reported to a supervisor, the supervisor shall determine if an odor of alcohol or evidence of intoxication exists before implementing a test of blood or breath. The fact that a breath or blood test was not conducted does not mean that there cannot be a violation of this policy.

G. Employees Covered by WFSE, WPEA, Coalition, and Local 17 Collective Bargaining Agreements

1. Employees covered under the WFSE, WPEA, Coalition, and Local 17 Collective Bargaining Agreements will be subject to drug and alcohol testing procedures as outlined in the *Supervisor/Employee Reference Manual*.

2. Employees required to possess a Commercial Drivers License will be subject to random drug and alcohol testing as provided in the procedures contained in the *Supervisor/Employee Reference Manual*.

H. Employee Drug and Alcohol Assistance

1. The department is committed to a drug- and alcohol-free workplace for its employees. Drug and alcohol abuse is harmful to the employee, coworkers, and productivity. The costs associated with abuse include absenteeism, turnover, increased health care costs, and increased likelihood of accidents.

2. The department is committed to an abuse assistance program that encourages employees who recognize they have a problem to seek immediate help. The Department Psychologist, (360) 586-8492, is available to assist and/or make referrals. The Washington State Employee Assistance Program (EAP) is available in Seattle,

(206) 281-6315; Spokane, (509) 482-3686; and Olympia, (360) 753-3260. All are confidential, professional, and free to employees (except outside referrals).

3. The department recognizes that alcohol and substance abuse are addictions requiring medical attention. Supervisors should make every effort to encourage an employee suspected with a drug or alcohol problem to voluntarily seek psychological services. However, if a supervisor has sufficient documentation of substandard performance that has not improved with previous counseling or disciplinary action and the employee refuses to seek help, the concerned supervisor may request, through the chain of command, mandatory participation authorization from the appropriate bureau director or assistant chief. The procedure for such referral is outlined in the **DEPARTMENT CLINICAL PSYCHOLOGIST** policy under **Mandatory Participation**. Nothing in the preceding information should be construed as a waiver of the department's right and/or obligation to take disciplinary action where misconduct has occurred, whether or not that misconduct involved alcohol or substance abuse.

I. Entering Liquor Establishments

1. An employee, when in uniform, shall not enter any place in which intoxicating beverages are furnished or sold, except in the performance of official duty requiring such action.

2. The provisions of this regulation do not apply to uniformed employees entering a restaurant or other food establishment, which serves intoxicating beverages incidental to food services, for the purpose of having a rest break or a meal during their tour of duty.

Applies to: All WSP Employees
See Also: WSP Policies **Grants, Department Clinical Psychologist**; *Supervisor/Employee Reference Manual*

8.00.080 ACCEPTANCE OF LAWFUL RESPONSIBILITIES (CALEA 26.1.1)

I. POLICY

A. Officer Responsibilities

1. Officers shall accept the responsibilities imposed upon them by law as to their duties and authority. They shall preserve the public peace, detect and arrest violators of the law, prevent crime, protect life and property, and enforce the criminal laws of the state of Washington.

B. Deputization of Special Deputies

1. Employees who are special deputies shall not be deputized by any other law enforcement agency and shall be prohibited from carrying

any badge, commission card, or insignia representing any other agency, except when authorized by the Chief.

Applies to: WSP Officers
See Also: --

8.00.090 COURTESY (CALEA 61.1.8)

I. POLICY

A. Courtesy Requirement

1. Employees shall be courteous and tactful to all persons in the performance of their duties, shall control their tempers and exercise the utmost patience and discretion, and shall not engage in argumentative discussions, even in the face of extreme provocation.

2. In the performance of their duties, employees shall not use coarse, violent, profane, or insolent language or gestures, and shall not express any prejudice or bias concerning race, religion, gender, age, politics, national origin, sexual orientation, disability, or similar personal characteristics.

Applies to: All WSP Employees
See Also: --

8.00.100 REQUESTS FOR ASSISTANCE (CALEA 26.1.1, 82.2.2)

I. POLICY

A. Obtain All Pertinent Information

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

Applies to: All WSP Employees
See Also: --

8.00.110 UNSATISFACTORY PERFORMANCE (CALEA 35.1.6)

I. POLICY

A. Unsatisfactory Performance

1. Employees shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions.

2. Employees shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the department.

3. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws required to be enforced; an

unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the employee's rank, grade, or position; the failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attention; or absence without leave.

4. In addition to other indicators of unsatisfactory performance, the following shall be considered prima facie evidence of unsatisfactory performance: repeated poor evaluations or a written record of repeated infractions of rules, regulations, directives, or orders of the department.

Applies to: All WSP Employees
See Also: --

8.00.120 INSUBORDINATION (CALEA 12.1.3)

I. DEFINITION

A. ***Insubordination*** is a refusal to obey a lawful order given by a supervisor. The elements of insubordination are knowledge of the order and failure to obey that order.

B. Insubordination is also defined as not submitting to authority, willfully disrespectful or disobedient to authority, and being rebellious.

C. A Lawful Order is any directive communicated by a Washington State Patrol superior to a subordinate that does not violate state or federal laws.

II. POLICY

B. Requirement to Obey Orders

1. Employees shall promptly obey all lawful orders issued by a supervisor or superior officer.

2. Failure to acknowledge the authority of any supervisor by obvious disrespect or by disputing the supervisor's lawful orders shall be deemed insubordination.

Applies to: All WSP Employees
See Also: --

8.00.130 CONFLICTING OR ILLEGAL ORDERS (CALEA 12.1.3)

I. DEFINITION

A. A Lawful Order is any directive communicated by a Washington State Patrol superior to a subordinate that does not violate state or federal laws.

II. POLICY

A. Confirm Conflicting Orders

1. Employees who are given an otherwise proper order which is in conflict with a previous order, rule, regulation, or directive shall respectfully inform the supervisor or superior officer issuing the order of the conflict.

2. If the superior officer or supervisor issuing the order does not alter or retract the conflicting order, the order shall stand. Under these circumstances, the responsibility for the conflict shall be upon the superior officer or supervisor. Employees shall obey the conflicting order and shall not be held responsible for disobedience of the order, rule, regulation, or directive previously issued.

B. Illegal Orders

1. Employees shall not obey any order which they know or should know would require them to commit any illegal act.

2. If in doubt as to the legality of an order, employees shall request the issuing supervisor to clarify the order or to confer with higher authority.

Applies to: All WSP Employees
See Also: --

8.00.140 FORWARDING NECESSARY INFORMATION (CALEA 82.2.2)

I. POLICY

A. Each employee is charged with the responsibility of forwarding to the appropriate individual or unit all information regarding serious police matters.

B. Any employee who comes upon any rumor or information, or who investigates any situation which is, appears to be, or may be related to a civil disturbance or other crimes, shall immediately report the situation to a commanding officer or other appropriate person.

Applies to: All WSP Employees
See Also: --

8.00.150 TRUTHFULNESS (CALEA 26.1.1)

I. POLICY

A. Providing Information

1. Employees shall be truthful when providing information related to the scope of their employment, the performance of their duties, and the operations of the department.

2. Employees shall be truthful when providing information of any kind.

Applies to: All WSP Employees
See Also: --

8.00.160 COURT CASE DISPOSITION – RECOMMENDATION

I. POLICY

A. After initial changes are filed, employees below the rank of division/district commander shall not make any recommendation regarding the disposition of a pending felony collision court case investigated by the department to any court or other judiciary agency. Employees shall also refrain from making a recommendation to another agency which might reflect the department's official approval or disapproval of that agency's action.

B. When Criminal Investigation Division (CID) units are the primary investigators, CID supervisors will keep Field Operations Bureau district commanders apprised of pending felony charges and ensure media and prosecutorial contacts are coordinated with, as necessary.

Applies to: WSP Officers
See Also: --

8.00.170 CRITICISM OF THE CRIMINAL JUSTICE SYSTEM

I. POLICY

A. Thoughtful Comments Regarding Criminal Justice System

1. The department shares responsibility with the judiciary, prosecutors, and other law enforcement agencies in the criminal justice system. Cooperative and harmonious working relationships are essential and may be impaired by unnecessary criticism of others.

2. For that reason, employees should be aware that comments they make might be interpreted as being critical of law enforcement, prosecuting agencies, or individual members of the judiciary. However, it is not intended that there be any infringement of right to express personal views regarding the criminal justice system. It is most desirable that employees speak in a thoughtful and temperate manner.

Applies to: All WSP Employees
See Also: --

8.00.180 PUBLIC PRONOUNCEMENTS

I. POLICY

A. Relating Department Policies/Procedures to Community Groups

1. While employees are encouraged to participate in community activities, including public speaking events, it must be remembered that the Chief has the ultimate responsibility for formulating and/or interpreting department policies and procedures.

2. Employees, while engaged in community relations activities or public speaking events, shall be responsible for accurately relating department policy and procedure as outlined in the *Regulation Manual*.

3. Employees representing the department who plan to address the public concerning the administrative/functional/operational policies or procedures of the department shall first obtain the approval of their district/section commander, with notification being made to the Headquarters Public Information Officer and Government and Media Relations (GMR).

4. Requests for speakers may be referred to GMR or the District Public Information Officer.

Applies to: All WSP Employees
See Also: --

8.00.190 LABOR ACTIVITY (CALEA 24.1.1)

I. POLICY

A. Collective Bargaining

1. Employees shall have the right to join labor organizations, but nothing shall compel the department to recognize or to engage in collective bargaining with any such labor organizations, except as provided by law.

B. Strikes Prohibited

1. Employees shall not engage in any strike. "Strike" includes the concerted failure to report for duty, willful absence from one's position, unauthorized holidays, sickness unsubstantiated by a physician's statement, the stoppage of work, or the abstinence in whole or in part from the full, faithful, and proper performance of the duties of employment for the purposes of inducing, influencing, or coercing a change in conditions, compensation, rights, privileges, or obligations of employment.

Applies to: All WSP Employees
See Also: --

8.00.200 PAYMENT OF DEBTS (CALEA 26.1.1)

I. POLICY

A. Requirement to Pay Personal Debts

1. Employees shall pay all personal financial obligations as required by law.

2. Employees shall not co-sign a note for any superior officer or supervisor (unless exigent circumstances exist as approved by the Chief).

Applies to: All WSP Employees
See Also: --

8.00.210 VIOLENCE IN THE WORKPLACE (CALEA 26.1.1)

I. POLICY

A. Workplace Violence/Harassment

1. Workplace violence is abusive behavior that is physical, sexual, and/or psychological. The behavior can range from implied threats to physical assaults. Workplace violence is a serious problem that affects people from all walks of life. It can adversely affect the well-being and productivity of employees who are victims, as well as their co-workers. The department is committed to working with employees who are victims of workplace violence to prevent abuse and harassment from occurring.

2. The department will not tolerate violence in the workplace against any employee or citizen while in state offices, facilities, work sites, vehicles, or while conducting state business. This includes the display of any violent or threatening behavior (verbal or physical) that may result in physical or emotional injury or otherwise places anyone's safety and productivity at risk.

   a. No employee may threaten, harass, or abuse other employees.

   b. Employees shall never behave disrespectfully or use threatening or insulting language toward any other employee engaged in the execution of his/her position or duties.

   c. Employees shall not draw or lift a weapon toward, offer violence against, nor strike or attempt to strike any other employee.

   d. Any actual or implied threat of violence will be considered a real and serious danger and shall be investigated.

   e. The department will take all reasonable measures to protect employees who report violent behaviors.

   f. The department will take all reasonable measures to foster a safe working environment for all employees and clients.

   g. This policy does not apply to role-playing training sponsored by the department.

B. Reporting/Initiating Investigations

1. Employees shall report to any supervisor or to the Human Resource Division (HRD) anyone at the workplace whose behavior is taken as threatening or intimidating, as well as any behavior that might lead to violence, or actual violence. Employees may be reluctant to report threatened or actual violence because of concerns for their safety, embarrassment, or fears that the report will not be taken seriously. All reports shall be handled in a confidential manner. Supervisors must immediately assess any imminent danger and work with HRD to determine what, if any, steps need to be taken to secure the workplace.

2. The Office of Professional Standards (OPS) shall be notified immediately and follow its investigatory procedures.

C. Employee Victims

1. Victims of violence, perpetrators of violence, or employees just concerned about violence may contact Employee Advisory Services (EAS) in Olympia at (360) 753-3260, Seattle (206) 261-6315, or Spokane (509) 456-5000. HRD may be contacted to obtain information about other available services.

2. The department will provide appropriate, confidential support and assistance to employees who are victims of violence. The type of assistance will be based on individual need.

Applies to: All WSP Employees
See Also: WSP Policy **Domestic Violence**

8.00.220 DISCRIMINATION AND OTHER FORMS OF HARASSMENT (CALEA 26.1.3, 33.7.1)

I. DEFINITIONS

A. Sexual Harassment – Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

1. Sexual harassment can occur in a variety of circumstances, including, but not limited to, the following:

   a. The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.

   b. The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.

   c. The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.

   d. Unlawful sexual harassment may occur without economic injury to or discharge of the victim.

   e. The harasser's conduct must be unwelcome.

B. Harassment – Unwelcome conduct that is based on a person's age, gender, marital status, sexual orientation, race, creed, color, national origin, honorably discharged veteran or military status, disability, or in retaliation against anyone who reports suspected harassment or who is involved in a harassment investigation.

1. Harassment becomes unlawful where:

a. Enduring the offensive conduct becomes a condition of continued employment; or

b. The conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

2. Anti-discrimination laws also prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws.

3. Being held accountable to training, expectations, regulations, and/or work standards is not harassment.

4. Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets, or name-calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance.

5. Harassment can occur in a variety of circumstances, including, but not limited to, the following:

a. The harasser can be the victim's supervisor, a supervisor in another area, an agent of the employer, a co-worker, or a non-employee.

b. The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.

c. Unlawful harassment may occur without economic injury to or discharge of the victim.

C. Third Party Harassment

1. Unwelcome behavior that:

a. Is not directed at an individual but is a part of that individual's work environment;

b. Is offensive to that individual; and

c. Is based on a person's age, gender, marital status, sexual orientation, race, creed, color, national origin, honorably discharged veteran or military status, disability, or in retaliation against anyone who reports suspected harassment or who is involved in a harassment investigation.

D. Discrimination – Unwelcome conduct that is based on a person's age, gender, marital status, sexual orientation, race, creed, color, national

origin, honorably discharged veteran or military status, disability, or in retaliation against anyone who reports suspected harassment or who is involved in a harassment investigation.

E. Retaliation – Retaliation occurs when an employer, employment agency, or labor organization takes an adverse action against a covered individual because he or she engaged in a protected activity.

II. PURPOSE

A. The Washington State Patrol is committed to providing an environment free from unsolicited and unwelcome sexual advances and ensures that all agency employees, regardless of rank, understand that any form of harassment or discrimination is inappropriate, unacceptable, and forbidden within the workplace and any location that can be reasonably regarded as an extension of the workplace.

B. This policy applies to all Washington State Patrol employees regardless of rank and anyone having business with the agency. All employees are responsible for complying with this policy and for reporting any incident of harassment or discrimination as defined in this policy.

C. Sexual Harassment is an unlawful employment practice prohibited by Title VII of the Civil Rights Act of 1964 and RCW 49.60.

III. POLICY – COMPLAINTS

A. Employee Responsibilities

1. Employees shall not engage in harassment, sexual harassment, third party harassment, discrimination, or retaliation as defined in this policy.

2. All employees are expected to adhere to a standard of conduct in the work environment that is respectful, courteous, non-offensive, and non-discriminatory.

3. All employees, regardless of rank, are responsible for creating and maintaining a work environment free from harassment and discrimination. Therefore, anyone that witnesses, or any employee alleging, a violation of this policy shall immediately take action to identify and stop the behavior.

4. If the victim feels comfortable confronting the alleged offender, he/she may let the alleged offender know that the behavior is not appropriate and needs to stop immediately. Often the problem may simply be a misunderstanding or a lack of communication. Employees may be unaware of the fact that their behavior is perceived by others to be insulting, humiliating, harassing, or discriminatory. An informal discussion, in many instances, may resolve the problem. However, there is no actual or implied requirement to contact an alleged offender prior to initiating a formal complaint. Even if handled directly with the alleged offender, the situation may require an administrative investigation upon supervisor notification.

5. If the behavior continues or the victim does not feel comfortable talking to the alleged offender, the victim should immediately report the behavior to management [immediate supervisor or higher,

Office of Professional Standards (OPS), or Human Resource Division (HRD)].

6. Reports can be made verbally or in writing and should include the following:

   a. Date(s) the incident(s) happened

   b. Specifics of the incident(s)

   c. Location(s)

   d. Names of any witnesses

B. Supervisor Responsibilities

1. It is the responsibility of the supervisor and/or manager to clearly communicate the policy to all employees and review the policy annually when completing the Employee Annual Review Checklist.

2. The supervisor/manager shall notify his/her chain of command of any information regarding discrimination and/or other forms of harassment in a timely manner.

3. When a harassment or discrimination situation becomes evident, supervisors/managers shall respond to all allegations concerning violations of this policy. An order directing the behavior to stop shall be given by the supervisor and an Internal Incident Report (IIR) shall be completed and forwarded through to the alleged offender's commander. For guidance on investigating the allegation, contact OPS or HRD.

4. Failure to respond and thoroughly investigate an allegation regarding this policy may be grounds for disciplinary action up to and including termination.

5. Employees who initiate or investigate alleged violations of this policy will respect the confidentiality and privacy of individuals reporting discrimination or other forms of harassment as protected by law.

6. Supervisors/managers receiving information of an allegation shall document it in a case log and complete an IIR. The case log and IIR shall be forwarded through the chain of command immediately.

C. Other Resources

1. In addition to filing a complaint with the agency, an individual has the right to file a complaint with the Washington State Human Rights Commission under RCW 49.60.230 or the Federal Equal Employment Opportunity Commission under Title VII of the Civil Rights Act of 1964.

D. Outcome

1. After an investigation has been completed, the complainant shall be informed of the status and the outcome of the investigation.

2. Any employee that is found to have violated this policy will be subject to corrective and/or disciplinary action up to and including termination.

3. Anyone found to have retaliated against an individual who reports allegations of harassment or discrimination or who participates in an investigation will be subject to corrective and/or disciplinary action up to and including termination.

E. Training

1. The agency will provide training for all employees and supervisors within the first six months of employment. The training will be repeated every five years for all employees and every three years for supervisors.

Applies to: All WSP Employees
See Also: RCW 49.60, 43.01; WAC 357-25, 357-34; Title VII of Civil Rights Act of 1964; Governor Executive Order 89-01, 93-07; WSP Policies **Affirmative Action, Reasonable Accommodation, Employee Conduct, Violence in the Workplace**; *Administrative Investigation Manual*; Applicable Collective Bargaining Agreements; Employee Annual Review Checklist; Internal Incident Report

8.00.230 POLITICAL ACTIVITY (CALEA 26.1.1)

I. POLICY

A. Employee Engagement in Political Activity

1. Employees, while off duty and not representing the department, shall have the same political privileges as private citizens except as limited in these rules or by state or federal law. Employees shall not be coerced or required to engage in political activity.

2. Employees shall not hold any other public office when the holding of such office is incompatible with, interferes with, or creates a conflict of interest in the discharge of their official duties with the Washington State Patrol.

3. Employees shall not use or authorize the use of any on-duty employees, or the facilities, supplies, publications, or equipment of a governmental entity, directly or indirectly, for the purpose of assisting a political campaign.

4. No political material shall be posted, stored, carried, or distributed in or on any building, office, facility, or vehicle owned by the state of Washington or any political subdivision.

B. Prohibited Political Activities

1. No employee, while on duty or representing the department, shall:

   a. Authorize, permit, or engage in any political activity.

   b. Solicit or receive any assessment, subscription, or contribution for any political party or purpose.

c. Wear political material of any nature.

d. Lobby or otherwise attempt to influence the introduction, passage, or defeat of legislation without the authority or direction of the Chief. Employees, in their normal course of employment, shall furnish expert opinion and technical or factual information when requested by proper authority.

e. Attempt to influence the candidacy of any person for public office or otherwise attempt to incur favor, promote personal benefits, or advance the personal interests of themselves or any other person.

Applies to: All WSP Employees
See Also: RCW 42.52; Hatch Act

8.00.240 CODE OF ETHICS – EMPLOYEES (CALEA 26.1.1, 55.1.3)

I. POLICY

A. Ethical Responsibilities

1. Employees must be fully aware of the ethical responsibilities of their position and must strive constantly to live up to the highest possible standards. An employee acts as an official representative of government who is required and trusted to work within the law.

B. Performance of the Duties

1. Employees shall perform all duties impartially, without favor or affection or ill will and without regard to marital status, gender, ethnic origin, race, religion, or political belief. All citizens will be treated equally with courtesy, consideration, and dignity.

2. Employees will never allow personal feelings, animosities, or friendships to influence official conduct. In carrying out responsibilities, employees will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such a manner as to inspire confidence and respect for the position of public trust they hold.

C. Confidentiality

1. Citizens have a right to security and privacy. Any information obtained about anyone must not be improperly divulged.

2. If employees observe or learn of any information that is confidential, the information shall remain confidential, unless the performance of duty or legal provisions require otherwise.

D. Integrity

1. An employee will not engage in acts of corruption or bribery. The public demands integrity in state employees. Employees must therefore avoid any conduct that might compromise integrity and thus undercut the public confidence in the Washington State Patrol.

2. Employees will refuse to accept any gifts, presents, subscriptions, favors, gratuities, or promises that could be interpreted as seeking to cause the employee to refrain from performing official responsibilities honestly and within the law.

3. Employees must not receive private or special advantage from their official status and shall follow the ethics laws of the state of Washington as contained in RCW 42.52. Respect from the public cannot be bought; it can only be earned and cultivated.

E. Cooperation With Others

1. Employees will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

2. An employee or agency may be one among many organizations that may provide public safety services to a jurisdiction. It is imperative that an employee assist colleagues fully and completely with respect and consideration at all times.

F. Personal Professional Capabilities

1. Employees will be responsible for their own standard of performance and should take every reasonable opportunity to enhance and improve their level of knowledge and competence. The acquisition of knowledge is a never-ending process of personal and professional development that should be pursued constantly.

Applies to: All WSP Employees
See Also: RCW 42.52

8.00.250 CODE OF ETHICS – OFFICERS (CALEA 1.1.2, 1.2.6, 1.2.7, 26.1.1, 55.1.3)

I. POLICY

A. Ethical Responsibilities

1. Officers must be fully aware of the ethical responsibilities of their position and must strive constantly to live up to the highest possible standards of professional policing.

2. The department believes it is important that officers have clear advice and counsel available to assist them in performing their duties consistent with these standards and has adopted the following ethical mandates as guidelines to meet these ends.

B. Primary Responsibilities of an Officer

1. An officer acts as an official representative of government who is required and trusted to work within the law. The powers and duties of an officer are conferred by statute. The fundamental duties of an officer include serving the community, safeguarding lives and property, protecting the innocent, keeping the peace, and ensuring the rights of all to liberty, equality, and justice.

C. Performance of the Duties of an Officer

1. Officers shall perform all duties impartially, without favor or affection or ill will and without regard to marital status, gender, race, religion, or political belief. All citizens will be treated equally with courtesy, consideration, and dignity.

2. Officers will never allow personal feelings, animosities, or friendships to influence official conduct. Laws will be enforced appropriately and courteously. In carrying out responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such a manner as to inspire confidence and respect for the position of public trust they hold.

D. Discretion

1. An officer will responsibly use the discretion vested in the position and exercise it within the law. The principle of reasonableness will guide the officer's determinations. The officer will consider all surrounding circumstances in determining whether any legal action shall be taken.

2. Consistent and wise use of discretion, based on professional policing competence, will do much to preserve good relationships and retain the confidence of the public. There can be difficulty in choosing between conflicting courses of action. It is important to remember that a timely word of advice, rather than an arrest, which may be correct in appropriate circumstances, can be a more effective means of achieving a desired end.

E. Confidentiality

1. Citizens have a right to security and privacy. Any information obtained about anyone must not be improperly divulged.

2. If officers observe or learn of any information that is confidential, the information shall remain confidential, unless the performance of duty or legal provisions require otherwise.

F. Integrity

1. An officer will not engage in acts of corruption or bribery, nor will an officer condone such acts by other police officers. The public demands that the integrity of officers be above reproach. Officers must therefore avoid any conduct that might compromise integrity and thus undercut the public confidence in a law enforcement agency.

2. Officers will refuse to accept any gifts, presents, subscriptions, favors, gratuities, or promises that could be interpreted as seeking to cause the officer to refrain from performing official responsibilities honestly and within the law.

3. Officers must not receive private or special advantage from their official status and shall follow the ethics laws of the state of Washington as contained in RCW 42.52. Respect from the public cannot be bought; it can only be earned and cultivated.

G. Cooperation With Other Officers and Agencies

1. Officers will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

2. An officer or agency may be one among many organizations that may provide law enforcement services to a jurisdiction. It is imperative that an officer assist colleagues fully and completely with respect and consideration at all times.

H. Personal Professional Capabilities

1. Officers will be responsible for their own standard of professional performance and will take every reasonable opportunity to enhance and improve their level of knowledge and competence.

2. Through study and experience, an officer can acquire the high level of knowledge and competence that is essential for the efficient and effective performance of duty. The acquisition of knowledge is a never-ending process of personal and professional development that should be pursued constantly.

I. Application of the Rules of Conduct – Private Life

1. Officers will behave in a manner that does not bring discredit to their agency or to themselves.

2. An officer's character and conduct while off duty must always be exemplary, thus maintaining a position of respect in the community in which he or she lives and serves. The officer's personal behavior must be beyond reproach.

Applies to: WSP Officers
See Also: RCW 42.52

8.00.260 UNBIASED POLICING (CALEA 1.2.9)

I. POLICY

A. Biased-Based Profiling Prohibited

1. Officers shall not use bias-based profiling to initiate traffic stops, field contacts, asset seizures, or forfeiture efforts. Biased-based profiling is the selection of individuals based solely upon a common trait of a group, including, but not limited to, race, ethnic background, gender, sexual orientation, religion, economic status, age, or cultural group.

B. Training on Unbiased Policing

1. All officers shall receive training in issues related to bias-based profiling, including legal updates, if needed.

C. Annual Review of Traffic Stop Data

1. The Traffic Stop Data Collection Committee shall annually review department practices for evidence of biases, report its findings to

the Washington State Legislature pursuant to RCW 43.43.480, and take corrective action, if necessary.

2. The department shall fully investigate all complaints of bias-based profiling to the appropriate disposition.

Applies to: WSP Officers
See Also: RCW 43.43.480, 43.43.490

8.00.270 OFF-DUTY EMPLOYMENT REGULATIONS (CALEA 22.3.3, 22.3.4)

I. POLICY

A. Off-Duty and Volunteer Employment

1. An employee's primary employment is with the department. Off-duty employment, including self-employment, shall not interfere with performance of department duties.

2. Volunteer work shall not interfere with the performance of departmental duties and shall not be of the same nature as employment prohibited by this regulation.

B. Off-Duty Employment Requirements

1. Off-duty employment shall comply with the following:

   a. Employees shall report for duty when scheduled or directed, regardless of off-duty employment situations.

   b. Department vehicles, uniforms, or equipment shall not be used unless approved by the assistant chief or bureau director.

   c. Employees shall comply with limitations as required by ethics in public service laws, RCW 42.52.

   d. Confidential information acquired in an employee's official capacity shall not be used or disclosed in outside employment or for any other purpose not related to the employee's official duties.

C. Prohibition or Revocation of Off-Duty Employment

1. Off-duty employment may be prohibited or revoked (if previously approved) when it:

   a. Impedes the ability of the department to fulfill its responsibilities.

   b. Decreases public confidence in the department.

   c. Discredits the department.

   d. Causes an adverse effect on the discipline or efficiency of the department.

e. Creates a conflict of interest with law or department regulation.

f. Renders the employee unavailable during an emergency.

g. Physically or mentally exhausts the employee to a point that their job performance may be adversely affected.

D. Prohibited Off-Duty Employment and Volunteer Work

1. Prohibited off-duty employment includes, but is not limited to:

a. Vehicle towing or wrecking.

b. Bail bond agencies.

c. Manufacture, sale, or distribution of pornographic material.

d. Driving an ambulance for pay.

e. Investigative work for insurance or collection agencies or attorneys.

f. Activities directly regulated by the department.

g. Being deputized or acting as an agent or contracting with any other enforcement agency without the Chief's prior approval.

h. Employment that constitutes a violation of RCW 42.52, Ethics in Public Service.

i. Serving as an expert witness against the state of Washington or accepting paid consultant work for an attorney, entity, or organization engaged in filing tort claims or lawsuits against the state of Washington.

E. Requesting Off-Duty Employment

1. All employees must request authorization to work off-duty employment, or in the case of employees represented by the Washington Federation of State Employees (WFSE), provide notice of their off-duty employment. The employee must submit the request or notice through the chain of command to the assistant chief/bureau director.

2. Employees are not required to report/request authorization to engage in off-duty volunteer activities that are not otherwise prohibited by this regulation. However, employees must report/request to be a volunteer firefighter due to the department's licensing and certification of the state's fire services.

3. **Expirations of Authorization or Notification**

a. **All uniformed and non-uniformed staff:** All off-duty employment authorizations shall expire on December 31. If a continuation or change of off-duty employment is desired, the employee shall submit another request 30 days prior to expiration.

b. **All uniformed staff:** All off-duty employment authorizations shall expire on December 31. If a continuation or change of off-duty employment is desired, the employee shall submit another request 30 days prior to expiration. For employees who have current authorization for uniformed or plainclothes off-duty employment with a Washington State Patrol-approved company that employs 25 or more department personnel, the renewal list will be forwarded by the off-duty company. However, it is the employee's responsibility to ensure his/her name is on that list.

Applies to: All WSP Employees
See Also: RCW 42.52; Application for Authorization of Off-Duty Employment; Notification of Off-Duty Employment (WFSE); Applicable Collective Bargaining Agreements

8.00.280 WSP OFFICER AND CADET OFF-DUTY EMPLOYMENT REGULATIONS (CALEA 22.3.3, 22.3.4)

I. DEFINITION

A. ***"Emergency":*** Any violent felony, serious physical injury, or other activity that would constitute serious risk to the health and welfare of a citizen or the officer.

II. POLICY

A. Off-Duty and Volunteer Work

1. An officer's primary employment is with the department. Any off-duty employment, including self-employment, requires authorization from the department and shall not interfere with the officer's primary performance responsibility to the Washington State Patrol.

2. Any volunteer work involving law enforcement, security or protective services, or when there can be a reasonable expectation of a use of force or utilization of an employee's police officer authority requires an off-duty authorization from the department. Participation in volunteer work shall not interfere with performance of department duties.

   a. Examples of typical volunteer work requiring authorization:

      (1) Providing church security

      (2) Security guard for building/structure

      (3) Providing police services

      (4) Investigative work

      (5) Bodyguard

      (6) Providing police instructions

b. Examples of typical volunteer work **not** requiring authorization:

(1) Scout leader

(2) Coaching children's athletic team

(3) Church deacon

(4) Servicemen's organizations

(5) Community service organizations

B. Off-Duty Employment Criteria

1. Any officer who engages in off-duty employment, not contracted through the Washington State Patrol, whether or not he/she wears the Washington State Patrol uniform and utilizes Washington State Patrol equipment as specified herein, shall comply with the following requirements:

a. Follow the parameters for taking enforcement action related to an off-duty employer. Specifically:

(1) An officer moves from off-duty status to on-duty status when the officer encounters emergencies where there is a threat to the well being of themselves or others, or there is a felony in progress.

(2) For other crimes and incidents, the officer should be a good witness and provide that information to the local jurisdiction. If the local agency is unable to respond, the suspect(s) will be identified and all necessary information for prosecution provided to the off-duty employer.

(3) If detention of any person(s) is necessary, assistance will be requested from the local agency with jurisdiction. The decision to detain will be based upon the safety of the officer(s) and citizens.

(4) The officer will not be paid for call-back or call-out, but will be compensated for the hours worked. The officer should complete the necessary paperwork on his/her next duty shift, if possible. The Washington State Patrol will not pay for any time spent for the criminal follow-up investigation, report writing, or court appearances resulting from enforcement activities performed in the interest of the off-duty employer. All subpoenas resulting from off-duty employment will be turned over to the employee's Washington State Patrol supervisor for scheduling during off-duty time.

(5) Activity resulting from off-duty employment in the interest of the off-duty employer shall not be recorded on the Time and Activity Report.

(6) As with any action taken by an officer, the decision as to representation by the state is made on a case-by-case basis.

(7) An officer shall not follow any direction by an off-duty employer that would require the officer to take enforcement action that exceeds the scope allowed by this regulation.

b. Provide a Washington State Patrol Notice of Limitations on Liability (the second page of the Application Request for Authorization of Off-Duty Employment) to his/her off-duty employer. The off-duty employer must sign that they have received notice of the limitation on the state of Washington for actions by an off-duty Washington State Patrol officer. Officers responding to these calls for service will notify Communications of the nature of the call and disposition of their official action (i.e., witnessed event, filed report with local jurisdiction, etc.). Communications will immediately notify an on-duty supervisor and division/district commander of the incident, who will respond to the scene, if warranted under the circumstances.

c. Provide the off-duty employer with a copy of the Washington State Patrol Off-Duty Employment regulation.

d. Limit his/her off-duty employment to no more than 8 hours per work day, not to exceed 24 hours during the work week (excluding days off), with said employment ending at least 4 hours prior to the beginning of a shift.

e. Not cancel scheduled court days or training to accommodate his/her off-duty employment.

f. Comply with all Washington State Patrol regulations when in or out of uniform.

g. Maintain his/her availability for emergency response and emergency call-out for duties with the Washington State Patrol.

h. Carry his/her portable radio if in uniform, which can only be utilized to report criminal activity or in emergency situations. Officers using the radio in off-duty employment status shall preface their personnel number with "Ocean (number)" (e.g., "Ocean 110"). If in plain clothes, officers must carry a cell phone.

i. Sign in service with Communications prior to the beginning of each assignment and provide the location and duration of the assignment. Sign out of service upon completion of the assignment. Signing in and out of service must be done via phone to Communications.

j. Not use his/her patrol vehicle in any way pertaining to his/her off-duty employment, except for those services rendered to other state agencies in accordance with ESHB 1163, Section 208(1), in which case officers must comply with the following:

(1) When calling in and out of service, an officer must identify the off-duty employment employer for which

he/she is working and provide the name of the state agency requesting third party contracting service.

(2) If use of the patrol vehicle is necessary to perform off-duty employment, the officer must also provide the starting mileage to Communications when calling in service and the ending mileage when calling out of service.

(3) All off-duty vehicle mileage performed by an officer must be recorded on an Off-Duty Vehicle Mileage Form and must be submitted within seven business days (not including legal holidays) to Budget and Fiscal Services, Attn: General Accounting. Failure to report off-duty vehicle mileage in accordance with this policy can lead to revocation of off-duty employment authorization.

k. Use only the Washington State Patrol uniform as specified in the **AUTHORIZED UNIFORMS** policy and equipment supplied with the uniform (belt, firearms, ASP, cuff, OC-10) in his/her off-duty employment.

l. Immediately notify the Washington State Patrol, in addition to the local jurisdiction, of any use of force incident.

m. Recertify his/her off-duty employment request annually.

n. Not solicit off-duty employment jobs while on duty.

o. Reimbursement to the Washington State Patrol for the destruction or loss of state equipment will be the responsibility of the officer or the off-duty employer.

C. Prohibition or Revocation of Off-Duty Employment

1. Off-duty employment may be prohibited or revoked (if previously approved) for any officer when it:

a. Impedes the ability of the department to fulfill its responsibilities.

b. Decreases public confidence in the department.

c. Discredits the department.

d. Creates adverse effect on discipline or efficiency.

e. Renders the officer unavailable during an emergency.

f. Physically or mentally exhausts the officer to a point that his/her job performance may be adversely affected.

D. Prohibited Off-Duty Employment

1. Prohibited off-duty employment for all officers includes, but is not limited to:

a. Working at or owning establishments whose principal source of income is the sale of liquor.

b. Wholesale distributing or direct sale by the drink of alcoholic beverages.

c. Vehicle towing or wrecking.

d. Bail bond agencies.

e. Manufacture, sale, or distribution of pornographic material.

f. Working at or owning establishments where the principal source of entertainment includes nudity (male or female) or the subject matter is of a sexual nature (i.e., X-rated movie theaters and bookstores).

g. Investigative work for insurance or collection agencies or attorneys, except as allowed in other parts of these regulations.

h. Activities directly regulated by the department.

i. Serving as an expert witness against the state of Washington or accepting paid consultant work for an attorney, entity, or organization engaged in filing tort claims or lawsuits against the state of Washington.

j. Being deputized by any other enforcement agency without the Chief's prior approval.

2. The above is not an exhaustive list but merely designed to provide guidelines to assist the officer in determining what is legitimate off-duty or volunteer employment.

E. Requests for Off-Duty Employment

1. To request off-duty employment, officers shall complete an Application for Authorization of Off-Duty Employment and submit it through the chain of command to the assistant chief/bureau director. In addition, the officer shall present to the off-duty employer a copy of the Off-Duty Employment form and return the completed form to the Human Resource Division prior to beginning off-duty employment.

2. Officers shall not engage in off-duty employment until their application has been approved.

3. Off-duty employment will be updated annually through the employee annual review process, utilizing the Employee Annual Review Checklist. The Human Resource Division has administrative responsibility to process the requests and to respond with approval or denial.

4. All off-duty employment authorizations shall expire on December 31. If a continuation or change of off-duty employment is desired, the officer shall submit another request 30 days prior to expiration.

5. The Human Resource Division shall be notified in writing (by the officer, through the chain of command) whenever approved employment is terminated.

6. Any request for exceptions to, or changes of, off-duty employment or volunteer activities that would constitute a violation of policy may be submitted to the Chief of the Washington State Patrol for consideration on a case-by-case basis.

7. Please refer to the *Supervisor/Employee Reference Manual* for further procedures.

Applies to: WSP Officers and Trooper Cadets
See Also: RCW 43.43; ESHB 1163, Section 208(1); WSP Policy **Authorized Uniforms**; Application for Authorization of Off-Duty Employment; Employee Annual Review Checklist; Off-Duty Vehicle Mileage Form; *Supervisor/Employee Reference Manual*

8.00.285 ENFORCEMENT AUTHORITY NOT RELATED TO OFF-DUTY EMPLOYER (CALEA 22.3.3, 22.3.4)

I. POLICY

A. The following guidelines apply when taking law enforcement action when off-duty and the criminal activity observed is outside of and not associated with the premises or the scope of the contract between the officer and the off-duty employer:

1. All felony crimes/arrests will be turned over to the local agency with jurisdiction for investigation.

2. If the crime is a misdemeanor and the local agency refuses to or fails to respond from the local agency with jurisdiction, the decision to detain will be based upon the safety of the officer(s) and citizens.

3. The officer will not be paid for call-out or call-back, but will be compensated for the actual hours worked in detaining (or citing and releasing) the suspect until the primary enforcement agency responds. If possible, the officer should complete the necessary paperwork on his/her next regular duty shift.

4. Activity resulting from off-duty employment which is not related to the off-duty employer contract may be recorded on the Time and Activity Report.

Applies to: WSP Officers
See Also: RCW 43.43; WSP Policy **Authorized Uniforms**; Application for Authorization of Off-Duty Employment

8.00.290 COMMISSION OR DEPUTIZATION OF AN EMPLOYEE BY ANOTHER AGENCY

I. POLICY

A. Chief's Approval Required for Commissioning/Deputization

1. A department employee shall not be commissioned or deputized by another agency without the Washington State Patrol Chief's approval.

2. If there is a written agreement with another agency and that agreement contains a specific clause outlining the need for, and parameters of, the commission or deputization of a department employee, the Chief's signature upon the agreement indicates approval. If no such written agreement exists, the requesting employee shall submit an IOC through the chain of command to the Chief that requests approval and outlines all pertinent information, including the name of the agency, reason for and duration of the commission or deputization, and any other special circumstances.

3. Employees deputized or commissioned by another law enforcement agency shall not carry any badge, commission card, or insignia representing any other agency without approval from the Chief of the Washington State Patrol.

Applies to: All WSP Employees
See Also: WSP Policy **Off-Duty Employment Regulations**

8.00.300 WHISTLEBLOWER – IMPROPER GOVERNMENTAL ACTION

I. POLICY

A. Reporting of Improper Governmental Actions

1. Employees shall be encouraged to report, to the extent not prohibited by law, improper governmental actions.

2. Whistleblower complaints may be submitted anonymously.

3. For an improper governmental action to be investigated, it must be provided to the State Auditor's Office, agency designee, or state public government official within one year after the occurrence of the action.

4. Improper governmental action is defined as any action by an employee undertaken in the performance of the employee's official duties that:

   a. Is a gross waste of public funds or resources.

   b. Is in violation of federal or state law or rule, if the violation is not merely technical or of a minimum nature.

   c. Is of substantial and specific danger to the public heath or safety.

   d. Is gross mismanagement.

   e. Prevents dissemination of scientific opinion or alters technical findings.

5. It does not include personnel actions such as grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployments, performance evaluations, reductions in pay, dismissals,

suspensions, demotions, violations of state civil service law, alleged labor agreement violations, reprimands, or any action taken under chapters 41.06 or 28B.16 RCW, or other disciplinary action except as provided in 42.40.030.

6. A Whistleblower is one who, in good faith, reports alleged improper governmental action to the State Auditor's Office, agency designee, or other public official, or who provides information to the State Auditor's Office, agency designee, or other public official in connection with an investigation, or who is believed to have reported alleged improper governmental action to the State Auditor's Office, agency designee, or other public official or provided information in connection with an investigation, but who, in fact, has or has not done so.

7. Employees may not use or attempt to use their official authority or influence to interfere with another's right to disclose information of improper governmental action. Use of official authority or influence includes taking, directing others to take, recommending, processing or approving any personnel action.

8. The Whistleblower and witnesses who provide information during the investigation will be provided confidentiality.

9. Employees will cooperate in the investigations, including the prohibition to destroy any of the evidence during the course of the investigation.

10. The Whistleblower, perceived Whistleblower, and/or witnesses who provide information during the investigation or perceived to be witnesses during the investigation will not be retaliated against.

11. Employees who feel they are being retaliated against can file a complaint at the Human Rights Commission http://www.hum.wa.gov.

B. Notification of Employees

1. The department shall provide each employee a copy of this policy. New employees must be notified upon entering employment, and all employees must be re-informed annually.

II. PROCEDURES

A. Refer to Washington State Auditor's Office

1. The procedures for filing a Whistleblower complaint and all other pertinent procedural information are located at the State Auditor's Office Web site: http://www.sao.wa.gov/Whistleblower/index.htm.

2. Whistleblower complaints shall be reported on the State Auditor's Office Whistleblower Form:

   http://www.sao.wa.gov/whistleblower/WBReportForm.htm.

   The following are methods for reporting/submitting a Whistleblower complaint:

a. Directly to the agency designee. The agency designee includes the Deputy Chief, Commander of the Office of Professional Standards, and the Commander of the Human Resource Division.

b. Directly to the State Auditor's Office at:

Fax: (360) 586-3519

E-mail: whistleblower@sao.wa.gov/whistleblower/WBReportForm.htm

Mail: Washington State Auditor's Office
Attn: State Employee Whistleblower Program
PO Box 40031
Olympia, WA 98504-0031

c. Directly to any state government "public official" to receive and document Whistleblower complaints. A "public official" is defined as:

(1) The director or equivalent in the agency where the employee works.

(2) An appropriate number of individuals designated to receive Whistleblower reports by the head of each agency.

(3) The Attorney General's designee or designees.

3. Whistleblower complaints received by the Deputy Chief, Office of Professional Standards Commander or the Human Resource Division Commander shall be forwarded to the State Auditor's Office within 15 days.

4. All employees are expected to complete the online Employee Annual Review Checklist each year. The checklist contains a link to the Washington State Auditor's Office Web site http://www.sao.wa.gov/Whistleblower/index.htm.

Applies to: All WSP Employees
See Also: RCW 28B.16, 41.06, 42.40; Employee Annual Review Checklist

8.00.310 SERVICE DOGS

I. POLICY

A. Service Dog Description and Purpose

1. The Americans with Disabilities Act (ADA) and RCW recognize "service dogs" as having the same access to public use facilities as the person they service. By definition, a service dog is "an animal that is trained for the purposes of assisting or accommodating a disabled person's sensory, mental, or physical disability." Public use facilities include those to which the general public is invited (e.g., motor buses, hotels, offices, hospitals, etc.).

2. Some of the disabled may not have a visible disability (e.g., epilepsy, diabetes, etc.), but the use of a service dog can provide them with a warning device for their health and safety.

B. Service Dog Requirements

1. Service dog handlers must obey leash laws and vaccine laws. The animal must be under the control of their handler at all times. There is currently no certification or paper proof requirement for a service dog. The animal may be any breed and has been trained to assist the disabled person with his/her specific disability.

C. Encountering a Service Dog

1. When dealing with a person who has a dog, employees may ask the person if the animal is a service dog to assist the person with a disability, but no other related inquiry into the details of the disability is appropriate. As an invitation to the person to identify their animal as a service dog, the Delta Society recommends that the person be asked the question, "Is this your pet?" In cases of a disoriented person, employees should assume the animal as a service dog until further facts are known.

2. Also, the following apply:

   a. Speak to the person, not the animal. Often, a well-meaning individual will pet and make comments to the animal, initially ignoring the person.

   b. Do not touch the service dog or the person without asking permission.

   c. Do not feed the service dog without permission.

Applies to: All WSP Employees
See Also: Americans With Disabilities Act

8.00.320 DOMESTIC VIOLENCE (CALEA 55.1.1, 55.1.2, 55.1.3, 55.2.1, 55.2.2, 55.2.3, 55.2.4, 55.2.5, 55.2.6, 81.2.6)

I. DEFINITIONS

A. ***"Domestic violence"*** includes, but is not limited to, any of the following crimes when committed by one family or household member against another under RCW 10.99, et seq.

1. Assault in the first degree (RCW 9A.36.011).

2. Assault in the second degree (RCW 9A.36.021).

3. Assault in the third degree (RCW 9A.36.031).

4. Assault in the fourth degree (RCW 9A.36.041).

5. Drive-by shooting (RCW 9A.36.045).

6. Reckless endangerment (RCW 9A.36.050).
7. Coercion (RCW 9A.36.070).
8. Burglary in the first degree (RCW 9A.52.020).
9. Burglary in the second degree (RCW 9A.52.030).
10. Criminal trespass in the first degree (RCW 9A.52.070).
11. Criminal trespass in the second degree (RCW 9A.52.080).
12. Malicious mischief in the first degree (RCW 9A.48.070).
13. Malicious mischief in the second degree (RCW 9A.48.080).
14. Malicious mischief in the third degree (RCW 9A.48.090).
15. Kidnapping in the first degree (RCW 9A.40.020).
16. Kidnapping in the second degree (RCW 9A.40.030).
17. Unlawful imprisonment (RCW 9A.40.040).
18. Violation of the provisions of a restraining order, no-contact order, or protection order restraining or enjoining the person or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location. (RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.44.063, 26.44.150, 26.50.060, 26.50.070, 26.50.130, 26.52.070, or 74.34.145)
19. Rape in the first degree (RCW 9A.44.040).
20. Rape in the second degree (RCW 9A.44.050).
21. Residential burglary (RCW 9A.52.025).
22. Stalking (RCW 9A.46.110).
23. Interference with the reporting of domestic violence (RCW 9A.36.150).

B. ***"Protective order"*** includes anti-harassment orders (RCW 10.14), civil protection and out-of-state/tribal orders (RCW 26.50 and 26.52), restraining orders (RCW 26.09), and criminal no contact orders (RCW 10.99).

C. **"*Officer*"** means Washington State Patrol commissioned officers and, where applicable, Commercial Vehicle Enforcement Officers.

D. **"*Commissioned Supervisor*"** is defined as an officer with the rank of RCW Lieutenant or above, or his or her designee, who may, at times, be a Sergeant.

II. PURPOSE

A. Purpose of the Domestic Violence Policy

1. To establish procedures for preventing, detecting, investigating, educating employees, and communicating with victims about domestic violence incidents involving Washington State Patrol employees.

III. POLICY

A. Policy Statement

1. Where incidents of domestic violence perpetrated by Washington State Patrol employees or law enforcement officers are alleged to have occurred, the Washington State Patrol will act quickly to protect the victim; when appropriate, conduct a criminal investigation; arrest the perpetrator upon establishment of probable cause; and conduct such administrative investigation as deemed necessary. At the same time, the Washington State Patrol will respect the rights of all employees, according to applicable laws and collective bargaining agreements.

2. Officers shall respond to domestic violence incidents as they would to any other crime. The Washington State Patrol will employ established domestic violence investigation policies and training when investigating law enforcement personnel. This policy identifies special considerations for investigators to address as they proceed.

3. The Washington State Patrol commits to education at all phases of an employee's career and to prevent or identify domestic violence situations early to reduce victimization of the partner and to increase the chances of career stability and success.

4. The department will provide appropriate support and assistance to any Washington State Patrol employee who is a victim of domestic violence or the victim of domestic violence perpetrated by a Washington State Patrol employee.

5. The Washington State Patrol will take measures and precautions to address the safety and security of the victim and other staff in the workplace.

B. Criminal and Administrative Investigation Protocols

1. Implications of a Criminal Conviction and Protective Orders

a. Crimes of domestic violence and protection, protective orders involving Washington State Patrol employees and their

spouses, significant others, and family members can have a serious and significant impact on an employee's terms of employment.

b. Under certain circumstances, these crimes and orders negatively impact an officer's ability to carry a firearm. For non-commissioned employees, these crimes or orders may violate current department regulations regarding on- or off-duty conduct and criminal activity.

2. Federal/State Laws

a. Federal Law

(1) Under federal law, an officer is prohibited from possessing a firearm if he or she has been convicted of a qualifying misdemeanor crime of domestic violence. [18 U.S.C. §922(g)(9)]. It does not matter whether or not the crime is actually charged as "domestic violence" or when the crime was committed. For example, if an officer is arrested for domestic violence assault in the fourth degree that results in a conviction of assault in the fourth degree (with no domestic violence characterization), that individual would still be prohibited from possessing a firearm.

(2) An officer may be prohibited from possessing a firearm while subject to the provisions of a qualifying protection order. [18 U.S.C. §922(g)(8)].

b. State Law

(1) Under Washington law, an officer is prohibited from possessing a firearm upon conviction of certain crimes of domestic violence, including assault in the fourth degree and violating a protection, no-contact, or restraining order. [RCW 9.41.040(1)(b)(i)]. Specifically, a person is prohibited from possessing a firearm:

(a) After having previously been convicted in this state or elsewhere of any felony not specifically listed as prohibiting firearm possession under (a) of this subsection, or any of the following crimes when committed by one family or household member against another, committed on or after July 1, 1993: Assault in the fourth degree, coercion, stalking, reckless endangerment, criminal trespass in the first degree, or violation of the provisions of a protection order or no-contact order restraining the person or excluding the person from a residence. [RCW 26.50.060, 26.50.070, 26.50.130, or 10.99.040)]

(2) Family or household member is defined as:

(a) [S]pouses, former spouses, persons who have a child in common regardless of whether they have been married or have lived together at any time, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past, persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship, and persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren. [RCW 10.99.020(1)]

3. Conviction, Court Order, and Administrative Adverse Finding Impacts on Police Powers

a. Any officer who is (1) found guilty of domestic violence as defined in state and federal law through any criminal court in or out of state or (2) violates a qualifying protective order shall be prohibited from possessing a firearm, either by law or in the case of an administrative proven finding, by the Washington State Patrol. If any officer found guilty of a felony will be prohibited from possessing a firearm, the Washington State Patrol shall request the Criminal Justice Training Commission (CJTC) to permanently revoke that officer's police powers under RCW 43.101.095, 105, 115, 135.

b. Even if the criminal case does not result in a conviction that prohibits the officer from carrying a firearm, the employee is still subject to an administrative investigation.

C. Mandatory Reporting by Washington State Patrol Employees Subject to Protective Orders or Accused of Domestic Violence

1. All Washington State Patrol employees will continue to abide by the mandatory reporting requirements of the **RULES OF CONDUCT** policy. Any employee who is alleged to have engaged in domestic violence resulting in a notification of a law enforcement agency, or the subject of or a party to a criminal investigation, a protective order related to domestic violence, regardless of jurisdiction, is required to immediately report that fact to his/her supervisor and provide court dates, times, appearances, and notices of proceedings.

2. Supervisors shall immediately forward a copy of a protective order received from an employee through the chain of command to his or

her district or division commander, who shall immediately notify his or her respective assistant chief or bureau director. The assistant chief/bureau director will contact the Investigative Services Bureau Assistant Chief, who will ensure an appropriate review of the order is conducted in accordance with established department protocols.

3. Upon direction from the appropriate assistant chief/bureau director, the division/district commander will ensure compliance with any and all restrictions imposed on the employee by this order.

4. Victims of domestic violence will not face disciplinary action for failure to report that they are a victim.

D. Incident Response Protocols

1. Seizure of Duty Weapons

a. As with any crime, whenever an officer is arrested or accused of domestic violence, the supervisor shall relieve the accused officer of his or her department-issued weapon(s) and equipment. When possible, the victim of domestic violence will be informed of the seizure of duty weapons prior to the seizure taking place; if not, the department will notify the victim as quickly as practicable. If an armed officer from another jurisdiction is arrested, that individual's department will be immediately contacted by the Washington State Patrol supervisor where authorization to seize the individual's department-issued weapon(s) will be requested. Where allowable under federal, state, and local ordinances, all other firearms owned or at the disposal of the accused officer shall be removed to ensure the victim's safety.

2. WSP Communications Response

a. Communications personnel shall follow current procedures in documenting in the Computer Aided Dispatch system and, upon request, preserving evidence of all domestic violence calls. If the call involves a law enforcement employee, Communications shall immediately notify the Duty Lieutenant, who will notify the affected law enforcement agency.

b. If a domestic violence call involves an officer, Communications personnel will call the affected division/district/section commander.

c. If a domestic violence call involves a division/district/section commander or assistant chief/bureau director, Communications personnel will call the person next in the chain of command, whether it is an assistant chief, bureau director, or the Chief.

d. If a domestic violence call involves the Chief, Communications personnel will call the Investigative Services Bureau Assistant

Chief, who will then inform the appropriate contact in the Governor's office.

e. Communications personnel shall have available current lists of domestic violence victim advocacy organizations to provide on-scene commissioned supervisors with such information if requested.

3. Patrol Response

a. Upon arrival on the scene of a domestic violence call/incident involving any law enforcement personnel or officer as the suspect, the primary unit shall immediately notify Communications and request a commissioned supervisor be sent to the scene. The investigation shall be conducted in the same thorough manner as any other criminal investigation involving violence. Washington State Patrol investigators shall proactively seek out information on existing protective orders and, if found, shall enforce them.

b. Arrest warrants charging law enforcement officers with domestic assault and protective orders issued at a later time shall be served by no fewer than two officers, with at least one being of senior rank to the officer being served. The victim shall be notified of when the order will be served, unless the department believes that an officer safety issue will be created by such notice.

c. When responding to a domestic violence complaint involving an employee from a law enforcement agency, all responding Washington State Patrol personnel shall follow the same procedures in this policy. The responding officer shall notify the district duty lieutenant of the situation, who will notify the accused officer's department supervisor, subject to the conditions listed below:

(1) In the event that the reported incident involves a chief of police, commissioner, or department head, the responding officer shall immediately notify the Washington State Patrol Duty Lieutenant and command staff, who shall notify the individual in government who has direct oversight of that individual.

(2) In responding to domestic violence situations where the victim is a law enforcement department employee, standard domestic violence response and investigation procedures shall be followed.

(3) In responding to domestic violence incidents where the parties involved are both law enforcement employees, standard domestic violence response and investigation procedures should be followed.

(4) In all cases, through a designated liaison, the Washington State Patrol will notify the victim, as quickly as possible, of the investigation process, progress, confidentiality rules, and available resources for assistance.

4. Commissioned Supervisor Response

a. A commissioned supervisor shall respond to the scene of all domestic violence calls/incidents involving an officer when notified either by another police agency or the employee. If another jurisdiction has responded to the domestic violence call, that police agency with jurisdiction shall assume command over the incident and the commissioned supervisor should assist that agency in completing the investigation the same as any other call. Response to out-of-state incidents will occur with the approval of the division/district commander.

b. The commissioned supervisor shall, in a timely manner, debrief all Washington State Patrol personnel who responded to the law enforcement employee domestic violence incident. During the debriefing, the supervisor shall:

(1) Reiterate to personnel Washington State Patrol confidentiality guidelines.

(2) Reaffirm that information shall only be shared on a need-to-know basis.

(3) Ensure that the Washington State Patrol liaison for the victim has been designated as quickly as possible and that the duties of that liaison have been or are in the process of being met. Until the liaison is available, it may be necessary for the commissioned supervisor to begin those duties.

5. Notification to the Victim

a. Regardless of who has jurisdiction over the investigation, as quickly as possible, the Washington State Patrol commissioned supervisor will notify the victim of the investigation process to be followed, the agency's mandatory reporting and confidentiality policies, where the investigation is in the process (as known), who the appropriate contact persons are (the Washington State Patrol and, where applicable, other law enforcement agency), and community victim advocacy agency resources to include the Washington State Domestic Violence Hotline at 1-800-562-6025 via TTY.

E. Post-Incident Criminal and Administrative Investigation Procedures Specific to Domestic Violence

1. The Washington State Patrol will adhere to and observe all existing investigation procedures to ensure an accused employee's rights

are upheld during criminal and administrative investigations. These procedures are found in collective bargaining agreements, the *Criminal Investigation Division Manual*, and the *Administrative Investigation Manual*.

a. The Washington State Patrol will establish a liaison to keep the victim apprised of the process and progress of the criminal and administrative investigations. Information on the investigation's progress will be provided to the victim for the duration of the investigations. When the criminal investigation is conducted by another law enforcement agency, the Washington State Patrol will provide whatever information from that agency it has obtained and received permission to provide to the victim.

b. This Washington State Patrol liaison will also provide the victim with information on the confidentiality of the victim's personal information at the Washington State Patrol and with agency community victim advocacy resources.

F. Responsibilities and Procedures

1. Washington State Patrol Responsibilities

a. The Washington State Patrol is committed to ensuring a safe, secure working environment for all employees. In this endeavor, the department shall:

(1) Take measures to address the safety/security of the victim and other staff in the workplace, at work-related activities, or in state/personal vehicles used to conduct state business.

(2) Encourage employees who are victims of domestic violence to seek assistance through Employee Advisory Services, the Department Psychologist, their personal physician, or other community resources available to victims of domestic violence.

(3) Post information about domestic violence and available resources in Washington State Patrol work sites and send out annual reminders through the Daily Bulletin or other mass distribution avenues.

(4) Take appropriate action to address perpetrators of domestic violence through the administrative investigation process.

G. Communication with the Victim and Victim Safety

1. WSP-Designated Liaison with Victim

a. Working with community resources and victim advocacy agencies, the department shall make available through a

designated liaison all necessary and appropriate services to each victim. For each incident, the district or division commander will designate a liaison, either commissioned or non-commissioned, who will be available to answer the victim's questions regarding community victim advocacy services, make referrals to services, and engage in basic safety planning strategies with the advice of the Human Resource Division.

b. In addition, the district or division liaison shall:

(1) Provide the victim with copies of:

(a) The Washington State Patrol's Domestic Violence Policy.

(b) Information about public/private domestic violence advocates and services to include the Washington State Domestic Violence Hotline at 1-800-562-6025 via TTY.

(c) Contact information and confidentiality policies.

(d) Information about law enforcement confidentiality policies relating to the victim's information, including their limitations and where local jurisdictions' policies may differ.

(2) When appropriate, facilitate the contact between the victim and victim advocacy agencies.

(3) Respond to victim inquiries about the administrative investigation status by contacting the Office of Professional Standards Commander or his/her designee, who will respond in a timely manner with the most information allowed by law.

(4) Inquire whether the victim wants any weapons removed from his/her home for safekeeping by the department.

(5) Caution the victim to be alert to stalking activities on the part of the abuser and assist in safety planning.

2. Employee Responsibilities

a. Employees shall cooperate with and follow supervisors' and/or Human Resource Division directions regarding any safety/security measures deemed necessary, which may include keeping victim information confidential.

H. Supervisor Responsibilities

1. When a Washington State Patrol employee is accused of a crime of domestic violence:

a. If a supervisor becomes aware of an allegation that a Washington State Patrol employee has committed a crime of

domestic violence, the following steps shall be taken as appropriate:

(1) Supervisors shall immediately follow current procedures regarding the reporting of alleged employee misconduct on or off duty.

(2) Identify and consult with the Washington State Patrol's liaison with the victim for the criminal or administrative investigation (whichever is in progress) and the Washington State Patrol contact regarding victim advocacy services. The goal is to ensure that the victim is kept apprised of the investigation process, progress, and rules of confidentiality and has access to appropriate safety measures and services.

(3) Make available to any employee, upon request, information about domestic violence perpetrator programs certified by the state under RCW 26.50.150. The Washington State Patrol will not interpret such a request as an admission of wrongdoing.

(4) Encourage any employee who is a perpetrator of domestic violence to seek assistance.

2. When a WSP employee is a victim of a crime of domestic violence:

a. A supervisor shall:

(1) Consult with the Human Resource Division when the employee is a victim of domestic violence and safety/security measures are necessary. This may include ensuring enhanced security measures, notifying other employees in the workplace to be aware of the perpetrator and the potential use of state equipment (computers, vehicles), etc.

(2) Assist in implementing whatever safety/security measures are deemed necessary with support from the designated liaison.

(3) Encourage any employee who is a victim of domestic violence to seek resources assistance from the designated Washington State Patrol liaison.

(4) Adjust the employee's work schedule and/or grant leave (paid or unpaid) to allow the employee to seek assistance. Shared leave may be appropriate under some circumstances.

I. Employee Responsibilities and Resources

1. All department personnel shall accept, document in writing, and preserve all calls or reports, including those made anonymously, alleging that a Washington State Patrol employee has engaged in a crime of domestic violence. Personnel with any knowledge of or information about abuse and/or violence perpetrated by a Washington State Patrol employee must report such information to their supervisor immediately. Failure to do so may subject the employee to investigation and possible disciplinary sanctions. The supervisor shall immediately forward that information through the chain of command to the division/district commander.

2. Wherever an employee suspects witness or victim intimidation/coercion is occurring, he or she shall report the incident immediately through the chain of command.

3. Personnel that engage in threatening, harassing, stalking, surveillance, violating confidentiality directives or safety plans, or other such behavior designed to interfere with domestic violence cases against fellow employees or intimidate witnesses may be subject to investigation and possible disciplinary sanctions.

4. Personnel who fail to cooperate with the investigation of an employee domestic violence case may be subject to investigation and possible disciplinary sanctions.

5. All personnel are encouraged and entitled to seek assistance through the Department Psychologist and other available counseling sources, to prevent a problem from escalating to the level of criminal conduct against an intimate partner or family member. Any employee may request information on domestic violence victim advocacy or state-certified perpetrator programs. The Washington State Patrol will not interpret such a request as an admission of wrongdoing.

6. Nothing in this policy is intended to require punitive measures against an employee victim of domestic violence for failing to report their abuse or to require actions in conflict with collective bargaining agreements or other due process guarantees.

J. Prevention, Education, and Training

1. Prevention Through Collaboration

a. The Washington State Patrol will collaborate with local domestic violence victim advocacy organizations, the prosecutor's office, Department Psychologist, and department employees specialized in domestic violence issues and training, and the state domestic violence coalition in the development of domestic violence training curricula.

b. The Washington State Patrol will provide training, where requested, to local domestic violence victim advocacy organizations on the department's domestic violence policy.

c. All labor unions representing Washington State Patrol employees will be provided a copy of the domestic violence policy.

2. Education

a. Upon implementation of the policy, the Washington State Patrol will provide employees with copies of and training on the policy. Employee family members will also receive copies of the policy. New hires will receive this training within six months of hire.

b. The Regional Training Officers (RTO) will provide statewide training to employees. A review of the domestic violence policy will be included in in-service training and Supervisor's Basic, and conducted annually with employees. Trooper Basic Training and new employee orientation shall include a section on the domestic violence policy. Supervisors who may make employee referrals to the Department Psychologist or other domestic violence advocacy or counseling sources will receive training in the appropriate method of referral and basic safety planning.

3. Program Evaluation

a. To enhance the effectiveness of the training, the Washington State Patrol should work with internal and external research resources to evaluate the training being provided. This may include, but is not limited to, domestic violence victim advocacy organizations and victim focus groups.

4. Early Warning and Investigation

a. Pre-Hire Screening and Investigation

(1) The Washington State Patrol shall conduct thorough background investigations of all trooper cadet applicants to determine if domestic violence issues exist. This investigation will include, where possible, interviews of current and former household members of the candidate.

(2) All employee candidates shall be asked and given a polygraph about past arrests or convictions for domestic-violence-related incidents and past civil or criminal protective orders.

(3) Any trooper cadet candidate with a history or conviction of domestic violence shall be eliminated as an employee candidate at that point in the hiring process.

b. Post-Conditional Offer of Employment

(1) The Washington State Patrol shall require a psychological examination of all viable candidates to be performed by the Department Psychologist.

(2) The psychological screening shall focus on indicators of violent or abusive tendencies or behaviors in their background.

c. Ongoing NCIC and Firearm Checks

(1) On an annual basis, the Washington State Patrol will conduct National Crime Information Center (NCIC) and firearm checks on all commissioned officers. The procedure for doing so may be defined by collective bargaining agreement.

Applies to: All WSP Employees

See Also: 18 U.S.C. §922(g)(8) and (9); Executive Order 96-05; RCW 9A.26.50.060, 9A.26.50.070, 9A.26.50.130, 9A.36.011, 9A.36.021, 9A.36.031, 9A.36.041, 9A.36.045, 9A.36.050, 9A.36.070, 9A.36.150, 9A.40.020, 9A.40.030, 9A.40.040, 9.41.040, 9A.44.04, 9A.44.050, 9A.46.110, 9A.48.070, 9A.48.080, 9A.48.090, 9A.52.020, 9A.52.025, 9A.52.030, 9A.52.070, 9A.52.080, 10.14, 10.99, 10.99.020, 10.99.040, 10.99.050, 26.09, 26.09.300, 26.10.220, 26.26.138, 26.44.063, 26.44.150, 26.50, 26.50.060, 26.50.070, 26.50.130, 26.52, 26.52.070, 43.101.095, 43.101.105, 43.101.115, 43.101.135, 74.34.145; WAC 356-18-112; WSP Policy **Rules of Conduct**; Collective Bargaining Agreements; *Criminal Investigation Division Manual*; *Administrative Investigation Manual*

Chapter 9

DEPARTMENT AUTHORITY AND ORGANIZATION

► SECTION 00: APPOINTMENTS ◄

9.00.010 CREATION AND AUTHORITY (CALEA 1.2.1)

I. POLICY

A. Creation of the Washington State Patrol

1. Established in 1921, the Washington State Patrol operates under the authority of RCW 43.43.010, which created the department, and RCW 43.43.030, which gives full police powers to Washington State Patrol officers.

B. Required Investigative Services

1. The State Patrol began formal assistance to other police agencies with the passage of RCW 43.43.500. This statute created the Washington State Crime Information Center. Other statutorily required investigative services include the following:

   a. The Central Computerized Law Enforcement System, authorized by RCW 43.43.785.

   b. The Narcotics Section operates under 43.43.600.

   c. The state Crime Laboratory serves all police agencies in the state and operates under RCW 43.43.670.

   d. State Fire Protection Services operates within the Washington State Patrol under RCW 43.43.930.

   e. The Organized Crime Intelligence Unit was created through RCW 43.43.850.

   f. The consolidation of criminal justice services was established by RCW 43.43.785.

   g. The Identification Section was established by RCW 43.43.700 and maintains a central registry of sexual offenders under RCW 9.94A.612.

   h. The Commercial Vehicle Division is responsible for commercial vehicle safety requirements, including, but not limited to, terminal safety audits under RCW 46.32.080.

2. RCW 43.43.035 and 43.43.037 mandate the responsibility for the safety of the Governor, the Governor's family, the Lieutenant Governor, and for the security and protection of the legislature.

Applies to: All WSP Employees
See Also: RCW 43.43

9.00.020 APPOINTMENT OF OFFICERS AND SPECIAL DEPUTY APPOINTMENTS (CALEA 1.1.1, 1.2.1, 12.1.1)

I. POLICY

A. Chief Appoints Special Deputies

1. The Chief of the Washington State Patrol is appointed by the Governor under RCW 43.43.020. The Chief is empowered to assign sufficient officers to exercise law enforcement powers and enforce traffic rules and regulations.

2. The Chief appoints special deputies and grants police authority as necessary and consistent with their assignment. Special deputy appointments may be withdrawn at the Chief's discretion.

B. Officers

1. The Chief determines compensation, defines the rank and duties, makes promotional appointments, and may remove employees for cause. Newly appointed officers shall take the Washington State Patrol oath of office prior to assuming Washington State Patrol officer status.

C. Commercial Vehicle Enforcement

1. After successful completion of testing and the Training Division's training requirements, Commercial Vehicle Enforcement Officers 1, 2, 3, and 4 and Commercial Vehicle Officers 1, 2, 3, and 4 are appointed by the Chief as special deputies. Commercial Vehicle Enforcement Officers are armed for defensive purposes. The positions have enforcement powers limited to commercial vehicles and school/private carrier buses. These are classified positions and employees may be terminated for cause.

D. Trooper Cadets

1. The Chief may appoint qualified persons as trooper cadet special deputies. These are exempt positions and may be withdrawn at the Chief's discretion.

   a. **Armed**: Trooper cadets may be sent to the Academy for firearms and prescribed training. Upon successful completion of training, some are granted limited police authority and provided a firearm as necessary and consistent with their assignment. The assignment shall last until reassigned, assigned to the Academy for trooper basic training, the person leaves the department, or the appointment is withdrawn at the Chief's discretion.

   b. **Unarmed**: Trooper cadets may be placed within the department in positions not requiring enforcement powers or firearms. The assignment shall last until reassigned, assigned to the Academy for trooper basic training, the person leaves the department, or the appointment is withdrawn at the Chief's discretion.

Applies to: All Enforcement and Exempt Employees
See Also: RCW 43.43.020, 43.43.035

► SECTION 01: AGENCY ORGANIZATION ◄

9.01.010 OFFICE OF THE CHIEF (CALEA 11.1.1, 11.2.2, 52.1.3)

I. POLICY

A. Chief's Direct Reports

1. The Office of the Chief is comprised of the Chief and the following organizational units, who report directly to the Chief:

   a. Department Psychologist

   b. Labor and Policy Advisor

   c. Government and Media Relations

   d. Risk Management Division Commander reports directly to the Chief on audit/inspection duties

2. The Deputy Chief also reports directly to the Chief. The following organizational units report to the Deputy Chief:

   a. Budget and Fiscal Services

   b. Field Operations Bureau

   c. Fire Protection Bureau

   d. Forensic Laboratory Services Bureau

   e. Investigative Services Bureau

   f. Technical Services Bureau

Applies to: All WSP Employees
See Also: --

9.01.020 FIELD OPERATIONS BUREAU (FOB) (CALEA 11.1.1, 11.2.2)

I. POLICY

A. Organizational Units in the Field Operations Bureau

1. The Field Operations Bureau is headed by a sworn Assistant Chief, who reports directly to the Deputy Chief and commands the following organizational units:

   a. **Eight districts** — Each commanded by a captain; directly accountable to the FOB Assistant Chief. District lieutenants are assistant district commanders.

   b. **Problem Oriented Public Safety (POPS)**

c. **Commercial Vehicle Division**

d. **Commercial Vehicle Enforcement Section**

Applies to: All WSP Employees
See Also: --

9.01.030 INVESTIGATIVE SERVICES BUREAU (ISB) (CALEA 11.1.1, 11.2.2, 42.2.8, 46.2.6, 52.1.3)

I. POLICY

A. Organizational Units in the Investigative Services Bureau

1. The Investigative Services Bureau is headed by a sworn Assistant Chief, who reports directly to the Deputy Chief and commands the following organizational units:

a. **Criminal Investigation Division**

(1) Vehicle Identification Section

(2) Auto Theft Section

(3) Collision/Criminal Investigation Section

(4) Identity Theft Unit

(5) Cooperative Disability Investigations Unit

(6) Major Accident Investigation Team (MAIT)

(7) Special Investigations Unit

b. **Criminal Records Division**

(1) ACCESS

(2) Identification Section

(3) Collision Records Section

c. **Investigative Assistance Division**

(1) Narcotics Section

(2) Special Investigations Section

(3) Statewide Integrated Intelligence Section

(4) Special Weapons and Tactics (SWAT)

d. **Office of Professional Standards (reports directly to the Chief in disciplinary matters)**

(1) Internal Affairs Section

e. **Special Operations Division**

(1) Aviation Section

(2) Executive Services Section

f. **Homeland Security Division**

(1) Vessel and Terminal Security Section

(2) Homeland Security Section

(3) Canine Training Section

Applies to: All WSP Employees
See Also: --

9.01.040 TECHNICAL SERVICES BUREAU (TSB) (CALEA 11.1.1, 11.2.2)

I. POLICY

A. Organizational Units in the Technical Services Bureau

1. The Technical Services Bureau is headed by a sworn Assistant Chief, who reports directly to the Deputy Chief and commands the following organizational units:

a. **Communications Division**

b. **Electronic Services Division**

c. **Human Resource Division**

d. **Information Technology Division**

e. **Property Management Division**

(1) Facilities Management Section

(2) Fleet Section

(3) Supply Section

f. **Risk Management Division**

(1) Administrative Services Section

(2) Evidence Section

(3) Public Disclosure Section

(4) Strategic Planning and Performance Section

(5) Audit function (reports directly to the Chief)

g. **Training Division**

Applies to: All WSP Employees
See Also: --

9.01.050 FIRE PROTECTION BUREAU (FPB) (CALEA 11.1.1, 11.2.2, 46.1.1)

I. POLICY

A. Organizational Units in the Fire Protection Bureau:

1. The Fire Protection Bureau is headed by the State Fire Marshal (bureau director), who reports directly to the Deputy Chief and commands the following organizational units:

a. **Prevention Division**

(1) Licensing (Fireworks and Sprinklers)

(2) Inspections and Plan Review

(3) Public Education

b. **Preparedness Division**

(1) Basic Firefighter Training Program

(2) Standards and Accreditation

(3) Mobilization

(4) Data

(5) Hazardous Materials (HazMat)

Applies to: All WSP Employees
See Also: --

9.01.060 FORENSIC LABORATORY SERVICES BUREAU (FLSB) (CALEA 11.1.1, 11.2.2)

I. POLICY

A. Organizational Units in the Forensic Laboratory Services Bureau

1. The Forensic Laboratory Services Bureau is headed by the bureau director, who reports directly to the Deputy Chief and commands the following organizational units:

a. **Crime Laboratory Division**

b. **Toxicology Laboratory Division**

(1) Toxicology Laboratory

(2) Impaired Driving Section

(a) Breath Test Program

(b) Drug Recognition Program

(c) Ignition Interlock Program

c. **Standards and Accountability Section**

Applies to: All WSP Employees
See Also: RCW 42.52

► SECTION 02: NOTIFICATION/SUCCESSION ◄

9.02.010 COMMAND SUCCESSION (CALEA 11.1.1, 11.2.2, 12.1.2)

I. POLICY

A. Chain of Command in Absence of Chief

1. The Chief commands all department employees. If the Chief is absent or incapacitated, the command succession shall be:

   a. Deputy Chief

   b. Field Operations Bureau Assistant Chief

   c. Investigative Services Bureau Assistant Chief

   d. Technical Services Bureau Assistant Chief

2. In the event of emergency or disaster and the deputy chief and assistant chiefs are absent or unavailable, the position of Chief shall be appointed by the Governor.

3. If the Governor is absent or unavailable due to emergency or disaster, the position of Chief will be filled by the next highest ranking commissioned officer within the Washington State Patrol.

4. If the next ranking individual is not immediately available due to emergency or disaster, then the position of Chief will be filled by geographical availability of district commander in the following order:

   a. District 1 Captain

   b. District 8 Captain

c. District 5 Captain

d. District 2 Captain

e. District 7 Captain

f. District 3 Captain

g. District 6 Captain

h. District 4 Captain

5. The interim Acting Chief selected from the next geographical location shall fill the position of Chief until the highest ranking commissioned individual is able to take command of the department.

6. The Acting Chief shall fill each bureau assistant chief or director position with the next ranking person from within each bureau, dependent upon the needs of the department.

Applies to: Chief, Deputy Chief, Assistant Chiefs, Captains, Lieutenants
See Also: WSPLA Collective Bargaining Agreement

9.02.020 CHAIN OF COMMAND (CALEA 11.1.1, 11.2.1, 11.2.2)

I. POLICY

A. Commissioned Officer Chain of Command

1. The chain of command continues as follows:

   a. **Deputy Chief** — Appointed by the Chief, conducts day-to-day operations of the department.

   b. **Assistant Chief/Bureau Director** — Appointed by the Chief; occupied by an employee in charge of a bureau.

   c. **Captain** — Appointed by the Chief; commands a district or other command area.

   d. **Lieutenant** — Appointed on a permanent basis from a promotional list; commands a section, unit, or other command area.

   e. **Sergeant** — Appointed on a permanent basis from a promotional list; supervises a section, detachment, or unit.

   f. **Trooper** — A permanent appointment by the Chief upon graduation from the Academy.

B. Department Line Officers

1. Officers assigned to traffic duty work traffic enforcement or in direct support of traffic enforcement more than 50 percent of the work time.

2. Such positions include traffic officers, traffic sergeants, traffic support officers, traffic support sergeants, traffic assistance detectives, traffic assistance detective sergeants, and those lieutenants and command staff assigned to the Field Operations Bureau.

Applies to: WSP Officers
See Also: --

9.02.030 HEADQUARTERS DUTY OFFICER (CALEA 11.4.5, 41.2.4)

I. POLICY

A. Availability of Headquarters Duty Officer

1. The Headquarters Duty Officer shall be available Monday through Friday, 8 a.m. to 5 p.m., at Headquarters.

2. The Headquarters Duty Officer may assist with emergency requests from out-of-state or other state agencies, coordinating emergency transportation details involving two or more districts, and coordinating Headquarters' response during a major incident.

3. Communications centers shall notify the Chief, all assistant chiefs/bureau directors, and the Headquarters Duty Officer of major incidents.

4. The Headquarters Duty Officer shall inform the Chief, affected commanders, and the Government and Media Relations Commander of the progress of the major incident in a timely manner.

B. Headquarters Notification of Serious Incidents

1. The Headquarters Duty Officer shall be notified of incidents that may result in questions to the department from the public or the news media.

2. Commanders shall ensure notification is made for:

   a. Serious traffic problems or road closures.

   b. Storms or natural disasters, including volcanic eruptions.

   c. Activation of Emergency Mobilization Plan.

d. Correctional facility disturbances or escapes.

e. Felony criminal arrests which may be subject to considerable media coverage.

f. Serious patrol car collisions and high-speed pursuits (particularly if there were injuries).

g. Gun shots fired at or by department employees.

h. Arrests which involve injuries to employees or arrestees.

i. Joint operations or multiple-agency responses to serious traffic or criminal activities.

j. Incidents involving suspected explosive devices.

k. School bus injury collisions.

l. Deaths or serious incidents, etc., involving state-elected officials, sheriffs, or police chiefs.

m. Emergency transportation of persons, bloods, etc.

n. Major hazardous materials spills.

o. Major plane, bus, train, or marine incidents.

p. Criminal acts in which department affiliation is a factor, including endangerment, threats, injury, or property damage to employees or their families.

q. Other activities as determined by the officer in charge of resolution which have the potential to be newsworthy or sensitive in nature.

Applies to: Headquarters Duty Officer; Commanders
See Also: --

9.02.040 REQUEST FOR ASSISTANCE FROM FEDERAL LAW ENFORCEMENT AND/OR THE NATIONAL GUARD (CALEA 2.1.4)

I. POLICY

A. Emergency Assistance

1. Requests for emergency assistance from federal law enforcement agencies must be approved by the Chief or designee.

2. The Chief or designee may petition the Governor to activate the National Guard if the need arises.

Applies to: All WSP Employees
See Also: --

Chapter 10

DEPARTMENT MANAGEMENT

► SECTION 00: DIRECTIVES/DOCUMENTS ◄

10.00.010 OFFICIAL DEPARTMENT PUBLICATIONS (CALEA 12.2.1, 12.2.2)

I. POLICY

A. Agency Manuals

1. Manuals that meet the criteria below shall be assigned an agency control number:

   a. Represent the department as a whole or any major department programs or services.

   b. Utilized on a statewide basis by department employees, whether printed and/or available on Inside WSP.

   c. Will or may be distributed externally for use or viewing by the general public.

   d. Will be made available on the department public Internet site.

2. Control numbers are assigned by the agency Documents Manager in Administrative Services. Refer to the **FORMS AND DOCUMENT MANAGEMENT** policy for further information.

B. Manual Accessibility

1. Following the assignment of a control number, manuals that meet the criteria above shall be made available on Inside WSP under "SOP Manuals" by the agency Documents Manager. Exceptions may be granted for manuals containing confidential information.

2. Standard operating procedures manuals at a division or district level also shall be assigned a control number and made available on Inside WSP under "SOP Manuals" by the agency Documents Manager. Exceptions may be granted for manuals containing confidential information.

3. High-level department manuals (e.g., *Time and Activity Reporting*, *Incident Management Handbook*, *Regulation Manual*, etc.) made available on Inside WSP shall also be printed in hard copy format or made available on CD for distribution to employees who do not have Inside WSP access.

C. Acknowledgement of Receipt and Updates

1. Supervisors shall ensure each subordinate reads and signs for appropriate orders, directives, and publications when received.

2. Annually, supervisors shall audit and, if needed, update manuals assigned to the office.

3. Employees shall sign a Directive Control Sheet after receiving department publications or orders. Directive Control Sheets shall be maintained at the division/district/section as required by the retention schedules.

D. Manual Format

1. Policy and procedural manuals shall be formatted in an outline format.

Applies to: All WSP Employees
See Also: WSP Policy **Forms and Document Management**

10.00.020 ORDERS (CALEA 12.1.4, 12.2.1, 12.2.2)

I. POLICY

A. General Orders

1. General Orders define permanent policy and procedural changes pertaining to the department or specific subdivisions. They shall be issued by the Chief, who determines distribution.

   a. General Orders shall remain in effect until canceled or published in the *Regulation Manual*.

   b. Signed Directive Control Sheets shall be kept by the district/section until the General Order is published.

B. Special Orders

1. Special Orders announce procedures concerning a specific circumstance; procedures of a temporary or self-canceling nature; and procedures which involve only specific segments of departmental activities.

2. The Chief, Deputy Chief, assistant chiefs, bureau directors, or division/district commanders may issue Special Orders for distribution within their command. They are distributed to supervisors/commanders, who shall ensure subordinates are advised.

C. Personnel Orders

1. Personnel Orders announce personnel actions. They may be issued by the Chief, Deputy Chief, assistant chiefs, bureau directors, or the Human Resource Division Commander.

Applies to: All WSP Employees
See Also: --

► SECTION 01: COMMUNICATIONS ◄

10.01.010 DEPARTMENT CORRESPONDENCE (CALEA 12.1.4, 12.2.1)

I. POLICY

A. Compliance with Correspondence Procedures

1. Bureau/division/district/section commanders and supervisors shall ensure employees comply with established formats for correspondence outlined in the department *Correspondence Procedures Manual*.

B. External

1. Except for that of a local, routine nature, correspondence to other chiefs of police or the department heads of any agency or company shall be signed by the Chief.

2. Correspondence originated by commanders may quote written policy, commit employees to routine emergency situations, and provide for routine expenditures of funds. Any other correspondence committing employees or funds or dealing with policy must be approved and signed by the Chief.

3. Division/district/section commanders may sign correspondence addressed to their counterparts or to the public whenever the subject matter is of a routine business nature. No one below the level of section commander may correspond directly with outside agencies or the public without approval of the appropriate commander.

4. When correspondence is forwarded to the person addressed, the originator shall keep a copy. When forwarded from divisions/districts/sections to Headquarters, a copy shall be kept at the local level. Copies shall be maintained according to the retention schedules.

5. State of Washington stationery shall not be used for personal matters under any circumstances.

6. Letters of recommendation for employees shall be printed on official stationery if the writer is signing within his/her official capacity.

7. Plain Talk principles shall be incorporated into all communications. Plain Talk requires using plain language or writing that the typical customer can understand and act upon after a single reading (refer to Governor's Executive Order 05-03 and the Plain Talk Web site at http://www.accountability.wa.gov/default.asp for further information).

C. Internal

1. The Interoffice Communication (IOC) is the method utilized to communicate formal requests or for issuing directives. IOCs shall be addressed to the appropriate supervisor, then forwarded through the chain of command to the division/district/section commander, if the issue necessitates consideration at that level. If

the issue cannot be resolved at that level, the commander shall forward the written communication to the next level of authority in the chain of command or the appropriate division/district/section commander for resolution.

2. Supervisors and division/district/section commanders may indicate agreement, disagreement, and/or other appropriate comment on the communication, then sign and date before forwarding. They shall ensure there is no unreasonable delay. A copy of written communications addressed elsewhere but resolved at the local level shall be retained in a district or section file for reference and maintained according to the retention schedules.

3. It is the responsibility of designated recipients of IOCs to acknowledge them within ten days of receipt. The acknowledgment shall be in writing, if appropriate, and—when possible—shall contain a disposition. The acknowledgement shall be addressed to the originator of the written communication, with a copy to the affected division/district/section commander.

Applies to: All WSP Employees
See Also: Governor's Executive Order 05-03: Plain Talk;
Correspondence Procedures Manual

10.01.020 MAIL REGULATIONS (CALEA 41.2.4, 46.2.7)

I. POLICY

A. Incoming and Outgoing Mail

1. Incoming or outgoing mail within the department shall be governed by the following:

   a. Employees shall not provide package delivery services with a department address for delivery of non-business-related packages (e.g., Federal Express, United Parcel Service, etc.), nor routinely receive personal mail at the office.

   b. In those department offices that routinely receive cash, two employees shall be present when opening incoming mail, in accordance with Office of Financial Management regulations and the department's *Budget and Fiscal Services Standard Operating Procedures Manual*.

   c. Division/district commanders shall establish mail-handling policy to conform to the division/district needs. Confidential mail and sealed mail, including campus mail manila envelopes, addressed to an individual will be forwarded to the addressee.

2. Unnecessary third/fourth class and bulk mail (e.g., training announcements, magazines, etc.) greatly increases the fiscal impact on the department. Division/district/section commanders should direct employees or those individuals authorized to open incoming mail to utilize change of address cards, when necessary,

in an effort to decrease the volume of incoming bulk mail. Change of address cards are available from Consolidated Mail Services, Olympia, at (360) 664-9506 or via their Web site at http://www.ga.wa.gov/mail/mail.htm; or from the local post office.

B. Consolidated Mail Services

1. Division/district offices in Western Washington shall utilize the state mail service (Consolidated Mail Services) for their mailing needs.

2. Postage meters shall not be utilized in offices where Consolidated Mail Services provides services to the local area.

3. Consolidated Mail Services shall not be utilized for personal outgoing mail under any circumstances.

4. Requests for new department mail stops should be directed to the Administrative Services Section.

5. Administrative Services should be notified when the need for an department mail stop no longer exists.

6. Questions concerning the use of Consolidated Mail Services should be directed to the Administrative Services Section.

Applies to: All WSP Employees
See Also: RCW 9.73.020; *Budget and Fiscal Services Standard Operating Procedures Manual*

10.01.030 DAILY BULLETIN (CALEA 12.1.4)

I. POLICY

A. Daily Bulletin Transmission and Contents

1. The Daily Bulletin is originated and transmitted to all department offices daily via e-mail by the Administrative Services Section. The bulletin contains personnel actions, policy and procedural updates, vital statistics, and other information.

B. Vital Statistics

1. Death or injury announcements shall be limited to current/retired employees, their spouses, children (including step, foster, and adoptive), parents/parents-in-law, and grandparents. Bulletins announcing deaths or injury announcements of dignitaries, members of other law enforcement agencies, or other individuals will require approval of the appropriate assistant chief, bureau director, Deputy Chief, or the Chief before being published.

2. Birth announcements will be limited to newborn and adoptive children of active employees only.

II. PROCEDURES

A. Daily Bulletin Guidelines

1. Commanders are to actively utilize the Daily Bulletin to publish information of interest to department employees. This includes legislative updates, continual updates of major incidents, programs of interest to department employees, policy changes, wages and benefit information, memorandums of understanding, etc.

2. Daily Bulletin messages are to be submitted via e-mail to "Daily Bulletin Submissions" or delivered to the Administrative Services Section.

3. Daily Bulletins are numbered sequentially throughout the month, beginning with number 1 on the first business day of the month.

4. Daily Bulletin messages shall include the name of the approving bureau, division, district, or section commander and the title of the bureau, division, district, or section they represent.

5. Messages that are questionable in content will not be published unless approved by the appropriate assistant chief or bureau director.

6. Commanders may authorize employees representing committees or associations to submit Daily Bulletin messages regarding department committee activities in their name (e.g., Memorial Foundation, Athletic Association, etc.).

7. Commanders shall ensure availability of the bulletin to all employees. Bulletins shall be maintained at the division, district, or section and kept as required in the retention schedules.

8. “Special Announcements” shall only be utilized to generate Daily Bulletins containing time-sensitive material of interest to the majority of department employees. Administrative Services shall be notified when a Special Announcements is submitted.

9. Daily Bulletins for the current year and previous two years are available on Inside WSP.

B. Receiving the Daily Bulletin

1. Supervisors shall notify Information Technology Division (ITD) Customer Support of new employees who should receive the Daily Bulletin through e-mail.

2. Requests to receive the Daily Bulletins through an Internet mail service shall be directed to the Administrative Services Section.

3. Retiring personnel who wish to continue receiving the Daily Bulletin shall make arrangements with the district or division secretary in the district/division from which they retired.

C. Deadlines

1. In order to ensure messages can be included in the Daily Bulletin, the deadline each day is 3:30 p.m. Messages received after 3:30 p.m. will not be published until the next day.

2. In the event the 3:30 p.m. deadline cannot be met and the message needs to be published that day, contact the Administrative Services Section.

Applies to: All WSP Employees
See Also: --

10.01.040 BUSINESS CARDS, LETTERHEAD, AND ENVELOPES

I. POLICY

A. Business Cards

1. Division/district/section commanders shall provide the Administrative Services Section with the name of an employee who will be responsible for ordering business cards via the State Printer's online ordering system.

2. Administrative Services will assign a user ID and password.

3. Employees must possess a demonstrated need for business cards (e.g., managers and supervisors, field operations, those who routinely interact with the public or internal/external stakeholders, etc.), which must be approved by a division, district, or section commander.

4. Requests for specialized business cards must be coordinated with the Administrative Services Section.

B. Letterhead

1. Division/district/section commanders shall provide the Administrative Services Section with the name of an employee who will be responsible for ordering letterhead online via the State Printer's online ordering system.

2. Administrative Services will assign a user ID and password.

3. The online template for state of Washington stationery provided by the State Printer shall be followed and not be altered in any manner.

4. Requests for specialized letterhead must be coordinated with the Administrative Services Section.

C. Envelopes

1. Division/district/section commanders shall provide the Administrative Services Section with the name of an employee who will be responsible for ordering envelopes online via the State Printer's online ordering system.

2. Administrative Services will assign a user ID and password.

3. The online template for state of Washington stationery provided by the State Printer shall be followed and not be altered in any manner.

4. Requests for specialized envelopes or for pre-stamped envelopes must be coordinated with the Administrative Services Section.

Applies to: All WSP Employees
See Also: --

10.01.050 MEETINGS WITH COMMANDERS (CALEA 12.1.4)

I. POLICY

A. Improving Communications

1. To improve communications within the department, commanders should meet with local official representatives of formally organized employee groups or associations. Commanders may structure such meetings to include representatives of one or more groups. Such meetings do not violate the chain of command.

2. The commander shall determine time and place. The employee representative's supervisor shall be notified before the meeting or, if not possible, as soon as possible after the meeting.

Applies to: All WSP Employees
See Also: RCW 42.52

10.01.060 STAFF MEETINGS (CALEA 12.1.4)

I. POLICY

A. Information to be Shared at Staff Meetings

1. Staff meetings should be held periodically to inform employees of:

   a. New policies and procedures

   b. Goals and objectives

   c. Responsibilities and concerns

d. Health and safety issues

e. Strategies for upcoming events

B. Meeting Requirements

1. The immediate supervisor of those in attendance should conduct the meeting, provide an agenda before the meeting, and ensure meeting minutes are taken and distributed to all participants and absent employees. Employees are encouraged to add to the agenda and discuss any additional items after the agenda has been completed.

2. Commanders are encouraged to attend meetings conducted in their areas.

Applies to: All WSP Employees
See Also: --

10.01.070 CHIEF'S 1-800 LINE (CALEA 12.1.4)

I. POLICY

A. Purpose of Chief's 1-800 Line

1. To provide a direct means of communication between the Chief and employees, the normal chain of command may be bypassed when, in the writer's opinion, other means of remedy are not satisfactory.

B. Submitting a Call or E-Mail to the 1-800 Line

1. To call, dial 1-800-835-5870. When prompted, enter the company code of WSP (977).

2. For e-mail, go to www.getintouch.com.

a. Select "Provide Feedback to your company."

b. Select "WSP."

c. Enter WSP numeric code 977.

d. Be sure to include "WSP" in the subject line.

3. Communications shall be opened only by the Office of the Chief. They may not be individually answered, but may form a basis for subsequent decisions.

4. Information may be referred to an assistant chief/bureau director for research and response.

Applies to: All WSP Employees
See Also: --

10.01.080 CONGRESSIONAL AND FEDERAL COMMUNICATIONS

I. POLICY

A. Official Contacts with Congressional Members

1. All official written correspondence or verbal contacts with members of Congress, their staff, and federal agencies expressing a public policy position or recommendation, or advocating a position on pending federal legislation or regulations, shall be submitted to the Chief's Office for prior approval.

2. Employees who, in an official capacity, have direct contact with members of Congress, their staff, or other federal officials regarding issues that may be of interest to the Office of the Governor shall immediately notify the Chief. The Chief or Office of Government and Media Relations will follow the Governor's office notification process as required.

Applies to: All WSP Employees
See Also: --

► SECTION 02: GOVERNMENT AND MEDIA RELATIONS ◄

10.02.010 MEDIA AND PUBLIC RELATIONS (CALEA 54.1.1, 54.1.2)

I. DEFINITIONS

A. Headquarters Public Information Officer – Is appointed by the Chief and is assigned to the Office of Government and Media Relations (GMR). The Headquarters Public Information Officer (commander of GMR) is responsible for the coordination and release of information to the print and broadcast media for the entire department and shall act as spokesperson for the Chief, along with the GMR headquarters staff. The Public Information Officers (PIOs) are located in each of the eight geographical districts and bureaus/divisions throughout the state to assist this position.

B. Public Information Officer – PIOs are appointed by an assistant chief/bureau director or the division/district commander in consultation with the commander of GMR. They shall coordinate media relations and public information on routine matters in their respective areas. PIOs shall coordinate their activities that impact the department as a whole through the Headquarters PIO to ensure a central point of contact for the Chief and Executive Staff. Information specific to the bureau/division/district shall be the responsibility of the appropriate director or commander.

C. Public Information – Information that may be of interest to the general public regarding department policy, procedures, and events or other noteworthy information that is not legally protected. It does not unduly

interfere with the mission of the department, infringe upon the rights of any individual, or compromise the legitimate safety and privacy interests of officers, victims, witnesses, or others.

D. News Media Representatives – Those individuals who are directly employed by agencies of the electronic or print media such as radio, television, or newspapers. Freelance workers in this field are to be regarded as other members of the general public unless otherwise designated by GMR.

II. POLICY

A. Cooperative Media Relations

1. The department believes the public has the right to know what the department does in fulfilling its responsibilities. The department recognizes that cooperative media relations are important in obtaining community support and in providing the public with information it is entitled to receive.

2. "News media" includes legitimate news gathering and disseminating agencies. The department recognizes authorized identification from all local, national, and international news organizations. Failure of media personnel to present authorized identification may provide grounds for restricting access to requested information or to incident scenes.

B. Public Information and Media Relations Activities

1. The Chief shall be responsible for the public information and media relations activities of the department.

2. Commanders and PIOs shall make the acquaintance of area media representatives and enlist their confidence and understanding.

3. PIOs shall make the acquaintance of their peers in other government agencies and stakeholder groups in their area.

C. Cooperation with the Public and the Media

1. Employees shall cooperate with the public and the media consistent with department policy. When information must be denied to a media representative, the basis for the denial shall be fully explained and the specific exemption shall be provided to the requestor. Employees shall not comment on personalities, discuss politics, or render opinions on policy.

D. Critical and Major Incidents

1. In any instance of a critical (life-threatening) injury or the loss of life involving members of the department, the affected assistant chief(s)/bureau director(s) involved shall be notified ***immediately*** by their chain of command.

2. Press inquiries or releases on any event of this type shall be coordinated through GMR before release. The commander of GMR

and the bureau director(s) will actively prepare the release and discuss with the Chief before final release.

3. **Any major incident—such as a felony collision, officer-involved shooting, hazardous material spill, or other incident requiring notification to the Chief—also warrants notification of GMR. If the Headquarters PIO (commander of GMR) is on a scheduled absence or out of the area, his/her designee shall be informed.**

Applies to: All WSP Employees
See Also: WSP Policies **Headquarters Public Information Officer, District/Division/Section Public Information Officer;** *Media Relations Manual*

10.02.020 COMMUNITY RELATIONS (CALEA 45.2.1, 45.2.2, 45.2.3)

I. POLICY

A. Promoting Community Relations

1. The department is committed to correcting actions, practices, and attitudes that may contribute to community tensions.

2. District commanders shall promote community relations within the district by:

   a. Establishing liaison with community organizations (schools, community groups, civic and professional organizations) wherever possible.

   b. Publicizing department objectives, concerns, and successes.

   c. Identifying training needs through interviews with citizens.

   d. Establishing community groups where they are needed.

   e. Obtaining community input in the development of traffic law enforcement policies.

B. Monthly Community Relations Review

1. District commanders shall report monthly to the Field Operations Bureau Assistant Chief during their Strategic Advancement Forum:

   a. Current community concerns.

   b. Potential problems for law enforcement.

   c. Recommended actions that address previously identified concerns and problems.

Applies to: All WSP Employees
See Also: --

10.02.030 HEADQUARTERS PUBLIC INFORMATION OFFICER (CALEA 54.1.1, 54.1.2)

I. POLICY

A. Requirements of Headquarters Public Information Officer

1. The Headquarters Public Information Officer (PIO) shall coordinate media relations and public information on matters pertaining to the entire state and shall act as spokesperson for the Chief.

2. The Headquarters PIO shall:

   a. Provide the news media with accurate, current releases of information about department programs and other matters of concern to ensure maximum benefit from the efforts of department employees.

      (1) Any press inquiry that requests a department response that is regional or statewide in nature must be coordinated with Government and Media Relations (GMR) before the release. If there is an uncertainty as to the application of this point, GMR shall be contacted for clarification.

      (2) Also, GMR will coordinate any press inquiry that seeks a response from the department as it relates to:

         (a) The use of deadly force.

         (b) Employees injured or killed in the line of duty.

         (c) Any confidential or internal investigations and/or operations.

   b. Coordinate comments and appearances by other members of the department, as long as the subject matter is applicable to the employee's working knowledge and experience.

   c. At the request of district command, respond to major incidents to assist the district and the news media in reporting the news factually, promptly, and impartially.

   d. Gather information concerning major incidents and coordinate supplying the media with factual information when so requested by bureau, division, district, or section command.

   e. Coordinate with other public service agencies' information officers before releasing information in a mutual effort situation.

   f. Arrange and provide assistance at news conferences.

   g. Develop internal information services.

   h. Advise the Chief and staff on media and community reaction to proposed and active department programs.

i. Provide the Chief, on an ongoing basis, with a statement of recommended actions to solve any previously identified public concerns.

j. Annually, provide the Chief with an evaluation of the effectiveness of any public information program.

k. Quarterly, meet, train, and coordinate with district PIOs.

l. Oversee the content of the Internet. Maintain and update the media link on the department Internet and Intranet home pages (see **DEPARTMENT INTERNET SITE**).

m. Act as a liaison with the Governor's Communications staff.

n. Oversee the development and completion of the department's quarterly and annual reports.

Applies to: All WSP Employees
See Also: WSP Policies **Headquarters Public Information Officer, District/Division/Section Public Information Officer; Department Internet Site;** *Media Relations Manual*

10.02.040 DISTRICT/DIVISION/SECTION PUBLIC INFORMATION OFFICER (CALEA 41.2.4, 54.1.1)

I. POLICY

A. Public Information Officer Duties

1. District/division/section commanders, in consultation with the commander of the Office of Government and Media Relations (GMR), shall designate primary and backup personnel to perform duties of a district/division/section Public Information Officer (PIO), who shall:

   a. Coordinate media relations (initiating contacts, responding to inquiries) and public information on routine matters in the district/division/section.

   b. Develop and disseminate media releases and ensure copies are provided to GMR.

   c. Develop media strategies and programs to support division and department goals.

   d. Process requests for public information and speakers in the district/division/section.

   e. Coordinate and authorize the release of information about victims, witnesses, and suspects in accordance with the policy **VICTIM/WITNESS ASSISTANCE PROGRAM**.

   f. Function as media liaison at unusual incidents likely to attract significant media attention and supply timely, factual information.

g. Notify GMR two days before press events involving the district commander or designee. Notification shall be made before releasing information that may affect other areas of the department.

h. Forward to GMR local newspaper, television, and radio stories relating to departmental activities.

i. Immediately notify and brief GMR of events creating significant media attention.

j. Assist in emergent situations within the department at the direction of the division/district commander.

B. Information relating to internal investigation of troopers and officers shall not be released by district/division/section PIOs; these requests shall be directed through GMR.

Applies to: All WSP Employees
See Also: WSP Policies **Public Records Requests, Victim/Witness Assistance Program, Headquarters Public Information Officer;** *Media Relations Manual*

10.02.050 LEGISLATIVE LIAISON OFFICER

I. POLICY

A. Legislative Liaison Officer Responsibilities

1. A Legislative Liaison Officer may be appointed by the Chief. The responsibilities of this position are:

a. Monitor the status of all bills and resolutions which will affect the department directly.

b. Coordinate department awareness, participation, and activities related to both state and federal legislation.

c. Maintain contact with the various committees and legislators as they consider these bills.

d. Furnish or obtain representation, testimony, exhibits, and statistical or other data for various committee hearings on matters pertaining to official department business.

e. Make recommendations, draft proposed legislation, and furnish factual or expert testimony as necessary.

f. Advocate the official position or interests of this department to any elected official or officer or employee of any agency.

g. Coordinate with the Washington Association of Sheriffs and Police Chiefs on legislation beneficial to or which impacts law enforcement.

h. Coordination of department request legislation internally, with stakeholders and legislative representatives.

Applies to: All WSP Employees
See Also: --

10.02.060 EMPLOYEE LEGISLATIVE CONTACTS

I. POLICY

A. Reporting Legislative Contacts

1. All legislative contacts, other than with the Washington State Patrol Legislative Liaison Officer, shall be immediately reported to the employee's supervisor.

2. The supervisor shall forward the information to the division, district, and/or section commander, who shall forward the information to the Legislative Liaison.

B. Responding to Legislators' Questions

1. Employees may respond to legislators' questions regarding their specific duties in the department. Opinions shall not be offered, but factual information may be provided.

2. Any employee contacted for specific information regarding potential or pending legislation shall be referred to the legislative Liaison Officer for response.

3. Division, district, and/or section commanders are also reminded not to furnish any specific information prior to contacting the Legislative Liaison Officer.

C. Maintaining Political Neutrality

1. All employees, while representing the department, shall remain politically neutral regarding pending legislation or any other legislative matter that may arise.

2. Personal and/or union opinions regarding legislation must be expressed on the employee's own time and expense.

Applies to: All WSP Employees
See Also: --

10.02.070 AGENCY IMAGE POLICY (CALEA 82.3.7)

I. DEFINITIONS

A. Washington State Patrol Logo: The logo is a registered trademark and shall not be altered. It shall only be utilized in the following formats: black and white (original or inverse) or in color (Pantone blue

275C/RGB 291787 and Pantone gold 7407C/RGB CC9933) (see acceptable examples below):







B. Washington State Patrol Badge: The badge shall not be altered. It shall only be utilized in the following formats: black and white (original or inverse) or in color (Pantone gold 7407C/CC9933 or light silver) (see acceptable examples below):







C. Washington State Patrol Patch: The patch shall remain in its original state and shall not be altered (see acceptable examples below):







D. Washington State Patrol Flag: The official Washington State Patrol flag may not be recreated, nor shall other flags representative of the department be created, without previous authorization by Government and Media Relations. The flag shall not be altered in any manner (see acceptable example below):



II. POLICY

A. Use of Agency Images

1. No employees shall provide an outside vendor with the Washington State Patrol badge, logo, patch, or any other images depicting any other part of the department to use for any reason, whether it is for the department or otherwise, without previous authorization by Government and Media Relations (GMR), with the exception of public disclosure requests (see **ABUSE OF POSITION**).

2. Employees may use the Washington State Patrol logo, badge, patch, or flag internally for presentations and publications given that no alterations are made (based on specifications above) without previous authorization by GMR. All photographs, negatives, digital images, graphics, and videotapes created or acquired by members of this department during the course of their duties are the property of the department (see **STORAGE OF FATAL/FELONY COLLISION AND INVESTIGATION CASE FILES**).

3. Public information officers may release pictures to the media as long as all other regulations are followed (see **PUBLIC RECORDS REQUESTS**). No departmental photographs, mug shots, videotape, film, or other composites of the subjects in custody will be released to the media unless authorized by the commander of GMR, who will consult with department legal counsel and the Chief.

4. No video or photographs shall be taken on private property, without the permission of the owner or the owner's representative (see **PUBLIC RECORDS REQUEST** and **MOBILE VIDEO CAMERA EQUIPMENT**).

Applies to: All WSP Employees
See Also: WSP Policies **Public Pronouncements, Abuse of Position, Mobile Video Camera Equipment, Storage of Fatal/Felony Collision and Investigation Case Files, Public Records Requests;** RCW 9.73.030, RCW 9.73.080; *Media Relations Manual*

► SECTION 03: HUMAN RESOURCE DIVISION ◄

10.03.010 AFFIRMATIVE ACTION (CALEA 31.1.2, 31.2.1, 31.2.3, 34.1.4)

I. POLICY

A. Providing Equal Opportunity

1. The Washington State Patrol is committed to providing equal employment opportunity for all applicants and employees in

accordance with the laws and regulations cited at the end of this policy. The department recognizes that affirmative action is an effective, legal tool for attaining and maintaining equality within the workforce. Therefore, the department will administer hiring, compensation, training, promotions, demotions, transfers, layoffs, recalls, and benefits without regard to race, color, religion, sex, marital status, national origin, creed, age, sexual orientation, disabled and Vietnam-era veteran's status, or the presence of any physical, sensory, or mental disability.

2. The Washington State Patrol will affirmatively provide access to its services and programs in a fair and impartial manner.

B. Human Resource Division Responsibilities

1. The Human Resource Division Commander is delegated responsibility of overall development, communication, implementation, monitoring, auditing, and dissemination of this policy and the Affirmative Action Plan. This includes representing the department in matters related to review of the plan and enforcement of affirmative action by assisting and ensuring that managers are responsible and accountable for the success of the program in their areas of responsibility.

C. Supervisor and Employee Responsibilities

1. It is the responsibility of every supervisor and manager to ensure the success of the department's Affirmative Action Program.

2. It is the responsibility of each department employee to comply with and promote this policy.

3. This policy will be discussed and provided in employee orientation and appropriate training programs and meetings.

D. Complaint Filings

1. Employees and applicants may file complaints with the Human Resource Division or the Office of Professional Standards.

Applies to: All WSP Employees and Applicants of the Washington State Patrol

See Also: Presidential Executive Order 11246 & 11478; Code of Federal Regulations (CFR) Title 41, Part 60-2; Title VII of the Civil Rights Act of 1964; The Vietnam Era Veterans Readjustment Assistance Act of 1974; Section 402 RCW 49.60 & 43.43; WAC 357-25; Governor Executive Order 93-07; Americans with Disabilities Act of 1990; Applicable Collective Bargaining Agreements

► SECTION 04: BUDGET AND FISCAL SERVICES ◄

10.04.010 BUDGET AND FISCAL SERVICES (CALEA 17.2.1)

I. POLICY

A. Budget and Fiscal Services Responsibilities

1. The Budget and Fiscal Services (BFS) Commander (Fiscal Officer) shall be responsible for the fiscal management function of the department, to include:

   a. Annual budget development and execution.

   b. Oversight of all accounting activities, including receivables, payables, general accounting, and payroll.

   c. Establishment of internal controls for all financial related processes.

   d. Liaison with other government fiscal officers.

   e. Administration of federally funded grants.

   f. Oversight, development, and submission of financial reports.

B. Assigning Detachment and Organizational Numbers

1. The BFS Commander shall assign all district/section detachment numbers and organizational codes.

2. Requests for new detachment or organization code numbers or changes shall be made by IOC to BFS.

Applies to: All WSP Employees
See Also: --

10.04.020 CREDIT CARDS

I. POLICY

A. Department Credit Cards

1. Department credit cards and universal fuel cards are issued in accordance with the Department of General Administration (GA), Office of State Procurement (OSP), guidelines.

2. Credit cards awarded by OSP shall only be accounted for and used in accordance with *Budget and Fiscal Services (BFS) Standard Operating Procedures* (“Credit Cards”).

3. Universal fuel cards awarded by OSP shall only be accounted for and used in accordance with *Budget and Fiscal Services (BFS) Standard Operating Procedures* ("Voyager Card").

4. Assignment of department credit cards shall be the responsibility of the division/district/section commander as indicated in *Budget and Fiscal Services (BFS) Standard Operating Procedures* ("Credit Cards" and "Voyager Card").

5. No type of credit card and/or debit card other than the state credit card system and the fuel card program authorized by GA may be used.

B. Accepting Credit Cards for Payment

1. Divisions/district/sections shall not accept credit cards for payment of any services/charges unless the process is approved by the BFS Commander.

Applies to: All WSP Employees
See Also: *Budget and Fiscal Services Standard Operating Procedures* ("Credit Cards" and "Voyager Card")

10.04.030 VENDING MACHINES

I. POLICY

A. Placement of Vending Machines

1. All department offices are business offices and should be maintained in a professional manner. Vending machines shall not be placed within public view in any department office.

B. Vending Machine Contracts and Profits

1. All vendors placing vending machines in state facilities must be contracted through the Department of Services for the Blind.

2. Net proceeds from all vending machines in state facilities, whether vendor-operated or state-owned, must be paid to the Department of Services for the Blind (see *Budget and Fiscal Services (BFS) Standard Operating Procedures* ["Vending Machine Profits"]).

Applies to: All WSP Employees
See Also: RCW 74.18.230; WAC 67-35-160; *Budget and Fiscal Services Standard Operating Procedures* ("Vending Machine Profits")

10.04.040 USE OF OFFICIAL FUNDS (CALEA 17.4.2)

I. POLICY

A. Use of Official Funds

1. The department will pay for all just and proper expenses incurred in the course of official duties, provided the employee adheres to policy. Use of official funds for personal or unofficial purposes may result in disciplinary and/or legal action up to and including dismissal.

2. Refer to *Budget and Fiscal Services (BFS) Standard Operating Procedures* ("Payment," "Purchasing," "Credit Card," and "Travel").

Applies to: All WSP Employees
See Also: *Office of Financial Management, State Administrative and Accounting Manual (SAAM), 85.32; Budget and Fiscal Services Standard Operating Procedures* ("Payment," "Purchasing," "Credit Card," and "Travel")

10.04.050 CASH RECEIPTS/DEPOSIT OF MONIES/REQUESTS FOR INVOICE

I. POLICY

A. Securing Cash and Checks

1. All money (cash and checks), when received, shall be safeguarded by securing in a locked cabinet or drawer until deposited at the Bank of America or forwarded to Budget and Fiscal Services (BFS).

2. All money (cash and checks) received over the counter or in the field is to be documented by issuance of an official pre-numbered cash receipt. It is not necessary to issue cash receipts for monies received through the U.S. mail.

3. All money (cash and checks) shall be deposited in the local Bank of America State Treasurer's Concentration Account or forwarded to BFS within 24 hours of receipt. All money must be deposited as received. The 24-hour deposit rule shall be strictly adhered to unless a written waiver is obtained from the Office of the State Treasurer through BFS.

4. If deposited with the Bank of America, a copy of the deposit receipt shall be faxed to BFS no later than 2:30 p.m. on the day of the transaction.

5. If U.S. mail is used to forward money to BFS, only checks or money orders should be accepted and forwarded.

B. Request for Invoice

1. When services are performed by the department or goods are purchased which will result in a payment to the department as a reimbursement, commanders must comply with *Budget and Fiscal Services (BFS) Standard Operating Procedures* ("Requests for Invoice").

Applies to: All WSP Employees
See Also: RCW 43.01.050; *Office of Financial Management, State Administrative and Accounting Manual (SAAM), 85.20 and 85.50; Budget and Fiscal Services Standard Operating Procedures* ("Cash Receipts" and "Requests for Invoice")

10.04.060 GRANTS

I. POLICY

A. Preparing and Approval of Grant Proposals

1. Grant proposals are normally prepared by Budget and Fiscal Services (BFS), but may be developed by program staff provided the final document is submitted to BFS for review and concurrence before approval by the Chief. All grant proposals must be approved by the Chief or designee before submittal to the grantor agency.

B. Grant Project Director Responsibilities

1. Commanders receiving grant funds shall assign a Project Director to oversee and manage the grant.

2. The Project Director shall ensure expenditures conform to the budget and support stated project objectives; and submit progress reports required by the grant agreement through BFS to the grantor agency.

3. The Project Director must ensure expenditures made against grant agreements are allowable according to the terms of the grant agreement and grantor agency regulations. Changes to the grant agreement budget must be coordinated through BFS and approved by the grantor agency prior to taking effect.

C. BFS Responsibilities

1. BFS has the primary internal and external coordinating responsibilities associated with all department grants, including review and submission of grant proposals, monitoring compliance with award conditions, and assisting Project Directors in resolving program or budget problems. BFS is jointly responsible (with the Project Director) for communications with planning offices or grantor agencies.

2. BFS shall document the expenditures on the grant project, submit timely financial reports to the funding agency, and retain the financial records necessary to meet and satisfy audit requirements.

3. BFS shall notify federal grantor agencies, in writing, of any employee's criminal conviction in a drug-related matter.

D. Spending Authority for Grants (Unanticipated Receipts)

1. For grant awards not already included in the department's approved budget, BFS must submit a request for authority to spend the funds from the Office of Financial Management (OFM). This process is known as filing an unanticipated receipt.

2. Unanticipated receipt requests must be approved by OFM before funds can be committed or expended on the grant.

Applies to: All WSP Employees
See Also: RCW 43.79.270

10.04.070 CONTRACTUAL AGREEMENTS (CALEA 3.1.1, 3.1.2)

I. POLICY

A. Authorization of Contracts

1. All contracts must be authorized and signed by the Chief or designee.

2. Budget and Fiscal Services (BFS) is the central repository for all contracts into which the department has entered and will maintain all master contract files.

3. Affected bureaus, divisions, districts, or sections will be forwarded fully executed copies of their respective contracts and should retain them for management or reference.

B. Review and Execution of Contracts

1. All contractual agreements will be routed to BFS for review before presenting to the Chief or designee for execution. BFS shall review contractual terms and conditions for compliance with state law and regulations, then coordinate approval as to form by the Office of the Attorney General as necessary.

2. Prior to presenting a contract to the Chief or designee, assistant chiefs and bureau directors shall review and approve contracts affecting their bureaus when the contract:

   a. Is over $25,000.

   b. Is over 5 years in duration.

   c. Has no escape (cancellation) clause.

3. Purchase/payable contracts must be submitted or approved by an individual with purchase approval authority for the dollar value of the contract.

C. Agency Indirect Costs

1. When negotiating reimbursable grants and contracts, the full department costs for providing services, including indirect costs at the currently approved department indirect rate, shall be charged to the entity contracting for such services.

2. Any waivers or reductions of department indirect costs in contractual agreements must be approved by the Chief or designee.

D. Contracted Law Enforcement Services

1. Contracts for law enforcement services shall include:

   a. An assessment of the recipient's needs, problems, capabilities, and alternatives.

   b. The agreement in writing, clearly identifying the services provided and associated costs.

   c. Specific language to address salaries and benefits; payments for support services and overhead costs; maintenance of accounting records and reports; time and manner of payment for services; and other costs.

   d. The records to be maintained by the department.

   e. Language dealing with duration, modification, and termination of the contracts.

   f. Specific language for dealing with legal contingencies (e.g., lawsuits).

   g. The stipulation the department maintains control over its employees.

   h. Specific arrangements for the use of equipment and facilities.

2. Employees participating in a contracted law enforcement service will have the same opportunities as other employees.

Applies to: All WSP Employees
See Also: --

10.04.080 CONTRACTOR BACKGROUND CHECKS

I. POLICY

A. Authorization for Access

1. Criminal history background checks will be conducted on all non-department personnel who have unaccompanied access to department facilities, electronic equipment, computers, data bases, or other sensitive or restricted information. This includes, but is not limited to, janitors/custodians, other public agency employees, computer hardware/software contractors, and information technology (IT) service providers.

B. Exceptions to Background Requirement

1. The background check requirement does not include visitors, other agency employees, or vendors/contractors who are accompanied by department personnel. The background check requirement does not include vendors that service vehicles, weapons, equipment, electronic devices, or computers at the vendor's location.

2. Reasonable precautions will be used to ensure security of department equipment while at vendor locations.

C. Conducting the Background Check

1. The division or program manager requiring the contract is responsible for initiating the contractor background check.

2. The background checks will be fingerprint-based and conducted through the Washington State Identification System managed by the Criminal Records Division (CRD). CRD will forward the fingerprints to the Federal Bureau of Investigation (FBI) for a national criminal history background check.

3. The background check must be successfully completed before the individual is allowed unaccompanied access to these facilities, equipment, or data.

4. The Budget and Fiscal Services and Property Management Divisions will include the background check requirement in contracts and agreements, as appropriate.

Applies to: All WSP Contractors
See Also: Criminal Records Division Contractor Fingerprint Background Checks Procedures; Contractor Qualification form; Contractor Instruction Sheet for Fingerprint Background Checks

10.04.090 MINORITY AND WOMEN OWNED BUSINESS OPPORTUNITIES PLAN

I. DEFINITIONS

A. MWBE: Minority and Women Owned Business Enterprises. Firms certified by OMWBE to be minority and/or women owned businesses.

B. OMWBE: The Washington State Office of Minority and Women Owned Business Enterprises; the state agency that certifies minority and women owned businesses for the purpose of reporting MWBE utilization.

II. STATEMENT OF COMMITMENT

A. The Washington State Patrol is committed to full utilization of certified minority, women's, and disadvantaged business enterprises that are able to provide goods and services required for our agency's operations. All agency staff shall comply with this regulation and associated Standard Operating Procedures (SOPs) in pursuit of the agency's overall annual goals for MWBE participation when contracting or purchasing goods and services.

III. POLICY

A. Purpose

1. This policy establishes responsibilities for development and implementation of our agency's MWBE Plan required by RCW Chapter 39.19. The agency plan will consist of the policies contained in this regulation along with specific procedures issued and updated at least annually in an MWBE Standard Operating Procedure issued by Budget and Fiscal Services.

B. Responsibilities for Implementation

1. Assistant chiefs/bureau directors will review and approve both this regulation and the MWBE Standard Operating Procedure issued by Budget and Fiscal Services, which will be updated at least annually. The annual update will, as a minimum, include updated fiscal year goals for MWBE participation in agency expenditures by class of contract.

2. The Budget and Fiscal Services (BFS) Commander will, in collaboration with OWMBE and agency purchasing section managers, develop and issue a Standard Operating Procedure which:

    a. Establishes annual fiscal year MWBE goals in contracting, procurement, and other expenditures by class of contract.

    b. Details specific measures to be taken by agency staff to ensure maximum participation by MWBE firms.

c. Assigns responsibilities for communication and training for MWBE policies and procedures.

d. Establishes processes for accountability and reporting.

3. The Property Management Division Commander will assist and participate fully in the annual MWBE goal-setting process, particularly for the classes of contracts and procurements under the direct oversight and control of the Supply, Facilities Management, and Fleet sections.

4. Agency staff responsible for contracting and procurement decisions will ensure they are knowledgeable of and compliant with this regulation and the associated MWBE Standard Operating Procedure(s).

Applies to: All WSP Employees
See Also: RCW 39.19; WAC 326-40-040

10.04.100 DONATIONS

I. POLICY

A. Authority to Accept Donations

1. Chapter 43.43 RCW permits the Washington State Patrol to accept donations. Department authority for approving any donations will rest at the assistant chief/bureau director level or above. Factors to be considered in deciding to accept or reject donations will include, but not be limited to:

   a. State ethics rules regarding donations (see also RCW 42.52);

   b. Actual or potential conflicts of interest that might result from acceptance; and

   c. Ensuring the donation is relevant to fulfilling the agency mission(s).

2. Donations of cash/cash equivalents (including bequests, grants, and services) will first be reviewed by Budget and Fiscal Services.

3. Donations of technology items must be approved by the Technical Services Bureau Commander.

B. Types of Donations

1. Equipment and property (including conveyance or other things of value) will be coordinated, recorded, and tracked through the Property Management Division.

2. Cash/cash equivalent - Compliance with all agency cash receipt procedures is required.

C. Prohibited Items

1. Donations of liquor or tobacco products.

2. Donations from companies/entities that would create an actual or perceived conflict of interest.

Applies to: All WSP Employees
See Also: RCW 42.52

► SECTION 05: STRATEGIC PLANNING AND PERFORMANCE ◄

10.05.010 STRATEGIC PLANNING AND PERFORMANCE SECTION (CALEA 12.2.1, 12.2.2, 15.1.1)

I. POLICY

A. Requirements of the Strategic Planning and Performance Section

1. The Strategic Planning and Performance Section provides assistance and support to all employees and organizational components within the department. Strategic Planning and Performance shall:

a. Develop short- and long-range plans for the department.

b. Develop and amend policies in the *Regulation Manual*.

c. Process research questionnaires and information requests.

d. Coordinate and track employee suggestions for the department.

e. Update and maintain files and coordinate department processes for state and international accreditation, to ensure department compliance with standards.

f. Maintain tracking of department reporting system.

B. Coordination with Strategic Planning and Performance

1. Division/district/section commanders or others who are developing policy, proposed legislation, or administrative rules shall coordinate with Strategic Planning and Performance.

Applies to: All WSP Employees
See Also: --

10.05.020 STRATEGIC PLANNING (CALEA 12.2.1, 15.1.3, 15.2.1, 15.2.2)

I. POLICY

A. Strategic Planning Process

1. The department engages in an ongoing strategic planning process that focuses on the future direction of the department, assesses the department's current goals, and develops and implements strategies to move forward toward these goals.

2. The plan is supported by the biennial budget process and its progress is monitored through the department's Strategic Advancement Forum process.

3. The Strategic Plan identifies department mission, vision, values, goals, objectives, and performance measures.

B. Producing the Department's Strategic Plan

1. Under the sponsorship of the Technical Services Bureau Director, the strategic planning process shall be a combined effort of the assistant chiefs, bureau directors, division/district commanders, and the Strategic Planning and Performance Section.

2. The department's Strategic Plan provides an important framework for articulating program goals; the planning process begins in each division and district. To provide the foundation of the plan, division and district commanders shall develop a written plan for their command by February 1 of each year, to be submitted to the Strategic Planning and Performance Section. Division and district plans shall include the following:

   a. Long-term goals – List agency goal(s) applicable to your division/district.

   b. Objectives – Break down agency goals into smaller more specific pieces. Describe the measurable results expected to be accomplished within a given time period.

   c. Strategies – State how objectives will be achieved. These objectives guide the agency to:

      (1) Focus on the most important strategies.

      (2) Describe how the strategy will help achieve both agency goals and statewide results.

   d. Anticipated workload and population trends

   e. Anticipated staffing levels

f. Anticipated capital improvements and equipment needs

g. Provisions for review and revision as needed

3. Commanders shall establish procedures to obtain input from their employees and appropriate stakeholders in the development of each division/district plan.

C. Monitoring the Department's Strategic Plan

1. Assistant chiefs/bureau directors shall assess the accomplishments of their respective divisions/districts and report progress to the Chief. Progress toward meeting Strategic Plan objectives shall be reported to the assistant chiefs/bureau directors by the division and district commanders.

2. The Strategic Plan shall be updated under the leadership of the Technical Services Bureau Director.

3. The department's yearly accomplishments in meeting department goals shall be published in the department's Annual Report.

Applies to: All WSP Employees
See Also: --

10.05.030 COST-SAVINGS INCENTIVE PROGRAM

I. POLICY

A. Incentive Programs

1. Washington State government has established the Productivity Board as the overseer of two incentive programs:

a. Employee Suggestion Program

(1) Employees may submit ideas through the "Employee Suggestion" program which will save the state of Washington or the Washington State Patrol money, improve public service, or increase departmental morale. If the idea saves the state money, the employee receives a percentage of the savings, up to a maximum of $10,000. If the idea is adapted for improved efficiency or morale, the employee may receive a monetary award from $25 to $4,200. The employee will also receive a certificate of appreciation (see **DEPARTMENT AWARDS**). All employees are encouraged to participate in this program.

(2) Employee suggestions should be submitted directly to the State Productivity Board on a suggestion form available at its Web site or from the Strategic Planning and Performance Section. Employees with questions about the process may also call the Strategic Planning and Performance Section to obtain assistance from the department Employee Suggestion coordinator.

(3) Suggestions should be specific, workable ideas that will improve state government operations. They can be a change in procedure within this department or in other state agencies. Employees will not receive compensation for ideas they have the authority to implement and which only apply to their area of responsibility.

b. The Team Incentive Pay (TIP) Program

(1) This program focuses on groups of employees that work together to reach a common goal. A work unit must have an identifiable budget or accounting system which identifies expenditures and receipts attributed to that unit to be eligible. Work units that demonstrate an overall decrease in cost per unit of output without a reduction in level of service may share in 25 percent of any savings. Each employee of the unit receives an equal share of the bonus. This program is available to all employees.

Applies to: All WSP Employees
See Also: WSP Policy **Department Awards**

► SECTION 06: FORMS ◄

10.06.010 FORMS AND DOCUMENT MANAGEMENT (CALEA 11.4.2, 11.6.1, 15.1.3, 15.2.1, 15.2.2)

I. POLICY

A. Role of Administrative Services Section in Forms and Document Management

1. The Administrative Services Section shall be responsible for the department forms and document management program.

B. Document Management

1. Refer to the **OFFICIAL DEPARTMENT PUBLICATIONS** policy for further information.

C. Forms Management

1. All proposed revisions to existing forms or requests for new forms, including electronic forms, shall be forwarded to the Documents Manager in the Administrative Services Section. These shall be

accompanied by recommendations from the division/district/section commander.

2. The Documents Manager shall review the proposal and work with the division/district/section commander or designee to finalize the design. Unless mandated by law or policy changes, revised forms shall be printed only when the existing copies are exhausted.

D. Assignment of Control Numbers

1. Forms *(including brochures, posters, cards, job tickets, etc.)* shall not be developed, revised, rescinded, or ordered without the approval of the Documents Manager.

2. Only the Documents Manager can assign control numbers. Control numbers shall be assigned to all documents that meet one or more of the following criteria:

   a. Represents the department as a whole or any major department programs or services (including manuals – see **OFFICIAL DEPARTMENT PUBLICATIONS**).

   b. Utilized on a statewide basis by department employees, whether printed and/or available on Inside WSP.

   c. Will or may be distributed externally for use or viewing by the general public.

   d. Will be made available on the department public Internet site.

E. Exemptions

1. Internal division/district/section operational documents (for example, routing slips, retirement flyers, fund drive flyers/documentation) and Strategic Advancement Forum materials, surveys, and Web pages are exempt from this policy.

F. Use of Electronic Forms

1. Electronic forms shall be used when available. As a form becomes available in electronic format, the paper supply of that form may be exhausted and no longer distributed by the Supply Section.

G. Centralized Documents Database

1. The Documents Manager maintains a centralized documents area on Inside WSP. This site lists all departmental documents in alphabetical/numerical order and the creation or most recent revision date.

2. Documents available in electronic format are linked from this list. Shaded control numbers indicate the document is stocked at the Supply Section.

3. Documents with an assigned Washington State Patrol number shall be centralized in the "Employee Forms" area of Inside WSP. They shall not be located on bureau/division/district/section Inside WSP sites; instead, links shall be made to the document located in the "Employee Forms" area.

H. State Copy Centers

1. All offices in the Olympia, Lacey, and Tumwater areas shall utilize state copy centers or the State Printer for their printing needs (see http://www.prt.wa.gov/default.asp?p=cc_loc for a list of locations).

2. Employees may utilize the services of state copy centers directly, without contacting the Documents Manager.

I. Local Printing Vendors

1. For offices located outside the Olympia/Lacey/Tumwater (Thurston County) areas, the State Printer maintains contracts for copying/printing services with various vendors; refer to the State Printer Web site at http://www.prt.wa.gov/default.asp?p=serv_cont or contact the Documents Manager for information concerning these services.

2. Cards for local printing vendors' services are assigned to various department offices outside of Olympia, Lacey, and Tumwater by the department Documents Manager.

J. State Printer

1. State Printer jobs shall be coordinated by the Administrative Services Section. The State Printer will not accept printing jobs from other than the department Documents Manager.

K. Copy and Printing Services Web Site

1. Additional information concerning the document management program is available on Inside WSP on the "Copying and Printing Services" page under "Employee Resource."

L. State of Washington Printing Requirements

1. Chapter 43.78 RCW mandates the use of the State Printer, copy centers, or their contracted vendors throughout the state for state government agency printing needs. Employees shall not contract with commercial printing services for any department printing needs without the approval of the agency Documents Manager.

2. This mandate includes the processing of promotional items, such as litter bags, stickers, keychains, pens, or other similar items.

Applies to: All WSP Employees
See Also: RCW 43.78; WSP Policy **Official Department Publications**

► SECTION 07: RULE MAKING ◄

10.07.010 RULE MAKING – WASHINGTON ADMINISTRATIVE CODE (WAC)

I. POLICY

A. Management Approval for Rule Making

1. During each phase of rule making, approvals are required through the chain of command to the bureau level for:

   a. Initial Rule Request form

   b. Review and Approval for Proposed WSP Rules form

   c. Approval to move forward with the emergency rule-making order (CR-105, a Code Reviser form) or permanent rule adoption (CR-103), which requires a signed IOC or other form of written approval.

2. Once approved, all forms must be submitted to the Rules Coordinator with the appropriate documentation for signature by the Chief and filing with the Code Reviser's Office (see the *WSP Rules Writing Manual* for additional procedures).

3. Division commanders must review all of their rules at least every two years to ensure they are needed, authorized, accurate, effective, and clear.

B. Rule Writer Responsibilities for Rule Making

1. The rule writer will be required to complete all forms and documentation necessary in accordance with the *WSP Rules Writing Manual* for an agency rule change to Washington Administrative Code (WAC) (see the *WSP Rules Writing Manual* or Inside WSP for additional resources).

2. Rule writers must send rule notices with written approvals and required materials to the agency Rules Coordinator at least five business days before the requested filing date.

3. Rule writers must give their reviewers at least five business days to review rule drafts using the Review and Approval for Proposed WSP Rules form. The review time may be longer, depending on the reviewer's time or the rule's length and complexity.

4. The rule writer and/or other program staff must attend the public hearing to answer questions from the public. Rule writers must capture all public comments and their actions on the Concise Explanatory Statement.

C. Rules (WAC) Coordinator Responsibilities for Rule Making

1. The Rules Coordinator, in the Office of Government and Media Relations (OGMR), will maintain the agency's official rule-making files.

2. The Rules Coordinator will file all rule-making notices, rule text, and, if necessary, Small Business Economic Impact Statement (SBEIS) documents with the Code Reviser for publication into the Washington State Register.

3. Under RCW 34.05.325, the Rules Coordinator in OGMR is designated by the Chief to serve as the presiding officer at public rules hearings. If the Rules Coordinator is unavailable to serve as the presiding officer, the Rules Coordinator's designee may preside at the hearing. Any public comments made in the hearing or otherwise will be summarized in accordance with the *WSP Rules Writing Manual*.

4. The Rules Coordinator will facilitate agency responses to rules being proposed by other agencies as part of the rule-making review process.

Applies to: All WSP Employees
See Also: RCW 34.05.325; *WSP Rules Writing Manual*; *Equipment Standards Section Manual*; Initial Rule Request form; Review and Approval for Proposed WSP Rules form

► SECTION 08: INVESTIGATIONS ◄

10.08.010 DEPARTMENT INVESTIGATIONS

I. POLICY

A. Areas of Investigation

1. The department conducts investigations in the following areas:

   a. License fraud - aircraft and vehicles.

   b. Automobile and heavy equipment thefts, scrap processors, hulk haulers, VIN, wrecking yards.

   c. Collision investigations.

   d. Crime scene investigations of major crimes upon request.

   e. Latent fingerprint processing of evidence upon request.

   f. General investigations, including polygraph examinations, state employee backgrounds, school bus driver backgrounds, theft, fraud, burglaries in state facilities or involving state property, and by local agency request.

g. Narcotics trafficking.

h. Organized crime.

i. Criminal acts against department employees and their property.

j. Missing and exploited children investigations.

k. Computer/high technology crimes.

l. Human trafficking.

Applies to: All WSP Employees
See Also: --

► SECTION 09: TEAMS/UNITS ◄

10.09.010 SPECIAL WEAPONS AND TACTICS TEAM (SWAT) (CALEA 12.1.2, 41.1.3, 43.1.5, 46.2.1)

I. POLICY

A. SWAT Responding Circumstances

1. The SWAT Team responds to clandestine laboratory scenes and/or situations in which serious injury or death is imminent and the team could end such situations. Circumstances include:

   a. Barricaded persons

   b. Sniper incidents

   c. Hostage situations

   d. Terrorist confrontations

   e. High-risk arrest situations

   f. District-level dignitary protection details not covered by the Executive Services Section

   g. Civil or prison disturbances requiring protection for emergency response employees

   h. Any other situations determined by the Chief or designee

2. The SWAT Team may be a support to other police agencies in the same situations.

B. Requests for SWAT Response

1. All requests for clandestine laboratory services may be referred to the SWAT Team Commander. All other requests for services shall be referred to the Chief or Investigative Services Bureau Assistant Chief.

2. After authorization, the SWAT Team Commander shall contact the requester, learn the specifics, mobilize the team, contact the affected district commander and Communications supervisor, and notify the team, including what the mission is, when and where to report, and uniform and equipment to bring.

3. The team commander shall arrange transport of any additional equipment.

C. Part-Time Team Members

1. Part-time team members shall notify their supervisor or the on-duty supervisor when they have been called to a SWAT Team mobilization.

D. Coordination of Incidents

1. District commanders shall manage overall operations on incidents in their areas, including strategies and coordination of agency responses.

2. The SWAT Team Commander shall be responsible for tactical operations including determination of the team's abilities or limitations, and deployment.

Applies to: All WSP Employees
See Also: --

10.09.020 CRISIS NEGOTIATION TEAM (CNT) (CALEA 12.1.2, 41.1.3, 43.1.5, 46.2.1)

I. POLICY

A. Crisis Negotiation Team (CNT) Response Situations

1. The CNT responds to situations in which someone is threatening to inflict serious injury or death and can potentially be defused through dialogue. They will:

a. Report to the incident commander upon arrival and be briefed.

b. Confer with the SWAT Team Commander.

c. Assess the situation, begin negotiations or, if started, assume them.

d. Assign negotiators and ensure psychological profiles, time charts, and status charts are prepared and constantly updated.

e. Use electronic equipment.

f. Ensure vehicle operators and vehicles are available in case the scene moves.

g. Assign the minimum number of negotiators needed in the inner perimeter.

h. Have sufficient funds for requested purchases.

B. Requests for Services

1. Requests for services shall be referred to the Chief, the Investigative Services Bureau Assistant Chief, or the Headquarters Duty Officer.

2. After authorization, the SWAT Team Commander shall notify the CNT Sergeant of the situation. The CNT Sergeant may contact the requesting person or agency for more details.

3. The SWAT Team Commander or the CNT Sergeant shall notify the affected district commander and commanding supervisor, then mobilize the team, advising of the mission, where and when to report, and ensure transportation of needed equipment.

Applies to: All WSP Employees
See Also: --

10.09.030 RAPID DEPLOYMENT FORCE TEAM (RDF)

I. POLICY

A. Composition and Response of Rapid Deployment Force Team

1. The Rapid Deployment Force Team (RDF) is comprised of five regional teams that are located in Tacoma, Bellevue, Spokane, Marysville, and Bremerton. A captain appointed by the Field Operations Bureau Assistant Chief is responsible for the overall administration and the coordination of the five teams (RDF Coordinator).

2. RDF provides all hazards response capability for civil disturbances, demonstrations, crowd control, critical infrastructure protection, and other situations to restore law and order as well as to protect life and property.

3. RDF may be utilized as support to other police agencies in the same situations.

B. Requests for Services

1. All requests for RDF services shall be referred to the Chief or Field Operations Bureau Assistant Chief.

2. After authorization, the RDF Team Leader shall contact the requester, learn the specifics, and mobilize the identified teams.

The Team Leader shall ensure that the affected district commander, Communications station manager, and the RDF Coordinator are notified.

3. The RDF Team Leader will notify the teams of the mission, when and where to report, and the required uniform and equipment.

C. Team Member Notifications

1. Team members shall notify their supervisor or the on-duty supervisor when they have been called to an RDF mobilization, unless the member's own chain of command directed the employee to the mobilization.

D. Managing Incidents

1. District commanders shall manage overall operations of incidents in their areas, including strategies.

2. The RDF Coordinator will collaborate with affected district commanders to coordinate cross-jurisdictional RDF responses.

3. The RDF Team Leader shall be responsible for tactical operations, including determination of the team's abilities or limitations and deployment.

Applies to: All WSP Employees
See Also: --

10.09.040 CRIME SCENE RESPONSE TEAM (CSRT) (CALEA 12.1.2, 46.2.1, 83.2.4)

I. POLICY

A. Services Provided by CSRT

1. The CSRT provides a comprehensive crime scene investigative capability upon request from law enforcement agencies, including investigations of:

   a. Deaths.

   b. Sexual assault cases.

   c. Kidnappings.

   d. Assaults/shootings involving a law enforcement officer.

   e. Other felony crimes as circumstances warrant.

2. Services include those provided by crime laboratory forensic scientists and Criminal Investigation Division (CID) detectives.

3. To obtain services, district commanders shall contact the CSRT coordinator through Tacoma Communications. If the request is for investigation of a crime scene as indicated above:

    a. Supervisors from those sections shall assign employees, who shall respond to the crime scene or briefing location, assess the scene and/or investigation assistance needs, and call additional resources as needed.

    b. The CSRT shall critique the operation after conclusion of the investigation.

    c. Members shall send the investigation reports to the CSRT coordinator.

B. Transporting Evidence

1. Generally, CSRT members will not transport evidence from the scene, and evidence collected shall remain with the requesting agency in its own system. If circumstances dictate otherwise, evidence shall be handled as the department requires.

Applies to: All WSP Employees
See Also: --

10.09.050 INCIDENT MANAGEMENT PROGRAM (IMP)

I. POLICY

A. Incident Management Program Composition

1. The IMP promotes the safety of department personnel and of the public by effectively and efficiently managing personnel assigned to incidents/events. The IMP is comprised of two components:

    a. The Incident Management Team (IMT), which is activated during incidents/events.

    b. The *Incident Management Handbook*, which establishes incident management policies and training provided to department personnel.

B. Responsibilities of the IMT

1. The IMT is a resource designed to manage the department's involvement in large-scale or complex incidents or events.

2. The IMT is utilized when the scope of an incident or event exceeds the local district's ability to effectively manage the department's involvement. Some examples of when the IMT may be utilized include:

a. Wildfires

b. Riots

c. Planned events

d. Funerals

e. Disasters

f. Terrorist acts

C. Operations and Structure of the IMT

1. The IMT operates under the National Incident Management System (NIMS) model of the Incident Command System (ICS). The IMT utilizes the *Incident Management Handbook* (IMH) as a guide for its standard operating procedures.

2. The organizational makeup of the IMT consists of:

   a. Command and general staff

   b. Operations

   c. Planning

   d. Logistics

   e. Finance

D. Reporting Relationship of the IMT

1. The IMT reports to the IMT Incident Commander. The IMT Incident Commander reports directly to the Field Operations Bureau Assistant Chief.

E. Activation of the IMT

1. The IMT is activated upon request of the division/district commander to the Field Operations Bureau Assistant Chief.

F. Major Incident Deployment

1. When a major incident is anticipated (tsunami warning, specific terrorist threat, etc.) or an event is planned that necessitates activation of the IMT, the IMT Incident Commander shall assemble command and general staff sufficient to meet the anticipated need to successfully manage the event.

2. The IMT Incident Commander shall assign specific command and general staff members, which will generally include a minimum of

an Operations Section Chief, Planning Section Chief, and Incident Commander.

G. Use of Incident Management Handbook

1. The *Incident Management Handbook* applies the NIMS Incident Command System (ICS) practices to department operations. It also specifies the contents of After-Action Reports and provides quick-reference checklists for a variety of incidents and situations.

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

10.09.060 DRUG RECOGNITION EXPERTS (DREs) (CALEA 61.1.11)

I. DEFINITIONS

A. ***"Drug Recognition Experts (DREs)"*** are officers trained to recognize the signs and symptoms of intoxication that could result from seven different categories of drugs. A 12-step standardized process is used to identify drug impairment.

B. Requests for Drug Recognition Experts

1. DREs shall be requested for assistance and respond in the following situations:

   a. A suspect has a low BAC level (under .08) that is inconsistent with his/her field sobriety test results.

   b. A suspect has admitted to using medication and/or drugs in the past two hours.

   c. A suspect is obviously drug-impaired (cannot perform field sobriety tests to the satisfaction of the arresting officer).

   d. A collision in which the driver has no signs of alcohol impairment, but has some observable signs of intoxication by drugs.

   e. A traffic stop involving a drug arrest where there is evidence the driver may be under the influence of drugs.

   f. There is an odor of a controlled substance on the suspect or in the vehicle.

   g. In any felonious or fatal collision a DRE shall respond to the scene and evaluate the surviving driver(s). Exceptions must be approved by the appropriate district command.

   h. In any department-involved collision where there is reasonable suspicion that drug impairment could be a factor.

2. Requests for a DRE should be made as soon as possible because the physical indicators of drug impairment diminish as time passes. The requesting officer should be available to the DRE to answer specific questions about the suspect.

3. On-duty DREs shall be utilized when possible. However, supervisors may call out an off-duty DRE when it would reduce response time.

4. If there is not a DRE in service, another agency DRE can be called to assist. If there are no on-duty DREs, the officer will notify his/her supervisor. The supervisor will determine whether sufficient information exists to warrant a DRE call-out.

5. Communications shall maintain a log of certified DREs. Upon receiving authorization from the requesting officer's supervisor, Communications will call out DREs based on the procedure mutually established between Communications Division and DRE Section.

C. Assistance to Other Agencies

1. Supervisors should allow their on-duty DREs to assist other agencies.

II. PROCEDURES

A. Prior to Calling a DRE

1. Prior to calling a DRE, officers should:

   a. Document the driver or the suspect.

   b. Document the odor of intoxicants and/or drugs.

   c. Conduct standardized field sobriety tests.

   d. Obtain a voluntary breath test.

   e. Document evidence at the scene (drugs in car/on person, prescription drug bottles, etc.).

Applies to: All WSP Employees
See Also: --

10.09.070 FACILITY PROTECTION (CALEA 81.3.1, 82.1.1)

I. POLICY

A. Facility Security Precautions

1. The following precautions shall be initiated at all department facilities:

a. All unoccupied facilities shall be locked at all times, unless authorized employees are directly in attendance.

b. All occupied facilities shall have only a business entrance open and available to the public and should only be open during regular business hours. All other entrances shall be locked, and keys or lock combinations shall be issued to authorized employees only. The term "business hours" shall be determined by the responsible division/section commander, subject to concurrence by the appropriate assistant chief or bureau director.

c. On-duty employees, where practical, shall make a visual examination of facilities when arriving at or departing from any facility.

d. Restrooms located in department facilities shall be off limits to anyone other than department employees during non-business hours.

B. Suspicious Packages

1. Employees are to be alert for unusual packages, briefcases, etc., left in reception areas or in restrooms.

C. Changing Door Locks or Key Codes

1. Whenever an employee terminates employment with the department or from a sensitive section, the division/district commander may have the appropriate lock(s) re-keyed or electronic locks reprogrammed.

Applies to: All WSP Employees
See Also: --

10.09.080 EXPLOSIVES UNIT (CALEA 12.1.2, 46.2.1)

I. POLICY

A. Response by Explosives Unit

1. The Explosives Unit responds to bomb threats and disposal and training requests, from both the public and private sector.

2. Requests for the Explosives Unit shall be made through Communications.

3. The Homeland Security Division Commander, in conjunction with the Explosives Unit coordinator, shall approve any unit response to:

a. Bomb threats.

b. Suspected destructive devices.

c. Possible mail or parcel bombs.

d. Disposal requests for explosives or chemicals (ether or picric acid only).

e. Requests for post-blast investigation.

f. Requests for training classes, including letter and parcel bomb recognition, planning for bomb threats, and explosive recognition.

g. Requests for security assistance to government agencies.

4. There are four geographic response areas:

a. Olympia Explosives Unit — Southwestern counties

b. Everett Explosives Unit — Northwestern counties

c. Port Angeles Explosives Unit — Northwestern counties on the peninsula

d. Walla Walla Explosives Unit — Eastern counties, except Chelan, Okanogan, and western Douglas County.

Applies to: WSP Officers
See Also: --

► SECTION 10: VIN/TOWING ◄

10.10.010 VIN INSPECTIONS

I. POLICY

A. Conducting VIN Inspections

1. Vehicle Identification Number (VIN) inspectors and other trained officers shall be familiar with the various techniques used to return stolen vehicles to the marketplace. Inspectors and officers shall prevent stolen vehicles from passing the certification process. Inspections shall be done so that a vehicle with an altered VIN shall not possibly pass inspection. Mistakes in recording the VIN on the Certificate of Vehicle Inspection form shall also be eliminated.

2. If it is discovered after the Certificate of Vehicle Inspection form has been issued that a vehicle is stolen after the recorded VIN was cleared through WACIC, NCIC, or CPIC (Canadian vehicles); a vehicle has an altered VIN; or the inspection form has an incorrectly recorded VIN, the division commander shall be notified. These inspections will be known as “deficient inspections.”

B. Investigating Deficient Inspections

1. The Criminal Investigation Division commander shall arrange for an investigation of the deficient inspection, conducted by the VIN supervisor. The investigation shall determine, in part:

   a. If the investigation was complete. All reports pertaining to the investigation shall be reviewed.

   b. The person's experience in performing inspections. The person's background shall be investigated for previous problems.

   c. The frequency of inspections performed by the person daily, weekly, monthly, and yearly shall be reviewed.

   d. If the person was adequately trained, length of time since the person attended in-service training in that field, if the necessary Auto Theft updates were supplied, and current status of the inspector or officer with the Department of Licensing Title and Registration Division.

   e. If there were alterations to the VIN, and if so, would another inspector have easily noted them, or were they difficult to detect.

   f. If a clearance from the stolen vehicle file was received by the inspector or officer.

   g. If the person had a working knowledge of VINs on the type of vehicle or major component part inspected.

2. The Criminal Investigation Division Commander shall review the investigation, evaluate performance of the employee(s) in question, and determine training needed for improvement. The division commander shall contact the Office of Professional Standards (OPS) for a file number if evidence indicates the inspection was grossly improper. Further investigation shall be done through OPS.

C. Chemical Processing

1. VIN employees shall wear issued masks and air filters whenever performing chemical processing of metals. Use only the white cartridges during chemical processing.

2. Safety glasses or goggles shall also be worn during any processing procedure.

Applies to: All WSP Employees
See Also: RCW 46.12.030

10.10.020 TOWING SERVICES

I. POLICY

A. Towing Services

1. Towing services shall be on a rotational basis. The Commercial Vehicle Division (CVD) shall maintain the tow truck list.

2. Tow truck operators requesting placement on the rotational call list shall complete an application and submit it to the local district commander for approval. Upon approval, the application shall be forwarded to CVD.

B. Tow Zones

1. District commanders shall determine which areas are designated as tow zones, using factors such as the frequency and severity of collisions and DUI arrests, volume and pattern of traffic, and availability and accessibility of tow services.

2. Suggested tow zone boundary changes under the rotational system shall be submitted to the CVD Commander.

C. Complaints on Registered Tow Truck Operators

1. Upon receiving complaints on registered tow truck operators, the district tow truck officers shall initiate an investigation and maintain files on each complaint.

2. Copies of complaints shall be forwarded to CVD.

3. Following the investigation, the tow truck officers will complete a Report of Investigation and forward it to the district commander for review.

4. The district commander shall make recommendation to the CVD Commander, who will then determine the appropriate administrative action, up to and including reprimand, suspension, or removal from the tow list.

Applies to: All WSP Employees
See Also: WAC 204-91A

► SECTION 11: HONOR GUARD ◄

10.11.010 HONOR GUARD

I. POLICY

A. Honor Guard Image

1. Selection and training of Honor Guard employees provides a highly professional image of the department to the public and other agencies.

B. Availability of Honor Guard

1. When requested and approved by the Chief, the Honor Guard shall be available for funerals of active department members, active officers of other agencies, and other persons designated by the Chief.

2. The Honor Guard shall be available for other functions as the Chief may designate.

C. Selection of Honor Guard Members

1. The Honor Guard shall consist of as many as 24 active officers. Selection by a review committee shall be based on the following criteria:

   a. Volunteers

   b. Appearance

   c. Ability to perform ceremonial duties

   d. Command recommendation

   e. Job performance review

   f. An oral interview (if necessary)

D. Appointment of Command Officer

1. The Chief shall designate an Honor Guard Commander to ensure that the Honor Guard is properly staffed, trained and equipped.

E. Scheduling of the Honor Guard

1. Scheduling of the Honor Guard shall be coordinated by the affected district commander through the Honor Guard Commander.

2. The Honor Guard shall operate under the command of the assigned Honor Guard Detail Officer where events are held.

3. The day-to-day operations of the Honor Guard are governed by the *Honor Guard Manual*.

Applies to: All WSP Employees
See Also: *Honor Guard Manual*

► SECTION 12: TRAINING ◄

10.12.010 CAREER DEVELOPMENT (CALEA 33.6.1, 33.8.1, 33.8.3, 35.1.7)

I. POLICY

A. Purpose of Career Development Program (CDP)

1. The CDP purpose is to improve the personal skills, knowledge, and abilities of department employees at all levels so they can successfully perform assigned tasks, increase job satisfaction and improve performance, and prepare for future positions within the department.

B. Objectives of CDP

1. The Training Division and Human Resource Division Commanders shall prepare objectives for the CDP. The objectives should be stated in quantitative terms and may specify the potential number of employees to use career development services, total number of training hours provided, number of persons assigned to career development services, etc. Affirmative Action goals shall be assessed at this time, and objectives reviewed annually.

2. The CDP includes training, in-service training, specialty in-service training, cross-training, career counseling, and formal education.

3. Career counseling is voluntary, with the volunteering employee's supervisor/counselor providing guidance to obtain the skills, knowledge, and abilities for positions within the department.

C. Documenting Effectiveness of the CDP

1. Volunteering employees and supervisors/counselors conduct joint annual reviews of the employees' training records during the fourth quarter performance appraisal or annual evaluation. Supervisors document the effectiveness of the CDP for each volunteering employee using the appraisal or evaluation form.

2. For officers, attach the Career Development guide to the appraisal form.

3. Activities of Career Development

4. Every manager and supervisor/counselor is trained to conduct career development activities, including:

   a. Counseling techniques.

   b. Techniques for assessing employee skills, knowledge, and abilities.

   c. Department salaries, benefits, and training opportunities.

   d. Educational opportunities and incentive programs.

   e. Cultural and ethnic awareness.

   f. Record keeping techniques.

   g. Availability of outside resources.

Applies to: All WSP Employees
See Also: --

10.12.020 TRAINING DIVISION (CALEA 1.3.13, 33.1.1, 33.1.2, 33.1.3, 33.1.4, 33.1.6, 33.1.7, 33.2.1, 33.4.2)

I. POLICY

A. Responsibilities of the Training Division Commander

1. The following are the Training Division Commander responsibilities:

   a. Conduct and coordinate training for all department employees.

   b. Conduct and coordinate training for outside agency employees, as requested.

   c. Maintain training records.

   d. Continuously review, evaluate, update, and implement department training.

   e. Administer the Career Development Program.

   f. Select instructors.

   g. Notify department employees of required training and training available.

   h. Administer the Academy.

i. Set guidelines, format, and approval process for lesson plans, which are required for all courses.

j. Identify department training goals.

k. Establish performance objectives for all training programs.

l. Complete a training report including, at a minimum:

(1) Number of employees trained (total and per course).

(2) Courses conducted during the year.

(3) Hours of instruction by Academy instructors and outside instructors (total and per course).

(4) Number of outside agency employees trained.

(5) Review of Career Development objectives.

2. The report shall be sent to the Chief by January 31 each year.

B. Training Committee Requirements

1. The Training Division Commander shall also serve as a member of the Training Committee, which is chaired by the Technical Services Bureau Assistant Chief or designee.

2. The committee shall also include representatives from the Human Resource Division, Office of Professional Standards, Field Operations Bureau, Investigative Services Bureau, Technical Services Bureau, Fire Protection Bureau, Forensic Laboratory Services Bureau, the Labor and Policy Advisor, and any other person appointed by the Chief.

3. The Training Committee meets at least annually to review and evaluate department training programs and to make recommendations to the Training Division of the training needs of the department.

4. The Training Committee:

a. Analyzes, updates, and prioritizes all training needs based on reports from inspections, staff meetings, training needs surveys, training evaluations, field observations, job task analysis, employee interviews, or needs identified by the Chief, Human Resource Division, or Office of Professional Standards.

b. Analyzes overall training needs of employees relating to career development.

c. Helps identify the department's training goals.

C. Out-of-State Training

1. For training only available outside the state, employees shall submit a Training/Travel Request with information describing the training attached through the chain of command to the assistant chief or bureau director.

2. If approved, the request shall be forwarded through the assistant chief or bureau director to the Chief to review.

3. All attempts will be made to return the request to the employee within fifteen working days of the initial request.

D. Advanced Training

1. The following criteria are used to select Washington State Patrol sergeants and lieutenants officers for advanced training:

   a. Rank of lieutenant or above (sergeants high on the lieutenant's promotional list may be considered).

   b. Outstanding leadership potential, based on past performance, education, and individual goals and objectives.

   c. Recommendation by the Chief, assistant chief or bureau director, and commander.

E. In-State Training Requests

1. To attend in-state training, an employee shall submit a Training/Travel Request and course description through the chain of command to the division/district commander, who approves or denies the request and returns it within five working days. Additionally:

   a. For a Criminal Justice Training Commission (CJTC) course, the CJTC registration is sent directly to CJTC, after command approval.

   b. For a Department of Personnel, Training and Development Services (TDS) course, once the employee receives command approval, they shall have their division/district/section TDS coordinator enroll them in the course.

F. Training Records

1. The Training Division maintains training records for employees. Training records should include course title, date of completion, grade (if any), hours, honors, etc.

2. Each employee's training record is available, upon request, to the employee or employee's supervisor for review during the fourth quarter job performance appraisal or annual evaluation.

G. Employees Instructing Employees

1. Employees instructing department employees or attending training outside the department shall submit Training/Travel Requests to the Training Division within ten days of training completion. (This does not include routine training.) The employee's commander may request submission of a course evaluation and narrative with the request.

2. Copies of diplomas or certificates issued at training should be sent with the Training/Travel Request to the Training Division, to forward to the Human Resource Division.

H. Department-Sponsored Training

1. Department-sponsored training sessions are mandatory for all persons or groups for which the specific training is designed. Employees on departmental-approved leave who miss training may:

   a. Be exempt.

   b. Attend modified training.

   c. Attend a subsequent session.

2. Exemptions, modifications, or special sessions are at the discretion of the Chief, employee's commander, or Training Division Commander.

I. Training Materials

1. Training materials (books, manuals, and pamphlets) obtained during a course will not be paid for by the department, unless the training is mandated by the department.

J. Rules and Regulations for Instructors

1. Most training is done by qualified department employees. When outside instructors are used, they shall follow the same rules and regulations as department instructors; they must follow all state laws concerning vendors; and they must submit a lesson plan to the Training Division Commander before the training date.

2. If assisting a department instructor, no additional lesson plan is needed.

K. Training Reimbursement

1. If an employee is a classified employee, then the Civil Service Rules on reimbursement for training and education shall apply if any part of this regulation conflicts with the Civil Service System Rule. (See WAC 357-34-030.)

2. If an employee is not a classified employee and that employee is covered by a collective bargaining agreement, then that bargaining agreement will control if any part of this regulation conflicts with the bargaining agreement.

Applies to: All WSP Employees
See Also: WAC 357-34-030

10.12.030 IN-SERVICE TRAINING (CALEA 33.1.2, 33.5.1, 33.6.1, 33.7.2, 33.8.2)

I. POLICY

A. In-Service Training

1. In-service training is required of all officers annually.

2. Assistant chiefs and bureau directors may require specialized in-service training for particular divisions or section employees.

3. In-service training ensures employees receive information on new laws, technological improvements, policies, procedures, first aid, etc.

4. Trimester regional training may replace annual in-service training.

B. Specialized Training

1. Specialized training is provided by the department to enhance skills, knowledge, and abilities of employees beyond the level taught in recruit or in-service programs. Specialized training shall be provided for all specialty positions and shall include:

   a. Development/enhancement of skills, knowledge, and abilities particular to the specialization.

   b. Management, administration, supervision, personnel policies, and support services of the unit.

   c. Performance standards of the unit.

   d. Policies, procedures, rules, and regulations specifically related to the unit.

   e. Supervised on-the-job training.

2. When practical, training should be completed before an employee reports to a specialized position. In all instances, specialized training must begin within 30 days of assignment.

3. Positions requiring specialized training include:

   a. WSP Officers

      (1) BAC Technicians

      (2) Field Training Officers

(3) Investigators (Detectives)

(4) Bomb Technicians

(5) Executive Services Officers

(6) Commanders and Sergeants

(7) Single-Engine Pilot

(8) Multi-Engine Co-Pilot

(9) Command Pilot

(10) Assistant Commander/Command Pilot

(11) Chief Pilot

(12) Motorcycle Officer

(13) SWAT Team

(14) Decentralized Training Officers

(15) Collision Specialists

(16) EVOC Instructors

b. Classified

(1) Commercial Vehicle Enforcement Officer

(2) Communications Officer

(3) Forensic Scientist/Clandestine

(4) Vehicle Identification Number Specialist

(5) Lab Team

(6) Evidence Custodians

4. Annual in-service training for the above positions shall be provided by the department.

5. Division/section commanders are responsible for assigning necessary training for each specialty position. An outline of assigned training shall be included in the section manuals.

6. Along with in-service training, all employees, before or immediately after promotion, are instructed in the skills and management techniques for the new level.

Applies to: All WSP Employees
See Also: --

10.12.040 CROSS-TRAINING (CALEA 33.1.2, 33.6.1)

I. POLICY

A. Temporary Assignment to Investigative Services Bureau (ISB)

1. Officers from the Field Operations Bureau (FOB) may be temporarily assigned to the Investigative Services Bureau to enhance job satisfaction, promote career development, and strengthen investigative skills.

B. Terms and Conditions of Temporary Assignment

1. Temporary assignment is two weeks, unless authorized by the FOB Assistant Chief and the appropriate ISB division commander.

2. Local Investigative Services Bureau (ISB) and FOB commanders determine the number cross-training at any time, in any area. (Need and coverage shall be the determining factors.)

3. Assignments are in-district.

4. Positions are advertised within the district.

5. Travel expenses are not allowed, unless incurred as part of the temporary assignment.

6. Officers assigned to ISB shall wear appropriate civilian clothes and carry the issued duty weapon.

7. An ISB supervisor shall use a Job Performance Evaluation to evaluate cross-training officers. The evaluation is kept in the officer's Job Performance Record.

C. Selection Criteria for Temporary Assignment

1. Officers must have four years of service as a trooper.

2. Eligible officers should submit an IOC, outlining goals and objectives, through the chain of command to the assistant chief or bureau director for approval.

Applies to: All WSP Employees
See Also: --

10.12.060 CONTINUING EDUCATION (CALEA 22.2.2, 33.1.3)

I. POLICY

A. Continuing Education

1. Employees who wish to continue their education without taking a leave of absence shall:

   a. Submit a completed Tuition Reimbursement Application form to their commander.

b. Maintain adequate availability.

c. Continue working at an acceptable level.

d. Not attend classes or do required assignments on state time, in uniform, or using a state vehicle.

B. Conflicts in Attendance

1. If several in a detachment or section wish to attend classes, conflicts shall be resolved by:

   a. Seniority in rank/position, by commissioned time, department time, and total state service time.

   b. Date of request to attend classes.

   c. Evaluation of employees' goals.

C. Education Documentation

1. Copies of documentation supporting receipt of a degree shall be attached to an Employee Action Request and sent to the Human Resource Division.

2. A completed Tuition Reimbursement Status form shall be sent to Budget and Fiscal Services upon completion of the program.

D. Reimbursement for Tuition

1. The department may reimburse a permanent or permanent project status employee for the cost of tuition at an accredited university if:

   a. To request tuition reimbursement, an employee must submit a completed Tuition Reimbursement Application form through the chain of command to his/her assistant chief/bureau director prior to enrolling in the course(s) of study. If the bureau director finds the request appropriate, he/she will forward the form to the commander of Budget and Fiscal Services for a final decision.

   b. Tuition costs do not exceed the University of Washington (UW) tuition rates. The department reserves the right to limit any reimbursement, but in no case will an employee be reimbursed more than an equivalent program at the UW.

   c. Department funds expended for tuition reimbursement will be limited to tuition or registration fees and will not include text books, supplies, or other expenses, unless expressly authorized in the employee’s collective bargaining agreement.

   d. A satisfactory grade of "C" or higher, indication of satisfactory completion or standing, or award of credits is received or maintained.

2. The department will not reimburse more than the tuition of a comparable program at the University of Washington. A matrix designed to crosswalk from the UW program to the employee's program will be used to ensure a fair reimbursement rate per credit within the UW maximum.

E. Reimbursement Exceptions

1. If an employee is in a classified job classification, then the Civil Service System Rules on reimbursement for training and education shall apply if any part of this regulation conflicts with the Civil Service System Rule. (See WAC 357-34-030)

2. If an employee is in a position that is not a part of the Civil Service System and that employee is covered by a collective bargaining agreement, then that bargaining agreement will control if any part of this regulation conflicts with the bargaining agreement.

F. Submission for Reimbursement

1. To receive reimbursement, submit the following through the chain of command to Budget and Fiscal Services, within 60 days of receiving final grades, for a course or courses of study:

   a. A Tuition Reimbursement Voucher form.

   b. A copy of the approved Tuition Reimbursement Application.

   c. A transcript indicating a grade of "C" or higher; or, in the case of grading by narrative evaluation, a satisfactory evaluation and granting of credits.

   d. A copy of the registration or receipt documenting the amount paid.

G. Reimbursement Timeline

1. Budget and Fiscal Services will process the reimbursement within 60 days of receiving the voucher with complete documentation.

H. Scholarships

1. If an employee receives a scholarship or grant the total reimbursement, combined with the scholarship or grant shall not exceed 100 percent of the cost of tuition. Employees shall not receive federal or state education reimbursement exceeding the total cost of tuition for any course(s).

I. Fees and Training Materials

1. The department pays all fees, including training materials, for courses it directs employees to attend.

Applies to: All WSP Employees
See Also: WAC 357-34-030; Employee Action Request; Tuition Reimbursement Application; Tuition Reimbursement Status Form; Applicable Collective Bargaining Agreements

► SECTION 13: CAMPING ◄

10.13.010 CAMPING IN STATE PARKS

I. POLICY

A. Campsite Fees

1. Washington Administrative Code (WAC) 352-32-280 states in part: "No fee will be assessed law enforcement officers for the campsite they occupy if the following conditions are met: (1) The individual's law enforcement authority is effective in the geographic area in which the campsite is located; (2) the park manager or representative has determined that the officer's police powers may be useful in maintaining a peaceful environment in the park; (3) the individual agrees to act in an official capacity if requested by the park staff."

2. The camping fee waiver is not a right, but a courtesy extended to officers by the Parks and Recreation Commission if the park manager feels the officer would be effective in maintaining a peaceful environment in the park. If the park manager determines there is no need for additional law enforcement, the officer shall pay the normal camping fee.

B. Occupancy Time Limits

1. In order to afford the general public the greatest possible use of the state park system on a fair and equal basis, continuous occupancy of facilities shall be limited to seven consecutive days in one park.

C. Assisting Park Manager

1. When asked to assist a park manager, officers shall conduct themselves in a professional manner consistent with established department procedures.

D. Incident Involvement

1. If the officer is confronted with an incident, the officer's supervisor shall be notified as soon after the incident as practical.

2. All incidents or arrests shall be recorded and stored in the officer's monthly file.

3. If the incident or arrest occurs in a district other than the officer's assigned work area, the commander of the district in which the park is located shall also be notified.

4. Officers shall not be armed or take legal action when affected by alcohol.

Applies to: WSP Officers
See Also: WAC 352-32-280

► SECTION 14: VOLUNTEERS ◄

10.14.010 VOLUNTEER PROGRAM

I. POLICY

A. Volunteer Usage

1. The use of volunteers shall be encouraged in citizen advisory groups, as direct service providers, and for similar community involvement programs in all areas. The Washington State Patrol extends to all cultural and socio-economic segments of the community those opportunities necessary for involvement that are consistent with the prudent requirement for security and safety.

2. Within the limits of available resources, this shall include, but not be limited to, appropriate screening, training, assignment, and supervision.

B. Goals of a Volunteer Program

1. A successful volunteer program will achieve the following goals:

   a. Assist in the achievement of Washington State Patrol goals and objectives.

   b. Assist in the provision of prudent management of fiscal and human resources.

   c. Provide individuals with opportunities for self-improvement.

C. Volunteer Professional Services

1. Volunteers may provide professional services only when certified or licensed to do so and shall be required to cite their credentials and/or certificate status in their initial application and show proof thereof prior to assignment.

D. Volunteer Benefits

1. Labor and Industries coverage for medical expenses due to on-the-job injury or occupational diseases.

2. Documented volunteer experience.

3. Liability protection.

4. Explanation of training opportunities available to or required for volunteers which will improve their competency in the service they provide.

5. Explanation of who will assist in resolving job-related problems.

E. Proper Use of Volunteers

1. A volunteer may perform as an aide to provide supplementary functions not normally provided by regular employees.

2. A volunteer may perform as an aide as assigned, but shall not perform the primary functions unless under direct supervision.

3. A volunteer may perform independent activities which would assist an employee in providing services. Volunteers shall not be used to supplant full-time employee positions.

4. Tasks shall not be removed from employee assignment for the purpose of creating assignments to volunteers.

5. Volunteers may be used to temporarily substitute for full-time employees when authorized positions are vacant or for those positions that are being actively recruited.

6. As much as possible, assignment of volunteers should be made in those supplementary activities which serve to meet their personal, emotional, and/or social needs.

7. Volunteers may be provided regular opportunities for participating in the establishment of policy and procedure.

F. Department Volunteers

1. Department employees who are in scheduled, non-scheduled, trooper, sergeant, or lieutenant work classifications are not eligible to volunteer for projects with the department.

2. Captains, commanders, special deputies, exception work week employees, and exempt employees may volunteer for projects, but may not accumulate exchange time while volunteering their services.

3. Relatives or household members of department employees can participate as volunteers for projects approved by the department, but must be pre-approved by the first-line supervisor of the associated department employee.

Applies to: All WSP Employees
See Also: Volunteer Services Request form; Community Involvement (Volunteer) Application

► SECTION 15: HISTORY, PRESERVING DEPARTMENT ◄

10.15.010 HISTORICAL ADVISORY BOARD

I. POLICY

A. Historical Advisory Board Responsibilities

1. The Historical Advisory Board is formed to preserve the history of the department.

2. The Board shall be advisory to the Chief; it shall not set policy or administrate programs.

3. The Board is responsible for the care and preservation of all department memorabilia and artifacts entrusted to it.

B. Membership

1. Membership is open to past and present employees and interested persons from the community, subject to the bylaws of the Board.

2. The membership will determine the historical value of department items returned for surplus or disposal or no longer of use to the department, in accordance with state statutes.

3. The Assistant Chief of the Field Operations Bureau (FOB) of the Washington State Patrol is responsible for representing the department's interest on the Board.

4. The FOB Assistant Chief may appoint an interested employee to provide administrative staff support to the Board. Responsibilities of the support person include, but are not limited to, preparing and distributing meeting minutes, preparing and distributing meeting agendas, receiving historical donations, preparing correspondence, answering questions, arranging historical displays, and representing the Board. This position would serve at the discretion of the FOB Assistant Chief. The administrative support would be in addition to the employee's other duties within the department. Work assignments would be coordinated with the respective division/district commander and the FOB Assistant Chief. Expenditures must be submitted to the FOB Assistant Chief for approval.

C. Repository of Historical Items

1. The Supply Section will be the repository of historical items. The Board will provide the Supply Section secretary with a current listing of committee members.

Applies to: All WSP Employees
See Also: --

10.15.020 HISTORICAL WASHINGTON STATE PATROL ITEMS

I. POLICY

A. Housing and Storage of WSP Historical Items

1. The department's collection of historical items is housed at the Supply Section in a secure storage facility.

2. Supply maintains a database of items stored and updates the *Historical Items Catalog*.

B. Issuing an Item for Use

1. A current Board member or the staff person of the Historical Advisory Board shall give approval for issuing an item for use.

2. The person receiving the item shall sign a receipt showing the date issued, the item description, and the due-in date.

3. The database shall be updated by the Supply Section.

C. Pursuing Contributions

1. The Supply Section will periodically pursue historical contributions to maintain a historical date line of items the department has used.

2. Items of historical value to the department may be donated to the Supply Section. Donations should be marked "For Historical Preservation" and include information describing the item. Supply shall acknowledge the contributions within 7 days.

Applies to: All WSP Employees
See Also: --

► SECTION 16: IDENTIFICATION ◄

10.16.010 IDENTIFICATION OF PERSONS IN DEPARTMENT FACILITIES (CALEA 22.2.7)

I. POLICY

A. Wearing Identification Cards – Employees

1. Employees shall wear their identification card at all times, in all department facilities, unless in uniform.

2. The information on the card must be up to date.

3. The card shall be worn by the employee in such a fashion that it is easily readable by other employees.

B. Visitors

1. Visitors to department facilities who are not department employees allowed past the reception area shall be provided with a clip-on visitor's pass and be escorted by an employee.

2. The pass shall be turned in as the visitor leaves the building.

Applies to: All WSP Employees
See Also: --

► SECTION 17: KEYS ◄

10.17.010 KEY ACCOUNTABILITY (CALEA 17.5.2)

I. POLICY

A. Key Issuance and Lock Assignments

1. The key accountability system provides for key issuance and lock assignments to maintain security of all areas.

2. Keys may be metal or plastic key cards.

B. Key Logs and Responsibility

1. Commanders are responsible for any keys to their areas and may assign supervisors to issue keys and maintain a key accountability log. Issued keys must be listed in the log as follows:

Key Number or Description of Lock Assignment	Date Issued	Name	Turn-in Date	Signature

C. Exceptions to the Key Log

1. Washington State Patrol officers issued department gas pump and weigh station keys (20-2A) are not listed in the log. The Supply Section issues and records the keys on the employee's property record when assigning equipment.

D. Requests for Keys

1. Requests for keys must be made in writing (either via IOC or e-mail) and indicate the purpose of the key, access desired, and to whom the key will be assigned. This correspondence must be sent and/or signed by the division/district/section commander. Requests shall be approved by the person responsible for the requested keys. Property Management will then issue the keys. Any key marking shall be noted on the request.

2. Persons from other agencies must contact Property Management for key issuance. Property Management shall notify the other agency in writing about key issuance and shall request notification if the person transfers or separates from the agency. Non-departmental requests must have a company/agency manager's signature.

3. The commander shall decide which keys to issue. For emergency repairs in buildings, only keys needed to gain access to work areas shall be issued.

E. Lost or Broken Keys

1. Employees shall report lost or broken keys immediately.

F. Key Boxes

1. Each section/unit/detachment has a locked key box (20-2A core) with a set of keys for each vehicle assigned to the area and any other key used for normal operations. The key box shall be in an area accessible only to employees.

G. Key Turn-In

1. Separating employees shall return all keys to a supervisor by the last work day. Keys to specific areas must be turned in before transfers or promotions to other areas. All 20-2A keys shall be returned to the Supply Section.

H. Inspections

1. Key accountability logs shall be reviewed during inspections.

Applies to: All WSP Employees
See Also: --

► SECTION 18: COMPUTERS ◄

10.18.010 COMPUTER HARDWARE/SOFTWARE ACQUISITION AND USE (CALEA 11.4.4, 41.3.7)

I. DEFINITIONS

A. Software piracy is the illegal copying and/or use of copyrighted software programs. Computer software is the set of detailed instructions that tell a computer what to do. "Programs" and "applications" are other generic terms for software. Software can be purchased commercially, built by programmers, and/or customized to meet business needs. Commercially available software includes, but is not limited to, Microsoft Word, Lotus, Notes, Adobe Acrobat, and Microsoft Windows.

B. Hardware is the computer machinery used to operate the software. Desktops, laptops, servers, and personal digital assistants are hardware.

C. Information Technology (IT) services for this policy include, but are not limited to, software development or modification, programming support, desktop support, printer support, project management support, and training. IT services are the services provided by IT personnel. IT services can be provided by department IT personnel or through personal/purchased services **approved by department IT personnel**.

II. POLICY

A. Standardization of Computer Systems

1. Computer systems use software and hardware to support the department's processes and are integrated into the duties of employees. All computer systems require support and maintenance. Without well-maintained computer systems, the department's capability to process and share electronic information would be severely restricted.

2. For this reason, all computer systems are to use standardized hardware and software wherever possible. Standardize hardware and software reduces complexity and streamlines the support of computer systems.

3. The Information Technology Division (ITD) will provide processes for establishing standards for department hardware and software and processes for exceptions to those standards.

B. Acceptable Use

1. Hardware devices and software programs purchased and provided by the department are to be used only for creating, researching, repairing, operating, maintaining, and processing department-related materials and equipment. By using department hardware and software, each employee assumes personal responsibility for their appropriate use and agrees to comply with this policy, other applicable department policies, applicable hardware/software license agreements, as well as city, state, and federal laws and regulations.

2. All hardware/software acquired for the department, or developed by department employees and/or contract personnel, shall be deemed the responsibility of the department and, as such, must be used in compliance with this policy and applicable licenses, notices, contracts, and agreements.

3. Computer games are not allowed on department computers. Games provided by computer vendors as part of installed software shall be removed.

4. Employees shall not load computer games into the memory of their computer.

C. Software

1. Employees shall obtain authorization from ITD before purchasing, installing, upgrading, modifying, or altering any department software.

2. Only authorized software is permitted to be installed and reside on department hardware.

3. Employees requiring software that is not identified in the IT Standards published by ITD must request an exception via the IT Acquisition Procedure. Each request shall be considered on a case-by-case basis in conjunction with the software policy and standards. Authorized exceptions to the software standards shall be documented on a list maintained by ITD.

4. The following are examples of software that require an exception:

   a. Shareware/Freeware (files downloaded from Internet).

   b. Personal software.

   c. Screen savers/Wallpaper (other than standard Windows software).

   d. Internet access software (i.e., AOL, CompuServe, Prodigy, WorldNet, etc.).

e. Demo discs received in the mail or from a vendor.

f. Utilities.

g. Disk compression (i.e., Stacker, DoubleSpace).

h. Mouse enhancement software.

5. Software installed on any department hardware must be designated as registered to the department.

D. Federal Copyright Law

1. The federal copyright law prohibits any part of a copyrighted publication (software programs included) from being reproduced, transmitted, transcribed, stored in any retrieval system, or translated into any language by any means without the express written permission of the author. Persons violating the copyright laws are subject to criminal, as well as civil prosecution.

2. Department employees shall not operate in violation of the law. Employees shall not copy, possess, or use illegally copied (pirated) software in any department facility or on any department-owned computer equipment. This policy includes copyrighted computer software purchased by any section, division, or bureau of the department where its usage is restricted to a single site.

3. Employees shall not copy or install department-purchased software on home and personal systems.

4. ITD shall maintain licenses for all authorized software.

E. Authorization from ITD Required

1. Employees shall obtain authorization from the Information Technology Division (ITD) before purchasing, installing, upgrading, or altering the basic function of any software applications on department computers. This includes adding privately owned software and screensavers, as well as downloading screensavers from the Internet.

2. Computers attached to instruments in the Forensic Laboratory Services Bureau or Investigative Assistance Division Computer Crimes Unit are excluded, unless placed upon the department's local area network or wide-area network.

F. Hardware

1. Employees shall obtain authorization from ITD before purchasing, installing, upgrading, modifying, moving, or altering any department computer. ITD personnel can provide assistance to avoid complications with network connectivity, ensuring Internet Portal addresses operate effectively or if there is an impact on the enterprise agreement.

2. Employees do not need authorization to move mobile computer hardware.

3. Employees requiring hardware that is not identified in the IT Standards published by ITD must request such hardware via the IT Acquisition Procedure. Each request shall be considered on a case-by-case basis in conjunction with this policy. Authorized exceptions to the software standards shall be documented on a list maintained by ITD.

4. Department hardware may only be used by its employees or contractors for business purposes relating to the department.

G. Acquired IT Services

1. Any business area seeking personal/purchased services for IT must request such service via the IT Acquisition Procedure contained within this policy. Each request shall be considered on a case-by-case basis in conjunction with this policy.

III. PROCEDURE

A. IT Acquisition

1. All requests for IT products and services should be directed to ITD Customer Services. The ITD Purchase Request form is located on the department's internal web site under "Employee Forms."

2. A determination shall be made if additional information from the business area is required. If additional information is requested to clarify the purchasing of a non-department standard product, the business owner shall be directed to prepare a written request using the Acquisition Request procedure below.

B. Acquisition Request

1. The organization (bureau, division, or section) requesting IT products and services must prepare an e-mail or IOC, developed in the format of a decision paper.

C. Decision Paper Format

1. The purpose should be one sentence describing the purpose of the request. **Example:** To purchase an application to support the citation tracking process.

2. The background is one or more paragraphs providing background on the business process or system that is being supported or replaced by the request.

3. The discussion is one or more paragraphs discussing how this request will benefit the department.

4. Conclusion.

5. Information to be included:

a. The decision paper shall state the proposing division/district business need by giving background information and a discussion of the facts and assumptions regarding the problem.

b. The proposal should not contain a solution, recommendation, or detailed cost estimate.

c. The document should contain time constraints and probable funding sources such as grants, division budgets, or project budgets.

d. Although cost estimates are not required, the requesting division/district must develop a high-level cost assessment in order to determine the funding path that should be taken.

D. Acquisition Request Approval Process

1. Once a decision paper has been created, the requesting division/district is to:

a. Send the decision paper to the ITD Commander.

b. Once received, ITD may request additional information or clarification from the requestor.

c. ITD and the Electronic Services Division (ESD) shall review the proposal and, if approved, forward the decision paper to the appropriate approving authority. If the request is not approved, it shall be sent back to the requestor with an explanation.

d. The approving authority shall notify ITD, ESD, and the requesting division/district of their decision.

e. If the approving authority denies the request, an explanation shall be submitted to ITD, ESD, and the requesting division/district.

f. ITD shall submit all new requests to the assistant chiefs/bureau directors for priority setting within the department.

Applies to: All WSP Employees
See Also: Technology Acquisition Procedure; Information Technology Standards; Information Technology Division Purchase Request Form

10.18.020 COMPUTER VIRUS (CALEA 11.4.4)

I. POLICY

A. Computer Threats

1. Two common forms of threats to computer systems are the virus and the worm. While the internal characteristics are different, the threats and prevention techniques are similar, so the term “virus” applies to all threats in this section.

2. A computer virus is a computer program or it operates through a macro service and is written to alter the way a computer operates without the permission or knowledge of the user. A computer becomes infected when a virus-infected file is introduced and executed. Once active, the virus spreads by copying and transmitting itself to other computers and possibly damaging the infected computer system.

B. Anti-Virus Software

1. The department provides anti-virus software protection for all department computers. Once installed and activated, the software shall not be disabled or deactivated for extended periods of time without direction from Information Technology Division (ITD) technical personnel.

C. Computer Virus

1. No department employee shall knowingly or maliciously place a computer virus or other computer threat on any computer system.

D. Threat Announcements

1. Computer threats are frequently announced in the news media, FBI bulletins, Washington Department of Information Services bulletins, or other sources. ITD will assess these threats and make appropriate announcements through the Daily Bulletin or similar means.

2. It is not necessary to act until such notice is received from ITD unless there is obvious infection or damage. Do not forward any threat bulletin to ITD or elsewhere, as this ties up other resources and inhibits analysis and reaction.

E. Safeguards Against Viruses

1. Ensure anti-virus software is installed and active. For verification or instruction, contact ITD Customer Services or see the Inside WSP Web site.

2. Back up data regularly.

3. All incoming data should be reviewed by the recipient, regardless of source reputation. Avoid unnecessary retrieving or downloading of information from outside sources. Any retrieval or downloading should be done on a system with active anti-virus software.

4. Files received by electronic mail attachment could carry a virus but are not dangerous, unless the attachment is executed or opened. Some threats use vulnerabilities of software without the user executing or opening a file.

5. Do not open any file, regardless of the file's source, suspected of carrying a virus.

6. Let the anti-virus software run, have it check the system regularly, and keep the software up-to-date.

7. If the computer is disconnected from the network, execute the virus scan before reconnecting. If the computer is disconnected and connected to another network, contact ITD Customer Services before reconnecting to the Washington State Patrol network.

F. Suspected Infection

1. If it is suspected that a computer has been infected with a virus:

   a. Stop using the computer.

   b. Do not turn the computer off.

   c. Call ITD Customer Services.

2. ITD Customer Services will guide the computer user through a basic set of checking instructions. If a virus is suspected or found, computer technicians will be dispatched to correct the problem. Initial response will be by telephone. On-site response will be prioritized based upon severity and available correction resources.

G. Virus Hoax

1. Spreading rumors of a virus through electronic mail is another means of creating problems associated with viruses. Do not spread rumors.

2. If you receive or suspect a message is a virus hoax, do not reply or forward it to others through the mail system. Send the message only to ITD Customer Services via e-mail or fax. Close the message and keep it on file for one week should ITD need to trace its origin. Customer Services will verify if the message is a hoax and notify the department via the Daily Bulletin of any real threat.

Applies to: All WSP Employees
See Also: --

10.18.030 COMPUTER SOFTWARE PATCHES

I. DEFINITIONS

A. Software Patches are updates to computer programs. They are also called "Service Packs" or program fixes. Software patches are used by software programs to resolve critical problems that were discovered after the initial release of an application. The most common usage for software patches is to fix security problems in applications, such as Windows, Internet Explorer, or Microsoft Office.

II. POLICY

A. Computer Software Patches Requirement

1. All department-owned computers are to operate installed software at approved patch levels.

2. The Information Technology Division (ITD) will provide testing and distribution of software updates and patches for all standard software.

III. PROCEDURES

A. Distribution of Computer Software Patches

1. ITD schedules the distribution of software patches and updates needed for the security and proper functionality of department computers at times least busy on any given day. Leaving department computers connected to the department network turned on 24 hours a day, 7 days a week allows this process to occur without causing impacts on most department employees' productivity.

2. Employees whose computers are **connected to the network** and are not left powered on will receive patch updates the next time the computer starts up. The update process may impact computer performance, causing it to slow down or be unavailable until the patching process is complete.

3. Employees whose computers are **not connected to the network** are responsible to update their computer software as prescribed by ITD. These employees are to contact ITD to work out procedure details so they can receive software patches and updates within a reasonable timeframe.

Applies to: All WSP Employees
See Also: --

10.18.040 COMPUTERS LEFT ON DURING OFF-SHIFT HOURS

I. POLICY

A. Computer Power Requirement

1. All computers connected to the department network are to remain powered on when not in use.

2. Devices connected to the computer may be turned off when not in use.

3. Employees are to log off of computers when going off-shift.

II. PROCEDURES

A. Purpose for Leaving Department Computers Powered On

1. Department-owned computers connected to the department network should remain powered on 24 hours a day, 7 days a week. This enables the automated distribution of software patches and updates by the Information Technology Division (ITD) for security and proper functionality of department computers at times least busy on any given day.

2. Leaving department computers connected to the department network turned on 24 hours a day, 7 days a week allows this process to occur without causing impacts on most department employees' productivity.

    a. Separately powered devices such as monitors and printers associated with the computer can be turned off anytime.

    b. A user may choose to power a computer off and restart it for other reasons.

    c. Divisions may adopt procedures requiring computers be turned off during off-shift hours.

3. Turning off computers during off-shift hours may impact employee productivity by causing long start times, from turning the computer on to when it is available, as updates are applied to the system.

4. Exceptions to this policy are computers that are not directly connected to the department's network. These computers include, but are not limited to, computers used by Commercial Vehicle Division and Field Operations Bureau personnel in department vehicles, laptops used outside of the office, personal digital assistants, Crime and Toxicology Laboratory instruments, and Facilities Management's plasma cutter.

Applies to: All WSP Employees
See Also: --

► SECTION 19: INVENTORY ◄

10.19.010 ELECTRONIC EQUIPMENT INVENTORY (CALEA 17.5.1)

I. POLICY

A. Inventory of Electronic Equipment

1. The Electronic Services Division is responsible for inventorying all electronic equipment in departmental vehicles.

2. The inventory shall be performed at least once each year by field technicians and updated whenever field technicians repair electronic equipment.

Applies to: All WSP Employees
See Also: --

10.19.020 FIXED ASSET INVENTORIES (CALEA 17.5.1)

I. DEFINITIONS

A. Dues-in – Items on order.

B. Dues-out – Items to be disposed or transferred.

II. POLICY

A. Command Accountability and Responsibility of State-Owned Property and Equipment

1. Bureau/division/district/section/unit commanders shall ensure that state property entrusted to his or her possession, command, or supervision is properly used and cared for, and that proper custody, safekeeping, and disposition are provided. Records are to show identification data, gains, losses, dues-in, dues-out, and balances on hand or in use. Command responsibility cannot be delegated and includes ensuring:

    a. The security of all property of the command, whether in use or in storage.

    b. Subordinates' activities contribute to the proper custody, care, use, safekeeping, and disposition of all property within the command.

    c. All security, safety, and accounting requirements are met.

B. Supervisory Accountability and Responsibility of State-Owned Property and Equipment

1. Supervisors will ensure all state property issued to or used by his or her subordinates is properly used and cared for and that proper custody, safekeeping, and disposition are provided. This responsibility cannot be delegated and is not contingent upon signed receipts and includes:

    a. Providing proper guidance and direction to personnel regarding state property.

    b. Ensuring all security, safety, and accounting requirements are met.

    c. Maintaining a work environment that facilitates and ensures the proper care and use of state property.

C. Custodial Accountability and Responsibility of State-Owned Property and Equipment

1. Individuals assigned custodial duties for property in storage awaiting issue or turn-in shall exercise reasonable and prudent actions to ensure proper custody, safekeeping, and disposition of the property. These individuals are to:

    a. Ensure the security of all property stored within the warehouse, supply room, and storage annexes/areas belonging to or used by the custodian.

    b. Observe subordinates to ensure their activities contribute to the proper custody, care, safekeeping, and disposition of all property within the warehouse, supply room, and storage annexes/areas belonging to or used by the custodian.

c. Ensure all security, safety, and accounting requirements are met.

d. When unable to enforce any of these, report the problem to their immediate supervisor.

D. Inventory of State-Owned Property and Equipment

1. The physical inventory, or inventory count, should be performed by persons with no direct responsibility (custody and receipt/issue authority) for the inventory. If it is not feasible to use such personnel for any part of the inventory, those parts are, at least, to be tested and verified by a person with no direct responsibility for the stock.

2. A physical inventory of all department-owned fixed assets shall be conducted every two years. The Supply Section shall publish an inventory schedule ensuring 100% inventory of the department's assets is conducted within this timeframe. The Supply Section shall forward an inventory list complete with detailed instructions for conducting the inventory to the affected divisions/districts. Inventories must be accurately completed within the allotted 90-day time frame. Sections/units will receive their inventory list through the division/district.

3. Upon each change of command, a joint inventory shall be conducted by the outgoing and incoming commanders. The outgoing commander shall initiate the inventory process by contacting the Supply Section and requesting an up-to-date Property Inventory listing for his/her organizational unit. In the event the outgoing commander is not available to conduct the inventory, the incoming commander will complete the change of command inventory within 30 days of assuming command.

4. Exceptions to joint inventories between outgoing and incoming commanders will be requested through the chain of command to the Technical Services Bureau Assistant Chief for approval.

5. In the event a biennial property inventory has been completed within the last 90 days, the incoming commander need only verify the inventory with a spot check of items not assigned to an individual.

6. If the biennial inventory is scheduled to begin within 30 days after a change of command, a joint inventory is not required. The incoming commander shall take charge of the biennial inventory.

Applies to: All WSP Employees
See Also: *Office of Financial Management (OFM) State Administrative and Accounting Manual (SAAM)* 35.10

Chapter 11

PERSONNEL ISSUES

► SECTION 00: TRAINING ◄

11.00.010 TRAINING REQUIRED FOR LAW ENFORCEMENT OFFICERS (CALEA 32.2.10, 33.4.1)

I. POLICY

A. Training Requirements

1. Employees shall not carry firearms, make arrests, investigate collisions or crimes, or use restraints or defensive weapons without first meeting the Training Division's minimum requirements.

2. Employees shall not perform Washington State Patrol officer/Commercial Vehicle Enforcement Officer/cadet duties without completing training as required for those duties and receiving authorization from the Chief.

Applies to: WSP Officers
See Also: --

► SECTION 01: RECRUITMENT AND ASSESSMENT ◄

11.01.010 RECRUITMENT AND ASSESSMENT (CALEA 32.2.10)

I. POLICY

A. Agency Commitment

1. The department is committed to the recruitment, appointment, development, and retention of highly qualified employees.

B. Supervisor and Manager Accountability

1. All supervisors and managers are accountable for considering budget, position allocation, position function, staffing level implications, salary, and competencies prior to recruiting for a position.

C. Development of Competency and Proficiency Levels

1. Competences and proficiency levels must be developed for a position prior to commencement of the recruitment and assessment process.

2. In consultation with supervisors and managers, the Human Resource Division (HRD) will administer the recruitment, assessment, training, and certification procedure that is available in the HRD *Supervisor/Employee Reference Manual*. The recruitment, assessment, and certification procedure addresses the elements identified in WAC 357-16-125.

3. The use of application screening methods will be determined by supervisors and managers to ensure a sufficient pool of candidates from which to consider. Screening methods are available in the *Supervisor/Employee Reference Manual*.

4. Procedures on pre-employment assessments (examinations) are provided in the *Supervisor/Employee Reference Manual*. HRD will provide consultation to supervisors and managers on the pre-employment assessment process.

Applies to: All Non-Represented Washington General Service Employees
See Also: WAC 357-16-125; *Supervisor/Employee Reference Manual*

11.01.020 SECURING SELECTION/HIRING MATERIAL (CALEA 32.1.7, 34.1.3)

I. POLICY

A. Selection and Hiring Material

1. **Sergeants and Lieutenants Promotional Examination Files, Trooper Cadet, Civil Service, Washington Management Service (WMS), and Exempt Positions**

   a. Selection materials are to be maintained and stored in the Human Resource Division's (HRD) locked file room or in secured file cabinets within HRD. These areas will be secured 24 hours a day with limited access to appropriate staff.

2. **Commissioned Detective and Specialty Files**

   a. Selection materials are to be maintained by the hiring supervisor/manager and stored in a locked file room or in secured file cabinets within the bureau, division, district, or section in which the position was recruited and/or hired for. Selection materials will be secured 24 hours a day with access limited to appropriate staff. Selection material refers to all interview notes, test scores, rating materials, etc.

B. Retention

1. The Records Retention Schedule dictates the retention period of these materials.

Applies to: All WSP Employees
See Also: *Supervisor/Employee Reference Manual*; WSP Policy **Records Retention**; RCW 40.14; General Records Retention Schedules

► SECTION 02: PROBATIONARY AND TRIAL SERVICE ◄

11.02.010 PROBATIONARY AND TRIAL SERVICE (CALEA 32.2.10, 33.1.2, 33.1.5, 34.1.7, 35.1.3)

I. POLICY

A. Non-Represented Washington General Service Employees

1. Probationary and trial service periods provide the department with an opportunity to observe and evaluate an employee's skills, abilities, working subject knowledge, and future potential during the first months of appointment to a new position.

2. Flexibility in the length of probationary and trial services periods allows for the ability to accommodate various circumstances and to provide additional training or mentoring in order for the employee to meet the performance expectations of the position.

3. Probationary employees will be evaluated quarterly.

4. Each supervisor and manager will ensure that each person appointed to a new position with a probationary or trial service period is given appropriate training and development to provide the optimum circumstances for success.

5. Supervisors will ensure employees are provided:

   a. A comprehensive explanation of the role and responsibility the position holds within the department.

   b. Discussion of the competencies required and expectations of the employee to apply the competencies and fulfill the expectations of the position.

   c. The appropriate tools, information and training needed to successfully complete the probationary or trial service period.

   d. A clear explanation of the concepts and expectations of the probationary or trial service period and the resulting consequences if the probationary or trial service period is unsuccessful.

   e. A discussion and an evaluation of the employee's progress in the probationary or trial service period.

   f. Timely feedback to the employee regarding the progress made and/or suggestions to improve/correct deficiencies identified throughout the probationary or trial service period.

6. Probationary and trial service procedures to include: length, evaluation, procedures, and extension of are included in the Human Resource Division *Supervisor/Employee Reference Manual*.

B. Troopers/Sergeants/Lieutenants

1. In addition to the guidance provided above, the probationary period will last 12 months from the time of commissioning or promotion.

2. The Chief may discharge a probationary trooper or demote a probationary sergeant or lieutenant, in accordance with RCW 43.43 and collective bargaining agreements.

Applies to: All Troopers/Sergeants/ Lieutenants and Non-Represented Washington General Service Employees
See Also: RCW 43.43.060, 43.43.070; WAC 357-19

► SECTION 03: PERFORMANCE EVALUATIONS ◄

11.03.010 EMPLOYEE JOB PERFORMANCE EVALUATIONS (CALEA 26.1.4, 26.1.5, 33.1.5, 35.1.1, 35.1.2, 35.1.3, 35.1.4, 35.1.5, 35.1.6, 35.1.7)

I. POLICY

A. Purpose of Performance Evaluation Process

1. The performance evaluation process gives supervisors an opportunity to discuss performance goals and expectations that meet the department's objectives with their employees.

2. The employee performance evaluation will:

   a. Assess and review their performance with regard to those goals and expectations.

   b. Provide support to employees in their professional development.

   c. Align skills and abilities with department requirements.

B. Completion of Job Performance Evaluations

1. Job performance evaluations will be completed in accordance with collective bargaining agreements for represented general service employees using the Performance Development Plan (PDP) and for commissioned employees using the Job Performance Appraisal (JPA) form.

2. Job performance evaluations for non-represented general service employees (excluding exempt employees) will be completed using the PDP according to applicable Civil Service Rules.

3. Probationary evaluations for all employees, excluding Executive Staff, Special Deputies, and Confidential Secretaries, will be conducted quarterly.

C. Procedures for Completing Job Performance Evaluations

1. Evaluation procedures for non-represented general service (excluding exempt) employees are contained in the *Supervisor/Employee Reference Manual*.

2. Evaluation procedures for troopers, sergeants, and lieutenants are contained in the *Job Performance Appraisal Manuals* posted in the *Supervisor/Employee Reference Manual*.

Applies to: All WSP Employees
See Also: WAC 357-37; Applicable Collective Bargaining Agreements; *Supervisor/Employee Reference Manual*; Civil Service Rules

► SECTION 04: PROMOTIONS ◄

11.04.010 PROMOTION OF TROOPERS/SERGEANTS (CALEA 22.3.1, 34.1.1, 34.1.2, 34.1.3, 34.1.4, 34.1.5, 34.1.6)

I. POLICY

A. Eligibility and Promotional Process

1. Examinations for troopers and sergeants who are eligible for promotion to the next rank are conducted every two years, or when the current eligibility list is exhausted.

2. Eligibility criteria and testing procedures can be found in the *Supervisor/Employee Reference Manual* located on the Human Resources Division Intranet page.

3. Promotions will be made from an eligible list as required in RCW 43.43.340.

Applies to: Troopers and Sergeants
See Also: RCW 43.43.330, 43.43.340, 43.43.350; *Supervisor/Employee Reference Manual*

11.04.020 PROMOTIONS

I. POLICY

A. Promotional Guidance and Procedures Available

1. The department recognizes the value, to both the employee and organization, of investing in employees' development and in providing opportunities for career growth within the department.

2. The Human Resource Division *Supervisor/Employee Reference Manual* provides guidance and procedures for department use in determining who will be considered a promotional candidate, what promotional organizational units will be established, and what the promotional certification procedure to fill vacant positions will be for non-represented Washington General Service employees.

Applies to: Non-Represented Washington General Service Employees
See Also: WAC 357-16-150; *Supervisor/Employee Reference Manual*

► SECTION 05: RELATIVES AND/OR HOUSEHOLD MEMBERS ◄

11.05.010 EMPLOYMENT OF RELATIVES AND/OR HOUSEHOLD MEMBERS

I. POLICY

A. Avoiding Chain of Command for Relatives and Household Members

1. The department will avoid placing relatives and/or household members in a supervisor/subordinate relationship to include within the chain of command. Relatives and household members include parents, present or former spouse, child, brother, sister, in-laws, other relatives living together or maintaining a close relationship, and department employees living in the same household.

2. Employees will not supervise, audit the work of, or discipline a relative or household member as specified above. If a conflict does occur, the newly hired relative/household member will be reassigned to eliminate the supervisor/subordinate or chain of command relationship.

3. Any exceptions to this policy must be approved in advance by the Chief, Deputy Chief, assistant chief, or bureau director.

Applies to: All WSP Employees
See Also: --

► SECTION 06: MILITARY RESERVE/NATIONAL GUARD ◄

11.06.010 MILITARY RESERVE/NATIONAL GUARD (CALEA 22.2.1)

I. POLICY

A. Submission of Assignment Information to the Budget and Fiscal Services Payroll Unit

1. Employees who are members of the military reserve or National Guard will annually submit names, addresses, and telephone numbers of their unit of assignment through the chain of command to the Budget and Fiscal Services (BFS) Payroll Unit on or before September 15 of each calendar year.

2. Upon transfer, promotion, or completion of formal military training programs, copies of certificates or orders will be sent to the Human Resource Division (HRD).

B. Requests for Military Leave

1. Unless precluded by military necessity, employees will submit scheduled military service or training dates, including annual

training, at least 30 days in advance. Requests for military leave may be approved before receiving written orders or the training schedule, but a copy of either will be attached to the leave form when sent to HRD and the BFS Payroll Unit.

Applies to: All WSP Employees
See Also: --

► SECTION 07: RESIDENCY ◄

11.07.010 RESIDENCE DEFINITION AND REQUIREMENTS

I. POLICY

A. Residency

1. Residence is defined as: Where an employee physically lives or physically resides as evidenced by the address of the property and the employee's name appearing on the following:

   a. Vehicle registration

   b. Voter registration

   c. Utility and service bills

   d. Telephone

   e. Rental or ownership agreement

   f. Mail

2. This list is not intended to be exclusive or exhaustive but merely indicative of an employee's residence.

B. Residency Requirements

1. Employees subject to emergency call-out with no assigned vehicle shall reside within 60 minutes travel time by car of the duty station.

2. Employees with an assigned state take-home vehicle shall reside within 35 miles of their specific workplace or their primary base of operations when working statewide.

3. The division/district/section commander shall determine residence requirements for all new employees consistent with this policy or an existing bargaining contract. The Chief may grant exceptions to this policy if the requirements are not practical. The employee must submit supporting documentation for the commander to forward to the assistant chief or bureau director. Employees considering a move which may conflict with requirements shall first consult with the commander for authorization.

4. Employees shall have 120 days of date of transfer or appointment to comply.

Applies to: All WSP Employees Excluding Represented Employees Covered by Local 17, WPEA, WSPTA, and WSPLA
See Also: --

► SECTION 08: CONTACT REQUIREMENTS ◄

11.08.010 TELEPHONE AND ADDRESS

I. POLICY

A. Telephone and Address Service/Changes

1. All department employees considered essential to emergency response capabilities will have telephone service at their residences (land line or cellular service).

2. Any change of address or telephone number will be immediately reported to the employee's supervisor, Communications, and the Human Resource Division (HRD).

Applies to: All WSP Employees
See Also: Employee Change of Information Form

11.08.020 EMERGENCY DATA CARD

I. POLICY

A. Emergency Data Card Requirements

1. Employees shall complete the Emergency Data Card, to be kept on file at the workplace.

2. The card shall be available at all times and the location made known to command staff and supervisory personnel.

3. Cards shall be updated on March 1st of each year or when information changes.

4. Duplicate cards within a district shall be kept at the district office or Communications.

5. Duplicate cards for Headquarters employees shall be on file at Tacoma Communications.

Applies to: All WSP Employees
See Also: --

► SECTION 09: LEAVE ◄

11.09.010 GENERAL LEAVE (CALEA 22.2.1)

I. POLICY

A. Following Civil Service Rules and Collective Bargaining Agreements

1. It will be the agency's policy to follow Civil Service Rules and Collective Bargaining Agreements for all forms of leave available to or entitled by all WSP employees.

2. Non-represented Civil Service, exempt, and Washington Management Services (WMS) employees' leave accruals and procedures, will conform to Civil Service Rules (WAC). All forms of

leave must be requested in advance. Unanticipated leave must be reported at the beginning of the employee's work shift unless unit, office, or division guidelines state otherwise.

3. Employees covered by collective bargaining agreements will conform to the terms of the agreement regarding leave.

4. Leave procedures covered by Collective Bargaining Agreements or Civil Service Rules include: holidays, annual leave, sick leave, leave without pay, military leave, educational, severe inclement weather and natural disaster leave, and miscellaneous paid leaves such as examinations/interviews, Employee Advisory Service, jury duty, witness/subpoena, and life-giving procedures.

B. Leave Request Denial and Changes

1. Leave requests may be denied due to department operational necessity. Changes in leave requests will be made in writing.

II. PROCEDURES

A. Procedures for Completing Time and Activity Reports

1. Procedures for completing the Time and Activity Report (TAR) are maintained in the *Time and Activity Reporting (TAR) Manual*.

B. Annual Leave

1. Annual leave accrual rates are provided in collective bargaining agreements for represented employees and in Civil Service Rules for non-represented, WMS, and exempt employees.

2. Procedures for requesting annual leave or annual leave extensions, changing annual leave to sick leave, and eligibility criteria for annual leave are provided in collective bargaining agreements for represented employees and in the *Supervisor/Employee Reference Manual* for non-represented, WMS, and exempt employees.

C. Holidays/Personal Holidays

1. Officers on temporary disability leave may carry the personal holiday to the following year, after approval. For approval, employees will submit a statement requesting extension and the reason for request.

2. If a holiday is on a scheduled work day and the officer becomes sick, no holiday credit will be granted, nor sick leave deducted.

3. All other holiday and personal holiday provisions in the applicable Collective Bargaining Agreements will apply to troopers, sergeants, lieutenants, and captains.

4. Represented and non-represented Civil Service employees will be authorized holidays and personal holidays as indicated in collective bargaining agreements (for represented) and Civil Service Rules (for non-represented).

D. Sick Leave

1. Supervisor responsibilities and sick leave procedures are contained in the *Supervisor/Employee Reference Manual*. Supervisors are encouraged to consult with assigned Human Resource Consultants on sick leave abuse issues as necessary.

2. When sick leave abuse is suspected, employees may be required to provide a medical statement signed by their physician. The statement will indicate that the employee or his or her relative as defined by Civil Service Rules or the applicable Collective Bargaining Agreement was seen by the employee's or relative's physician for a medical condition.

E. Leave Without Pay

1. Employees requesting leave without pay will submit an IOC with the Time and Activity Report to the appointing authority indicating the reason. Represented employees will comply with any Collective Bargaining Agreement provisions.

2. Absences in excess of 15 calendar days will be reported immediately to the Human Resources Division.

3. Supervisors will ensure leave without pay of any duration is reported immediately to the Payroll Office to avoid over-payments.

4. The Payroll Office will provide employees with a checklist containing information about any impact leave without pay may have on their benefits, seniority, holidays, etc.

5. Officers on suspension or leave without pay for more than 15 consecutive calendar days will have their anniversary date and periodic increment dates adjusted, and the time will be deducted from total state service for leave and retirement purposes.

F. Inclement Weather or Natural Disaster

1. Civil Service Rules and Collective Bargaining Agreements (CBAs) indicate the order and types of leave, paid or unpaid, that can be taken under inclement weather conditions.

2. For non-represented employees, if the work location is operational, but the employee is unable to report to or remain at work due to inclement weather or natural disasters, then the employee shall take leave in the following order:

   a. Any earned compensatory or exchange time

   b. Accrued vacation leave

   c. Accrued sick leave up to three days in any calendar year

   d. Leave without pay

3. Although the types of paid time off shall be used in the order listed and each type of paid time off shall be exhausted before the next (in order) is used, employees shall be permitted to use leave without pay rather than paid time off, at their request. If the employee reports to work, but is late, he/she is allowed up to one hour of paid time, with the remainder to be taken as listed above.

G. Testing or Interviewing for State Jobs or Life-Giving Leave

1. Non-represented Civil Service employees may use paid leave to test or interview for state jobs, attend an Employee Advisory Assistance assessment or for life giving leave if approved in advance by the Appointing Authority. Civil Service Rule provisions will apply.

2. Provisions contained in collective bargaining agreements will govern leave used by represented employees to test or interview for state jobs or for life-giving leave.

H. Educational Leave

1. Non-represented Civil Service employees may request educational leave using provisions in the agency's Training and Development Plan.

2. Represented employees may request educational leave if provided by and/or in accordance with collective bargaining agreements.

Applies to: All WSP Employees
See Also: WSP Policy **Training Division**; Applicable Collective Bargaining Agreements; WAC 357; *Time and Activity Reporting (TAR) Manual*; *Supervisor/Employee Reference Manual*

11.09.030 ON-DUTY/OFF-DUTY INJURY REPORTING

I. POLICY

A. On-Duty Injury

1. An injury is a sudden event causing personal damage or a condition resulting from repetitive motion, occupational disease, or exposure to communicable disease, toxins, or physical agents while an employee is in work status.

2. Injured employees or their supervisor will complete an Injury Report and send to the district/division/section commander, who forwards it to the Human Resource Division (HRD) through the chain of command within 5 days.

3. The Human Resource Division will provide injured employees and their supervisors will a checklist containing specific procedures and/or leave benefits.

4. If medical attention is needed, the Labor and Industries (L&I) Accident form will be completed. The Employer's Section will be completed by HRD when received, and forwarded to L&I.

NOTE: Although the L&I form is the physician/hospital's responsibility, the employee or, if incapacitated, the supervisor, will ensure the employee section is completed and the form forwarded to the Claims Manager in HRD.

5. L&I and the Claims Manager Unit will be notified of all status changes (e.g., change of doctors, return to work).

6. All inquiries from L&I regarding an injured employee will be referred to the HRD Claims Management Unit.

7. When on-duty injury causes absence from work, L&I may compensate the employee. With a physician's documentation, L&I issues Time-Loss Compensation payments, in lieu of or in conjunction with regular earnings or leave time used.

8. On-duty injury reporting will be conducted in accordance with collective bargaining agreements.

9. Procedures established for reporting on-duty injuries will be available through the *Supervisor/Employee Reference Manual*.

B. Off-Duty Injury

1. If an injury occurs off duty which will affect the ability to work, the employee will immediately notify the supervisor.

2. Procedures established for reporting off-duty injuries are available through the *Supervisor/Employee Reference Manual.*

Applies to: All WSP Employees
See Also: Applicable Collective Bargaining Agreements;
Supervisor/Employee Reference Manual

11.09.040 TEMPORARY DISABILITY LEAVE – WITH PAY (CALEA 22.2.1, 22.2.2)

I. DEFINITION

A. Line duty is active service which encompasses the traffic law enforcement duties and/or other law enforcement responsibilities of the department. These duties include all enforcement of the laws, collision and criminal investigations, or actions requiring physical exertion or exposure to hazardous elements.

B. Disability occurring during or as a result of acts or omissions with willful disregard of department rules, regulations, or training, or while committing a crime, may be deemed not occurring on line duty.

II. POLICY

A. Temporary Disability Leave Eligibility

1. An officer disabled while performing line duty activities and who is found by the Chief to be temporarily incapacitated shall be placed on temporary disability leave (TDL). This leave shall not exceed 6 calendar months from the date of injury or incapacitation. The

officer is eligible for TDL after he/she has been unavailable for duty due to the incapacitation for more than 40 consecutive work hours. During this time, the officer shall receive pay, benefits, insurance, leave, and retirement contributions while in active status, less any Labor and Industries compensation.

2. Eligibility is determined after the Human Resource Division (HRD) receives:

   a. An Injury Report with all details of the disability and supervisor's verification.

   b. A copy of the filed Labor and Industries claim form.

   c. Two IOCs from the employee or the employee's supervisor, while the employee is incapacitated, through the chain of command—one requesting TDL and the other outlining details of the incident. These shall be submitted within 10 days of the injury with the commander's recommendation.

B. Additional Information and Investigation

1. The Chief may also require information from the officer's physician, may refer the officer to a specialist for further evaluation, and may request investigation of the incident that led to the disability. Investigations will be coordinated by HRD and an investigation section.

2. The officer shall be notified of the Chief's decision within 30 days after the Chief receives the information. If denied, a review may be requested by submitting an IOC and any additional medical information through HRD to the Chief within 20 days.

C. Contact with Supervisor

1. If placed on TDL, the supervisor shall monitor the officer's recovery the first 60 days through weekly calls and monthly personal contacts. Any change in condition shall be reported to HRD. On the 61st day, HRD will assume follow-up contacts with the officer and keep the officer's chain of command informed of the officer's progress and ability to return to TDL and/or full duty.

D. Return to Duty Extension

1. If return to duty after 6 months is unlikely, the officer shall notify HRD at the end of the fifth month and provide supporting medical information. This shall include a physician's statement of limitations and prognosis for recovery. The Chief shall determine whether to return the officer to active status or place on disability, after reviewing the information. This decision may be appealed.

2. Officers who exhaust 6 months of approved TDL and have not yet returned to work will be allowed to use their own sick leave until a decision regarding the officer's status can be made by the Chief before either returning to work or being placed on disability status.

E. Release Required for Return to Duty

1. To return to duty, the officer shall obtain a physician's written release.

Applies to: WSP Officers
See Also: RCW 43.43.040; WAC 446-40; WSP Injury Report; Labor and Industries Claim Form

11.09.050 FAMILY AND MEDICAL LEAVE (CALEA 22.2.1)

I. POLICY

A. Family and Medical Leave Act (FMLA) – Qualifying Events

1. The birth and care of a newborn child. Entitlement ends 12 months from the date of birth.

2. The placement for adoption or foster care of a child with the eligible employee, and to care for the newly placed child. Entitlement ends 12 months from the date of placement of the foster or adopted child.

3. Due to the employee's own serious health condition that requires the employee's absence from work.

4. To care for the employee's spouse, parent, or child (child must be under the age of 18 or over 18 and incapable of self-care due to a disability) who has a serious health condition that requires on-site care or supervision by the employee.

   NOTE: A "serious health condition" means any illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment as defined in the FMLA regulations.

5. Caregiver Leave for an Injured Service Member (Military Service Related): Under the National Defense Authorization Act (NDAA) of 2008, FMLA was amended to allow a spouse, son, daughter, parent, or next of kin to take up to 26 workweeks of leave during a single 12-month period to care for a current member of the Armed Forces, National Guard, or Reserves who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is on the temporary disability retired list for a serious injury or illness.

6. Family Leave Due to Call to Active Duty (Military Service Related): Under the NDAA, 12 weeks of FMLA leave for any qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.

NOTE: Exigency leave does not apply to leave for family members of those in the regular Armed Forces on active duty. Exigency leave is granted for one or more of the following reasons:

a. Short notice deployment (notification of seven days or less before deployment).

b. Military events and related activities (to attend official ceremonies or events related to active duty; to attend family support assistance programs, briefings, etc.).

c. Childcare and school activities.

d. Financial and legal arrangements.

e. Counseling.

f. Rest and recuperation (time with covered military member – may take up to five days for each instance).

g. Post-deployment activities.

h. Additional activities (relating to the exigency – needs employee/employer agreement).

B. Department and Employee Responsibilities

1. The department will designate absences that meet the criteria of FMLA and will administer FMLA leave in accordance with collective bargaining agreements for represented employees and in accordance with the department's procedure and applicable WACs for non-represented employees.

2. The department will continue the employee's existing employer-paid health insurance, life insurance, and disability insurance benefits during the period of leave covered by FMLA.

3. The employee is responsible for notifying his/her supervisor of the need for leave and to provide the reasons for the leave to allow the employer to determine if the leave qualifies for FMLA leave. The employee should also provide the anticipated timing and duration of the leave. The employee should notify his/her supervisor at least 30 days in advance of the need for leave if the need for leave is foreseeable. If the need for leave is not foreseeable, notice must be given as soon as possible.

4. The employee will be required to pay his/her share of health insurance, life insurance, and disability insurance premiums.

5. The department may require the employee to provide medical certification confirming that a serious health condition exists for leave taken for a serious health condition.

Applies to: All WSP Employees
See Also: Family and Medical Leave Act – Regulation 29 CFR, Part 825 and 2008 Amendments; the National Defense Authorization Act (NDAA); WAC 182-08-120 through 190, WAC 357-31-495, and 357-31-520 through 560; WSP Policy **General Leave**; Applicable Collective Bargaining Agreements

11.09.060 PARENTAL LEAVE (CALEA 22.2.1)

I. POLICY

A. Parameters of Parental Leave

1. Parental leave (maternity/paternity leave) must be taken during the first year following the child's birth or placement of the minor/dependent child with the employee for adoption or foster care.

2. Parental leave includes time covered by the Family and Medical Leave Act of 1993 (FMLA) for those who meet the eligibility requirements of FMLA.

3. Leave for pregnancy or childbirth related disability (maternity disability) is in addition to any leave granted under FMLA.

B. Eligibility for Parental Leave

1. **Collective Bargaining Agreements (CBA):** Represented employees should refer to their CBA regarding their eligibility for parental leave.

2. **Civil Service Rules (CSR):** Permanent, non-represented employees who have worked for the state for at least 12 months and for at least 1,250 hours during the previous 12-month period are eligible for parental leave.

C. Length of Parental Leave

1. Eligible employees may request parental leave for the purposes specified below. Parental leave may extend up to 6 months, including time covered by the FMLA, during the first year after the child's birth or placement. Requests for leave beyond the period covered by FMLA may be denied by the department due to operational necessity.

   a. The birth and care of a newborn child of the employee; or

   b. Placement of a child with the employee for adoption or foster care.

2. Represented employees should refer to their CBA for length of parental leave and grievance procedures.

D. Notification Requirements

1. Employees should submit a written request for parental leave in accordance with their CBA, CSR, or the *Supervisor/Employee Reference Manual*. Employees should provide notification of their need for leave no less than 30 days prior to the commencement of leave. If the need for leave is unforeseen 30 days in advance, the employee should provide notification as soon as practical.

2. Employees should submit written medical certification from their health care provider for periods of Pregnancy Disability Leave (Maternity Disability) for sickness or temporary disability because of pregnancy or childbirth.

3. Employees should notify their supervisor of any changes in their approved parental leave plans.

E. Leave Usage

1. Employees should refer to the CBA/CSR regarding the use of leave during parental leave, including the time covered by FMLA and periods of pregnancy disability.

2. Employees who have accrued sick leave available will be eligible to utilize sick leave for disability due to pregnancy, health condition of the mother or child, preventative health care appointments, and time designated by the employee's health care provider as being incapacitated for work.

F. Maintaining Insurance Benefits

1. One to two days in pay status per month (hours worked or use of paid leave) is necessary to retain basic health care and life insurance benefits.

2. Employees who are in FMLA status and who do not have paid leave available to cover the one day in pay status requirement (and are unable to work one day in the month) will be required to send the full month's premium amount due to Budget and Fiscal Services (BFS). The employee should contact his/her benefits specialist at BFS to obtain the total premium amount due.

3. Employees who remain off work after the period designated by FMLA, and who do not have paid leave available to cover the one day in pay status per month to maintain their insurance benefits, may self-pay the total premium costs to the Health Care Authority (HCA). Employees in this status should notify HRD and their benefits specialist at BFS immediately.

G. Return Notification

1. Employees shall give two weeks' notice in writing before returning and shall be assigned to the same classification or rank in an area not requiring change of residence.

Applies to: All WSP Employees
See Also: Applicable Collective Bargaining Agreements; Family and Medical Leave Act – Regulation 29 CFR, Part 825 and 2008 Amendments; Washington Family Leave Act; Civil Service Rules; RCW 49.78; WAC 357-31-130, 357-31-460 through 560, and 162-30-020; WSP Policy **Family and Medical Leave;** WSP Policy **General Leave;** *Supervisor/Employee Reference Manual*

11.09.070 SHARED LEAVE (CALEA 22.2.1, 22.2.3)

I. DEFINITIONS

A. **Employee** means any employee who is entitled to accrue sick leave or vacation leave.

B. A **relative** is limited to the employee's spouse, child, stepchild, grandchild, grandparent, parent, or stepparent.

C. **Household members** are those who reside in the same house and have reciprocal duties to, and provide financial support for, one another. This includes foster children and legal wards, even if they do not live in the household. This does not include persons sharing the same house when the living style is primarily that of a dormitory or commune.

D. **Severe or extraordinary illness, injury, impairment, or physical or mental condition** is defined as serious or extreme and/or life threatening.

E. **Service in the uniformed service** is the performance of duty on a voluntary or involuntary basis in a uniformed service. This includes active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty (including state-ordered active duty), and absences for the purpose of an examination to determine the fitness of the person to perform any such duty.

F. **Uniformed services** are the armed forces, the Army National Guard, and the Air National Guard of any state, territory, commonwealth, possession, or district when engaged in active duty for training, inactive duty training, full-time National Guard duty, or state active duty, the commissioned corps of the public health service, the Coast Guard, and any other category of persons designated by the President of the United States in time of war or national emergency.

II. POLICY

A. Eligibility

1. Employees will be eligible to receive shared leave if:

a. The Deputy Chief/assistant chief/bureau director determines whether the employee meets the criteria and the amount of donated leave an employee may receive.

b. The employee is not eligible for time-loss compensation through the Department of Labor and Industries if the request is due to a severe illness.

c. The employee has complied with sick leave or uniform services leave policies.

d. The employee has exhausted all other paid leave, due to severe illness, or has exhausted annual leave and paid military leave if called to service in the uniformed services.

e. The Deputy Chief/assistant chief/bureau director shall determine the amount of donated leave an employee may receive. The maximum amount of shared leave permitted during total state employment is 2,088 hours.

B. Donation of Leave

1. The Shared Leave Program allows state employees to donate annual leave, sick leave, and/or all or part of their personal holiday to eligible state employees who must otherwise take leave without pay or terminate due to extraordinary or severe illnesses of themselves, relatives, or household members, or who have been called to service in the uniformed services.

2. The district or division commander determines whether an employee may donate leave in accordance with #3 below.

3. The following donation restrictions apply:

   a. Employees may donate any amount of annual leave provided 80 hours remain.

   b. Employees cannot donate excess annual leave they would lose due to an approaching anniversary date because donations may not be processed prior to the employee's anniversary date.

   c. Employees may donate any amount of sick leave provided 176 hours remain.

   d. Employees may donate all or part of their personal holiday.

C. Unused Shared Leave

1. Normally, unused shared leave shall be returned to the donor(s) upon the recipient's return to full-time duty. However, in cases when the recipient is only able to return to work on a part-time basis, or it is determined that the recipient may need more leave in the near future for the same illness/injury, the division/district commander may permit the unused hours to remain in the shared leave recipient's account until a later date.

D. Uniformed Services Statewide Shared Leave Program/Statewide Shared Leave Pool

1. The Uniformed Services Statewide Shared Leave Program, or statewide shared leave pool, is designed to match state employees who wish to donate leave to co-workers and other state employees who have been called to service in any of the uniformed services.

Applies to: All WSP Employees
See Also: RCW 41.04.650, 41.04.655, 41.04.660, 41.04.665, 41.04,670, 51.32; WAC 357-31-390-455, Collective Bargaining Agreement; *Supervisor/Employee Reference Manual*; WSP Policy **General Leave**; Uniformed Services Statewide Shared Leave Program

► SECTION 10: RETURN TO WORK ◄

11.10.010 RETURN TO WORK – WSP OFFICERS

I. DEFINITIONS

A. Temporary Limited Duty — Refers to a temporary assignment for an officer who is mentally or physically incapable of performing the full range of their regular duties, but who can perform duties of a light or modified nature. Limited duty assignments of up to 30 calendar days in duration per incident are approved by the district or division commander. Assignments of over 30 calendar days require approval by the Chief.

B. Long-Term Limited Duty — Refers to a limited duty assignment for an officer whose condition is considered "fixed and stable."

C. Fixed and Stable — The point reached when an impairment is unlikely to be significantly improved by further medical treatment and the individual has reached a plateau from which further recovery is not reasonably expected.

D. Active Service — The performance by an officer of all duties of whatever type, performed according to orders by a superior of the member, provided, such duties will be consistent with the responsibilities of the department. "Active service" will consist of "line duty" and "other duty."

E. Line Duty — Active service which encompasses the traffic law enforcement duties and/or other law enforcement responsibilities of the department. These duties encompass all law enforcement activities, collision and criminal investigations, or actions requiring physical exertion or exposure to hazardous elements.

F. Other Duty — Active service which encompasses activities consistent with the responsibilities of the department, but which do not foreseeably require more physical exertion than that normally required for the performance of clerical tasks.

G. Work Hardening — The incremental increase of time spent doing work duties, based on physical capacities and recuperation. Also used

during transition from limited duty work to full duty as an employee's strength and endurance increase. Work hardening is arranged with an employee's attending physician as part of a rehabilitation plan.

II. POLICY

A. Commitment to Preserving Human Resources

1. The department is committed to preserving the human resources of the state of Washington, maintaining employee productivity and well-being, reducing industrial insurance costs, and successfully returning employees to work as soon as possible.

B. Eligibility

1. The employee must be an officer under RCW 43.43.020.

2. Officers injured while on duty or off duty may be allowed to return to a limited duty position while convalescing from their injury.

C. Procedure

1. Procedures for returning officers to work are contained in the Washington State Patrol Troopers and Lieutenants Association Collective Bargaining Agreements and the *Supervisor/Employee Reference Manual*.

Applies to: WSP Officers
See Also: RCW 43.43.020; Applicable Collective Bargaining Agreements; *Supervisor/Employee Reference Manual*

11.10.020 RETURN TO WORK – CLASSIFIED EMPLOYEES

I. DEFINITIONS

A. Temporary Transitional Assignment — Refers to a temporary assignment for an employee who is mentally or physically incapable of performing the full range of their regular duties, but who can perform duties of a light or modified nature. Temporary transitional assignments of over 30 calendar days require the approval of the Deputy Chief or bureau director.

B. Fixed and Stable — The point reached when an impairment is unlikely to be significantly improved by further medical treatment, and the individual has reached a plateau from which further recovery is not reasonably expected.

C. Work Hardening — The incremental increase of time spent doing work duties, based on physical capacities and recuperation.

II. POLICY

A. Department Assistance

1. The department may assist employees who are unable to return to their usual job duties by providing temporary transitional

assignments during convalescence from a job-related injury or illness or from a non-job-related injury or illness.

2. The employee must cooperate with the department's request for medical information and medical releases to communicate with health care professionals.

B. No Use of Assigned Vehicle for Commuting

1. If an employee requesting a temporary transitional assignment for a non-job-related injury or illness has an assigned take-home vehicle, the employee will not be allowed to use the assigned vehicle for commuting to and from the work site, nor will the employee take any enforcement action or wear a uniform or weapon during the temporary transitional assignment. The commute from the employee's home to the temporary assignment will be on the employee's own time.

C. Eligibility

1. The employee is a classified permanent state employee.

2. The employee is receiving compensation under RCW 51.32.090 (Labor and Industries), provisions under sections 1, 3, and 5.

3. The employee has a temporary disability which makes him/her temporarily unable to return to his or her previous work, but who is capable of carrying out work of a lighter or modified nature, as evidenced by a written statement from the employee's physician or licensed mental health professional. Nothing in this paragraph limits the department's right to request an independent medical examination at the department's expense.

4. Employees injured in non-job-related incidents may receive temporary transitional assignments on a case-by-case basis.

5. The employee must cooperate with the department's request for medical information and medical releases to communicate with health care professionals.

III. PROCEDURE

A. Employees Returning to Work

1. Procedures for returning employees to work are contained in the *Supervisor/Employee Reference Manual*.

Applies to: Classified Employees
See Also: Applicable Collective Bargaining Agreements; *Supervisor/Employee Reference Manual*; RCW 51.32.090 Sections 1, 3, and 5; 51.32.060; 51.08.018

► SECTION 11: DISABILITY ◄

11.11.010 DISABILITY OF EMPLOYEES (CALEA 22.2.3)

I. POLICY

A. Administration of Employees With Disability

1. The disability status of employees is administered by the Human Resource Division (HRD) in conjunction with the RCW and collective bargaining agreements. For information, contact the Claims Manager or refer to the state laws in the RCW.

B. Recognition of Employees With Disability

1. If a commissioned employee is placed on disability, HRD will advise on the availability of a laser plaque designating rank or position, commission or hire date, date entering disability status, and—in the case of officers—issued duty badge or replica badge. The spouse will receive a certificate of appreciation.

Applies to: All WSP Employees
See Also: RCW 43.43.040

► SECTION 12: REASONABLE ACCOMMODATIONS ◄

11.12.010 REASONABLE ACCOMMODATIONS

I. DEFINITIONS

A. Reasonable accommodation means modification or adjustment to a job, work environment, policies, practices, or procedures that enables a qualified individual with a disability to enjoy equal employment opportunity.

B. Equal Employment Opportunity means an opportunity to perform the essential job functions or to enjoy equal benefits and privileges of employment as are available to a similarly situated applicant or employee without a disability.

C. Person with a disability means: (1) Under 42 USC 12102, a person with a physical or mental impairment that substantially limits one or more major life activities, or (2) under Chapters 49.60 RCW and 162-22 WAC, a person who has an abnormal condition that is medically cognizable or diagnosable and who is denied reasonable accommodation or is discriminated against on the basis of that condition.

D. Qualified individual with a disability means an individual with a disability who meets the skill, experience, education, and other job-related requirements of the position held or desired and who, with or without reasonable accommodation, can perform the essential functions of the job.

E. Undue hardship means an excessively costly, extensive, substantial, or disruptive modification, or one that would fundamentally alter the nature or operation of the department.

F. Essential functions mean the fundamental job duties of the position that the individual with the disability holds or desires. The term "essential functions" does not include the marginal functions of the position.

G. Health care professional means a person who has completed a course of study and is licensed to practice in a field of health care which includes the diagnoses and assessment of the particular disability or disabilities in question.

II. POLICY

A. Equal Access

1. The department will provide equal access to its employment programs and facilities for persons with disabilities and to ensure against discrimination because of a disability.

2. Persons with disabilities have the right to request and receive reasonable accommodation in all aspects of employment with the department, including, but not limited to, application; recruitment; selection/hiring; promotion; testing; medical examinations; layoff/recall; assignments; termination; evaluation; compensation; disciplinary actions; leave; training; the terms, conditions and benefits of employment, including insurance benefits; and employer-supported activities.

B. Reasonable Accommodation

1. The department will provide reasonable accommodation to the known physical, mental, or sensory limitations of an otherwise qualified person with a disability in all aspects of employment, unless doing so would cause undue hardship to the department.

2. Reasonable accommodation will be provided in every stage of the recruitment, application, and selection process to enable a qualified applicant with a disability to have an equal opportunity to be considered for a job. This duty is ongoing and may arise at any time that a person's job or disability changes.

3. Reasonable accommodation may include, but is not limited to, providing readers, qualified sign language interpreters, adaptive equipment, and other aids, as well as making documents and publications available in an alternate format when reasonably required to accommodate persons with disabilities.

4. The need for reasonable accommodations will not adversely affect the consideration of an individual with a disability for employment,

training, travel, promotion, participation in projects, committees, developmental work assignments, or any opportunity to enjoy equal terms, benefits, and conditions of employment.

5. Temporary impairments due to industrial injury may also be covered under RCW 51.32 and WAC 296-18.

6. Generally, it is the obligation of an individual with a disability to request a reasonable accommodation. The supervisor will consult with the Human Resource Division regarding any situation that may require reasonable accommodation.

7. When an employee or applicant requests accommodations for a disability, the department may request verification from a health care professional. The department may request a second opinion or additional information, as needed, from a health care professional of its choosing and at its own expense.

8. All information regarding the presence or nature of an employee's or applicant's disability will be treated as a confidential medical record and will be maintained in a secure manner with access limited to designated personnel on a *need-to-know* basis.

9. Employees and applicants must be able to perform the essential functions of the position they hold or are seeking. A qualified individual with a disability has the right to refuse accommodations. If the individual cannot perform the essential functions of the job without accommodations, he/she will not be considered to be an otherwise qualified individual with a disability after refusing accommodations.

10. When an employee with a disability can no longer perform the essential functions of his/her position due to the effects of a disability, the department will assist the employee (on a case-by-case basis) in examining all available options, including the following:

    a. Lateral transfer within department

    b. Rehabilitation training

    c. Disability Separation

    d. Disability status

    e. Voluntary demotions

    f. Termination

11. The department is not required to promote an employee with a disability as an accommodation or to accommodate a non-disabled employee known to have association with a disabled person.

C. Requesting Accommodation

1. Information on how to make an accommodation request will be included with announcements, bulletins, and recruitment efforts. Timeliness is essential in providing equal opportunity.

2. Failure to respond to a timely request for accommodation may be justification for extension of application and other deadlines.

D. Use of Employment Tests

1. Employment tests will be used in the most effective manner to measure actual abilities. Tests must accurately reflect the skills, aptitude, or other factors being measured and not the impaired sensory, manual, or speaking skills of an employee or applicant with a disability (unless those are the skills the test is designed to measure).

E. Dissemination of Reasonable Accommodation Information

1. Staff identified as contact points for information about job openings and the application process will be given the information necessary to enable them to initiate the department's process for the provision of reasonable accommodation. Individuals within the department who have the responsibility of selecting and training new employees, determining promotions, and supervising employees will ensure that individuals who can perform the essential job duties with reasonable accommodation are recruited, hired, trained, promoted, and transferred without regard to sensory, mental, or physical disability.

2. Information on reasonable accommodation, this policy, the department's internal procedures, and the external enforcement mechanisms and remedies available will be disseminated to employees in employee orientations, annually using the "Annual Review Checklist," and other appropriate methods. This notification will include a copy of the department's Internal Civil Rights Complaint Procedures, and the **DISCRIMINATION/ HARASSMENT/SEXUAL HARASSMENT** policy.

F. Procedures on reasonable accommodations are provided in the *Supervisor/Employee Reference Manual.*

Applies to: All WSP Employees
See Also: Americans with Disabilities Act of 1990 (PL 101-336), 42 USC 12102, 29 CFR Part 1630 and 28 CFR Part 35; Rehabilitation Act of 1973 (PL 93-112), 45 CFR Part 84; RCW 49.60; WAC 162-22, 357-26; and Executive Order 96-04; Applicable Collective Bargaining Agreements**;** WSP Policies **Discrimination/Harassment/Sexual Harassment, Annual Review Checklist, Internal Civil Rights Complaint Procedures;** *Supervisor/Employee Reference Manual*

► SECTION 13: DEATHS AND FUNERALS ◄

11.13.010 DEATHS AND FUNERALS (CALEA 22.2.3, 61.3.3)

I. POLICY

A. Death of WSP Employees

1. When a retired member of the department dies, the Office of the Chief shall be notified through the chain of command. When an active employee dies in the line of duty, communications centers shall immediately notify the Chief, Deputy Chief, all assistant chiefs/bureau directors, Honor Guard Commander, and Government and Media Relations.

2. Information about the death of a person with other connections to the department shall be relayed to the appropriate assistant chief or bureau director by the local commander.

3. This policy shall be followed for funerals of uniformed officers. Additional information can be found in the *Funeral Protocol Reference Guide for Uniformed Officers*.

4. Any department involvement in funeral arrangements shall be determined in advance through coordination with the family. The wishes of the family will prevail over any of the following procedures.

B. Death of an Active Department Member – Commander Responsibilities

1. Along with the Honor Guard Commander or the assigned Honor Guard Detail Officer, make immediate contact with the family or family contact to determine the amount of department involvement that is wanted. The local district commander shall assign a department liaison to the family if one is requested. Depending on the size and scope of the funeral and level of department involvement, the district commander should also consider assigning an Incident Commander under an Incident Command Structure. Keep family informed regarding arrangements.

2. Notify the respective assistant chief/bureau director and Honor Guard Commander of time, location, and funeral details, and request the assistant chief/bureau director advise the Deputy Chief and Chief.

3. Notify the Department Psychologist and coordinate further services.

4. Notify the Human Resource Division and Budget and Fiscal Services.

5. Notify the Memorial Foundation, Spouses Association, and the appropriate labor organization.

6. Coordinate participation by department employees (uniforms, routes, parking,)

7. Arrange for appropriate Washington State Patrol representation.

8. Ensure traffic control and parking arrangements are adequate (motorcycles may be used).

9. Work with the Honor Guard Commander to determine Honor Guard participation and contact the Field Operations Bureau Assistant Chief to obtain the Chief's authorization to use the Honor Guard if requested by the family.

10. Coordinate participation by employees from other agencies.

11. Arrange for transportation of family to and from ceremonies, if necessary.

12. Notify local retired members of all arrangements and schedules.

13. Generate an electronic correspondence for next-day distribution. Include all funeral information, and update as needed.

C. Human Resource Division Responsibilities

1. The HRD Commander shall coordinate benefits with family and determine if the family desires a badge marker for the headstone.

2. The Supply Section shall be notified if a marker is desired.

D. Uniforms

1. The winter uniform will be worn at funerals, unless designated differently by the Chief. If jackets are worn, they shall be zipped up to the second brass button from the shirt top.

2. The Chief may direct the wearing of black mourning bands on the badges of all uniformed officers. When so ordered, bands will be worn until the day after the funeral.

E. Attendance

1. Employees who were personally acquainted with the deceased may be excused from regular duties to attend the funeral, and attendance may be on working time. Car pools are to be used as much as possible.

2. Districts/sections will furnish attendance estimates to the commander of the host district 48 hours before the funeral. Overtime compensation is not authorized for funeral attendance or travel time, except for employees who are directed to attend by a commanding officer.

F. Funeral Protocol – Uniformed Employees

1. All uniformed officers should assemble in formation in an area pre-determined by the Honor Guard Detail Officer and family liaison. Officers should fall in at relaxed parade rest and refrain from loud talking. The formation should be organized with the command staff in front by order of rank (left to right). Members of the deceased officer's detachment should assemble to the right of the command staff. All uniformed commissioned officers should assemble behind the front row, followed by all other uniformed officers. An Honor Guard member may be assigned to the formation to provide briefing regarding commands and protocol.

2. All uniformed officers shall respond to verbal commands given by the Honor Guard Detail Officer.

3. The Honor Guard will form two lines for the family to walk through when entering the indoor facility (church, funeral home, etc).

4. The Honor Guard member assigned to the formation will lead the formation into the facility. Personnel are to remove their uniform hats as they enter. The campaign hat shall be held by the strap with the right hand. The hat is held over the heart with the hat badge pointing to the left.

5. Remain standing as a group until signaled to sit by an usher or the Honor Guard Detail Officer. When seated, the hat is placed on the lap with the hat badge facing forward.

6. At the conclusion, officers shall rise, stand as a group when signaled, and file out as directed. If the procession passes the casket while exiting (within an arm's length), officers should touch the casket with their right hand in reverence to the deceased. Protocol dictates that only the right hand be used to touch the casket in this manner. Therefore, officers may need to hold their hats with their LEFT hands while exiting the church. The Honor Guard Detail Officer will ensure all officers are advised if this will occur prior to entering the facility.

7. When outside, officers are to assemble as directed by the officer in charge. When the casket is brought from the building, officers should be called to attention and shall respond to further commands by the officer in charge.

G. Processions – Other Services

1. Motorcycle processions will be authorized only by the Chief or designee. In the event a procession is approved, it should be in the following order:

   a. Hearse

   b. Vehicles containing family/relatives

   c. Detachment patrol vehicles

   d. Headquarters and district command staff

   e. All other Washington State Patrol vehicles

   f. All other agency patrol vehicles

   g. All other vehicles

2. Patrol vehicles shall travel together with headlights on (including wigwags). All emergency lights (except four-way flashers) should also be activated.

3. After arriving at any other location for services, officers shall park where directed, assemble (with hats on) where designated, stand in formation, and follow any commands given by the officer in charge until dismissed.

4. The local district is responsible for traffic control and parking.

H. Plaques

1. The family of a deceased active member of the department may be presented a plaque. The presentation shall be by the appropriate commander. The plaque is of a style approved by the Chief.

I. Honor Guard Participation

1. The Honor Guard will be used at funerals only upon the approval of the Chief.

2. Honor Guard participation is planned in accordance with proper protocols and family wishes. The assigned family liaison shall contact the Honor Guard Commander or assigned Detail Officer prior to explaining Honor Guard capabilities to the family.

3. Inside churches and funeral homes, Honor Guard participation is normally limited to casket watches and escort. At gravesite services, the Honor Guard can provide flag-folding, 21-gun salutes, and the playing of Taps.

4. The Honor Guard Detail Officer has complete command and control of the Honor Guard Unit. Honor Guard-related questions and on-site coordination of Honor Guard usage shall be directed to the Honor Guard Detail Officer.

J. Other

1. The Chief may require department facilities fly United States and Washington flags at half-mast from the time of death until the day after the funeral.

2. A uniformed member may be buried in uniform with badge. A duty badge may be presented with the memorial plaque. All weapons are returned to the Supply Section.

3. The picture of any member killed on duty will be displayed at each Patrol facility for one year after death.

4. If there are questions regarding authority to make funeral arrangements (e.g., a divorced or widowed member, conflict within family), the Deputy Chief shall be consulted.

K. Deaths and Funerals – Retired and Non-Department Employees

1. The district commander shall notify Field Operations Bureau Headquarters of death/funeral arrangements for:

   a. A family member of an active department employee.

   b. A retired member of the Patrol.

   c. An active member of another law enforcement agency.

   d. State and local dignitaries.

   e. Persons designated by the Chief.

2. The Chief may order use of the Honor Guard at non-department funerals. Attendance shall be guided on procedures outlined above under **Attendance**. The commander shall provide department representation, if necessary.

3. The Daily Bulletin will include information on funeral arrangements, times, and other information, if necessary.

Applies to: All WSP Employees
See Also: *Funeral Protocol Reference Guide for Uniformed Officers*

► SECTION 14: RETIREMENTS ◄ (DELETED)

► SECTION 15: AWARDS ◄

11.15.010 DEPARTMENT AWARDS (CALEA 26.1.2)

I. POLICY

A. Awards Program

1. The department rewards and recognizes outstanding service and/or acts of its employees and persons who perform such service or acts while aiding the department. The contributions of these employees and other individuals or groups are invaluable and must be acknowledged. Therefore, a formal program for awards nomination and presentation was created to ensure standardization and uniformity in departmental awards procedures.

B. Nomination Submissions

1. Nominations for the Award of Honor, Medal of Courage, Award of Merit, Mike Buckingham Award, Chief's Award for Distinguished and Devoted Service, and the Chief's Award for Professional Excellence must be submitted through the chain of command to the Awards Committee.

C. Awards Committee

1. The Awards Committee shall consist of:

   a. The Special Operations Division Commander as chairperson.

   b. The Government and Media Relations Commander.

   c. Six bureau representatives, one selected by each assistant chief/bureau director.

   d. A representative from the community.

   e. Four additional members, determined by the Chief, representing both commissioned and classified employees.

2. Awards shall reflect a majority vote of the Awards Committee, with the Chief having a final vote that may change the award level. Eight-fourteenths of the Awards Committee must concur to present an Award of Honor.

D. Nominations and Recommendations – Awards Committee

1. Awards requiring approval of the Awards Committee shall be submitted through the chain of command. After verifying the facts surrounding the nomination, the division/district commander will sign and forward it to the appropriate assistant chief/bureau director, who will forward it to the Awards Committee. The nomination, as received by the Awards Committee, shall not specify the type of award to be given. In the process of forwarding the nomination, division/district commanders shall not make a recommendation as to the merit of the nomination, specify the type of award, or evaluate whether the award should be given.

2. After review of the documentation, the Awards Committee shall submit recommendations to the Chief for final approval.

3. For those awards relating to a specific project, investigation, or exceptional job performance, the following information is required upon submission to the Awards Committee:

    a. Specific action meriting an award, in detail.

    b. Impact of the action on the department and/or others.

    c. Whether the actions were required by the individual's position.

    d. Whether this type of performance is consistent, and if so, how long the individual has been performing at this level.

    e. Training the individual has received to perform the action(s).

    f. Names of others involved in the project/investigation.

    g. Length of time spent on the project/investigation.

    h. For those awards relating to life-saving or life-threatening incidents, the following information is required upon submission to the Awards Committee:

        (1) What direct action was taken to save a life, in detail.

        (2) Any danger that existed in attempting the action.

        (3) Any injuries sustained by the person attempting the action.

        (4) Date and location of incident.

        (5) Names and statements of parties involved and/or witnesses.

4. Additional documentation (e.g., IOC's, witness statements, letters of recommendation, newspaper articles, photographs) shall be attached to the nomination. Employees shall not nominate their relatives, household members, or supervisors for department awards.

E. Awards Presentation

1. Unless decided otherwise by the Chief, formal awards ceremonies shall be held to present the Award of Honor, Medal of Courage, Award of Merit, Chief's Award for Distinguished and Devoted Service, the Chief's Award for Professional Excellence, Mike Buckingham Award, and the Chief's Specialty Plaque. These awards will be presented by the Chief or designee.

2. The Special Operations Division Commander shall notify the appropriate division/district commander of award decisions and the need for the district to make awards ceremony arrangements. The division/district commander shall make arrangements for awards

presentations and send notifications for awards ceremonies to the participants. The Special Operations Division Commander shall ensure documentation for the employee's personnel file is sent to the Human Resource Division (HRD).

3. As determined by the Chief or his or her designee, the media/press shall be notified for attendance at the award ceremonies and/or a press release announcing the award(s) shall be distributed.

F. Awards

1. Award of Honor

a. The Award of Honor, the highest award presented, recognizes an outstanding act of valor where employees perform a hazardous act at extraordinary risk to their lives.

b. The Award of Honor consists of a plaque-mounted medal, a description of what the award signifies, and a pin to wear on uniform or civilian attire.

c. The Awards Committee will provide the Governor's Office with information pertaining to Award of Honor recipients.

2. Medal of Courage

a. The Medal of Courage is the second highest award for heroism presented to an enforcement member who, while performing in the line of duty, is confronted with or involved in an extremely hazardous event in order to accomplish a legitimate police objective. The officer must have acted rationally and logically in determining his/her course of action, acted above and beyond the level of duty normally expected, and acted in accordance with the highest ideals of professional police service (e.g., lethal force, confrontations, serious injury collisions).

b. The award consists of a plaque-mounted medal, a description of what the award signifies, and a silver pin to wear above the badge on the uniform or on civilian attire.

3. Mike Buckingham Award

a. The Mike Buckingham Award celebrates the survival of Washington State Patrol employees who have been involved in a critical incident and suffered significant physical injuries while performing official duties. To be eligible for this award, the injury must involve significant medical treatment, a prolonged disability, or severe or prolonged pain.

b. The Mike Buckingham Award consists of a mounted medal, description of what the award signifies, and a pin to wear above the badge on the uniform or on civilian attire. The Chief may present this award privately.

4. **Award of Merit, Chief's Award for Distinguished and Devoted Service, and Chief's Award for Professional Excellence**

   a. The following awards shall consist of a laser-engraved wood plaque with an inset metal plate engraved with the recipient's name and describing the individual's/unit's performance, signed by the Chief:

      (1) **Award of Merit**

         (a) The **Award of Merit** shall be presented to employees for an act endangering themselves in attempting a life-saving action, preventing a serious crime, or effecting the arrest of a dangerous felon.

         (b) This award is differentiated from the Award of Honor by the degree to which the employee's life is endangered or the potential consequences of the actions taken.

         (c) The Award of Merit may also be awarded to other law enforcement officers or citizens who risk their own safety to assist department personnel in the performance of a hazardous act.

      (2) **Chief's Award for Distinguished and Devoted Service**

         (a) The **Chief's Award for Distinguished and Devoted Service** shall be presented to employees who consistently perform at an exemplary level over several years. This is general rather than for a specific act.

      (3) **Chief's Award for Professional Excellence**

         (a) The **Chief's Award for Professional Excellence** shall be presented to employees who perform specific or sustained acts of outstanding service. It generally recognizes distinct instances of high-level performance.

5. **Chief's Specialty Plaque**

   a. The Chief's Specialty Plaque is awarded to dignitaries, law enforcement officials, etc., upon their retirement or for recognition by the Chief for exceptional special assistance/support of the department.

6. **Commendation Award**

   a. The Commendation Award commends an employee or unit of the Washington State Patrol or a person or person(s) outside the department for superior performance in advancing the department’s mission.

b. The commendation must be signed and awarded by bureau/division/district/section commanders or above.

c. Division Commendation Awards are presented in an awards folder.

d. All requests for bureau Commendation Awards, mounted on a wood plaque with plexiglass cover or not, must be approved by an assistant chief or bureau director.

7. **Quality Recognition Award**

a. The Quality Recognition Award shall be presented to Washington State Patrol employees and partners who create significant, objectively verifiable, sustainable improvements from the perspectives of: public benefit and value, customer service, financial results, internal process management, and organizational or employee learning and growth. The project may take on many forms, including problem solving, process improvement, or the development of an innovative idea.

b. Nominations for the Quality Recognition Award are accepted from anyone with knowledge of a process improvement made by any team or work unit. Nominations shall be made through the chain of command to the Awards Committee.

c. Quality Recognition Awards consist of a certificate signed by the Chief and/or letter from the Governor, presented in a folder. Any additional awards will be determined by the Awards Committee.

8. **Certificate of Appreciation**

a. The Certificate of Appreciation commends employees or person(s) outside of the department for service to the department.

b. The certificate shall be approved by commanders of division/district/section levels or above and presented by the division/district/section commander.

c. Requests for this award may be submitted directly to the Administrative Services Section using the Award Request Form.

d. The Certificate of Appreciation consists of a certificate with the recipient's name and description of the achievement, which is signed by the division/district/section commander and presented in an awards folder.

e. The Certificate of Appreciation is also used to recognize employees who are recipients of the "Brainstorm" award, which commends employees for successful suggestions submitted through the State Productivity Board Brainstorm program. It shall be presented to the employee in conjunction with any monetary award. The Brainstorm Certificate of

Appreciation shall be signed by the Chief and presented by the employee's commander or designee.

9. **Chief's Coin**

   a. **Issuance of the Chief's Coin**

      (1) The issuing of the Chief's Coin is a symbol of recognition for a specific act or prolonged service that exceeds the expectations attributed to routine duties. Actions that impact the accomplishment of strategic goals, strengthen public trust in the department, utilize the Problem Oriented Public Safety (POPS) philosophy with a significant outcome, show an exceptional improvement in quality, improve department morale, or exemplify the spirit of public service are all examples of what may merit the Chief's Coin award.

      (2) As with any award, the Chief's Coin should be given for accomplishments that rise above routine daily work or regular duties.

   b. **Chief's Coin Requests**

      (1) Assistant chiefs/bureau directors shall review all requests for the issuing of the Chief's Coin prior to it being submitted to the Office of the Chief.

      (2) The Chief will retain final decision-making authority for the issuing of all coins.

10. **Certificate of Promotion**

   a. The Certificate of Promotion is presented to employees who have been promoted within the department.

   b. Non-supervisory employees shall be presented a promotional certificate at the local level by their supervisor. Supervisory and managerial employees shall be presented a promotional certificate by the Chief or designee at a promotional ceremony.

   c. The Human Resource Division is responsible for ordering the promotional certificate and scheduling and coordinating the promotional ceremony.

   d. The Certificate of Promotion is signed by the Chief and mounted on a wood plaque with a Plexiglas cover.

11. **Service Pins**

   a. Service pins shall be presented to employees who complete 5, 10, 15, 20, 25, and 30 years of state service.

   b. The Washington State Patrol years of service pin is awarded for 5 through 50 years of service at intervals of five years; it may be worn on the uniform, centrally placed ½ inch above the

marksmanship pin or ½ inch above the name tag if the employee does not wear a marksmanship pin.

c. The Human Resource Division shall provide the Supply Section with the names of all employees, by division/district/section, entitled to service pins. The Supply Section shall send the pins and names to the employees' commanders, who shall present the pins.

12. **Perpetual Awards**

a. The department encourages division/district commanders to recognize outstanding service from its employees on an ongoing basis. The very best employees in any given year are recognized by the department through employee of the year awards.

b. This award usually consists of a plaque with small, engraveable plates to display yearly recipients of "Trooper of the Year," "Communications Officer of the Year," "Certified Technical Specialist of the Year," "Auto Theft Trooper of the Year," "Commercial Vehicle Enforcement Officer/Commercial Vehicle Officer of the Year," "Commercial Vehicle Division Trooper of the Year," "Detective of the Year," "Detachment of the Year," "VIN Specialist of the Year," "Civil Service Employee of the Year," "Chief's Volunteer of the Year," and "Excellence in Safety of the Year" award recipients. These "of the year" awards may be approved at the bureau level or Chief's level and do not require Awards Committee approval.

c. Each year, a new name is added to the plaque under each category. These plaques shall be displayed in the lobby of each division/district office.

d. The yearly awards shall be the same as the Chief's Award for Distinguished and Devoted Service. The inset metal plate will reflect this classification.

e. Commendation awards shall be presented to each member of each district's "Detachment of the Year." It shall be signed and presented by bureau/division/district commanders or above. "Detachment of the Year" commendation awards shall be presented in a WSP certificate folder.

G. Other information regarding plaques distributed by the department can be found under **DEATHS AND FUNERALS**.

H. Other

1. Any exceptions to the Awards Program policies outlined above shall be approved through the Special Operations Division Commander and/or the Awards Committee.

2. Requests for certificates to be mounted on a wood plaque will not be honored unless the award falls within the official department awards program (as described above).

3. New awards or variations of existing awards shall not be created without first being reviewed by the Awards Committee and approved by the Chief. Questions concerning selection of the appropriate award to present shall be directed to the Special Operations Division Commander.

Applies to: All WSP Employees
See Also: WSP Policy **Deaths and Funerals**

► SECTION 16: RESIGNATION PROCESS ◄

11.16.010 RESIGNATIONS

I. POLICY

A. Resignation Process

1. Employees resigning or retiring will submit their notice in writing at least 15 calendar days prior to their last day of employment unless there is a mutual agreement for a shorter notice period.

2. Resignations may be rescinded at any time prior to the effective date at the discretion of the appointing authority.

3. Guidance for supervisors and employees can be found in the *Supervisor/Employee Reference Manua*l.

B. Exit Interviews

1. Exit interviews, if desired, shall be conducted for permanent full-time employees, including trooper cadets, by a Human Resource Division (HRD) representative or designee. The employee's supervisor shall schedule the interview before the employee's last work day.

2. The interview shall be held at HRD. If impossible for the employee to travel to Headquarters and other arrangements cannot be made, the district commander shall assign a representative, other than the employee's immediate supervisor, to conduct the interview.

3. The employee shall review the personnel file and have the chance to refute, in writing, any information in the file. After completion, the employee shall initial the file to indicate acknowledgment of the contents.

C. Tenure of Office Rights for Officers

1. Resigning officers shall be informed of their Tenure of Office Rights and sign a written acknowledgment of this in front of a witness.

Applies to: All WSP Employees
See Also: RCW 43.43.050; WAC 356-30-250; *Supervisor/Employee Reference Manual*

► SECTION 17: REHIRING ◄

11.17.010 REHIRING OF WSP OFFICERS

I. POLICY

A. Rehiring of WSP Officers

1. If a former officer of the department applies for recommissioning, the request will be referred to the Human Resource Division (HRD) Commander.

2. Procedures for rehiring an officer are contained in the *Supervisor/Employee Reference Manual.*

Applies to: WSP Officers
See Also: *Supervisor/Employee Reference Manual*

11.17.020 POST-RETIREE REHIRE ELIGIBILITY

I. POLICY

A. General

1. The Washington State Patrol may employ retirees. This policy references the eligibility requirements and responsibilities specific, but not limited to, former Teachers Retirement System (TRS) 1 or Public Employees Retirement System (PERS) 1 retirees seeking employment with the Washington State Patrol.

B. Retiree Responsibility

1. Upon an offer of employment with the department, a retiree must inform the agency of his/her retirement date and the system from which he/she retired.

2. A retiree shall be familiar with the waiting period restrictions and working limitations before reentering the workforce after retirement.

C. Approval to Hire Retiree

1. Hiring actions shall include documentation justifying the need to hire and appoint a retiree to a position and shall be approved at the appointing authority level prior to an offer of employment.

D. Record Keeping

1. The Human Resource Division shall identify if a position is eligible under PERS prior to employing the retiree. A retiree is required to know his/her limitations in order to avoid benefit interruption; therefore, a retiree shall receive this information in determining their acceptance of employment.

2. After acquiring employment with the department, Budget and Fiscal Services shall report the number of hours the retiree works per month to the Department of Retirement Systems (DRS).

Applies to: Retirees Returning to Work
See Also: SHB 1262; DRS Employer Handbook; WAC 415-108-710

► SECTION 18: TELEWORK ◄

11.18.010 TELEWORKING

I. DEFINITION

A. *Teleworking* involves the use of telecommunications and/or computer technologies which allow employees to perform a portion of their assigned duties at an alternate worksite, such as the employee's home, a satellite office, or a teleworking work center.

II. POLICY

A. Opportunity to Telework

1. Offering department employees the opportunity to telework is a management option, and employees are obligated to follow procedures established by the department.

2. The goals and objectives of any teleworking program must be clearly communicated by management to ensure that teleworking does not affect the level of service provided to the public or does not interfere with the mission and goals of the bureau/division/section.

3. Procedures are outlined in the *Supervisor/Employee Reference Manual*.

Applies to: All WSP Employees
See Also: *Supervisor/Employee Reference Manual*

► SECTION 19: STAFFING ◄

11.19.010 ALLOCATION AND DISTRIBUTION OF WSP OFFICERS (CALEA 16.1.1, 16.1.2, 41.1.1)

I. DEFINITIONS

A. *Autonomous Patrol Area* (APA) is an area within a district where specific detachments patrol and respond to calls for service.

II. POLICY

A. Allocation and Distribution of WSP Officers

1. District commanders will be responsible for the allocation and distribution of officers based on service needs within their district's APA.

2. District commanders will continuously assess the distribution of officers between APAs and allocate them to the area of greatest need.

III. PROCEDURES

A. Boundary Changes

1. Before changing any detachment boundaries, the district commander will obtain approval from the Field Operations Bureau Assistant Chief.

2. The Budget and Fiscal Services Commander will be notified in writing of boundary changes before implementation.

Applies to: WSP Officers
See Also: 16.1.1, 16.1.2, 41.1.2

11.19.020 HARDSHIP TRANSFERS

I. DEFINITION

A. A *hardship* is a medical, financial, marital, or safety-threatening situation causing specific loss or suffering to an employee or the employee's spouse, children, parents, or spouse's parents.

II. POLICY

A. Requesting a Hardship Transfer

1. Employees who have a hardship that involves the immediate family may request a hardship transfer. Before such transfers are granted, the department must determine an actual hardship exists. When such transfers are granted, the department will advise those on the regular transfer list that another employee has been selected due to a hardship.

B. Hardship Transfer Procedures

1. Hardship transfers for represented employees will be in accordance with the collective bargaining agreement.

2. Procedures for non-represented civil service and Washington Management Services (WMS) employees are contained in the *Supervisor/Employee Reference Manual*.

Applies to: All WSP Employees
See Also: Applicable Collective Bargaining Agreements;
Supervisor/Employee Reference Manual

► SECTION 20: MOVING ◄

11.20.010 MOVING EXPENSES

I. POLICY

A. Payment of Moving Expenses

1. The department shall pay moving costs for employees upon initial assignment from the Academy and when the employee is

transferred or reassigned at the department's direction. The department may pay expenses for new hires, transfers, or for other situations allowed by OFM Travel Regulations or collective bargaining agreements and shall include this when advertising for the position. Moving expenses shall not be paid for routine employee-requested transfers.

Applies to: All WSP Employees
See Also: Relocation Authorization form; Applicable Collective Bargaining Agreements; OFM Travel Regulations; *Supervisor/Employee Reference Manual*

► SECTION 21: REDUCTION IN FORCE ◄

11.21.010 LAYOFFS

I. POLICY

A. Fair and Equitable Layoffs

1. The department will accomplish any layoff in a manner that is fair and equitable to employees and not unduly disruptive to departmental operations.

B. Layoffs Conducted According to Collective Bargaining Agreements and Civil Service Rules

1. Layoffs for represented employees covered by collective bargaining agreements will be conducted in accordance with applicable collective bargaining agreements.

2. Layoffs for Washington Management Services (WMS) and non-represented employees will be conducted in accordance with applicable Civil Services Rules and the department's layoff procedure maintained in the *Supervisor/Employee Reference Manual*.

Applies to: All WSP Employees
See Also: *Supervisor/Employee Reference Manual*; Collective Bargaining Agreement; Civil Service Rules

► SECTION 22: SALARY ◄

11.22.010 COMPENSATION FOR EMPLOYEE-IN-CHARGE (CALEA 22.1.1)

I. POLICY

A. Compensation for Employee-In-Charge

1. Non-represented, Washington Management Service (WMS), exempt, and commissioned employees may be compensated for the performance of higher level supervisory duties as specified in this policy.

2. Employees will not be compensated at the higher level for time not worked while on any paid leave or while attending court in overtime status. If a holiday occurs during the appointed time period that qualifies for in-charge pay, the employee will be compensated at the higher level for the holiday.

B. Conditions for Receiving Compensation for Employee-In-Charge

1. To be compensated for temporarily assuming the duties of a supervisory position, as specified above, the supervisor must be gone for 40 or more consecutive hours. If more than one employee is appointed to work in the supervisor's position, each employee will be compensated for the actual time worked, provided each employee has worked at least 8 consecutive non-overtime hours in the position.

2. Appointing authorities may compensate an employee who has been assigned to temporarily perform the duties of a supervisory position higher than the permanent position held.

Applies to: All Non-Represented, Exempt, WMS, and Commissioned Employees
See Also: Applicable Collective Bargaining Agreements

11.22.020 SALARY DETERMINATION (CALEA 22.2.1)

I. POLICY

A. Setting and Administering Salaries

1. The department will follow the Washington State Compensation Plan as set forth by the Director of the Department of Personnel in determining employee salaries as referenced in WAC 357-28.

2. Appointing authorities will be responsible for administering salaries in accordance with applicable WACs and the department's Salary Determination Procedures.

II. PROCEDURES

A. Setting Salaries for New Employees (Initial Appointment)

1. The appropriate appointing authority will assign a base salary for initial appointments within the salary range in the Washington State Compensation Plan assigned to that position classification, unless performance management allows otherwise. The initial base salary offered would not be less than the minimum or generally greater than the maximum dollar amount within the salary range assigned to the position classification.

2. Factors to consider in setting the salary include, but are not limited to recruitment difficulty; the individual's expected contributions toward the objectives of the department; educational background,

related work experience, geographic location of position as it relates to recruitment or retention difficulty, etc.

3. Guidance for setting salaries for new employees is available in the *Supervisor/Employee Reference Manual*.

B. Setting Salaries or Providing Lump Sum Premiums for Employees Above the Maximum of the Range; To Address Recruitment, Retention, Equity, Alignment, Geographic, and Competitive Market Issues

1. The appointing authority may adjust salaries within a pay range or may set salaries above the maximum of a pay range for employees to address recruitment, retention or equity issues. These situations will be considered on a case-by-case basis using criteria contained in WAC 357-28, following salary compensation procedures contained in the *Supervisor/Employee Reference Manual* and in consultation with the Human Resource Division (HRD). Director of Department of Personnel approval may be required for specific increases.

2. The appointing authority must ensure consistent and fair salary determinations and must take into account overall budget, department mission and purpose, number of staff, types of classifications and other factors to make sound business practice decisions.

3. Annual or periodic salary increase procedures are outlined in the *Supervisor/Employee Reference Manual*.

4. Salary setting for employees who have been promoted, transferred/reassigned, demoted, reallocated, or impacted by a layoff are made in accordance with applicable WAC criteria as outlined in the *Supervisor/Employee Reference Manual*.

C. HRD Responsibilities

1. HRD will:

   a. Provide recommendations regarding the best human resource practices in the administration of salary determinations.

   b. Provide training and education to management on salary administration procedures.

   c. Provide training to new employees and all staff on salary administration practices.

   d. Monitor and track required training for new employees.

   e. Administer the Washington State Compensation Plan.

f. Maintain official salary administration records for the purpose of historical reference in the administration of salaries.

g. Develop procedures for consistent salary administration.

h. Review, monitor and track approval of requests for base salary above the maximum for documented recruitment and retention problems.

i. Review and approve salary related personnel actions for compliance with the Washington State Compensation Plan, this policy, and adherence to consistency within and between the organizations within the department.

j. Discuss deviations to the Salary Determination Policy and procedures with the appropriate executive management authority on a timely basis.

k. Assist in the development for which lump sum payments can be authorized for recruitment or retention problems for specific positions.

l. Develop and update the procedures contained in the *Supervisor/Employee Reference Manual*.

Applies to: Non-Represented Washington General Service Employees
See Also: WAC 357-28; *Supervisor/Employee Reference Manual*; Salary Determination Procedures

11.22.030 OVERTIME (CALEA 22.1.1)

I. POLICY

A. Authorization for Overtime

1. Overtime is defined by collective bargaining agreements or applicable Civil Service Rule or law. Any overtime eligible employee may receive overtime with the prior approval of a supervisor, in accordance with a collective bargaining agreement, applicable Civil Service Rule, or law.

2. Any employee, with prior authorization from the Chief, may receive overtime on a weekly (over 40 hours) rather than a daily basis.

B. Minimal Accrual of Overtime

1. All supervisors will ensure that accrual of overtime is kept to a minimum.

C. Reporting Overtime

1. Overtime will be reported on the Time and Activity Report in accordance with the *Time and Activity Reporting (TAR) Manual*.

Applies to: All WSP Employees
See Also: Applicable Collective Bargaining Agreements; *Time and Activity Reporting Manual*

11.22.040 COMPENSATORY TIME (CALEA 22.1.1)

I. POLICY

A. Accumulation of Compensatory Time

1. Non-represented overtime eligible employees may accumulate compensatory time to a maximum of 40 hours. Compensatory time accrued in excess of 40 hours will become paid overtime.

2. Represented employees may accumulate compensatory time in accordance with their collective bargaining agreement. Compensatory time accrued in excess of the maximum allowable amount as outlined in the employee's collective bargaining agreement will become paid overtime.

   a. All compensatory time must be used by the date as outlined in the employee's collective bargaining agreement.

   b. Compensatory time balance will be cashed out as indicated in the employee's collective bargaining agreement.

3. It will be the responsibility of the individual and his or her supervisor to monitor accrued compensatory time and to make mutually agreeable arrangements for its utilization.

Applies to: All WSP Officers, All Represented and Non-Represented Overtime Eligible Employees
See Also: WAC 357-31-230; Applicable Collective Bargaining Agreements

11.22.050 EXCHANGE TIME

I. POLICY

A. Exchange Time Eligibility

1. Any employee eligible for exchange time shall be limited to the accrual of 40 hours on the record at any time.

B. Earning Exchange Time

1. Exchange time may be earned only while physically responding to an unplanned and unscheduled event from off-duty status.

2. Exchange time shall not be earned for activities undertaken during a commute, for planned activities, or for any other routine events without the prior approval of the appropriate assistant chief or bureau director. Any unapproved time worked in excess of the 40-hour work week shall not be credited to the exchange time record.

C. Using Accumulated Exchange Time

1. Employees will be allowed to use accumulated exchange time as they deem appropriate while being expected to perform their regular duties.

D. Policy Modifications

1. The assistant chief/bureau director or designee has authority to approve individual modifications to this policy for their subordinates to meet the operational needs of the department, with the exception of the limit to exchange time hours, 40 hours on the record.

Applies to: All Non-Represented Employees
See Also: --

► SECTION 23: SPECIALTY POSITIONS ◄

11.23.010 SELECTION FOR SPECIALTY POSITIONS (CALEA 16.2.2, 22.1.1)

I. POLICY

A. Specialty Positions

1. All specialty positions are considered staff or technical appointments and, as such, are governed by RCW 43.43.370.

2. There are many specialty positions in the department that can be a benefit to an officer's career. A specialty assignment may be an opportunity to a different career path. Specialty positions include technical, administrative, or investigative positions.

3. Selection to a specialty position is treated as a reassignment or transfer and is not considered a promotion. Officers selected to fill a specialty position do not have property rights to any benefits associated with that position. Because it is in the department's interest to select the best qualified candidate, minimum qualifications may be established for specialty positions.

B. Advertising

1. Specialty position openings will be advertised in the Daily Bulletin at least 15 days prior to the start of the selection process. The advertisement shall include the number of openings to be filled in the specialty position, a brief job description, minimum qualifications, and a description of the testing procedure to be used. Supervisors shall ensure that each officer eligible is notified.

C. Application/Requirements

1. Specialty position announcements shall have specific application and selection requirements.

D. Exceptions

1. Specialty positions should not normally be filled on a temporary basis for longer than six months. Appointments made to positions under exigent circumstances are exempt from the selection procedure described above.

2. At the conclusion of the temporary assignment or when the exigent circumstances no longer prevail, the position(s) shall be advertised as required in this policy.

E. Supplemental Compensation

1. Any officer in an assignment for which staff and technical officer supplemental compensation is authorized shall receive such compensation during the officer's tenure in the position. Supplemental compensation will be paid only while the officer is actually working in the designated position for which the supplemental compensation is authorized. If the officer leaves the supplemental compensation position, the officer will no longer receive the compensation. Staff and technical officer compensation is an appurtenance of the position, not of the person who holds the position.

2. Officers placed in temporary assignments for which specialty pay is normally authorized shall not receive supplemental compensation if the assignment is expected to be 180 days or less in duration. Should such an assignment extend beyond 180 calendar days, supplemental compensation shall be authorized retroactively to the first day of the temporary assignment on the 181st day of the temporary assignment. The effective date of the assignment shall be counted as the first day.

F. Review of Specialized Assignments

1. It shall be the responsibility of the appropriate assistant chief/bureau director to ensure specialized assignments are reviewed on an annual basis. The purpose of the review is to avoid overspecialization and ensure the effective operation of department specialization.

Applies to: All WSP Employees
See Also: RCW 43.43.370

► SECTION 24: DEPARTMENT PROPERTY ◄

11.24.010 SEARCH OF DEPARTMENT PROPERTY

I. POLICY

A. No Expectation of Privacy

1. Employees shall not have an expectation of privacy when using department property such as evidence lockers, vehicles, desks, or other space for storage. These are subject to search at any time deemed necessary by the Chief or other competent authority.

2. Storage space provided for the clothing and/or personal effects of employees and marked "personal property" by the Property Management Division shall only be inspected after 24-hour notice to the employee or with a search warrant.

B. Inspection of Confidential Files

1. Personnel files of employees, files containing confidential investigative material, medical/affirmative action, polygraph, background investigation files, and files in the possession of the department's Labor and Policy Advisor or Psychologist which contain material of a confidential nature or involving personal privacy shall be subject to inspection only by order of the Chief.

Applies to: All WSP Employees
See Also: --

► SECTION 25: CIVIL ACTIONS ◄

11.25.010 REQUEST FOR DEFENSE – CIVIL ACTIONS INVOLVING DEPARTMENT EMPLOYEES (CALEA 22.2.2)

I. POLICY

A. Civil Lawsuits

1. Employees who are served with a summons and complaint (lawsuit) in a civil action must notify their immediate supervisor as soon as possible.

2. Within 24 hours, the supervisor must advise the Risk Management Division (RMD) Commander of the summons and complaint with the following information:

   a. The names of the parties, court, date, time, and method of service.

   b. The person(s) served.

3. The supervisor must notify the division/district commander within the same 24-hour period.

4. A copy of the summons and complaint must be immediately faxed to RMD.

NOTE: Even those summons and complaints sent directly from the Attorney General's Office to an employee must be forwarded to RMD.

B. Request for Defense

1. Pursuant to RCW 4.92.070, the Attorney General's Office (AGO) will represent employees or volunteers when it is determined that

the employee's or volunteer's acts or omissions were, or were purported to be, in good faith and within the scope of that person's official duties. Employees or volunteers are entitled to retain a personal attorney; however, the state will not pay the personal attorney. Employees desiring AGO representation must complete a Request for Individual Defense form (RFD).

2. Upon receipt of a summons and complaint, RMD will send the employee(s) named as a defendant(s) in the lawsuit a copy of the summons and complaint, an RFD form, and supporting documentation (e.g., police report or other documentation outlining the employee's involvement in the incident giving rise to the lawsuit).

3. The Washington State Patrol employee must complete the RFD form within 3 business days and forward it—along with the summons and complaint and supporting documentation—through the chain of command.

4. The division/district commander will review the summons and complaint and supporting documentation and determine whether the RFD should be approved. If the division/district commander recommends approval, he/she must initial the RFD and forward it—together with the summons and complaint and supporting documentation—to RMD, with a copy of this action to the respective assistant chief/bureau director.

5. Upon receipt of the above documents, RMD will confer with the respective assistant chief/bureau director and forward the RFD, the summons and complaint, and the supporting documentation to the Office of the Chief for final agency approval.

6. After review and approval (or denial) by the Chief, RMD will forward the RFD, summons and complaint, and supporting documentation to the AGO for approval (or denial).

7. RFDs cannot be processed and approved without supporting documentation.

NOTE: TIMING IS IMPORTANT, since the AGO must respond to the summons and complaint within 20 days.

C. Commander Responsibility

1. It shall be the division/district commander's responsibility to ensure that all pertinent information is forwarded to the RMD Commander and that the respective assistant chief/bureau director is kept informed throughout the process.

D. Court Scheduling

1. Civil appearances and related proceedings should be conducted while the employee is on duty. When practical, supervisors should ensure that contacts with traffic officers are made during non-peak

traffic hours. Departmental overtime and shift change notification procedures shall apply.

E. Tort Claims Against the Department

1. Persons who feel they have a claim against the department or an employee should be neither encouraged nor discouraged from filing a tort claim or a lawsuit.

2. Persons requesting information concerning filing a tort claim should be given a Tort Claim form or be referred to the Office of Financial Management's Risk Management Division. Forms are located at the Office of Financial Management's Web site at http://www.ofm.wa.gov/rmd/tort.

Applies to: All WSP Employees
See Also: RCW 4.92.070; Tort Claim form (SF 210); Vehicle Accident Tort Claim Form (SF 138); Request for Individual Defense

► SECTION 26: CRIMINAL ACTIONS ◄

11.26.010 CRIMINAL ACTIONS (CALEA 22.2.2)

I. POLICY

A. Employees Criminally Charged

1. Employees who are charged with criminal conduct while either on or off official duty shall immediately notify their commander, who shall notify the Office of Professional Standards (OPS) through the chain of command.

2. The original complaint and all investigative reports shall be forwarded by the supervisor to the Risk Management Division (RMD) Commander within five days. The supervisor shall also forward copies of the complaint and investigative reports to the commander of OPS.

3. Requests for Individual Defense shall be submitted by IOC to the RMD Commander within five days of the service of the complaint, together with copies of police reports and all other relevant information. If the Washington State Patrol finds, and the Attorney General concurs, that the employee's conduct was fully in accordance with established policy and the act performed was within the scope of employment, then the request shall be granted (RCW 10.01.150).

B. Criminal Case Testimony

1. Employees appearing in court for the prosecution shall not discuss testimony which they will give in a criminal court without first notifying the prosecution or the department's RMD Commander.

2. Employees subpoenaed by the defense in a criminal action shall contact the prosecuting attorney handling the case prior to the trial.

3. If local courts permit the use of written reports, sworn affidavits, or complaints at preliminary court proceedings, arraignments, or infraction hearings, in lieu of an officer's presence, detachment supervisors shall take steps to ensure their subordinates use the system. This will provide more effective utilization of employees.

C. Criminal Subpoena

1. All subpoenas served in connection with a criminal prosecution shall be honored. Requests for changes as to the date and time, scope, etc., of the subpoena shall be addressed to the prosecutor by the supervisor.

Applies to: All WSP Employees
See Also: RCW 10.01.150

► SECTION 27: CIVIL SUBPOENAS AND WITNESS FEES ◄

11.27.010 CIVIL SUBPOENAS AND WITNESS FEES (CALEA 22.2.2)

I. POLICY

A. Civil Subpoenas

1. All employees who receive a job-related subpoena specifically naming them shall accept service of the subpoena and appear as directed. Subpoenas naming another employee shall not be accepted on behalf of the other employee without approval of the district/section commander.

2. If fees are not tendered with the subpoena, the employee shall request reimbursement at the time of service. When signing the receipt of service, note "appropriate fee demanded." The reimbursement demand shall be documented for future reference.

3. A copy of the subpoena noting the request for reimbursement shall be forwarded immediately through the supervisor to the district/section commander so that a Civil Subpoena and Witness Fees - Agreement Letter may be sent.

4. Requests for changes as to the conditions of the subpoena shall be made by the supervisor.

5. Following civil appearance, the employee shall submit an IOC to the district/section commander outlining the actual time spent and actual expenses incurred.

B. Reimbursement for Meal and Lodging Costs

1. To claim meal and lodging costs during an out-of-county appearance, employees must qualify for expense reimbursement in accordance with RCW 5.56.010.

2. An expense voucher shall be attached to the time and expense IOC when payment for meal and lodging costs are being requested.

C. District/Section Commander's Responsibility

1. The district/section commander of the employee served with a civil subpoena shall ensure that a Civil Subpoena and Witness Fees - Agreement Letter is sent to the attorney requesting reimbursement.

D. Fees for Civil Proceedings

1. Fees for civil proceedings, including depositions taking place within the county of residence and within 20 miles of the residence of the witness, shall consist of mileage at the state rate.

2. In addition to mileage, the cost of meals and lodging costs may be included when civil proceedings take place outside the county or more than 20 miles from the place of residence of the witness.

3. The department is entitled to the appropriate witness fees.

4. A request may be made of the court during or following the trial to establish such additional amounts for meals, lodging, and travel, as the court may deem reasonable.

5. The Civil Subpoena and Witness Fees - Agreement Letter shall be completed in triplicate. The original and duplicate copy of the Civil Subpoena and Witness Fees - Agreement Letter and a photocopy of the subpoena shall be forwarded to the requesting party, with instructions to sign and return one copy of the Civil Subpoena and Witness Fees – Agreement Letter. The original of the subpoena and a file copy of the Civil Subpoena and Witness Fees - Agreement Letter shall be retained at the district/section.

E. Reimbursement

1. Every attempt shall be made to request proper reimbursement by a Civil Subpoena and Witness Fees - Agreement Letter or telephone from the attorney prior to the civil appearance or deposition.

2. While the department is statutorily entitled to witness fees, mileage and, in certain cases, lodging and meals, no such entitlement exists for wage-loss compensation.

3. If the subpoena is properly served, the employee must appear, even though no agreement has been reached concerning wage-loss compensation. Questions about proper service shall be addressed to the Risk Management Division Commander.

4. Following completion of the testimony and expenses incurred, the district/section commander shall, when appropriate, ensure that a Request for Invoice is submitted to Budget and Fiscal Services along with a photocopy of the subpoena and a signed copy of the Civil Subpoena and Witness Fees – Agreement Letter. The Request for Invoice shall include witness fees, mileage, and, if appropriate, meals and lodging.

5. Reimbursement shall not be requested from the Attorney General or prosecuting attorney for appearance at any civil or criminal trial.

6. When the requesting party has tendered witness fees and mileage and has refused to sign the Civil Subpoena and Witness Fees - Agreement Letter, a Request for Invoice shall not be sent to Budget and Fiscal Services.

7. Fees paid to employees for testifying in civil proceedings shall be tendered by check and made payable to the Washington State Patrol. Checks shall be sent by the attorney directly to the following:

   Washington State Patrol Fiscal Officer
   Attention: Accounts Receivable
   PO Box 42602
   Olympia Washington 98504-2602

8. All billings and related correspondence shall include an invoice number.

9. In all cases when the requesting party has refused to sign the Civil Subpoena and Witness Fees – Agreement Letter, the subpoena and other supporting documentation shall be forwarded to the Risk Management Division Commander.

10. If the requesting party fails to reimburse statutory witness fees, mileage, and applicable lodging and meal costs, the commander shall advise the court, during or immediately after trial, that reimbursement is requested.

Applies to: All WSP Employees
See Also: RCW 5.56.010

► SECTION 28: DEPOSITIONS ◄

11.28.010 DEPOSITION REQUESTS

I. POLICY

A. Advising the Department's Assistant Attorney General

1. Prior to honoring any deposition request regarding departmental investigations, operations, duties, etc., employees shall advise the department's Assistant Attorney General of the following:

   a. The time, date, and location for the deposition.

   b. The names of the parties involved in the action.

   c. If the case is criminal or civil.

   d. On whose behalf the employee is testifying.

   e. If the Washington State Patrol is a defendant in the action.

Applies to: All WSP Employees
See Also: --

► SECTION 29: LEGAL INQUIRIES ◄

11.29.010 LEGAL INQUIRIES

I. POLICY

A. Refer Legal Inquiries to the Office of the Attorney General or Risk Management Division Commander

1. Persons making inquiries relating to any Washington State Patrol matter in which administrative or legal actions or claims are pending shall be referred to the Office of the Attorney General, the specific Assistant Attorney General assigned to the case (if known), or to the Risk Management Division Commander.

2. If the Office of the Attorney General requests that employees divulge the information requested, it shall be sent to the Attorney General for transmittal. In no event shall department employees send information directly to the person(s) making the request.

Applies to: All WSP Employees
See Also: --

► SECTION 30: PSYCHOLOGICAL SERVICES ◄

11.30.010 PSYCHOLOGICAL SERVICES – USE OF FORCE (CALEA 1.3.8, 22.2.4)

I. POLICY

A. Critical Incident Intervention

1. In all cases where any person has been seriously injured or killed as a result of the use of deadly force by an officer, all involved officers shall be required to undergo a critical incident intervention with the Department Psychologist within 24 to 48 hours after the conclusion of the incident. The purpose of this intervention will be to allow officer(s) to express feelings and to deal with the moral/ethical and/or psychological after-effects of the incident. The intervention shall not be related to any department investigation of the incident.

2. These interventions will not be made available to the department and shall be privileged. The only information released shall pertain to readiness to return to work and recommendations to facilitate adjustment and shall only be given to the appropriate assistant chief or bureau director. In the event of an officer-involved shooting or serious injury, it shall be the responsibility of the district commander to notify the Department Psychologist as soon as possible through the local or Tacoma Communications Center (see **CRITICAL INCIDENT STRESS MANAGEMENT TEAM**). A supervisor at the Tacoma Communications Center should be advised to assist in the location effort.

3. When notified, it shall be the responsibility of the Department Psychologist, with help from the division/district commander, to schedule the intervention.

Applies to: All WSP Employees
See Also: --

11.30.020 DEPARTMENT CLINICAL PSYCHOLOGIST (CALEA 1.3.8, 22.2.4, 22.2.6, 32.2.9, 35.1.9)

I. POLICY

A. Availability of Department Clinical Psychologist

1. The Department Clinical Psychologist is available to employees and their families to provide assistance when their well being is threatened by vocational stress.

2. The Psychologist does not become involved in long-term counseling.

3. Once the Psychologist determines the needed aid, rehabilitation program, or the need for long-term counseling, the employee will be responsible for the treatment costs of a health care provider.

B. Department Psychologist's Role in Critical Incidents

1. The primary responsibility of the Psychologist is to counsel employees after involvement in traumatic critical incidents. A critical incident is any incident in which the circumstances are so unusual or the sights and sounds so distressing as to have the potential of producing a high level of immediate or delayed emotional reaction that surpass the normal coping mechanisms of the employee.

2. This type of critical incident can be, but is not limited to, the following:

   a. The use of force that results in serious injury or death.

   b. Serious injury or death of a fellow employee resulting from emergency operations.

   c. Any situation which is charged with profound emotion under particularly tragic circumstances.

   d. Any situation which attracts extremely unusual attention from the news media.

   e. A loss of life which follows extraordinary and prolonged expenditure of physical and emotional energy in the rescue.

3. It is important that the Psychologist be notified immediately when a critical incident occurs so that a critical incident stress management intervention (CISM) can be done. All employees involved in a critical incident should undergo a CISM intervention by the Psychologist. The district commander is responsible to notify the Psychologist through the local or Tacoma Communications Center (see **CRITICAL INCIDENT STRESS MANAGEMENT TEAM**).

C. Other Responsibilities

1. The Psychologist is also available for counseling in normal stress-related problems and any other problems that threaten the mental well-being of employees or their immediate family members. This type of counseling will be considered voluntary participation if initiated by the employee (see below).

2. The Psychologist is involved in increasing the knowledge of all employees concerning improving mental health as it relates to social interactions. The Psychologist is also responsible for the study of stress, its effects, and the use of stress reduction techniques by employees.

3. The Psychologist is available to provide consultation regarding human behavior in areas of hostage negotiation, suspect profile development, death notification, and handling of emotionally disturbed or mentally ill individuals.

4. The Psychologist maintains strict standards of privacy and privilege. Privileged communication does have legal limitations and cannot be maintained in cases involving danger to the client or others and/or child or vulnerable adult abuse.

D. Counseling Services Provided

1. The method of counseling/assistance selected is based upon the needs of the individual and professional judgment of the Psychologist.

2. The following are the types of situations in which department employees, co-workers, and/or supervisors are encouraged to contact the Psychologist:

   a. Vocational or work-related situations include:

      (1) Work-related stress or "burn-out"

      (2) Unsatisfactory relationships with co-workers or with supervisors

      (3) Complaints from citizens

      (4) Low work output (burn-out)

      (5) Taking unusual amounts of sick leave

      (6) Unsatisfactory work habits

      (7) Traumatic reactions resulting from critical incidents

   b. Individual or personal situations include:

      (1) Unusual feelings of depression, feeling hopeless

      (2) Unusual feelings of anxiety or apprehension

      (3) Alcohol or drug dependence

      (4) Unusually pronounced feelings of vagueness or feelings of apathy or indifference

      (5) Anger or hostile acts toward others

      (6) Unusual complaints of bodily aches or pains (e.g., headaches, migraines, intestinal upset, high blood

pressure, low back pain, dizziness, sleeping difficulties, or eating problems)

c. Social or marital and family situations include:

(1) Poor communication

(2) Sex-related problems

(3) Continual fighting or inability to get along

(4) Financial problems

(5) Child-rearing difficulties

(6) Separation or divorce

(7) Death of a family member

(8) Serious injury, illness, or accident to family member

3. A major goal of the services provided by the Psychologist is to be PREVENTIVE. Preventive services are designed to identify and treat symptoms before individuals experience significant dysfunction that will have long-term consequences both in their professional and personal lives. However, the Psychologist will also provide short-term counseling to deal with job stress, family problems, and personal problems on a privileged basis. Services are available 24 hours a day to provide immediate crisis intervention after professional and personal stressful incidents.

E. Referral and Participation

1. There are three ways to obtain assistance from the Psychologist. They are:

a. **Self-referral** — Departmental employees or their immediate family members may call for an appointment.

b. **Department referral** — Subordinates may be referred through the chain of command.

c. **Employee group/section referral** — A supervisor or group of employees can request training or consultation from the Psychologist for their group or section.

F. Voluntary Participation

1. A department employee who voluntarily approaches the Psychologist for aid shall become a "client of record," and information about such contacts can only be released to persons

inside or outside of the department by completing an Authorization for Disclosure of Information form signed by the client.

2. The department shall not request or require the Psychologist to furnish information which results from voluntary participation in the program. The only exception to privilege is when the employee exhibits a clear and present danger to the client or others and/or child or vulnerable adult abuse.

G. Mandatory Participation

1. Mandatory participation occurs when, in the opinion of the supervisor, actions of the employee indicate that counseling assistance is needed from the program. Supervisors should make every effort to encourage the employee to voluntarily seek psychological services. If the employee refuses or if a serious performance problem is evident, the concerned supervisor may request, through the chain of command, mandatory participation authorization from the appropriate assistant chief or bureau director.

2. When mandatory participation is deemed appropriate, the employee's assistant chief or bureau director shall advise the employee of the circumstances that prompted the action and notify the employee in writing of the appointment date, time, and location of counseling during working hours.

3. A department employee who is directed to contact the Psychologist for mandatory counseling shall be considered a "client of record." The only information that will be released is whether the employee made and kept an appointment, whether more services are needed, and eventually, when treatment ends. Further information will only be released with an Authorization for Disclosure of Information. The only exception to this is when there is a clear and present danger to the client or others and/or child or vulnerable adult abuse. The information will only be released to the assistant chief, bureau director or appropriate authorities in a confidential manner. The employee will be advised of any information that is released.

4. A mandatory intervention is required for all cases of "deadly force use" by an officer. These interventions will not be made available to the department and shall be considered privileged.

5. The only information given to the department shall pertain to readiness to return to work and recommendations to facilitate adjustment. In the event of an officer-involved shooting, it will be the responsibility of the Headquarters Duty Officer or appropriate commander to notify the Psychologist as soon as possible. A supervisor at Tacoma Communications should be advised to assist in the location effort.

H. Mandatory Psychological Fitness-for-Duty Evaluation

1. The "client of record" for a mandatory psychological evaluation is the Washington State Patrol and not the department employee.

2. Mandatory psychological evaluations will be conducted by a licensed clinical psychologist outside of the Washington State Patrol and not by the Psychologist. Using an outside psychologist for mandatory evaluations avoids the conflict of interest of the Psychologist playing a dual role of confidential resource with privileged communication and an evaluator who can release information to the appropriate assistant chief or bureau director.

3. The Psychologist can consult with department management on the appropriateness of mandatory psychological examinations and on referral issues to be addressed.

I. Confidentiality of Records

1. Confidential communications between a client and a psychologist shall be privileged (see RCW 18.83.110; RCW 5.60.060).

J. Reports and Records

1. The Psychologist shall submit to the Chief such statistical reports deemed necessary for evaluation purposes.

2. The reports shall not violate confidentiality or contain personal identifiers or other information to make individual identification possible.

3. The Office of the Department Psychologist shall be the custodian of all psychiatric or psychological reports forwarded to the department, in order that such reports be interpreted properly and be afforded legal and professional control.

II. PROCEDURES

A. Arranging to Meet With the Department Psychologist

1. To arrange a meeting with the Psychologist, the following procedure should be used:

   a. **Non-emergency situations** — Monday through Friday between 8 a.m. and 5 p.m., call (360) 586-8492.

   b. **Emergency situations** — During regular hours, call (360) 586-8492 and ask for the Psychologist. Washington State Patrol Communications in Tacoma will assist you on evenings, weekends, and/or holidays by calling (253) 536-6210 (choose option to connect with a 911 dispatcher). The Psychologist can also be reached by cell phone at

(360) 561-0254. REMEMBER TO TELL THE PERSON ANSWERING YOUR CALL THAT THIS IS A CRISIS OR EMERGENCY SITUATION AND THAT YOU ARE REQUESTING A RETURN CALL IMMEDIATELY.

c. **Scheduling** — Sick and vacation leave can be used for contact with the Psychologist. In both cases, appropriate notification should be given to the employee's supervisor. In some circumstances, contact with the Psychologist can be authorized for on-duty time with the approval of the employee's supervisor or at the Psychologist's request.

d. **Fees for services** — There shall be no cost for departmental psychological services to departmental employees and their families. The costs of all mental health services outside of the department shall be borne by the employee involved unless paid by the employee's insurance.

e. **Meetings with the Department Psychologist** — Each individual and group requesting assistance is unique. The time, location, and frequency of contact is based upon these considerations. There are, however, some general rules that apply to all requests for assistance:

(1) The Psychologist will meet with you in person to review your situation. This meeting will be the basis for the type and duration of departmental assistance.

(2) If the Psychologist determines that your needs can best be met with the help of a medical doctor, you will be referred to either your own physician, or you will be assisted in finding a physician.

(3) If your need can be resolved by meeting on a short-term basis with the Psychologist, these meetings will be arranged. In the event that it is mutually determined that more in-depth and longer assistance is needed, the Psychologist will assist you in finding the appropriate resource.

2. One of the major roles played by the Psychologist is that of a RESOURCE GUIDE. Many of the reasons that individuals and employee groups contact the Psychologist can best be resolved through resources in their own community.

Applies to: All WSP Employees
See Also: WSP Policy **Critical Incident Stress Management Team**; RCW 18.83.110, RCW 5.60.060

► SECTION 31: CRITICAL INCIDENT STRESS MANAGEMENT TEAM (CISM) ◄

11.31.010 CRITICAL INCIDENT STRESS MANAGEMENT TEAM (CISM) (CALEA 22.2.4, 22.2.6)

I. POLICY

A. Role of Critical Incident Stress Management Team

1. The department's Critical Incident Stress Management (CISM) Team provides interventions following critical incidents to department employees or others requesting assistance. CISM is not a critique of operations and performance, but provides a group format in which personnel can discuss their feelings and reactions, thus reducing the stress that results from exposure to critical incidents. All employees involved in a critical incident should undergo a CISM intervention by the Department Psychologist (see **DEPARTMENT CLINICAL PSYCHOLOGIST**).

2. The objective of the Critical Incident Stress Management Program is to provide professional intervention immediately after major incidents, in order to minimize stress-related injury to law enforcement personnel. The focus of this service is to minimize the harmful effects of crisis or emergency situations. As such, the highest priorities for the CISM Team are to maintain confidentiality and to respect the feelings of the individuals involved. The integrity of the CISM Team is critical to its success.

3. It is not the function of the CISM Team to replace ongoing professional counseling, but to provide immediate crisis intervention. In a critical incident debriefing, the focus is on a group of individuals who has experienced a single traumatic occurrence. If only one individual experienced the incident, the Psychologist will determine the appropriate intervention for that individual.

4. On-scene or near-scene interventions may occur with some extended incidents. Usually, a formal CISM is conducted within 72 hours of the incident. Follow-up intervention(s) may be conducted weeks or months after the incident.

B. Coordination of CISM Program

1. The Office of the Department Psychologist shall coordinate the CISM Program. A CISM Advisory Committee shall act as the policy-setting board for the program's operation and future direction, subject to review and approval by the Chief. The Psychologist is the program chairman for the CISM Team and acts as the primary liaison between the peer debriefers, CISM Advisory Committee, outside professional resources, and the department.

2. The CISM Team shall be composed of the Department Psychologist, team administrative coordinator, team coordinator(s), and peer debriefers.

Applies to: All WSP Employees
See Also: WSP Policy **Department Clinical Psychologist**

► SECTION 32: PEER SUPPORT TEAM ◄

11.32.010 PEER SUPPORT TEAM (CALEA 22.2.4, 22.2.6, 35.1.9)

I. POLICY

A. Peer Support Team Responsibilities

1. The Washington State Patrol Peer Support Team is an objective and non-judgmental resource from which employees may voluntarily request support and assistance in working through personal and occupational problems. The Peer Support Team is designed to complement the services provided by the Department Psychologist; the team is not a replacement for professional care. Peer support provides a way for employees to "talk-out" problems on a one-to-one basis with specially trained coworkers who understand and want to help.

2. The team provides a readily accessible network of employees who are trained and willing to be of service to their fellow employees and family members in need of assistance or support.

3. Peer supporters will respect an employee's confidentiality. Failure to respect confidentiality will result in removal from the Peer Support Team.

B. Confidentiality of Peer Support Participation

1. Knowledge of an employee's participation will be restricted to the peer supporter and the Psychologist. The department will not have access to peer support contact information, unless the employee requests such a disclosure.

2. State statutes require that confidential information must be released by team members under certain circumstances. In all cases where confidential information is required to be released, the Psychologist shall be notified immediately for further guidance.

C. References to Peer Support Team

1. Individuals may refer themselves or a supervisor may suggest the employee contact a Peer Support Team member.

2. A current list of Peer Support Team members is available from the Office of the Department Psychologist, the area coordinators, and department Communications Centers and on the department Intranet site.

3. Employees may contact team members directly or through their local Communications Center.

4. Requests for peer support from anyone other than the employee must be referred by the Psychologist. If the Psychologist is not available, another member of the Peer Support Advisory Committee may clear requests.

D. Peer Support Advisory Committee

1. The Peer Support Advisory Committee acts as the policy-setting board for the program's operation and future direction, subject to review and approval by the Chief.

2. The Peer Support Advisory Committee will be composed of:

   a. The Department Psychologist, acting as committee and program chairman.

   b. The Department Psychologist's secretary, acting as administrative coordinator of the program.

   c. Area coordinators, located throughout the state.

3. The Peer Support Advisory Committee selects members for the Peer Support Team and coordinates training of the team. The Department Psychologist is the program chairman for the Peer Support Team and acts as the primary liaison between the peer supporters, Peer Support Advisory Committee, outside professional resources, and the department.

E. Overtime for Peer Support Team Members

1. Any member of the Peer Support Team who is required, asked, or authorized to perform his/her peer support duties by a supervisor or above shall be paid overtime, compensatory time, or exchange time if the time involved in the Peer Support Team duties is outside of his/her regular duty hours (provided the Peer Support Team member's job class is eligible for overtime), and such payment does not conflict with overtime eligibility provisions of a collective bargaining agreement.

Applies to: All WSP Employees
See Also: WSP Policy **Department Clinical Psychologist**; Applicable Collective Bargaining Agreements

Chapter 12

COMPLAINT AND DISCIPLINARY PROCEDURES

► SECTION 00: COMPLAINTS ◄

12.00.010 AGENCY ACCOUNTABILITY (CALEA 52.1.1, 52.1.5)

I. POLICY

A. Employee Accountability

1. Like all public service agencies, the Washington State Patrol is accountable for the acts and omissions of all its employees. To ensure and exercise this accountability, the department utilizes an internal review system to examine official acts and omissions. This review may be initiated by any department employee, citizen, or third party. The goal of this system is the assurance that any policies, procedures, or individual employee actions meet the test of fairness; and, if not, that corrective measures are taken.

B. Relationship Between Employees and the Public

1. A relationship of trust and confidence between employees and the community they serve is essential to effective law enforcement. Police officers must be free to exercise their best judgment and to initiate law enforcement action in a reasonable, lawful, and impartial manner, without fear of reprisal. In addition, enforcers of the law are obligated to respect the rights of all people.

2. Public confidence in the ability of the department to investigate and properly adjudicate all complaints against its employees must be maintained. The department has the responsibility to seek out and discipline those whose conduct discredits the department or impairs its effective operation. The rights of the public, as well as those of the employee, must be protected. In this application, discipline is viewed as a positive process whose main purpose is to train or develop by instruction.

C. Investigation of Complaints

1. The purpose of these procedures is to provide a prompt, just, and open disposition of complaints regarding the conduct of employees. To this end, the department welcomes constructive and valid criticism of department procedures and complaints against its employees from concerned citizens of the community. The department considers all complaints against the agency and any of its employees and fully investigates all such complaints as appropriate.

2. The department shall take no action that would cause a violation of the Fair Labor Standards Act (29 USC § 201 et seq.).

Applies to: All WSP Employees
See Also: Fair Labor Standards Act (29 USC § 201 et seq.)

12.00.020 COMPLAINTS (CALEA 1.2.9, 26.1.1, 26.1.5, 26.1.8, 31.2.1, 52.1.1, 52.1.2, 52.1.5, 52.2.2, 52.2.7, 52.2.8, 82.1.5, 82.2.2)

I. DEFINITIONS

A. A ***complaint*** is defined as:

1. An allegation of circumstance(s) amounting to a specific act or omission which, if proven true, would amount to employee misconduct.

2. An expression of dissatisfaction with a policy, procedure, practice, philosophy, service level, or legal standard of the agency.

   a. A disagreement over the validity of a traffic infraction or criminal citation is not a complaint. The complaining person should be advised to contact the proper court having jurisdiction in the matter.

B. ***Misconduct*** is an act or omission by an employee which, if proven true, would normally result in some form of discipline or sanction. This would include:

1. Commission of an unlawful act.

2. Neglect of duty.

3. Violation of any department policy, procedure, rule, regulation, or training procedure.

4. Conduct which may reflect unfavorably upon the employee or agency.

II. POLICY

A. Accepting Complaints

1. The department considers all complaints against the agency and any of its employees and fully investigates all such complaints as appropriate. A complaint can come from either an external or internal source and can be accepted from:

   a. Individual aggrieved person.

   b. Employing agency.

   c. Third party.

   d. Notice of civil claim.

   e. Governmental agency.

   f. Human rights complaints.

   g. Anonymous person.

2. A complaint may be given to the agency in person, by telephone, or by letter. No employee shall attempt to discourage, interfere, or delay an individual from making a complaint. Employees accepting complaints shall be responsive and courteous.

B. Complaint Process

1. Supervisory and command employees shall initiate a local investigation when the alleged misconduct is reported by a concerned citizen or is a part of the routine supervisory/ management discipline process. Local investigations shall follow the procedures outlined in the *Administrative Investigation Manual*.

2. Employees who receive complaints, including anonymous complaints, shall report the information, irrespective of the chain of command, to the appropriate supervisor.

3. If the complaint alleged is against a member of the Office of Professional Standards (OPS), employees shall report the complaint directly to the Chief. The Chief shall determine if the complaint requires the investigative expertise of Internal Affairs.

4. Upon completion of the investigation, the commander shall make a finding regarding the incident as outlined in the *Administrative Investigation Manual*.

C. Temporary Relief From Duty – Complaint

1. If, from the nature of the complaint, the accused employee should be relieved from duty, the individual shall be so relieved by any supervisory officer and the appropriate assistant chief or bureau director shall be advised. Temporary relief from duty with pay shall not exceed 48 hours, unless authorized by the Chief, and shall require that:

   a. The employee not exercise police authority.

   b. The employee remain available from 8 a.m. to 12 p.m. and 1 p.m. to 5 p.m. to return to duty. During that time, the employee shall call his/her respective division/district twice each work day and be available to respond to the office within one hour.

   c. Temporary relief from duty may require an employee to surrender department-issued items. This shall be done with the least embarrassment possible.

D. Suspension Without Pay

1. When the complaint served upon an officer is of a criminal nature calling for the discharge of the employee, the Chief may immediately suspend the employee without pay pending a Trial Board hearing.

2. The board shall be convened no later than 45 days from the date of suspension. However, this does not preclude the granting of a mutually-agreed-upon extension; in such cases, the employee shall remain on suspension without pay.

E. Notification to Accused Employee of Complaint Status

1. An officer complained of may waive a hearing and accept the proposed discipline by written notice to the Chief.

2. The accused employee, upon request, shall be advised by the departmental unit conducting the complaint investigation of its status during the course of an investigation.

3. The accused employee shall be notified as soon as practical by the Office of Professional Standards of the final disposition of the matter.

F. Citizen Complaints

1. Employees shall courteously and promptly record in writing any complaint made by a citizen against any employee or the department. Employees may attempt to resolve the complaint, but shall never attempt to dissuade any citizen from lodging a complaint against any employee or the department. Employees shall follow established department procedures for processing complaints.

2. Internal Incident forms for citizens to submit their complaint(s) shall be available at all district offices.

G. Interference With Discipline

1. From the time a complaint is received until a case is completely adjudicated, employees shall not exert or attempt to exert any influence on any of the participants in a departmental disciplinary procedure, except as expressly provided by regulation. Employees shall not ridicule, embarrass, or threaten former witnesses for having given evidence in a disciplinary matter.

H. Storage and Security

1. All copies of the completed case file shall be forwarded to OPS to be stored in a secured area. No duplicate files shall be kept at any location for any reason. Access to administrative investigation case files is limited to OPS personnel, unless authorized by the Chief.

Applies to: WSP Officers
See Also: Equal Employment Opportunity Commission; *Administrative Investigation Manual*

12.00.030 ADJUDICATION OF ADMINISTRATIVE INVESTIGATIONS

I. POLICY

A. Components of Adjudication

1. Adjudication of completed administrative investigations shall be as outlined in the *Administrative Investigation Manual*. Adjudication includes:

a. Commander's findings.

b. Standards Officer review.

c. Adverse and non-adverse determination.

d. Pre-determination process.

e. Elements of just cause.

f. Commander's deliberation.

g. Routing of investigations.

h. Disciplinary settlement.

i. Determining discipline.

j. Annual audit.

k. In serious cases, administrative reassignment/termination decision.

2. The Office of Professional Standards is tasked with providing commanders assistance throughout the adjudication process.

Applies to: WSP Officers
See Also: *Administrative Investigation Manual*

12.00.040 EARLY IDENTIFICATION SYSTEM (CALEA 26.1.4, 26.1.5, 33.1.5, 35.1.9)

I. POLICY

A. Identifying Work Performance Issues

1. The department is committed to providing a positive approach to identifying and assisting employees whose work performance suggests job stress or other job-related problems.

2. The department's Early Identification System is designed to detect "out-of-the-ordinary" patterns of behavior based on an average number of complaints of all the officers working in that area. The essential ingredient in this system is non-punitive, but rather a timely intervention, emphasizing training and reaffirmation of department regulations. The Early Identification System creates methods to resolve performance and/or behavioral issues at the earliest stage.

B. Operation and Maintenance of Early Identification System

1. The Office of Professional Standards operates and maintains the Early Identification System. This system is not intended to produce conclusions regarding an employee's performance. It is a tool for

supervisors and managers to identify problems at an early stage and ensure that reasonable assistance, tailored to the employee, can be provided to correct unacceptable behavior.

2. The Early Identification System shall be followed as outlined in the *Administrative Investigation Manual*.

Applies to: WSP Officers
See Also: *Administrative Investigation Manual*

Chapter 13

TRIAL BOARDS/WSP TROOPERS

► SECTION 00: TRIAL BOARDS ◄

13.00.010 POLICY STATEMENT (CALEA 26.1.4)

I. POLICY

A. Implementing Discipline

1. If positive discipline becomes ineffective, it becomes necessary to implement negative discipline. Negative discipline is designed to rehabilitate and re-educate or, in serious cases, to remove an employee. Discipline is essential when it has been determined that an officer has acted contrary to law, rule, regulation, policy, procedure, or training.

B. Trial Board

1. A Trial Board hearing is conducted under administrative law. Administrative hearings are fact-finding hearings to appraise all of the information accumulated concerning a given situation.

2. The Trial Board also reaches factual conclusions without interference from unduly restrictive legal provisions and recommends a penalty to the Chief.

Applies to: WSP Officers
See Also: --

13.00.020 BOARD MEMBERS

I. POLICY

A. Board Membership

1. The board shall consist of two captains and a peer of the accused drawn. An administrative law judge shall preside over the hearing, rule on evidentiary questions, give oaths to witnesses, and open and close the proceedings.

2. All board members shall be present during the actual hearing while testimony is given.

Applies to: WSP Officers
See Also: --

13.00.030 DUTIES OF THE TRIAL BOARD MEMBERS

I. POLICY

A. Board Member Responsibilities

1. The purpose of the Trial Board is to determine all relevant facts. Board members may question witnesses after direct and cross-

examination by counsel. Such questions are subject to evidentiary rulings by the administrative law judge, upon the proper motions by the parties.

2. Board members may also request additional investigation of the allegations if, at the conclusion of the presentation of evidence by both parties, issues remain unresolved. Such requests are subject to evidentiary rulings by the administrative law judge.

3. Only board members, excluding the administrative law judge, shall deliberate and vote on the findings of fact and recommended penalty.

4. Each member shall sign the findings or indicate his/her dissent and state the reasons for such dissent.

Applies to: WSP Officers
See Also: --

13.00.040 HUMAN RESOURCE DIVISION COMMANDER

I. POLICY

A. Arrangements for Hearing

1. The Commander of the Human Resource Division (HRD) shall make all necessary arrangements for the hearing.

2. The Commander of HRD is not a member of the board and does not vote, assist, or engage in deliberations.

B. Duties

1. The duties of the Commander of HRD include the following:

   a. Assist in the Trial Board drawing.

   b. Arrange for a hearing room through the Office of Administrative Hearings.

   c. Arrange for a court reporter.

Applies to: WSP Officers
See Also: HRD Commander

13.00.050 DEFENSE ADVOCATE

I. POLICY

A. Choosing a Defense Advocate

1. The accused has the right to select any officer of the department, except the Labor and Policy Advisor, to act as Defense Advocate once formal written charges have been served. If such officer agrees and is reasonably available, the Chief shall assign the requested officer to act as Defense Advocate. If the selected officer does not agree or is not reasonably available, the accused shall be

so advised and may select another officer. The assigned officer shall assist the accused throughout the Trial Board process. If the accused is represented by counsel, all rules of professional conduct shall apply.

2. The assigned officer and appropriate commander shall be notified in writing of the appointment of the Defense Advocate. The officer assigned as Defense Advocate shall remain responsible to the commander for the conduct of regularly assigned duties. The officer is expected to perform such duties, whenever possible, while acting as Defense Advocate.

3. Unless previous permission has been granted, the Defense Advocate shall report for work as normally scheduled.

B. Responsibilities of the Defense Advocate

1. The Defense Advocate shall be directly responsible to the assistant chief in charge of the Investigative Services Bureau or designee with respect to all activities involving performance of duties as Defense Advocate.

2. All travel, overtime, and any expenses incurred as a result of being a Defense Advocate shall be pre-approved by the assistant chief or designee.

3. All Defense Advocate tasks that are of a clerical nature shall normally be performed at the Washington State Patrol facility to which the Defense Advocate is assigned. If there is substantial reason for tasks to be performed elsewhere, prior approval shall be obtained from the assistant chief/bureau director or designee.

4. The Defense Advocate shall account for time away from normally scheduled duty in a chronological log showing the time spent working on the defense of the case and a general description of activities. The log is to be made available to the Investigative Services Bureau Assistant Chief upon request.

C. Duties

1. The duties of the Defense Advocate include the following:

   a. Understand and assist the accused with board procedures and applicable RCW, WAC, and *Regulation Manual* provisions.

   b. May be present during the selection of members of the board.

   c. Assist in interviewing witnesses prior to the Trial Board, prepare evidence for use in the Trial Board, and assist counsel for the accused as requested. PROVIDED: the request does not conflict with department regulations, constitute a violation of state or federal laws, or conflict with the attorney's rules of professional conduct.

   d. If the accused is represented by counsel, all discovery requests should be made through counsel consistent with the rules governing discovery.

Applies to: WSP Officers
See Also: --

13.00.060 TRIAL BOARD DRAWING

I. POLICY

A. Conducting the Drawing

1. The drawing will be conducted at Headquarters in Olympia, Washington. The Commander of the Human Resource Division (HRD) will conduct the drawing and provide a neutral officer to draw, by lot, the two captains and a peer and alternatives to sit on the board, should the accused or designee not attend.

2. There will be an alternate captain and an alternate peer drawn, but not disclosed until required, for the Trial Board.

3. The accused and the department shall have one pre-emptory challenge per Trial Board. The accused shall exercise his/her pre-emptory challenge first. This pre-emptory challenge must be made on the day of—or, if not present, as soon as he/she can be contacted after—the Trial Board drawing. If a pre-emptory challenge is exercised, the alternate then becomes the board member. At this time, then another alternate is chosen by lot. Any member may be challenged for cause at any time and subsequently replaced by the alternate. If needed, an additional drawing may be held. A challenge for cause shall be made by motion and ruled upon by the administrative law judge.

4. The Commander of HRD shall immediately contact prospective board members drawn to determine their availability to serve on the board. In the event that a prospective member is unavailable, the alternate shall serve in the unavailable member's place. A second alternate must then be selected by drawing.

5. At the drawing of the Trial Board, the date the Trial Board shall convene shall be determined. The board shall not convene any earlier than at least 30 days after the Trial Board drawing.

Applies to: WSP Officers
See Also: --

13.00.070 TRIAL BOARD HEARING (CALEA 26.1.6)

I. POLICY

A. Trial Board Members

1. The hearing shall be held before an administrative law judge, appointed under RCW 43.43.090.

2. The board shall consist of two captains and a peer of the accused.

B. Trial Board Location

1. The Trial Board shall convene in the district where the accused was employed during the time the incident alleged in the charges arose.

2. Venue can be changed upon a motion, supported for good cause, submitted to the administrative law judge.

C. Trial Board Conduct

1. The conduct of the Trial Board shall be governed by department policy and other state regulations and laws.

D. Appeals

1. All appeals of the final order of the Chief in matters heard by the Trial Board shall be in accordance with RCW 43.43.100 or RCW 34.05.

Applies to: WSP Officers
See Also: RCW 34.05, 43.43.090

13.00.080 TRIAL BOARD PROCEDURES (CALEA 26.1.6)

I. POLICY

A. Open Hearing

1. RCW 43.43.070 affords the accused the right to a public hearing.

2. The administrative law judge may rule upon motion from either the accused or the department to exclude any and all witnesses from the hearing prior to testifying, in accordance with WAC 10-08-190.

B. Convening the Board

1. The administrative law judge shall determine if the hearing is ready to proceed and ascertain if the witnesses are present.

C. Record of Proceedings

1. The proceedings shall be recorded by a certified court reporter.

D. Opening Statements

1. The department may present an opening statement. The accused or retained counsel may present an opening statement.

E. Order of Presentation of Evidence

1. As the party with the burden of proof, department witnesses shall be heard first.

2. The accused employee's witnesses are presented after the department rests its case.

3. The department may call rebuttal witnesses at the conclusion of the accused employee's case. The same procedures for witnesses shall be followed in examining the rebuttal witnesses as set forth in **Order of Examination** below.

4. The accused may also call rebuttal witnesses, with the same procedures for witnesses following in examining them as set forth in **Order of Examination** below.

F. Order of Examination

1. Direct examination by the party calling the witness.

2. Cross-examination by the adverse party.

3. The party calling the witness may conduct redirect examination, and if done, the adverse party may conduct recross-examination of the witness.

4. Each board member may ask additional questions of the witness after direct, cross, redirect, and recross-examination.

5. The parties may not ask additional questions of the witness after the question(s) from the board members.

6. Witnesses may then be excused by the administrative law judge if no longer required by the board or not reserved by a party.

G. Motions by the Defense

1. When the department has presented all the evidence and had all witnesses testify on behalf of the department, the accused may at this time make any motions relevant to any or all charges.

2. The members of the Trial Board may grant, deny, or dismiss any motion under consideration. They will evaluate all the facts and laws applicable to the motion and will reach a majority decision as to whether or not the motion shall be granted or denied.

3. When the voting members of the Trial Board take a motion to dismiss under consideration, they shall deliberate alone, without parties to the hearing present nor any members of the public or the administrative law judge.

4. Questions regarding the legal aspects involved in the motion shall be directed to the administrative law judge.

H. Two-Phase Trial Board

1. The Trial Board serves to determine the facts and to recommend penalties to the Chief. The process has two purposes:

   a. **Fact-Finding**

      (1) Fact-finding is the first part of the Trial Board where the investigation facts are presented, both by the department and the accused, through various witnesses with

knowledge of the allegations set forth in the charges served on the accused.

b. **Penalty**

(1) The penalty is the second part of the Trial Board where the parties present evidence which shows the disciplinary history of prior actions, both of the accused and/or other employees whose conduct was sustained for the same or similar actions.

(2) The accused may also present evidence in mitigation of the recommended penalty.

2. The two purposes are to occur consecutively, without initial deliberation on the fact-finding part of the process.

I. Closing Arguments

1. Upon completion of all testimony, the department may present a closing argument. If waived, the department retains the right to make rebuttal argument if the accused makes a closing argument.

2. The accused or retained counsel may present a closing argument.

3. The department, since it has the burden of proof, may make rebuttal closing argument. The accused is not allowed to make any additional closing remarks.

Applies to: WSP Officers
See Also: RCW 43.43.070; WAC 10-08-190

13.00.090 DELIBERATIONS OF BOARD (CALEA 26.1.6)

I. POLICY

A. Participants in Deliberations

1. The administrative law judge shall not participate in deliberations nor vote on findings of the Trial Board.

2. The senior ranking member of the board shall act as chairperson during deliberations.

B. Rules During Deliberations

1. The acting chairperson shall ensure that the room is clear of all persons except board members during the deliberation on the findings.

2. The deliberation shall not be recorded.

3. Deliberations shall be conducted as soon as possible after closing arguments.

4. A majority vote of the board members must agree to a finding of whether the charges are sustained or unfounded, based upon the

evidence provided. The vote need not be unanimous; however, the dissenting member shall attach a minority report.

C. Finding of the Fact

1. Written findings of fact and recommended penalty shall be prepared and submitted to the Chief for final action.

Applies to: WSP Officers
See Also: RCW 42.52

13.00.110 RESIGNATION OR RETIREMENT OF ACCUSED BEFORE COMPLETION OF HEARING

I. POLICY

A. Resignation or Retirement of Accused Prior to Completion of Hearing

1. In the event an officer submits a resignation or retires after convening the board, but prior to the completion of the board hearing on the charges, the Chief shall notify the board members in writing of the termination of the officer's employment and instruct the board to close the file and adjourn.

2. The case will neither be dismissed nor a finding made, but the board will adjourn and the file will merely be closed.

Applies to: WSP Officers
See Also: --

13.00.120 GENERAL REGULATIONS – BOARD HEARING

I. POLICY

A. Joint Board Hearing

1. Accused officers may have a joint board hearing if the Chief determines it is in the interest of justice.

B. Single Board Hearing

1. Single board may be drawn to hear the charges against more than one officer arising out of the same circumstances.

2. The board shall be selected, except that each accused officer shall be entitled to the same number of challenges as if they were tried alone.

C. Failing to Appear

1. In the event the accused officer fails to appear before a board properly empanelled, the Chief shall enter an order of default against the accused and shall impose the discipline which constitutes the final action of the department.

Applies to: WSP Officers
See Also: --

13.00.130 CONTINUANCES

I. POLICY

A. Granting Continuances

1. An administrative law judge, once assigned the case, shall determine if continuances may be granted.

2. Continuances may be requested by board members, the department, or the accused.

3. Continuances may be granted for good cause.

B. Consecutive Daily Sessions

1. When it is estimated that a hearing will require three or more days to complete, consideration may be given to limiting consecutive daily sessions to a maximum of three days.

C. Delays in Hearing

1. If a board member becomes unable to continue, thus causing an extended or unreasonable delay of the hearing, another entire Trial Board shall be selected and the entire matter shall be heard from the beginning.

Applies to: WSP Officers
See Also: --

13.00.140 AMENDING COMPLAINTS

I. POLICY

A. Amending Original Charges

1. If, during the course of a hearing, evidence is disclosed in proof of any offense relative to the original charges but not included therein, or if it is determined that a material fact has been improperly stated

on the original charge, the department shall request the board to amend such charges so as to include specifications embodying such offense, which shall then become a part of the original charges.

2. The accused shall be allowed reasonable opportunity, if needed, to prepare a defense for such amended charges, and the hearing shall be continued for that purpose.

3. If, during the course of a hearing, evidence is disclosed against the accused in proof of any offense not associated to the original charges in type or time and place, the board shall not grant amendment of the charges. A separate investigation shall be conducted, and if warranted, new charges shall be prepared by the assistant attorney general on the new offense(s).

Applies to: WSP Officers
See Also: --

13.00.150 EVIDENCE

I. POLICY

A. Admitting Relevant Evidence

1. The hearing need not be conducted according to technical rules relating to evidence. Relevant evidence shall be admitted if it is information on which responsible persons are accustomed to relying on in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which may limit the admission of such evidence over objection in civil or criminal actions. Evidence is relevant when it has a tendency in reason to prove or disprove any disputed fact that is of consequence to the determination of the action. Hearsay evidence shall be admissible, but shall be given the weight deemed appropriate by the Trial Board.

2. Witnesses shall be allowed to refresh their memories respecting a fact, by anything they have written or which was written at their direction when the fact was fresh in their memory and was known to them to be correctly stated in writing.

3. Admissions against interest made by the accused to another person who testifies at a board hearing are admissible. A board may accept any evidence which tends to prove a pattern of conduct or is connected with the charges. Evidence of the character or work performance of the accused shall not be heard by the board, unless it is an issue or relevant to an issue.

4. A Trial Board may take official notice of any generally accepted technical or scientific matter within its special field, and of any fact which may be judicially noticed by the courts of this state. The parties shall be informed of matters so noticed, given a reasonable opportunity to refute the officially-noticed matters, and such matters shall be noted in the record.

5. A finding that the violation was committed by the accused shall be supported by a preponderance of the evidence before the board. A preponderance of the evidence means that, more likely than not, an issue in contest occurred. The department, as the party with the burden of proof, shall demonstrate that the evidence presented shows that, by a preponderance, the accused did the acts or omissions alleged in the charges. Physical evidence shall remain in the custody of the board, or as directed by it, during the hearing.

6. Upon final completion of the hearing and disposition of court appeals, physical evidence received shall be released by the department to the owner. An appropriate and sufficient description of such evidence shall be read by the administrative law judge into the record during the hearing.

B. Witness Testimony

1. Witnesses who are to testify as expert witnesses shall first qualify as experts in the considered opinion of a majority of the board, unless a stipulation has been entered.

Applies to: WSP Officers
See Also: --

13.00.160 DISCOVERY

I. POLICY

A. Discovery Procedures

1. Discovery procedures shall be in accord with WAC 446-08-230 et seq.

2. The accused shall be provided a copy of the investigation including addenda, which resulted in the charges against the accused. The Commander of HRD shall make this material available at the time the members of the Trial Board are selected.

Applies to: WSP Officers
See Also: --

13.00.170 EFFECT OF CRIMINAL PROCEEDINGS

I. POLICY

A. Criminal Proceedings

1. The purpose of criminal proceedings is the adjudication of crime, and the purpose of a board hearing is the adjudication of rule and regulation violations, maintenance of the morale and efficiency of the department, and its good repute in the community. Therefore, the fact that a jury has acquitted an officer of a criminal charge does not relieve the accused from any departmental charge arising out of the same matter.

2. Criminal proceedings and a board hearing out of the same charge are entirely independent of each other. A board hearing need not be restricted to the evidence given in the criminal proceedings. The criminal court trial transcript may be used by the board.

Applies to: WSP Officers
See Also: --

Chapter 14

SUPERVISION AND COMMAND

► SECTION 00: COMMUNICATION/SUPERVISION ◄

14.00.010 COMMAND PROTOCOL (CALEA 11.2.2, 12.1.2)

I. POLICY

A. Chain of Command in Emergency Circumstances

1. The chain of command describes the department's authority structure under routine circumstances. In the following emergency situations, this structure may be temporarily abandoned:

   a. An unusual occurrence.

   b. The use of special tactical units (e.g., Statewide Incident Response Team, Crisis Negotiation Team).

   c. The on-scene investigation of a vehicle collision involving possible felony charges.

2. In some situations, the ranking officer may temporarily grant command authority to employees with special skills or knowledge to resolve the situation; but may, at any time, rescind such authority and restore normal command protocol.

3. If authority over an incident is in dispute among officers of equal rank, authority shall be vested in the officer with the longest time in grade.

Applies to: WSP Officers
See Also: --

14.00.020 SUPERVISION AND COMMAND (CALEA 11.3.1, 11.3.2, 26.1.5)

I. POLICY

A. Necessity of Supervision

1. The level of efficiency at which employees perform will be largely determined by the caliber of their supervisors. Supervision gives coherence to the police task and directs the energies of a law enforcement agency into an organized effort.

2. Proper supervision is essential to maintain a professional level of competence in law enforcement operations.

B. Three Tasks of Supervision

1. Supervision in its broadest sense consists of three main tasks: to organize, to delegate, and to oversee.

a. To organize means planning the work of the department and of the employees in an orderly manner.

b. To delegate means giving someone else the responsibility and authority to do something which the supervisor does not have the time or ability to do efficiently.

c. Responsibility should always be accompanied with commensurate authority. Supervisors may confer upon subordinates the same authority and responsibility they possess; however, it is the final responsibility of the supervisor to ensure that the work is done.

C. Accountability for Delegated Authority

1. Persons who assume a delegated responsibility should realize they will be held responsible for the results. Employees shall be fully accountable for the use of delegated authority, as well as for the failure to use it.

Applies to: All WSP Employees
See Also: *Supervisor/Employee Reference Manual*

14.00.030 COMMAND RESPONSIBILITIES (CALEA 11.2.1, 11.3.1, 11.3.2, 26.1.5)

I. POLICY

A. Responsibility and Accountability of Commanders

1. A commanding officer/director/manager has responsibility and accountability for every aspect of the command function. Commensurately, within policy guidelines and legal constraints, the commanding officer has the authority to coordinate and direct assigned employees and other allocated resources in achieving organizational objectives. They must perform the full range of administrative functions, relying upon policy, direction, training, and personal initiative to guide other supervisory employees in achieving the highest level of performance possible.

2. All supervisors and commanders are fully responsible and accountable for the acts and omissions of their subordinates. Any failure on the part of a subordinate may be assumed to be failure in supervision and/or command. Upon assuming a new assignment and continually thereafter, a commanding officer should critically evaluate and review existing policies, procedures, and programs to determine if the need for which they were enacted remains unchanged. Existing budget requests should be reviewed to ensure that any changes made or contemplated have not rendered the requests obsolete.

B. Change of Command

1. Upon a change of command, the commanding officer/director/manager being replaced has a duty to lend full assistance in making the command transition as smoothly and orderly as possible. Orientation of a new commanding officer/director/manager should include information concerning unique problems of the command and assistance in continuing community and professional contacts relative to the command.

2. The nature of command is such that there must be a coexisting loyalty to the management of the department and to subordinates. The resolution of those loyalties, in a manner which benefits both the department and the individual, and which avoids conflicts between the two interests, requires the exercise of leadership. An interest in employees and their welfare is a responsibility of command, which may extend beyond morale problems and their effect upon an individual's performance. It includes a concern for the personal problems, desires, and interests of employees and positive assistance in resolving those problems or in achieving their goals. However, commanding officers/directors/managers should be cautious to avoid interfering where assistance is not required or desired.

C. Maintaining Professional and Community Contacts

1. Commanding officers/directors/managers have a responsibility to maintain professional and community contacts as they relate to their command. These contacts enable the department to exchange information which improves its efficiency, as well as allowing for communication of its needs and concerns. The following provides a minimum guideline of contacts to ensure this exchange:

    a. Prosecuting attorneys

    b. Other law enforcement agencies

    c. Courts—adult and juvenile

    d. Other state and local agencies (e.g., Department of Transportation, Department of Ecology, Department of Heath, medical examiner's office, etc.)

    e. Correctional agencies

    f. Probation and parole agencies

    g. Fire department officials

    h. Community leaders, civic groups

i. Civil defense authorities.

j. Emergency medical services

2. At least annually, commanders (or designees) should meet with contacts for coordinating purposes.

D. Command at Police Situations

1. Command of department resources at a police situation rests with the district commander or the assigned senior officer. Such person has the authority to direct the operation and is responsible for its outcome.

2. Senior command officers may make suggestions; however, they shall not actively direct the operation unless they have properly relieved the subordinate of command.

3. Senior command officers at an emergency scene who do not choose to take command may be held accountable for unfavorable developments which could have been prevented by their assuming control.

Applies to: All Commanders
See Also: *Supervisors/Employee Reference Manual*

14.00.040 SUPERVISOR RESPONSIBILITIES (CALEA 11.2.1, 11.3.2)

I. POLICY

A. Supervisor Responsibilities

1. A supervisor is the first level of full-time supervision with primary responsibility to guide, direct, and motivate subordinates. The ongoing training of employees is the responsibility of their supervisors. Supervisors are expected to be familiar with the mechanics of the learning process and to routinely apply them in their supervisory tasks.

2. Supervisory and commanding officers of all ranks have the responsibility not only to train subordinates to perform assigned duties, but to familiarize these subordinates with their supervisory jobs as well in order that employees are prepared to assume additional responsibilities should the need arise.

3. Traffic sergeants generally shall not supervise more than ten traffic officers.

Applies to: All WSP Employees
See Also: --

14.00.050 FIELD SUPERVISION (CALEA 11.2.1, 11.3.2, 12.1.2, 42.1.2, 61.2.3)

I. POLICY

A. Supervisor Response to Serious Incidents

1. Whenever it becomes apparent to an officer that a serious non-traffic gross misdemeanor or felony arrest is about to be or has been made, a supervisor shall be contacted. The supervisor shall determine if the arrest is appropriate and if additional investigative services are needed.

2. A supervisor shall respond to all situations involving use of force, an assault on an employee, a fatality or felony collision, or resistance to arrest.

II. PROCEDURES

A. Procedural Steps

1. The necessity for command and control exists at all levels. For this reason, the following procedural minimums are set forth:

   a. In all field situations where more than two officers are present, the senior officer at the scene shall be in charge. This officer shall remain in charge until officially relieved.

   b. The presence of a ranking officer or supervisor at a scene shall not indicate assumption of command unless that officer specifically assumes command. Otherwise, their presence shall remain in an advisory or evaluation capacity.

   c. If the situation warrants, a sergeant should be called to the scene to assume command.

   d. In normal field situations, command need not go higher than a sergeant. The sergeant may, at any time, request the assistance of a ranking officer.

Applies to: WSP Officers
See Also: --

14.00.060 AUDITS, INSPECTIONS, AND RISK ASSESSMENT (CALEA 17.5.3, 26.1.5, 53.1.1, 53.2.1)

I. POLICY

A. Purpose

1. Internal audits and inspections assess compliance with state and department policies, procedures, and rules, and test the adequacy of internal controls. They provide a confirmation that department resources are adequate, properly cared for, and utilized.

B. Management's Role

1. It is management's responsibility to ensure proper performance of assigned employees and the most efficient use of assigned equipment, material, and facilities. Management's responsibility includes proactively developing appropriate internal controls and taking immediate action to correct identified weaknesses. It also includes identifying potential risks, developing and implementing risk management, and mitigating strategies and procedures.

C. The Risk Management Division

1. The Risk Management Division (RMD) shall conduct department-wide audits/inspections in accordance with the Standards for the Professional Practice of Internal Auditing, as set-forth by The Institute of Internal Auditing (IIA), and in conformance with Generally Accepted Government Auditing Standards as published by the Comptroller General of the United States.

2. RMD shall validate the use of proper business procedures and practices as defined by state laws, best business practices, department regulations, and accreditation standards. If any current procedure and/or practice is found not to be at a desired level of conformance, RMD shall offer consultative services to strengthen the procedure and/or practice, utilizing the collective resources of the department.

3. RMD shall have the responsibility and authority to conduct audits/inspections of all divisions/districts, sections, detachments, units, offices, and other places and activities of the department. It shall offer an independent opinion on whether:

   a. Activities and programs being implemented have been authorized by the Chief, state law or applicable federal law or regulations.

   b. Activities and programs are being conducted and funds expended in compliance with applicable laws and regulations.

   c. Revenues are being properly collected, deposited, and accounted for.

   d. Resources, including funds, property, and personnel are adequately safeguarded, controlled, and used in a lawful, effective, and efficient manner.

   e. Adequate operating and administrative procedures and practices, systems of accounting, and internal controls have been established to accomplish objectives defined by the department's Strategic Plan.

   f. Activities and programs are being carried out in a manner conducive to accomplishing the objectives of the department.

g. Implementing divisions have determined that respective activities or programs effectively serve the purposes intended by the Chief, state law or applicable federal regulation.

4. It shall be the responsibility of RMD to ensure standards requiring independence and objectivity throughout the audit/inspection process be achieved and maintained.

D. Annual Self-Assessment and Risk Analysis

1. Each division/district commander shall ensure that his/her respective division/district annually conducts a self-assessment and risk analysis to, in part, determine compliance with state and federal laws, department policies and procedures, and issued directives.

2. The ***assessment*** shall be conducted annually (by October 31 for the Field Operations Bureau and June 1 for divisions) and shall follow guidelines established by the department.

3. Each division/district commander shall submit a written report of the results of their ***analysis*** through their chain of command to the RMD Commander, with a copy to the Deputy Chief, by June 1.

4. RMD shall prepare a department risk analysis summary report for the Chief based upon these statements.

Applies to: All WSP Employees
See Also: RCW 43.88.160; *State Administrative Accounting Manual*, Chapter 20; *Risk Management Division Standard Operating Procedures Manual*

14.00.070 ACTIVITY FILES – OFFICERS (CALEA 53.2.1)

I. POLICY

A. Requirement to Keep Files Current

1. Activity files serve to reliably document officer activity as each shift occurs. All officers (commissioned/Commercial Vehicle Enforcement Officers/Commercial Vehicle Officers) shall keep and maintain an up-to-date activity file. These files may be audited or reviewed at any time by the supervising personnel outlined in the **EIGHTY-WORK-HOUR AUDIT – OFFICER'S** policy.

B. Required Documentation in File

1. At a minimum, the activity file shall contain hard (paper) copies of the following:

a. NOIs/NOCCs. (Not required for officers using Statewide Electronic Collision and Ticket Online Records [SECTOR]. Supervisors may access these documents through the SECTOR back office database.)

b. Uniform Driver/Vehicle Inspection Reports with violator's signature. (Not required for officers using ASPEN.)

c. Collision Investigation reports. (Not required for officers using SECTOR. Supervisors may access these documents through the SECTOR back office database.)

d. Impound forms.

e. Case Reports.

f. Compliance copy of Correction Notice.

g. Copy of subpoena for court overtime.

2. Officers shall not retain Field Information Reports in their activity file, but shall submit them in a timely fashion as required in the policy on **FIELD INFORMATION REPORTS**.

3. Each day's copies of the forms listed above should be attached to a copy of the officer's time card if overtime was accrued for that day. At the end of each month, that month's activity shall be placed in an envelope and submitted to the officer's supervisor for review. After review, the supervisor shall initial the packet and return it to the officer.

C. Retention of Activity Files

1. Officers must retain the signed packets of activity files in a drop file or storage locker at their primary office for one year, after which they will be submitted to the district Public Disclosure Officer for retention.

2. Upon transfer or promotion, officers shall submit their activity file packets to the Public Disclosure Officer for their current duty station prior to leaving. The records will be retained in the district or division where they were created. Copies may be kept by the officer for upcoming court proceedings.

Applies to: WSP Officers
See Also: WSP Policies **Field Information Reports; Eighty-Work-Hour Audit – Officer's**

14.00.080 EIGHTY-WORK-HOUR AUDIT – OFFICER'S

I. POLICY

A. Conducting the Audit

1. All Field Operations Bureau/Commercial Vehicle Division (CVD) sergeants and all Commercial Vehicle Enforcement

Officers/Commercial Vehicle Officer supervisors shall conduct semi-annual audits of officer activity files. An eighty-work-hour audit shall be conducted during each six-month cycle as follows: one by April 30 and the second by October 31. During each audit period, sergeants/supervisors shall audit the activity files of one-half of the officers in the work unit. In the event of an odd number of officers in the detachment, the sergeants/supervisors shall round upward to ensure more than half are audited each audit period. The sergeants/supervisors shall select officers for audit based upon recent performance issues and shall pay additional audit attention to those areas. One perceived high performer shall be audited each audit period as well. When exceptional performance is confirmed, that performance shall be documented, the officer congratulated in a manner deemed appropriate by the sergeant/supervisor, and the officer's performance and subsequent recognition included in the audit report. All officers shall be subject to at least one audit annually.

This audit will include an eighty-work-hour audit of an officer's time and activity using TAR reports, CAD entries, issued NOIs/NOCCs, collision reports, Uniform Driver/Vehicle Inspection Reports, written case reports, verification of compliance with the **PRISONERS** policy (**Transportation of Prisoners**), and any other necessary reports for the position audited. The sergeant/supervisor conducting the audit shall verify any overtime occurring in the selected time period. The audit shall not replace regular and timely supervisory reviews of officers' daily paperwork.

2. The sergeant/supervisor conducting the audit shall ensure that all reports in an officer's activity file are complete and thorough. The sergeant/supervisor shall also verify that all reports in an officer's activity file are forwarded to the appropriate entity in a timely manner. The audit shall consist of a time period when the officer was working and not on any form of leave.

B. Reporting Audit Results

1. Sergeants/supervisors shall report the results of the file audit to the appropriate lieutenant by the first day of the following month. The lieutenant shall review the audit reports for adequacy and thoroughness, as well as the decisions made by the sergeants/supervisors relative to who was selected for the audit and why. District/CVD commanders shall ensure the results are checked for accuracy and returned to the sergeant/supervisor for inclusion in the officer's performance record.

2. When a sergeant/supervisor finds discrepancies (including clerical errors), a follow-up to verify compliance and/or error correction shall be completed within 10 days; or, if necessary, a follow-up five-day audit shall be conducted within 10 days. The results of both the audit(s) and/or compliance shall then be forwarded to the appropriate commander. Upon finding any discrepancies, the district/CVD commander or designee shall return them to the

sergeant/supervisor for correction or a follow-up compliance verification or audit of the officer's performance record. Gross errors (i.e., inaccurate reporting of overtime or enforcement activity) shall be immediately reported to the auditor's supervisor. Repeated or serious discrepancies may result in disciplinary action.

Applies to: WSP Officers
See Also: --

14.00.090 DEPARTMENT RELAYS

I. POLICY

A. Conducting Department Relays

1. Department relays of persons and/or commodities shall be authorized by the district commander or designee.

2. If a relay involves other districts, the initiating district shall coordinate with all districts involved. Commercial transportation shall be used whenever possible.

B. Emergency Medical Relays

1. The department shall assist the medical community in the expeditious movement of blood, medication, organs, surgical instruments, or other lifesaving supplies in situations when alternate transportation is unavailable or inappropriate.

2. The district commander, assistant district commander, or designee shall screen requests to determine the validity and urgency of the relay before authorization is granted.

3. The following information shall be obtained from the requestor:

   a. Name and telephone number of the requestor.

   b. Name of the physician under whose authority the request is being made.

   c. Type of commodity to be relayed.

   d. Time frame for usage.

4. Transporting officers shall be advised of the degree of urgency. If a request is determined not to be an emergency, the requesting person is to be advised and assisted, if necessary, in arranging alternative transportation.

5. The person approving the request shall notify all districts involved. If the district commander, assistant district commander, or designee cannot be contacted, the request may be screened by the sergeant in the originating area.

Applies to: WSP Officers
See Also: --

14.00.100 REQUESTS FOR DEPARTMENT EMPLOYEES

I. POLICY

A. Requests for Services

1. Requests for services of department employees shall be referred to the appropriate assistant chief or bureau director.

2. This does not preclude routine requests for speaking engagements, assistance to other departments or groups, and/or other matters that fall within the normal responsibilities of the department.

3. This policy primarily concerns matters of training provided to other departments, requests for expert testimony to be given at court appearances with which the department is not directly concerned, and other non-routine requests.

Applies to: All WSP Employees
See Also: --

14.00.110 AVAILABILITY, ALERT PROCEDURES (CALEA 41.1.1)

I. POLICY

A. Availability

1. The need for occasional response from residence to handle emergency situations necessitates knowing the availability of employees. The following employees shall keep Communications or their supervisors advised of their availability status at all times or be able to be contacted on a telephone paging system:

   a. Special Weapons and Tactics Team (SWAT) members.

   b. Employees designated as being "on call" for their area of responsibility.

2. Division/district commanders may require additional availability for individuals or areas if a particular need exists.

B. White Alert – Availability Check

1. When notified, commanders shall determine the availability of all employees within their own chains of command, using the standard reporting formats in the *Incident Management Handbook*, and shall advise Tacoma Communications by the specified date and time. [NOTE: This may be a Full (all employees) or Partial (selected employees, districts, and/or divisions) Availability Check.]

2. The report shall include assigned personnel, on-duty available, off-duty available, unavailable, and total available.

C. Green Alert – Possible Call-Up

1. Employees shall advise the department of their location at all times.

2. Employees on green alert shall not be out of possible contact for more than a four-hour period.

D. Yellow Alert

1. Employees shall be immediately available at all times for direct communication with the department and prepared for immediate call-up.

2. Uniforms and personal articles, including a sleeping bag, pillow, toiletries, towels, and off-duty clothing, sufficient for a one-week stay shall be placed in the patrol vehicles at this time. Food and water sufficient to maintain personal subsistence for 24 hours shall also be placed in the vehicles. Officers on duty shall then resume their normal tour of duty.

E. Red Alert – Immediate Call Up

1. All involved employees shall be contacted and given their assignments. Patrol vehicles shall be driven to the assigned destination at the legal speed and without the use of emergency equipment, unless otherwise directed. Employees not immediately required for the mission shall be returned to either yellow or green alert status.

Applies to: All WSP Employees
See Also: *Incident Management Handbook:* Emergency Notification Procedures, Alert Forms, Alert Final Report

14.00.120 UNIT ACTIVITY AND STATUS

I. POLICY

A. Use of the Computer Aided Dispatch (CAD) System to Track and Report Status

1. Communications officers shall use the CAD system to track the current status of field personnel.

2. CAD time card reports and unit activity reports shall be used by supervisors to monitor performance of duty. This shall include, but not be limited to, time in and out of the car, services provided, beat coverage, and breaks.

3. CAD reports are maintained on the server at the Information Technology Division (ITD) and kept as required by the Communications Division retention schedule.

Applies to: All Communications Employees
See Also: --

14.00.130 SHIFT SCHEDULING – TRAFFIC OFFICERS (CALEA 41.1.1)

I. POLICY

A. Commanders' Scheduling Responsibilities

1. District commanders are responsible for scheduling officers for traffic duty. Commanders shall ensure that, within their geographic area of responsibility, traffic officers are assigned to patrol shifts that will provide effective coverage.

2. District commanders are encouraged to solicit input from traffic officers in developing schedules. Rotation and length of shifts may vary according to the district's or detachment's needs and the needs of the officers.

Applies to: WSP Officers
See Also: --

14.00.140 CRIMINAL JUSTICE AND SOCIAL SERVICES REFERRALS (CALEA 1.1.3, 55.1.3, 55.2.1)

I. POLICY

A. Criminal Justice and Social Services Referrals

1. Due to the various degrees and abilities of social and health services throughout the state, each district shall:

a. Provide officers with a reasonable means of ascertaining who can best be served by another agency and by which agency. The district procedure manual may be used to list local services and/or special qualifications to obtain services.

b. Provide Communications Centers with the names, addresses, and phone numbers of criminal justice agencies or social services agencies for people in need of help.

2. Each district shall work with local prosecutors, courts, other law enforcement agencies, etc., and local social services agencies to assist them in any diversion programs.

Applies to: WSP Officers
See Also: WSP Policy **District Procedure Manual**

Chapter 15

COMMUNICATION SYSTEMS

► SECTION 00: COMMUNICATIONS ◄

15.00.010 COMMUNICATION SERVICES (CALEA 41.2.1)

I. POLICY

A. Standardization of Communication Systems

1. Radio systems provide one of the most essential departmental services: communications. Without an effective communications system, the capability of this department to accomplish its mission is seriously restricted.

2. For this reason, communications systems and procedures must be streamlined, efficient, and standardized.

B. Communications Operations

1. The process of screening and prioritizing calls for assistance and service, dispatching units, and coordinating a situation through its conclusion should be a smooth-flowing operation.

2. The success and speed of the operation remain primary objectives. This involves delegation of responsibility, accountability, and coordination of departmental and outside resources.

C. Communications are For Official Business Only

1. All communications—including radio, telephone, mail, and electronic mail—are reserved for official business, or as allowed by a collective bargaining agreement, and are not for personal use.

Applies to: All WSP Employees
See Also: Applicable Collective Bargaining Agreements

15.00.020 COMMUNICATIONS DIVISION (CALEA 81.2.5)

I. POLICY

A. Communications Coordination

1. The Communications Division is responsible to expedite communications between mobile and base stations, and between mobile units, as well as the department and other governmental agencies, and the general public. The regional communication centers operate 24 hours a day to ensure timely response and availability for calls for service.

2. Authority and responsibility for the overall coordination of resources on an immediate basis rests with the communications officer.

B. Authority and Responsibility of Communications Officers

1. In all matters of deployment of field units, the communications officer speaks as the voice of, and with the authority of the Chief, as delegated through the division/district commander.

2. A supervisor or commander who overrides a communications officer's allocation of available resources assumes responsibility for proper response to all incidents within the affected area until control reverts to the communications officer.

3. Reciprocal cooperation shall be maintained between the communications officer and all units, regardless of rank.

Applies to: All Communications Division Employees
See Also: --

15.00.030 COMMUNICATIONS PROCEDURES (CALEA 41.2.1, 41.2.5, 61.1.7, 81.1.2, 81.2.3, 81.3.1, 82.2.2)

I. POLICY

A. Communications Information

1. The department's communications system has been licensed and developed for the broadcasting of emergency information to mobile units.

2. The department shall strictly adhere to all laws, rules, and regulations of the Federal Communications Commission (FCC).

3. Radio communications shall be conducted in a businesslike manner, using proper language and correct radio procedures.

4. Arguments shall not occur on the radio.

5. All employees authorized to use the department communications system shall be thoroughly knowledgeable and comply with the emergency radio procedures.

6. Communications rooms are restricted to authorized employees on official business. Conversations shall be kept at a low level and shall cease entirely when the station is on the air.

7. Supervisors shall ensure that all complaints and violations of radio procedure are processed properly.

II. PROCEDURES

A. Personnel Numbers

1. Personnel numbers assigned to mobile operators shall be utilized in all radio transmissions.

B. Officer Responsibilities

1. Officers shall respond to calls for service from Communications or requests for assistance from another officer with their personnel number, location, and direction of travel.

2. The first officer to arrive at a scene shall assess the situation and advise Communications if or how much additional assistance is needed. If the incident appears to be of a serious nature, officers shall maintain availability to respond, if needed.

3. Officers shall advise Communications when they initiate any contact, including violators, disabled vehicles, calls for service, vehicle inspections, etc. Officers shall advise Communications of their location, the type of contact, and the license number or other descriptors of the vehicle or persons being contacted.

4. During emphasis patrols, the emphasis supervisor, or designee, shall advise Communications of the location the emphasis patrol is occurring and the personnel numbers of the officers involved. Communications shall start an emphasis patrol Computer-Aided Dispatch (CAD) log. As officers stop violators, they shall advise Communications of the violator's license number only. When operational necessity dictates a reduction in radio traffic, calling all stops may be suspended in accordance with communication priority traffic only procedures.

5. Traffic officers shall maintain access to radio communications with either the portable radio or the radio in the patrol vehicle. Whenever an officer is to be out of radio contact for any reason, the Communication Center shall be notified in advance by the officer of the location or phone number.

C. Communications Responsibility

1. Communications shall broadcast information, and if no unit advises en route, then Communications will assign the closest unit(s).

2. Communications shall advise an on-duty supervisor of situations requiring additional resources that are not immediately available. If the duty supervisor is unavailable, the officer's immediate supervisor shall be contacted. The supervisor shall determine how many officers are needed based on the circumstances of each incident and shall advise Communications to assign officers as appropriate.

D. Emergency Response

1. Circumstances requiring emergency response include, but are not limited to, the following:

   a. Assault of an officer

   b. On-scene arrest for a felony or violent misdemeanor

   c. Resistance to arrest

d. Use of force

e. A crime in progress

f. A fleeing suspect

2. If an officer needs an emergency response and Communications determines there are no other officers in a position to help, Communications shall contact the local police agency or sheriff's office to request assistance.

3. Officers shall advise Communications when responding to information received or monitored from other sources.

E. Status Checks

1. Officers shall advise Communications of their status at least once every hour during their shift, or within five minutes of signing out with a violator. Failure to do so shall initiate a "status check" by Communications.

2. A status check shall be done by the Communications Center five minutes after an officer signs out with a traffic stop. A status shall be done every five minutes thereafter, until either the officer completes the stop or advises that status checks are no longer necessary.

3. Hourly status checks shall be answered with the location and direction of travel (if applicable). No response to a status check shall result in a search being initiated.

Applies to: All WSP Officers and Communications Officers
See Also: *Communications Manual*; Applicable Federal Communications Commission Regulations

► SECTION 01: TELEPHONES ◄

15.01.010 TELEPHONE COMMUNICATIONS

I. POLICY

A. Handling Telephone Calls

1. All employees shall answer calls promptly, courteously, and in a businesslike manner, identifying the department (or subdivision) and themselves.

2. Every reasonable attempt shall be made to supply callers with requested information, assistance, or proper referrals.

3. Return calls should be made within 24 hours, unless circumstances require a longer time.

4. Communications officers shall follow their section procedures for answering calls.

5. Employees shall remain attentive to those people they contact in performance of their duties. Cellular telephones should not be used and Bluetooth earpieces should not be worn while in contact with violators or the public, except in extenuating circumstances.

B. Use of SCAN System, Calling Cards, and Micro Lines

1. The State-Controlled Area Network (SCAN) is the state of Washington's system consisting of leased lines providing low-cost telephone services for business calls. Employees shall use the SCAN system whenever possible to place business-related long-distance calls from the office.

2. Departmental employees may be issued calling cards for making calls while away from the office.

3. Employees shall use department microwave phones (Micro) whenever possible for intra-departmental long-distance calls. Microwave phone lines should also be used to call local numbers in the Olympia/Lacey/Tumwater area from outside of the area, saving SCAN charges. Personal long-distance calls shall be charged to the employee's home telephone or personal credit card.

C. Use of Local Telephone Service

1. Occasional use of the department's telephone service is permissible when deemed not to cost the state time or money (e.g., local call on a break).

D. Personal Calls

1. Cellular telephones, telephone credit cards, and the SCAN system are for official state business only. It is not permissible to make personal telephone calls on these systems or to receive personal calls on department cellular telephones. The only exception is that brief calls to home regarding an emergency, a change in travel plans, or a change in duty hours are allowed. All other personal calls shall be made at the employee's expense on public or personal equipment.

2. Personal cellular service shall not be installed on department cellular telephones.

E. Control of SCAN Number

1. Employees shall maintain strict control of their seven-digit SCAN access and long-distance calling card number and will be held accountable for their use. Lost or stolen seven-digit SCAN access or calling card numbers shall be promptly reported to the immediate supervisor.

2. Supervisors shall review all telephone records, printouts, and bills on a monthly basis to ensure compliance with departmental communications and telephone usage guidelines. Telephone printouts shall be given to the employee to be reviewed, signed, dated, and returned to the supervisor. All telephone calls in excess of 10 minutes shall require a written explanation.

3. Occasionally, additional explanation of an individual call may be needed. If this happens, the supervisor shall highlight the telephone number in question and return the printout to the employee for a brief written explanation. The supervisor may file all printouts in a location separate from the employee's performance records.

F. Toll-Free Numbers and Foreign Exchange Lines

1. Toll-free 800 numbers and foreign exchange lines answered by Communications are for reporting emergencies or for out-of-area callers. Toll-free 800 numbers available for employee use begin with the number 1-800-777-xxxx. These numbers are for business use only. Calls on the toll-free 800 line ring into the Inter-Tel Telephone Direct Inward System Access (DISA) system.

Applies to: All WSP Employees
See Also: --

15.01.020 RECORDED TELEPHONE INSTRUMENTS

I. POLICY

A. Non-Emergency Telephone Calls

1. State law prohibits recording non-emergency telephone calls and restricts the use of telephones that record incoming and outgoing calls in emergency communications centers to official business calls. Business calls must be relevant to the functions and responsibilities of the center.

2. The functions and responsibilities of the Washington State Patrol Communications Centers meet the legal definition of an "emergency services communication system."

3. Personal and non-emergency telephone calls shall be made from telephone instruments that do not record telephone calls. Telephone instruments that record calls shall display a sticker advising the call will be recorded.

4. Business calls are frequently forwarded to Communications, where the caller has no expectation the call will be recorded. To ensure all callers realize their call will be recorded, the voicemail system shall provide an announcement to the caller prior to the transfer being made.

5. In addition, a tone feature shall be activated on all telephones in the centers that record telephone calls.

Applies to: All WSP Employees
See Also: RCW 9.73.030 through 9.73.090, RCW 82.14B.020

► SECTION 02: ELECTRONIC-MESSAGING ◄

15.02.010 ELECTRONIC-MESSAGING SYSTEMS (CALEA 12.1.4, 33.5.2)

I. DEFINITION

A. Electronic-messaging systems are an aid in person-to-person communication. This includes any electronic system that stores, displays, and transmits typed communication, voice messages, and other electronically stored data. Examples of these systems are electronic mail (e-mail), voice-messaging systems, pagers, and the mobile computer network.

II. POLICY

A. Facilitating Communication

1. Electronic-messaging systems are designed to facilitate better communications throughout the department. For example, e-mail and voice-messaging should be used in lieu of paper for non-urgent communications whenever practical to save time and resources.

B. Ownership of Electronic Messages

1. All electronic messages are the property of the department. Employees shall not have any expectation of privacy.

C. Communicating Vital Information

1. Electronic-messaging systems cannot guarantee that the information will be received immediately by the recipient of the information. The sender should use other means to communicate time-sensitive information.

D. Communicating to Higher Authority

1. Employees shall contact their immediate supervisor before communicating with higher authority.

2. Supervisors may give permission to employees to directly e-mail upper-level managers.

E. Corresponding Outside the Department

1. All correspondence by e-mail outside of the department shall follow the policies outlined in the *Regulation Manual* under **DEPARTMENT CORRESPONDENCE**. Requests for public disclosure shall be handled as outlined in the policy on **PUBLIC RECORDS**.

F. Uses for Electronic Messages

1. Electronic messages are for official department business and shall be professional in content.

2. Employees may use these systems to conduct other business that is within the scope of their employment (i.e., research, public

service work, or maintaining contact with organizations of which the employee is a member through a work association).

3. E-mail may be used as part of employee dissemination of information concerning social and public service events, such as:

   a. "Adopt-a-Family" fund raisers, Combined Fund Drives, and blood drives.

   b. Workgroup gatherings (group lunches, birthdays, receptions).

   c. Department-wide notifications which are used for communicating good will among employees (holiday greetings, congratulatory messages).

G. Personal Use of E-mail

1. This policy shall not prevent employees from occasional personal use of e-mail if the use does not interfere with the performance of the employee's official duties, and there is no actual cost to the state, or the cost to the state is insignificant.

H. Prohibited Use of Electronic-Messaging Systems

1. Electronic mail shall not be used for transmission of information that suggests any of the following:

   a. Discrimination on the basis of age, gender, marital status, race, creed, color, sensory, mental, or physical disability, national origin, or sexual preference.

   b. Sexual harassment or sexual misconduct.

   c. Copyright infringement.

   d. Transmitting obscene materials.

   e. Personal political beliefs or political campaign activities.

   f. Personal business interests.

   g. Dissemination of chain letters.

   h. Any unlawful activity.

2. Employees shall not send messages under another person's name without that employee's authorization.

I. Access to Message Systems

1. Employees shall take precautions to prevent unauthorized use of their electronic messaging capabilities:

   a. Do not leave messages fully displayed if the computer is unattended.

b. Log out of the system before leaving the office or activate a screen saver with password protection when the computer is not in use.

c. Passwords shall not be disclosed to others.

2. Department management may access messages and data in an employee's department-issued account when necessary to carry out normal business functions. E-mail is an example of a department-issued account. For retention on e-mail records, refer to the policy on **ELECTRONIC MAIL RETENTION**.

J. Review Requirement

1. This policy shall be reviewed annually by all employees.

Applies to: All WSP Employees
See Also: RCW 42.52; WSP Policies **Records Retention, Electronic Mail Retention, Public Records, Department Correspondence**

15.02.020 EMPLOYEE ACCESS TO ELECTRONIC INFORMATION (CALEA 41.3.7, 82.1.6)

I. POLICY

A. Logon IDs and Passwords

1. Information technology systems and applications used by department employees may require logon identification (logon ID) and passwords to protect information important to the department. Logon IDs grant individuals access to information or restrict individual access based on need.

2. Employees are responsible for the use of their logon ID and password and shall take precautions to prevent unauthorized use. Employees shall not leave their computer logged on if their computer is to be left unattended for a significant amount of time.

B. Password Requirements

1. All passwords shall be a minimum of eight characters in length and should not be obvious or common words and names. It is required that passwords be a combination of letters (upper and lower case), numbers, and symbols.

2. Passwords shall not be disclosed to other individuals, except for situations with urgent business needs. Once the situation has passed, employees who have shared their password with others shall change their password immediately.

3. If an employee believes that an unauthorized person knows his/her password, the employee shall change the password immediately and notify his/her supervisor.

4. Passwords should be changed every 30 to 60 days. Regularly changing passwords reduces the possibility of unauthorized use.

5. Computers will not be set up to automatically enter passwords.

C. Logon ID Requirements

1. Employees shall not access the network or any application under another employee's name unless authorized by either the employee whose access is being used, or by their supervisor. Such need may include computer maintenance or repair.

2. Each employee will have his/her own logon ID to the network and applications appropriate to his/her job function and approved by the division/district commander.

3. Logon IDs for new employees are issued by Information Technology Division (ITD) Customer Services upon request of the new employee's division/ district commander or designee. Requests can be made by an IOC or e-mail specifying the following:

   a. New employee's name

   b. Location of duty station

   c. Applications needing a logon ID

   d. Start date of service

   e. Supervisor's name and telephone number

4. ITD may request additional identification information for some applications.

D. Employee Separating From the Agency

1. When an employee separates from the department, the division/district commander will notify ITD Customer Services immediately and provide the date of departure.

2. Upon notification, ITD will disable the employee's logon ID after the departure date. ITD shall perform this function prior to any employee returning to work in another capacity who needs a new logon ID.

E. Issuing Logon IDs and Passwords for Non-Agency Personnel

1. Logon IDs and passwords can be issued to contractual non-agency personnel. The requesting division/district commander or designee will send an IOC/e-mail to ITD specifying the following:

   a. Person's name

   b. Company

   c. Applications needing access

   d. Start date of service

e. Planned end date of service

f. Department contact/supervisor name and telephone number

2. ITD Customer Services will create the logon ID by the start date and will disable the logon ID after the end date, unless notified otherwise by the division/district commander.

F. Testing Computer Systems

1. ITD personnel or contractual non-agency personnel working on and testing computer systems may use generic logon IDs and passwords.

2. Generic logon IDs and passwords are not to be used on a regular basis to access networks and applications, except as reviewed and approved by the ITD Commander or designee.

Applies to: All WSP Employees
See Also: RCW 43.105.041

15.02.030 ELECTRONIC RECORDS STORAGE

I. DEFINITIONS

A. **Electronic Media** – Any records or files stored on computers and/or other electronic devices.

B. **Records** – Electronic records are subject to the Public Records Act, 42.56 RCW. These records may include writings, drawings, graphs, charts, photographs, video, audio recordings, metadata, etc., as defined in RCW 40.14.010, RCW 42.56.010(2), RCW 42.56.070, WAC 434-662, case law and any other RCW or WAC that defines "public records."

II. POLICY

A. Summary of Responsibilities

1. It shall be the responsibility of each division/district commander or their appointed designee to monitor electronic records storage. The Information Technology Division shall provide reports and recommendations to the respective commanders periodically and upon request.

2. Each division/district shall have a current electronic media storage procedure in their division/district Standard Operating Procedures Manual.

3. Each division/district shall be responsible for identifying and monitoring which employees have department-issued equipment with camera functionality.

a. This includes, but is not limited to, cell phones, BlackBerrys, Smartphones, and Personal Digital Assistants (PDA).

Applies to: All WSP Employees
See Also: RCW 40.14.010, 42.56.010(2), 42.56.070; WAC 434-662

► SECTION 03: INTERNET ◄

15.03.010 INTERNET ACCESS (CALEA 12.1.4)

I. POLICY

A. Use of the Internet

1. The department encourages employees to use the Internet to obtain information for performing their duties. This use is consistent with the department's Strategic Plan and open communication policy.

2. Employee access to the Internet is a privilege that must be balanced with department goals and priorities. Internet access is granted to all employees but may be revoked if abused or misused. Employees should not have any expectation of privacy when using the Internet. The department retains the absolute right to review all Web sites that are accessed and any files transferred from the Internet.

3. The Internet shall only be used for department business or correspondence in direct performance of duties or tasks. Access to Web sites, news groups, electronic bulletin boards, blogs, or chat groups is restricted to official business purposes.

B. Access Restrictions

1. The Internet shall not be used to access and view or download material that is illegal or that contravenes department regulations and state or federal law.

2. The department will use technology to track each employee's use and restrict access to certain Internet resources.

C. Function Restrictions

1. Functions and systems may be restricted from use to prevent threats to department and state computer systems.

D. Review Requirement

1. This policy and related procedures shall be reviewed annually by all employees.

II. PROCEDURES

A. Restrictions for Internet Access

1. The use of department time and equipment to access the Internet must serve a public purpose. Internet access is a state resource. The Internet shall not be used to access and view or download material containing any of the following or similar material:

    a. Obscene or pornographic materials.

    b. Information that denotes discrimination of age, gender, race, creed, color, religion, sensory, mental, or physical disability, national origin, or sexual preference.

    c. Sexual harassment or sexual misconduct.

    d. Personal political beliefs or political campaign activities.

    e. Personal business interests.

    f. Any unlawful activity, including copyright and trademark infringement.

2. These examples of prohibited access are not intended to be exhaustive, merely illustrative of prohibited activities. Whenever an employee has inadvertently accessed an unauthorized site or a site blocked by departmental Internet software, the employee shall immediately report this information to their supervisor (in writing, IOC, e-mail, or verbal notice), unless the employee has received an authorized exemption through the **Internet Access Exemption to Restricted Sites** section of this policy.

B. Restrictions of Specific Activities

1. Because of the threat to department and state computer systems, certain activities are not permitted unless an exception is reviewed and approved by the Information Technology Division (ITD) Commander:

    a. Only the department-authorized Internet Service Provider (ISP) shall be used at department facilities.

    b. Connection to any other ISP through a modem (telephone or wireless) is not permitted at department facilities.

    c. External e-mail accounts such as Hotmail, Yahoo, and AOL shall not be accessed from department equipment or department networks.

    d. Chat programs or groups are not to be accessed from department equipment or department networks.

e. Instant messaging programs shall not be used, except where needed for compliance with the Americans with Disabilities Act (ADA).

2. Personnel may receive authorized exceptions to these restrictions and authorized access to restricted Web sites through the **Internet Access Exemption to Restricted Sites** section of this policy.

C. Internet Access Exemption to Restricted Sites

1. Employees may be granted an authorized exemption to gain access to restricted Internet resources based on an accepted business case presented by the division/district commander. The business case can be presented by either IOC or e-mail to the Risk Management Division Commander.

2. The business case is evaluated, approved, and routed in the following order:

a. Risk Management Division Commander (verifies relevance to agency function).

b. Risk Management Division Internet Monitoring Specialist (verifies employee's Internet record).

c. Information Technology Division Commander (evaluates risk to department computer resources).

d. Electronic Services Division (ESD) Commander or designee (evaluates capability to meet request and risk to department's network). If approved by all of the above, ESD will implement the request.

3. The approved/denied request will be returned to the initiating division/district commander with an explanation. A denied request can be returned to the initiating division/district commander at any point in the process.

Applies to: All WSP Employees
See Also: Department Strategic Plan; Americans with Disability Act (ADA)

► SECTION 04: REMOTE ACCESS ◄

15.04.010 REMOTE ACCESS

I. POLICY

A. Remote Access

1. The department has implemented technology for remote access to some applications and services. The term "Remote Access" will be used here.

2. The terms "virtual private network," "VPN," "remote network access," "dial up," "wireless network," "wi-fi," etc., are sometimes used in other contexts, but these and any new processes are considered equivalent in these policies.

B. Use of Remote Access

1. Remote network access gives employees who are working from a temporary work location or are teleworking the ability to connect to the department's network resources by using telecommunications and computer technologies.

C. Requesting Remote Access

1. Employees may request Remote Access from the Information Technology Division (ITD).

2. An IOC with the employee's name, telephone number, name of division/district/section/unit, supervisor's name, and supervisor's telephone number must be approved by the employee's division/district commander and forwarded to the ITD Commander or designee. The IOC subject should be "Remote Access Administration."

D. Expiration of Remote Access

1. Remote Access accounts expire annually. A notice is sent at least thirty days prior to expiration and accounts are renewed by returning the notice or an IOC from the division/district commander to ITD.

E. Risks of Remote Access

1. Remote Access presents a threat risk to the department's applications through the remote networks and department networks. For this reason, means will be provided by the department to minimize the risk as much as possible through passwords, authentication, anti-virus software, and other means. Each employee using Remote Access has the responsibility of using these processes and keeping the equipment and software in their care current.

Applies to: All WSP Employees
See Also: RCW 43.105.041

SECTION 05: DEPARTMENT WEB SITES ◄

15.05.010 DEPARTMENT INTERNET SITE

I. DEFINITIONS

A. Washington State Patrol Web Committee – Department oversight and policy committee for the Web, consisting of various Washington State Patrol staff from Government and Media Relations (GMR), Risk Management Division (RMD), Strategic Planning and Performance Section (SPP), and Information Technology Division (ITD).

B. Information Technology Division Customer Services – ITD support unit that responds to requests for technical assistance supporting Internet use, including troubleshooting, feature questions, installation services, driver downloads, inventory, and surplus as they relate to department desktop and laptop computers, software, applications, and peripherals.

C. ITD Web Support – Web development team that is responsible for the technical support, maintenance, enhancement, design, and construction of the department Web sites. The team also provides training, setup, and support to Inside WSP Intranet Web Authors.

D. Internet – The worldwide collection of computers, networks, and gateways used to communicate with one another through high-speed data communication lines.

E. Web Site – A home page and its associated pages, graphics, documents, multimedia, and other files that are stored on a Web server or a computer's hard drive.

F. Web Page – A single document in a Web site written in hypertext markup language (HTML) or a combination of HTML and scripting code (such as JavaScript).

G. Publish – The process of making Web content public on the World Wide Web or an intranet by copying Web pages and files to the Web server connected to the Internet or the local area network.

II. POLICY

A. Distributing Information on the Internet Web site

1. The Internet Web site is designed and focused at providing information about the agency to the public. Information published on the Web site must be for general public viewing that originates from within the agency and pertains to agency business. This site cannot be used for disclosing personal information, or publishing information from other organizations as the agency does not own the information.

2. The Internet Web site is not an open public forum, and external content provided on any Web page operated by the department will only be permitted at the discretion of the Chief.

B. Accuracy and Appropriateness of Information

1. Each section, division, district, and bureau is accountable for the accuracy and appropriateness of the information submitted and will be responsible for providing periodic reviews and updates for their Web content.

2. The Office of Government and Media Relations has business oversight of the department's Internet Web site.

III. PROCEDURES

A. Updates and Enhancements

1. Updates and enhancements must be approved at the delegated level of authority before being submitted to ITD Web Support for processing.

2. The ITD Web Support Team will generate a work order for requests to update the Internet Web site.

3. Approved updates will be completed and published to the Internet Web server by ITD Web Support.

B. Web Site Development Approval

1. Requests for new Web site development or major enhancement must be approved at the delegated level of authority and reviewed by the department Web Committee. The committee will consult with the customer and monitor the progress of the request to ensure department guidelines and standards are met.

C. Critical or Emergency Situations

1. To provide all department employees instructions during a critical event or emergency situation, a special page may be placed on the department Internet Web site with appropriate instructions for employees. An example would be instructions for office employees informing them when to report to work during or after storms, fires, earthquakes, or any other serious disasters.

Applies to: All WSP Employees
See Also: WSP Policies **Agency Image Policy, Department Intranet Site;** *WSP Internet Guidelines (contact "ITD Web Support" via e-mail)*

15.05.020 DEPARTMENT INTRANET SITE

I. DEFINITIONS

A. Intranet – A network created within an organization that is accessible only to members of that organization and designed for information sharing and processing within the organization or company using many of the same technologies available on the Internet.

B. Intranet site or Intranet Web site – A Web site created within an organization and placed on the organization's Intranet. The Web site is only accessible to members of the organization.

C. Inside WSP – The name of the department's Intranet site.

II. POLICY

A. Information on the Intranet Site

1. Information provided on the department Intranet site shall be directed to the needs of the Washington State Patrol audience with

the interest of disseminating and sharing information internally between the various divisions and staff.

2. All information published on the Intranet site shall be accessible by Washington State Patrol employees only and shall be permitted at the discretion of the Chief.

B. Accuracy and Appropriateness of Information

1. Each section, division, district, and bureau is accountable for the accuracy and appropriateness of the information they provide and will be responsible for periodically reviewing and updating their content on InsideWSP.

III. PROCEDURES

A. Revisions and Development of Intranet Site

1. All content revisions and new Web page development to the InsideWSP must be approved at the delegated level of authority and submitted to the assigned Web Author for completing and publishing to the Intranet site.

2. If the respective Web author is not available or has not been assigned to the section, division, district or bureau, approved requests can be forwarded to the ITD Web Support Team via their e-mail address for the revising and publishing of pages to InsideWSP. The ITD Web Support Team will generate a work order.

3. A list of Web Authors is available on the Intranet site.

Applies to: All WSP Employees
See Also: WSP Policies **Agency Image Policy, Department Internet Site;** *On Inside WSP, see Internal WSP Intranet Guidelines http://insidewsp/help/webguide.htm); Web Glossary* (http://insidewsp/help/glossary.htm); Web Author List) http://insidewsp/employee/_Directories/IWSP_Web_Reps.htm)

► SECTION 06: COMMUNICATIONS PROCEDURES ◄ (DELETED)

► SECTION 07: RADIO FREQUENCIES ◄

15.07.010 RADIO FREQUENCY USE APPROVAL (CALEA 81.2.4)

I. POLICY

A. Authorizing Use of Radio Frequencies

1. In order to meet the requirements of the Federal Communications Commission (FCC), all requests by outside agencies to use Washington State Patrol-allocated radio frequencies shall be

approved using the Radio Frequency Use Authorization Request Form. The form will be available in electronic version on the department Intranet site.

B. Requesting Use of Outside Agency Radio Frequencies

1. The same procedure for authorizing use of Washington State Patrol frequencies shall be used for obtaining use of an outside agency's frequency(ies).

C. Radio Frequency Information Maintenance

1. Information regarding the use of Washington State Patrol radio frequencies by outside agencies and department use of other frequencies shall be maintained in the Electronic Services Division (ESD).

2. ESD and the Communications Division shall work with Budget and Fiscal Services to ensure the information is accurate, paperwork is complete, and relevant contracts are noted with the frequency use request paperwork.

Applies to: All WSP Employees
See Also: Code of Federal Regulations Title 47, Part 90; Radio Frequency Use Authorization Request Form

► SECTION 08: RADIOS ◄

15.08.010 PORTABLE RADIOS (CALEA 22.2.5, 81.3.4)

I. POLICY

A. Officers With Portable Radios

1. Uniformed officers issued a portable radio and radio case shall maintain access to radio communication. Officers shall notify Communications of their location when leaving the vehicle for extended periods and when the portable radio is the only means of communication.

2. When the portable is monitored in a public establishment, the volume should not be offensive or disturbing to others. Only one portable radio should be turned on.

3. Portable radios shall not be worn for formal occasions (funerals, ceremonies, etc.) or when directed by the Chief.

B. Transfers

1. When an officer transfers, the portable radio transfers with him/her. Upon promotion, or when an officer leaves a line assignment, the division/district commander, in consultation with the new

division/district commander, shall determine if the officer requires a portable radio or if the radio is to be returned to the Supply Section.

C. Radio Maintenance

1. All employees with an assigned portable radio shall have the radio checked for proper operation by a technician every six months. The employee shall schedule this semiannual maintenance with the local technician. Supervisors shall inspect the Preventative Maintenance Inspection (PMI) tag on the portable radio at the semiannual equipment inspection and note the last PMI date on the inspection form. The last PMI tag date shall not be more than seven months old. This allows for a 30-calendar-day grace period to accomplish the PMI.

2. ESD shall issue a Portable Radio Test Report to the division/district commanders and to ESD area supervisors. The report shall list the radios that have been checked and the test date. Division/district commanders are responsible to ensure their employees comply with this policy.

Applies to: WSP Officers
See Also: --

► SECTION 09: COLLISION BROADCASTS ◄

15.09.010 COLLISION BROADCASTS DURING NATURAL EMERGENCIES

I. POLICY

A. Broadcasting of Collisions During Severe Weather Conditions

1. During severe driving conditions caused by natural disasters or snow/ice emergencies which are adversely impacting calls for service, the district commander or designee may, at his/her discretion, direct the Communications Center to discontinue the broadcast of collisions being reported which are non-injury and not blocking the roadway.

2. Communications Centers shall direct the parties (if available) to exchange collision information.

Applies to: All WSP Employees
See Also: --

► SECTION 10: EMERGENCY RESPONSE ◄

15.10.010 EMERGENCY RESPONSE (CALEA 12.1.2, 61.2.1, 61.2.2, 61.2.3, 81.2.4)

I. POLICY

A. Emergency Response Plans

1. Emergency response plans for anticipated disasters and disturbances that may require a department response are maintained at local and district levels within the department. Basic

procedures are found in the *Incident Management Handbook* and the Washington State Comprehensive Emergency Management Plan.

B. Responding to an Emergency

1. Employees responding to an emergency shall contact the appropriate location assigned by command/Communications. Employees shall follow the appropriate emergency response procedure as outlined in the department's *Incident Management Handbook* and/or district/unit manual.

C. Hazardous Material Responses

1. Hazardous materials incident command has been established by the governing bodies throughout the state in accordance with RCW 70.136.030. District commanders shall be aware of those areas within their district of which the department is the designated incident command agency (i.e., along state and interstate highway corridors, the Washington State Patrol shall be the designated incident command agency, unless, by mutual agreement, that role has been assumed by another designated incident command agency).

2. District commanders shall also be familiar with the command responsibilities of other governmental bodies within their district.

D. Training for Emergency Responses

1. The department trains employees for specific emergency responses. Only those employees trained for specialized duty (e.g., clandestine laboratory clean-up) shall directly participate in that activity.

Applies to: All WSP Employees
See Also: RCW 70.136.030; WAC 296-824; WAC 296-843; *Incident Management Handbook*; Washington State Comprehensive Emergency Management Plan

► SECTION 11: LAW ENFORCEMENT RADIO NETWORK (LERN) ◄

15.11.010 LAW ENFORCEMENT RADIO NETWORK (LERN) (CALEA 81.2.4, 81.3.4)

I. POLICY

A. Participation in LERN

1. The Washington Law Enforcement Radio Network (LERN) is a common police radio frequency for use by state and local law enforcement agencies. Participation in the system is open to all Washington law enforcement agencies eligible to operate on radio frequencies authorized by the FCC for police radio service. The LERN Committee has established three priorities for the use of the LERN network:

a. Emergency operations of law enforcement agencies; primarily mutual aid activities.

b. Emergency or urgent operations involving a single agency.

c. Special event control activities, generally of a pre-planned nature involving joint participation of two or more agencies, or two or more police divisions, Washington State Patrol detachments, etc. Drills, rehearsals, command post exercises, and like activities shall be considered as Priority 3 activities.

B. Notification of Emergency or Exercise

1. Jurisdictions utilizing the LERN network shall notify all other system users within the immediate geographical area of an emergency or exercise requiring cessation of lower priority traffic. When the frequency is to be used for Priority 3 activities, other users shall be advised of the nature of the exercise to preclude falsely alarming them. This notification shall be made by ACCESS whenever possible.

C. Mobile Unit Identifiers

1. When transmitting on LERN, the mobile shall identify itself by the following designator:

   a. Washington State Patrol will use "State" followed by their personnel number.

      Example: "State 811"

2. The following are examples of mobile unit traffic for mobile-to-mobile and for mobile-to-base station:

   a. **Mobile-to-Mobile:** "State 811" - "Lincoln County 23"
      "State 811" - "Kelso 3"
      "State 811" - "Spokane 31"

   b. **Mobile-to-Base Station:** "State 811" - "Lincoln County"
      "State 811" - "Kelso"
      "State 811" - "Spokane"

D. Base Station Identifiers

1. When transmitting on LERN, the base station shall identify itself by the following designator:

   a. Washington State Patrol will use "City Name" followed by the word "State."

      Example: "Spokane State"

2. The following are examples of base station traffic to mobiles and to other base stations:

   a. **Base Station to Mobile:** "Spokane State" - "Lincoln County 23"
      "Kelso State" - "Kelso 3"
      "Bellingham State" - "Whatcom County 17"

b. **Base Station to Base Station:** "Spokane State" - "Lincoln County"
"Kelso State" - "Kelso"
"Bellingham State" – "Whatcom County"

Applies to: All WSP Employees
See Also: --

► SECTION 12: CALLS FOR SERVICE ◄

15.12.010 CALLS FOR SERVICE (61.2.2, 61.4.1)

I. POLICY

A. Services Provided by the Department

1. The public relies upon the department for assistance and advice in the many routine and emergency situations which develop in an urban society. Aiding the injured, assisting motorists, enforcing traffic laws, directing traffic, and providing for many other miscellaneous needs are basic services provided by the department.

Applies to: All WSP Employees
See Also: --

► SECTION 13: MENTAL ILLNESS ◄

15.13.010 MENTAL ILLNESS – NOTIFICATION OF POSSIBLE VICTIMS (CALEA 81.2.11)

I. POLICY

A. Disclosure of Information to Mental Health Agency or Professional

1. RCW 71.05.390 provides for disclosure of otherwise confidential information by a mental health agency or professional "to appropriate law enforcement agencies and/or a person, when the person's identity is known to the mental health agency, whose health and safety has been threatened or who is known to have been repeatedly harassed by a mental patient."

B. Threat Notification

1. When notification is received from a mental health agency or professional that a patient has threatened an individual, the receiving employee shall:

a. Advise the law enforcement agency having jurisdiction.

b. Advise the intended victim(s).

c. Once notification is made, advise the district commander.

d. Complete the Mental Illness - Notification of Possible Victim(s) form and forward to the district for filing.

e. In the case of a release or escape, the appropriate local agency shall immediately be notified by telephone, and the employee shall maintain periodic communications with the involved local agency until the intended victim has been advised.

Applies to: All WSP Employees
See Also: RCW 71.05.390; Mental Illness - Notification of Possible Victim(s) Form

15.13.020 DEALING WITH EMOTIONALLY DISTURBED (MENTALLY ILL) PERSONS (CALEA 41.2.7)

I. DEFINITIONS

A. **Mental Illness:** A subject may suffer from mental illness if he or she displays an inability to think rationally, exercise adequate control over behavior or impulses (e.g. aggressive, suicidal, homicidal, sexual), and/or take reasonable care of his or her welfare with regard to basic provisions for clothing, food, shelter, or safety.

II. POLICY

A. Maintaining Safety When Dealing With Mentally Ill Individuals

1. Dealing with individuals in enforcement and related contexts who are known or suspected to be mentally ill carries the potential for violence, requires an officer to make difficult judgments about the mental state and intent of the individual, and requires special police skills and abilities to effectively and legally deal with the person so as to avoid unnecessary violence and potential civil litigation.

2. Given the unpredictable and sometimes violent nature of the mentally ill, officers should never compromise or jeopardize their safety or the safety of others when dealing with individuals displaying symptoms of mental illness.

3. In the context of enforcement and related activities, officers shall be guided by RCW 71.05.150 regarding the detention of the mentally ill. Officers shall use this policy to assist in defining whether a person's behavior is indicative of mental illness and in order to deal with the mentally ill in a constructive and humane manner.

III. PROCEDURES

A. Recognizing Abnormal Behavior

1. Officers are not expected to make judgments of mental or emotional disturbance but rather to recognize behavior that is potentially destructive and/or dangerous to self or others. The following are generalized signs and symptoms of behavior that may suggest mental illness although officers should not rule out other potential causes such as reactions to narcotics and/or alcohol and/or temporary emotional disturbances that are situationally motivated.

2. Officers should evaluate the following and related symptomatic behavior in the total context of the situation when making judgments about an individual's mental state and need for intervention absent the commission of a crime:

    a. **Degree of Reactions:** Mentally ill persons may show signs of strong and unrelenting fear of persons, places, or things. The fear of people or crowds, for example, may make the individual extremely reclusive or aggressive without apparent provocation.

    b. **Appropriateness of Behavior:** An individual who demonstrates extremely inappropriate behavior for a given context may be emotionally ill. For example, a motorist who vents his frustration in a traffic jam by physically attacking another motorist may be emotionally unstable.

    c. **Extreme Rigidity or Inflexibility:** Emotionally ill persons may be easily frustrated in new or unforeseen circumstances and may demonstrate inappropriate or aggressive behavior in dealing with the situation.

    d. In addition to the above, a mentally ill person may exhibit one or more of the following characteristics:

        (1) Abnormal memory loss related to such common facts as name, home address (although these may be signs of other physical ailments such as injury or Alzheimer's disease).

        (2) Delusions: The belief in thoughts or ideas that are false, such as delusions of grandeur or paranoid delusions.

        (3) Hallucinations of any of the five senses (e.g. hearing voices commanding the person to act, feeling one's skin crawl, smelling strange odors, etc.).

(4) The belief that one suffers from extraordinary physical maladies that are not possible, such as persons who are convinced that their heart has stopped beating for an extended period of time.

(5) Extreme fright or depression.

B. Accessing Community Mental Health Resources

1. Division/district commanders are responsible for locating facilities and resources within their area of responsibility capable of handling mentally disturbed individuals and providing this information to their employees.

C. Interacting with Mentally Ill Individuals

1. Should the officer determine that an individual may be mentally ill and a potential threat to him/herself, the officer, or others, or may otherwise require law enforcement intervention for humanitarian reasons as prescribed by statute, the following responses may be taken:

   a. Take steps to calm the situation. Where possible, eliminate emergency lights and sirens, disperse crowds, and assume a quiet non-threatening manner when approaching or conversing with the individual. Where violence or destructive acts have not occurred, avoid physical contact, and take time to assess the situation.

   b. Move slowly and do not excite the disturbed person. Provide reassurance that the police are there to help and that he/she will be provided with appropriate care.

   c. Communicate with the individual in an attempt to determine what is bothering him/her. Relate your concern for the individual's feelings and allow him/her to ventilate his/her feelings. Where possible, gather information on the subject from acquaintances or family members and/or request professional assistance if available and appropriate to assist in communicating with and calming the person.

   d. Do not threaten the individual with arrest or in any other manner as this will create additional fright, stress, and potential aggression.

   e. Avoid topics that may agitate the person and guide the conversation toward subjects that help bring the individual back to reality.

   f. Always attempt to be truthful with a mentally ill individual. If the subject becomes aware of a deception, he may withdraw

from the contact in distrust and may become hypersensitive or retaliate in anger.

2. Make mental health referrals when, in the best judgment of the officer, the circumstances do not indicate that the individual must be taken into custody for his own protection or the protection of others. Take mentally-disturbed persons to the emergency room of the nearest hospital for evaluation.

D. Training Requirements

1. All departmental personnel shall be trained upon employment and receive refresher training every three years.

Applies to: All WSP Employees
See Also: Chapter 71.05 RCW; RCW 43.101.227

► SECTION 14: FOREIGN LANGUAGE ◄

15.14.010 ACCESS TO FOREIGN LANGUAGE RESOURCES

I. POLICY

A. Immediate Access to Foreign Language Resources

1. Department Communications Centers shall maintain or have immediate access to a list of foreign language resources available in their area.

Applies to: All WSP Employees
See Also: --

► SECTION 15: ACCESS/WACIC/NCIC ◄

15.15.010 ACCESS/WACIC/NCIC CERTIFICATION REQUIREMENTS (CALEA 41.3.7)

I. POLICY

A. Use of ACCESS System

1. A Central Computerized Enforcement Service System (ACCESS) is a computer-controlled communications system operated and maintained for all law enforcement and criminal justice agencies within the state. The Chief administers all operating phases of the ACCESS system.

2. The ACCESS communications network shall only be used for official law enforcement business. The following rules and policies ensure proper and efficient use of the ACCESS communications

system. All users will conform to these policies and rules. Any questions regarding these policies should be referred to the ACCESS section commander.

B. Technical Agency Coordinator (TAC)

1. District commanders shall designate a Technical Agency Coordinator (TAC) for each district and/or Communications Center and/or detachment or site where an ACCESS terminal is located. The individual designated to function as a TAC shall be responsible to ensure compliance with state and NCIC policies and regulations, including validation requirements. TACs must maintain Level 2 and Technical Agency Coordinator certifications. Additionally, the TAC shall participate in and ensure that all appropriate records be available during the triennial audit, which is conducted by the ACCESS/NCIC Audit Staff. Responsibility for proper operator performance, strict adherence to regulations, prompt handling of traffic, and subsequent operator training rests with the TAC.

2. All terminal users, including MCN users, must be certified at their appropriate level every two years.

C. Information Access and Dissemination

1. Each user must observe any restrictions placed on the use or dissemination of information from the source agency. Policies contained within the ACCESS manual, WACIC manual, or other related manuals must be adhered to. Some records may be public information; however, if the information is obtained over the ACCESS system, it must be used only for criminal justice purposes. Information communicated over the system is restricted to material directly related to a criminal justice function and must be brief. Messages not pertaining to law enforcement business (e.g., personal inquiries) are prohibited.

2. Law enforcement may provide vehicle records to tow operators as specified by Washington State law.

3. Persons shall not use any information obtained through the ACCESS system, including all Department of Licensing (DOL) information, for private business or personal reasons or furnish any information so obtained to any other person for such use. Road, weather, and pass information may be disseminated to the general public, as a public service, without restriction.

D. Terminal Security

1. Security of the terminal site and information received on the terminal is the responsibility of the division/district operating the terminal. Terminal locations must be secure from unauthorized access, and all employees authorized to use the system shall be

instructed on the proper use of equipment and the dissemination of information received. Federal and state laws governing the secrecy of communications apply to all messages transmitted over this system.

E. System Misuse

1. Violations of the rules, regulations, policies, or procedures developed by NCIC and adopted by the Washington State Patrol or any other misuse or abuse of the system may result in disciplinary measures and/or criminal prosecution. Disciplinary measures may include revocation of individual certification, discontinuance of system access to the department, or purging the department's WACIC records.

Applies to: All WSP Employees
See Also: --

► SECTION 16: LAW ENFORCEMENT INFORMATION EXCHANGE (LInX) ◄

15.16.010 LAW ENFORCEMENT INFORMATION EXCHANGE (LInX)

I. POLICY

A. LInX Users

1. All LInX users must review LInX training and sign a User Agreement prior to authorization of system use.

B. Security

1. Security of the computer site and information received on the computer is the responsibility of the division/district/operator using the computer.

2. Computer locations must be secure from unauthorized access, and all employees authorized to use the system shall be instructed on the proper use of equipment and the dissemination of information received.

3. All LInX users must ensure confidentiality of the information received through this program. Because LInX is an Internet-based program, authorized LInX users must acknowledge that all use of the LInX database will be in a secure environment (i.e., police squad room, a secure office, police vehicle with obscured vision of the computer screen by the public). Unsecured areas would include, but are not limited to, the employee's residence, coffee shops, restaurants, or fire departments.

C. Use of Information

1. Persons shall not use any information obtained through the LInX database for private business or personal reasons or furnish any information so obtained to any other person for such use.

2. Sanctions apply for system misuse of LInX information. Violations of the rules, regulations, policies, or procedures developed by LInX and adopted by the Washington State Patrol or any other misuse or abuse of the system may result in disciplinary measures.

D. Point of Contact (POC)

1. Each division/district has its own administrators for LInX. One administrator is named at each location as the point of contact (POC) for the annual LInX audit administered by the A Central Computerized Enforcement Service System (ACCESS) audit team.

2. The POC must fulfill the tasks as outlined in the Duty Requirements (provided by the ACCESS Section).

Applies to: All WSP Employees
See Also: --

Chapter 16

UNIFORMS AND APPEARANCE

► SECTION 00: UNIFORMS ◄

16.00.010 UNIFORM APPROVAL (CALEA 22.2.5, 41.3.4)

I. POLICY

A. Uniform Approvals

1. The Chief shall approve all uniform items worn by employees. Uniform policies apply to all uniformed employees, unless noted.

2. Recommendations concerning the style and functional suitability of uniform apparel items shall be made by the individual bargaining units whose members wear a distinct Washington State Patrol uniform to department management through the Labor Relations Advisory Committee or union/management committee process.

3. The Chief or designee shall determine and set all technical and design specifications for uniform items. Employees may direct inquiries regarding uniform items to their bargaining unit leadership or to the Uniform Committee of the Washington State Patrol. Final approval, in all cases, is reserved for the Chief. Only insignia and articles approved by the Chief may be worn on or with the uniform.

4. Uniformed employees may forward suggestions for uniform changes or improvements through their chain of command to the Uniform Committee.

Applies to: All Uniformed Employees
See Also: --

16.00.020 AUTHORIZED UNIFORMS (CALEA 22.2.5, 41.3.4)

I. POLICY

A. Authorized Uniforms

1. The department has authorized the following uniforms for troopers and mansion/parking enforcement cadets:

a. Winter Uniform

(1) The winter uniform consists of issued pants or skirts; long-sleeve shirt; black bow tie or issued navy blue dickey; felt campaign hat; black socks; black belt; name plate; badge; and black shoes or black boots.

(2) The long-sleeve shirt shall be worn with either a bow tie or issued dickey. The top button of the shirt shall remain unbuttoned when the dickey is worn. Officers have the option of wearing the winter uniform year-round.

b. Summer Uniform

(1) The summer uniform consists of issued pants; short-sleeve shirt; white round-neck T-shirt; straw or felt hat (troopers); black socks; black belt; name plate; badge; and black shoes or black boots. Officers have the option of wearing the summer uniform year-round; however, the straw hat may only be worn from April 1 to October 31.

c. Formal Uniform

(1) The formal uniform is the winter uniform. Straw campaign hats, dickeys, and rocky boots are not part of the formal uniform and shall not be worn when the formal uniform is required. The formal uniform shall be worn for superior court appearances, funerals, public speaking engagements, legislative duty, and when directed by the Chief.

d. Dress Uniform

(1) The dress uniform shall consist of the tunic coat, issued pants with blue stripes and gold piping, gun, and gun belt.

(2) The following accessories shall be on the dress uniform:

(a) The Washington State Patrol insignia shall be centered on the blue collar (right side) of the tunic coat one-half inch from the opening.

(b) Insignia of rank (TPR for troopers) shall be centered on the blue collar (left side) of the tunic coat one-half inch from the opening.

(c) Department-issued badge (left front in badge holder).

(d) Gold name plate (right front, aligned with center of badge).

(e) Black dress belt with brass Washington State Patrol buckle.

(f) Felt campaign hat.

(g) Black stockings without design.

(h) Black issued shoes.

(i) No other accessories shall be worn on the tunic. **Exception:** Honor Guard members shall wear the issued gold Honor Guard badge, white shoulder braid, white gloves, and white belt with brass buckle.

(3) The dress uniform may be worn to funerals of active or retired department members or active officers of other agencies within the state. The dress uniform may also be worn to formal or semi-formal functions, with prior approval from the appropriate district/section commander (e.g., Governor's Inaugural Ball, Washington State Patrol Memorial Foundation dinner, a formal policeman's ball).

e. Tactical Uniform

(1) The tactical uniform consists of the nylon jump suit, approved baseball cap, issued shoes or boots, badge, firearm, and gun belt with accessories. The tactical uniform shall be worn by officers during training exercises and unusual occurrences, or as directed by the district commander.

(2) Personal athletic shoes may be added to the tactical uniform only during training in a gymnasium. During unusual occurrences, leather gloves, riot helmet, and gas mask may be added to the tactical uniform.

f. Motorcycle Uniform

(1) The motorcycle uniform consists of the officers' uniform of the day plus the following issued items:

(a) Motorcycle helmet

(b) Traffic whistle with chain

(c) Motorcycle boots

(d) Blue long-sleeve turtleneck sweater or dickey

(e) Leather or "gortex" jacket

(f) Breeches

(g) Motorcycle qualification pin worn above pistol qualification pin

(2) Motorcycle uniform items for adverse weather conditions are:

(a) Motorcycle rain gear

(b) Rubber overshoes

(c) Insulated overpants (hot pants)

(d) Scarf

g. Commercial Vehicle Division Uniform

(1) WSP Commercial Vehicle Officers (CVEO, CVO) shall wear uniforms specifically designed for the Commercial Vehicle Division.

(2) Officers shall be issued summer and winter uniforms. The uniforms shall be tailored and worn as outlined in this chapter.

(3) Style requirements and list of accessories are on file at the Supply Section.

h. VIN Specialist/Inspector Clothing

(1) VIN specialists/inspectors shall wear clothing designed for the VIN program.

(2) Officers shall be given a choice between wearing a cotton jump suit or two-piece wash-and-wear clothing as outlined in their bargaining agreement.

(3) Requirements and a list of accessories are on file with the Supply Section.

i. Communications Officer Uniform

(1) Communications officers shall wear uniforms specifically designed for the Communications Division.

(2) The uniform style requirements and list of accessories are on file with the Supply Section.

j. Pre-Academy Cadet Uniform (except Mansion, Legislative, and Parking Enforcement)

(1) Pre-Academy cadets shall wear a uniform specifically for cadets. The uniform shall include navy blue long- and short-sleeve shirts, navy blue pants with black clarino belt, black clarino shoes or Rocky boots, baseball cap, and dickie or bow tie.

(2) The long-sleeve shirt shall be worn with either a bow tie or issued dickey. The top button of the shirt shall remain unbuttoned when the dickey is worn. The short-sleeve shirt shall be worn open-collared with a white round-neck T-shirt. Rocky boots shall only be worn during inclement weather (i.e., snow and ice).

(3) The pre-Academy cadet formal uniform shall be a long-sleeve shirt with bow tie, high-gloss shoes, and baseball cap.

k. Mansion, Legislative, Parking Cadets

(1) Cadets assigned to the Mansion, the Legislature, or to parking enforcement shall wear navy blue and gold

"Trooper Cadet" patches on their sleeves if a Washington State Patrol shoulder patch is present. The "Trooper Cadet" patches shall be 1/2 inch below and centered on the lowest point of the shoulder patch.

Applies to: All Uniformed Employees
See Also: --

16.00.030 WEARING THE UNIFORM (CALEA 22.2.5, 26.1.1, 41.3.4)

I. POLICY

A. Appearance Standards

1. The department's image is reflected in the appearance of its employees. Uniform policies and appearance standards apply equally to all employees who wear a uniform.

2. Uniformed employees issued a summer and winter uniform have the year-round option of wearing either uniform.

3. Uniforms shall be kept neat, clean, in good repair, and well-pressed at all times. There shall be no alteration of design. While wearing the uniform, officers shall maintain a military bearing.

4. The uniform shall be worn in its entirety when on duty, unless otherwise directed. The issued gun belt, holster, magazine pouch, handcuff case, ASP baton, and firearm shall be worn with the uniform by those officers authorized to be armed. Uniforms shall be worn completely buttoned, including the sleeves of shirts. Cuffs of long-sleeves shirts shall not be turned back, pinned, or stapled. Pens, pencils, combs, etc., shall not protrude from uniform pockets.

5. Uniforms shall not be worn while off duty, except directly to and from residence, appearance in court, or for department-approved functions (e.g., Chief for a Day and pre-approved speaking engagements and Special Olympics activities). The uniform shall not be worn while on leave, vacation, suspension, or off duty without approval of a commanding officer. **NOTE:** The communications officer uniform may be worn off duty, consistent with their bargaining agreement.

Applies to: All Uniformed Employees
See Also: WSP Policies **Employee Conduct** and **Code of Ethics - Officers**

16.00.040 SPECIAL UNIFORM (CALEA 22.2.5, 41.3.4)

I. POLICY

A. Authorization of Special Uniform

1. The Chief, Deputy Chief, assistant chiefs, or bureau directors may authorize the wearing of a special uniform, uniform item, or combination of uniform items when the need arises.

Applies to: All Uniformed Employees
See Also: --

16.00.050 ACADEMY UNIFORM (CALEA 22.2.5, 41.3.4)

I. POLICY

A. Uniform Wearing During Training

1. Uniformed employees traveling to and from the Academy shall wear their uniform of the day. If the training session to be attended is of one-day duration, the uniform of the day shall be worn during the training. If the training session extends beyond a one-day period, or if the person in attendance is residing at the Academy, the acceptable attire shall be the uniform of the day without gun belt and tie. The uniform short-sleeve shirt is optional year-round.

2. These regulations may be relaxed at the discretion of the Training Division Commander.

Applies to: All Uniformed Employees
See Also: --

16.00.060 UNIFORM AVAILABLE FOR EMERGENCIES (CALEA 22.2.5, 41.3.4)

I. POLICY

A. Emergency Uniform Requirements

1. In case of emergency, every officer shall be prepared to report for duty attired in uniform when required.

Applies to: All Uniformed Employees
See Also: --

16.00.070 CLEANING OF UNIFORMS (CALEA 41.3.4)

I. POLICY

A. Maintenance of Uniform

1. The cost of maintenance shall be borne by the employee whenever the uniform becomes soiled during ordinary duty wear, unless otherwise outlined in a bargaining unit agreement. If a uniform or any part of it becomes ruined, the cost of repair or replacement shall be paid by the department.

Applies to: All Uniformed Employees
See Also: RCW 42.52

16.00.080 UNIFORM ISSUE, REPLACEMENT, OR REPAIR (CALEA 17.5.2, 22.2.5, 41.3.4)

I. POLICY

A. Issuance of Uniforms

1. The Supply Section shall be responsible for the issue of all uniform and uniform-related items. A record of issue of these items shall be kept on file at the Supply Section.

B. Replacement of Uniforms

1. Requests for uniform replacement shall be directed to the immediate supervisor using a Report of Unserviceable Equipment form for items requested. The supervisor shall inspect the used item and, if approved, forward the request through the district/section commander to the Supply Section.

2. Except as noted below, supervisors shall ensure all uniform items that are no longer serviceable are destroyed and disposed of properly. Uniforms shall have all markings removed prior to disposal. All patches shall be returned to the Supply Section. Items shall be cut up before disposal.

3. When requesting replacement for hats, jackets, rocky boots, and any leather item, the Report of Unserviceable Equipment form shall be attached to the item and sent to the Supply Section.

Applies to: All Uniformed Employees
See Also: Report of Unserviceable Equipment Form

16.00.090 UNIFORM SPECIFICATIONS – PANTS/SHIRTS/SKIRTS (CALEA 41.3.4)

I. POLICY

A. Uniform Specifications

1. Issued uniform pants shall be tailored and worn 2 ½ to 3 inches above the floor at the back press line, and cut on the bias ½ to ¾ of an inch shorter at the front press line. Uniform skirt length shall be dictated by the current adult style.

2. The issued uniform shirts shall have shoulder patches on each shoulder, ½ below the shoulder seam, centered with the shoulder strap. The shirts shall be pressed in military style, with two creases in front from the shoulder strap to the tail, and three creases in the back.

3. These specifications will not necessarily apply to the new wash-and-wear uniforms for communications and VIN officers, when designed and approved.

Applies to: All Uniformed Employees
See Also: --

16.00.100 JUMP SUITS (CALEA 22.2.5, 41.3.4)

I. POLICY

A. Issuance of Jump Suits

1. The department issues the following jump suits according to assignment to officers to reduce soiling of the uniform and to insulate them in inclement weather:

   a. The cotton (non-insulated) jump suit.

b. The cotton (insulated) jump suit.

c. The nylon (all-weather) jump suit.

B. Wearing Jump Suits

1. District commanders may allow officers to wear jump suits during adverse weather conditions, specifying the type of jump suit to be worn.

2. Jump suits may also be authorized for wear in the following situations:

   a. As part of the tactical uniform.

   b. During vehicle inspections when that is the officer's primary duty.

   c. During training exercises.

   d. While traveling to and from troopers' meetings when off duty.

   e. While transporting department vehicles.

3. Jump suits shall not be worn:

   a. During routine traffic activities, except as allowed during adverse weather.

   b. As courtroom attire.

   c. As office attire.

4. Officers shall affix their badge, name plate, and rank insignia to the jump suit. The items shall be worn in the same locations as on the uniform jacket.

5. The name plate shall not be worn during disturbances, physical training, firearms qualification, or such times that it may be broken, dislodged, or lost.

6. Marksmanship pins and/or special duty/unit pins shall not be worn.

7. During routine activities, the department-issued baseball cap shall be worn with the jump suit.

C. Cloth Name Plates, Badges, Rank Insignia

1. Cloth name plates, badges, and rank insignia for the cotton jump suit are available through the Supply Section. Officers shall be responsible for affixing these cloth items.

2. Cloth name plates, badges, and rank insignia shall be affixed only to the cotton jump suit in the same locations as on the uniform jacket. The cotton name plates, badge, and rank insignia shall not be affixed to the nylon jump suit or jacket.

3. Cloth name plates, badges, and rank insignia shall be affixed using a matching thread and a hidden stitch. These items shall be removed from unserviceable jump suits and reattached to replacement jump suits.

4. Replacement cloth name plates, badges, and rank insignia are available through the Supply Section.

Applies to: All Uniformed Employees
See Also: --

► SECTION 01: INSIGNIA OF RANK ◄

16.01.010 INSIGNIA OF RANK (CALEA 22.2.5, 41.3.4)

I. POLICY

A. Insignia Placement

1. Insignia of rank shall be worn on all uniforms. Only department-issued insignia of rank shall be worn.

2. Washington State Patrol lieutenants, captains, assistant chiefs, the Deputy Chief, and the Chief shall wear their rank insignia centered on the sewn "X" on the uniform shirt epaulets and jackets. See the photo examples that follow.

B. Insignia Identified

1. The insignia for each rank is as follows:

   a. Chief—Four metal gold-colored stars.

   b. Deputy Chief—Three metal gold-colored stars.

   c. Assistant Chief —Two metal gold-colored stars.

   d. Captain—Two metal gold-colored bars.

   e. Lieutenant—One metal gold-colored bar.

   f. Sergeant—A chevron consisting of three gold cloth stripes, which shall be worn on each sleeve of the uniform shirt(s). The point of the chevron shall be pointed at the shoulder.







Applies to: All WSP Sergeants, Lieutenants, Captains, Assistant Chiefs, the Deputy Chief, and the Chief
See Also: --

► SECTION 02: NON-UNIFORM ATTIRE ◄

16.02.010 NON-UNIFORM ATTIRE FOR EMPLOYEES (CALEA 22.2.5, 41.3.4)

I. POLICY

A. Suitable Workplace Attire

1. It is department policy to present a neat and professional image to the public. Moderation and common sense should be used in selecting a wardrobe suitable for the workplace. Personal appearance should reflect the generally accepted business standards for assigned job duties and work locations.

2. Examples of appropriate attire for employees who make court appearances, attend meetings outside of the workplace, or perform other public functions would include:

   a. Suits, sport coats, slacks, collared shirts and ties, and non-athletic footwear for men.

   b. Suits, jackets, blouses, sweaters, skirts, slacks, dresses, and non-athletic footwear for women.

3. These examples apply to employees whose job duties require regular interaction with the general public. Division-issued clothing and uniforms shall be considered appropriate workplace attire.

4. Whenever an employee is attending training, the attire shall conform to the advertised/ appropriate level dress for the class/conference/banquet. Training at the Academy (fire and police) shall be business casual attire for non-uniformed employees. Employees should confer with their supervisor if they are unsure of the appropriate dress.

5. Casual clothing, such as jogging or aerobic apparel or revealing clothing, is not considered appropriate workplace attire. While athletic footwear and denim jeans are not normally considered appropriate workplace attire, it is recognized that the nature of an employee's duties may require a deviation from policy. Therefore, division/district commanders, in their discretion, may deviate from this policy as needed for employees under their supervision. Division/district commanders shall be responsible for the implementation and enforcement of this dress policy.

Applies to: All WSP Employees
See Also: --

► SECTION 03: UNIFORM ACCESSORIES ◄

16.03.010 BADGE AND COMMISSION CARD (CALEA 41.3.4)

I. POLICY

A. Wearing Badges and Commission Card

1. Only currently issued Washington State Patrol badges are authorized to be worn on the uniform.

2. Officers, with the exception of vehicle identification specialists, shall wear their badge on the uniform shirt and outside of their outermost garment over the left breast pocket.

3. Plainclothes officers shall carry the badge when on duty.

4. All officers shall carry their commission card on their person at all times while armed, except when performing undercover assignments authorized by unit supervisors.

Applies to: WSP Officers
See Also: --

16.03.020 UNIFORM BELTS (CALEA 22.2.5, 41.3.4)

I. POLICY

A. Uniform Belt Requirements

1. A dress belt, issued by the department, shall be black, approximately 1 5/8 inches in width, with a flat buckle. It shall be worn with the pants or skirt.

2. The department issues a black gun belt to all officers authorized to carry a firearm. A blue or black belt shall be worn under the gun belt.

Applies to: All Uniformed Employees
See Also: --

16.03.030 HOLSTER (CALEA 22.2.5, 41.3.4)

I. POLICY

A. Placement of Holster

1. The holster shall be worn on the gun belt and placed on the officer's weapon side, centered over the leg.

Applies to: All Uniformed Employees
See Also: --

16.03.040 MAGAZINE POUCH (CALEA 22.2.8, 41.3.4)

I. POLICY

A. Placement of Magazine Pouch

1. The magazine pouch shall be worn horizontally on the gun belt, on either side, next to the belt buckle. The magazine pouch shall contain two magazines fully loaded with department-issued ammunition.

Applies to: All Uniformed Employees
See Also: --

16.03.050 HANDCUFFS, KEYS, AND CASE (CALEA 22.2.5, 41.3.4)

I. POLICY

A. Placement of Handcuffs and Keys

1. Handcuffs shall be carried in the handcuff case. The case shall be worn in such a way as to not hamper the drawing of the firearm or other tools. One handcuff key shall be carried in the case and the other on the officer's keyring.

2. Officers may purchase and carry a second set of handcuffs in either an approved second handcuff case or a double-stacked handcuff case. The handcuffs shall be similar in appearance and design to the current department-issued handcuffs. No hinged or thumb-style cuffs will be authorized. The department-issued key shall be capable of unlocking the secondary handcuffs.

3. Officers may purchase and wear a second handcuff case or a double-stacked handcuff case. The purchased case shall be similar in appearance and design to the current department-issued handcuff case. A double-stacked handcuff case shall be worn in place of the issued case.

4. Double-stacked handcuff cases and the additional set of handcuffs shall be approved by the commander prior to wearing them. This approval is only to ensure these items meet the design requirements.

B. Recording of Serial Number During Semi-Annual Inspection

1. During the semi-annual inspection, supervisors shall record the serial number of personally owned handcuffs on the inspection forms.

Applies to: All Uniformed Employees
See Also: --

16.03.060 JACKET AND GLOVES (CALEA 22.2.5, 41.3.4)

I. POLICY

A. Jacket Design and Issuance

1. The design of department uniform jackets is determined by the Chief. The type of jacket issued is based on the officer's assignment.

2. The Supply Section maintains a list of the proper jacket for each assignment that requires these items.

B. Guidelines for Wearing a Jacket

1. When a jacket is worn on formal occasions, it shall be zipped from the bottom up to the second brass button from the top of the shirt.

2. The officer's badge and name plate shall be worn on the jacket.

C. Gloves

1. Issued gloves are black, without design. They may be worn with the tactical uniform or in severe inclement weather.

2. White gloves are issued for special details.

Applies to: All Uniformed Employees
See Also: --

16.03.070 CAMPAIGN HAT (CALEA 22.2.5, 41.3.4)

I. POLICY

A. Wearing the Campaign Hat

1. The campaign hat, with the appropriate hat badge and metallic braid indicating proper rank, shall be worn by all officers. The braid shall be silver for troopers and sergeants, and gold for lieutenants and above. The braid shall be neatly twisted with approximately one twist per inch for its entire length around the crown of the hat. The acorns shall lie on the front of the brim. The leather head strap shall be worn at all times.

2. The campaign hat shall be worn with the front of the brim resting approximately two finger widths above the right eye and between two and three finger widths above the left eye, which will cause it to have a slight tilt to the right.

B. Exceptions to Wearing the Campaign Hat

1. The campaign hat shall be worn at all times when in uniform, with the following exceptions:

   a. When riding in or driving a patrol vehicle.

   b. When military courtesy dictates its removal.

   c. During severe weather conditions.

   d. It interferes with or creates a hazard for officers engaged in duties such as rescue situations, high-risk officer safety situations, rendering assistance, or engaged at scenes where activities being conducted make wearing the hat impractical.

C. Hat Protection

1. During inclement weather, the plastic cover furnished by the department shall be worn to protect the campaign hat.

D. Retirement

1. Upon retirement from department service, officers shall have the option to keep their last used, expended campaign hat with braid and hat badge as a memento.

Applies to: All Uniformed Employees
See Also: --

16.03.080 BASEBALL CAPS (CALEA 22.2.5, 41.3.4)

I. POLICY

A. Wearing of Baseball Caps

1. Troopers and sergeants may wear department-issued or approved baseball caps with the jump suit while engaged in vehicle inspection, collision investigation, weapons training, or at any other time approved by the division/district commander. Baseball caps are not a substitute for campaign hats or garrison caps when troopers, sergeants, or cadets are in winter or summer uniforms.

2. Baseball caps are an optional part of the WSP Commercial Vehicle Enforcement Officer uniform and may be worn outdoors at the discretion of the employee. Whenever the WSP CVEO uniform is worn, the following exceptions apply:

   a. Military courtesy dictates its removal.

   b. During severe weather conditions when the arctic fur cap may be worn.

3. When worn, the baseball cap shall be neat and clean.

Applies to: All Uniformed Employees
See Also: --

16.03.090 SERGEANT CHEVRONS (CALEA 41.3.4)

I. POLICY

A. Placement of Chevrons

1. Sergeants shall wear chevrons on both sleeves of the long-sleeve shirt, 1 inch below the lowest point of the Washington State Patrol patch on the left sleeve, and at the same relative position on the right sleeve. They shall be sewn on with royal blue thread using a hidden stitch. Small-size chevrons shall be worn on the short-sleeve summer shirt, with the chevron on the left sleeve centered ½ inch below the lowest point of the Washington State Patrol patch, and in the same relative position on the right sleeve. The metal insignia of rank shall be centered on each collar, ½ inch from the opening on the gortex coat.

Applies to: All Sergeants
See Also: --

16.03.100 SERVICE MARKS (CALEA 41.3.4)

I. POLICY

A. Placement of Service Mark and Prior Service Credit for Officers

1. Each service mark indicates three years of service. Service time commences with the officer's employment date with the department and may include prior experience. Officers with prior service in city, county, or state police organizations as a law enforcement officer may include that time toward service marks.

B. Prior Service Credit for Communications Officers

1. Communications officers with prior service in city, county, or state police organizations in a capacity similar to their present assignment or as a law enforcement officer may also include that time toward service marks.

C. Placement of Service Marks for Communications Officers

1. Officers and communications officers shall wear the correct number of service marks on the left sleeve of the long-sleeve uniform shirt 1 inch above the sleeve cuff, and ½ inch to the right of the sleeve press line. They shall be sewn on with matching thread using an edge-binding stitch. The border around the marks shall be even. The entire strip shall be replaced when adding a mark.

Applies to: All Uniformed Employees
See Also: --

16.03.110 SPECIAL DUTY OR UNIT INSIGNIA PIN (CALEA 41.3.4)

I. POLICY

A. Requests for Special Unit Insignia

1. Requests for approval of a particular special unit insignia pin shall be submitted through the chain of command to the Chief, with command recommendation. Special unit pins are authorized only for employees who are currently responsible for performing the special service or are assigned to the designated special unit.

B. Placement of Special Unit Pins

1. Special unit pins shall be centrally placed ½ inch above the marksmanship pin. No more than one approved specialty pin shall be worn on the uniform. Special unit pins shall be worn when authorized. Exceptions must be authorized by the assistant chief or bureau director. Only one pin shall be worn above the marksmanship pin. The Washington State Patrol years of service pin may be worn by employees without a special unit pin.

Applies to: All Uniformed Employees
See Also: --

16.03.120 NAME PLATE (CALEA 41.3.4)

I. POLICY

A. Placement of Name Plate

1. Officers shall wear the name plate on the uniform shirt ½ inch above the right pocket flap, centered on the crease line. It shall be worn on the jacket centered on the right side.

Applies to: All Uniformed Employees
See Also: --

16.03.130 MARKSMANSHIP PIN (CALEA 41.3.4)

I. POLICY

A. Marksmanship Pin Placement

1. Uniformed employees authorized to carry firearms shall wear a marksmanship pin on the uniform shirt, centered ½ inch above the name plate.

Applies to: All Uniformed Employees
See Also: --

16.03.140 AWARD OF HONOR PIN/MEDAL OF COURAGE PIN (CALEA 41.3.4)

I. POLICY

A. Placement of Award of Honor Pin/Medal of Courage Pin

1. Upon the award of an Award of Honor pin/Medal of Courage pin, officers may wear the pin on the uniform shirt centered ½ inch above the badge.

Applies to: All Uniformed Employees
See Also: --

16.03.150 SENIOR TROOPER PIN

I. POLICY

A. Senior Trooper Pin Placement

1. Troopers with 20 or more years of commissioned service are authorized to wear a Senior Trooper Pin on the uniform shirt, centered ½ inch above the name plate. The Marksmanship Pin is to be worn ½ inch above the Senior Trooper Pin.

Applies to: All WSP Troopers
See Also: --

► SECTION 04: REPLICA BADGES ◄

16.04.010 PURCHASE OF REPLICA BADGES (CALEA 41.3.4)

I. POLICY

A. Purchase of Replica Badges

1. Active and retired uniformed employees may purchase one replica of each departmental badge issued to them during their service.

2. An IOC (active) or letter (retired) requesting authorization to purchase replica badges shall be forwarded to the Property Management Division Commander.

3. The IOC/letter shall include the rank(s) and applicable badge number(s).

4. Upon approval by the Property Management Division Commander, a letter of authorization shall be forwarded to the current badge vendor and the requester. The letter shall specifically identify the badge(s) to be purchased and the current vendor.

5. The purchase of replica badges shall be considered a private transaction between the authorized purchaser and the vendor. Purchase arrangements shall be the responsibility of the individual.

6. Replica badges shall not be used, displayed, or represented as a departmental badge for official use.

7. Requests for badges not personally assigned during service shall be denied.

Applies to: All Uniformed Employees
See Also: --

► SECTION 05: IDENTIFICATION CARD ◄

16.05.010 IDENTIFICATION CARD (CALEA 41.3.4)

I. POLICY

A. Issuance of Identification Cards

1. The department will issue identification cards to all employees. These identification cards will associate the bearer with the Washington State Patrol, and provide proof of their employment and responsibility.

2. Identification cards shall be surrendered with all other department property when leaving the department.

Applies to: All WSP Employees
See Also: --

► SECTION 06: PORTABLE RADIO ◄

16.06.010 PORTABLE RADIO PLACEMENT (CALEA 41.3.4)

I. POLICY

A. Placement of Portable Radio

1. If worn on the gun belt, the portable radio shall be opposite the holster, directly over the trouser stripe.

2. Officers may purchase and wear a "portaclip" radio holder in place of the issued radio case.

Applies to: All Uniformed Employees
See Also: --

► SECTION 07: APPEARANCE ◄

16.07.010 APPEARANCE STANDARDS (CALEA 22.3.2, 26.1.1, 41.3.4)

I. POLICY

A. Maintaining a Neat and Well-Groomed Appearance

1. The good health and personal appearance of all employees is fundamental to the interests and safety of the department. It demonstrates a personal and business-like image, increasing public confidence in the department's capability of job performance. Thus, all employees shall maintain a neat and well-groomed appearance. When on duty, they shall wear their uniforms and other clothing in accordance with department policy. Additionally, they shall maintain their hair styles, sideburns, and mustaches so as to conform to department regulations.

2. Excess body weight is detrimental to good health. It has been medically linked to the causes of many diseases proven to be common hazards to law enforcement personnel. The department encourages all employees to participate in one of the many wellness programs available.

3. These procedures, regulations, and policies are intended to promote the professional image expected by the department and to encourage good health for consistently optimum job performance.

B. Male Uniformed Employees

1. Hair shall be neatly trimmed, may either be tapered or blocked at the back of the neck, but shall not touch the shirt collar. Hair may be either tapered or blocked at the side, but may extend only to the top of the ears.

2. Sideburns shall be worn no longer than to the bottom of the ear and shall be horizontally trimmed at a right angle. Maximum width at the bottom of the sideburn shall be no more than one-quarter of an inch greater than the width of the sideburn measured at the center of the ear.

3. Hair styles that preclude the wearing of the uniform hat in the required manner are not permitted.

4. A neatly trimmed mustache shall not extend below the vermillion border of the upper lip or the corners of the mouth, nor to the side more than one-half inch beyond the corners of the mouth, is permitted.

5. Beards shall not be worn.

C. Female Uniformed Employees

1. Hair shall be worn so that it does not extend below the bottom of the collar.

2. Hair may be combed over the ears, but shall not extend below the bottom of the ears, nor more than two inches in front of the ears.

3. Hair that is styled or combed forward will be no lower on the forehead than three-quarters of an inch above the high point of the eyebrows.

4. Hair styles that preclude the wearing of the uniform hat in the required manner are not permitted.

5. No decoration(s) shall be worn in the hair. Hair clips or pins matching the color of the hair may be worn.

6. Fingernails shall be neatly manicured and be of a moderate length. Fingernail polish, if worn, shall be clear.

D. Jewelry

1. Bracelets and necklaces may be worn for medical or identification purposes only. Necklaces shall be worn underneath the T-shirt.

2. A total of two conservative rings may be worn. A set of wedding and engagement rings shall be considered one ring.

3. One set of simple "post" earrings may be worn by uniformed female employees, provided the diameter of the adornment will be limited to one-eighth of an inch.

E. Glasses

1. If glasses are worn, they shall be maintained in good condition and shall be conventional and conservative in nature.

Applies to: All Uniformed Employees
See Also: --

► SECTION 08: HEALTH AND FITNESS ◄

16.08.010 HEALTH AND FITNESS (CALEA 22.3.2, 41.3.4)

I. POLICY

A. Level of Fitness and General Health

1. The functions of a law enforcement officer can frequently require a level of fitness not demanded by many other occupations. This department encourages officers to maintain a satisfactory level of general health and physical fitness for their own well being. Proper

physical fitness also allows officers to perform more effectively and reduces the need for sick leave.

2. Through awareness and education, the department encourages healthy lifestyles of employees in order that they function to the best of their abilities in their roles as members of the community and the department.

Applies to: All WSP Employees
See Also: --

Chapter 17

VEHICLES

► SECTION 00: ASSIGNMENT ◄

17.00.010 VEHICLE ASSIGNMENT (CALEA 17.5.2, 43.1.5)

I. POLICY

A. Authorization to Use Department Vehicles

1. The department authorizes employees to use motor vehicles to conduct department business when one is needed to accomplish the assignment. Vehicles may be:

   a. Personally assigned (commuting authorized).

   b. Assigned to an individual or section (regular commuting unauthorized).

   c. Unassigned (pool vehicles available to all employees for on-the-job transportation).

B. Criteria for Vehicle Assignment

1. The assistant chief/bureau director shall be the approving authority for vehicle assignments as indicated on the appropriate form. At least one of the following conditions must be met for an employee to be permanently assigned a vehicle for official state business:

   a. **Enforcement Vehicles:** Officers who regularly perform traffic and/or law enforcement duties may be permanently assigned enforcement vehicles for as long as that assignment is held.

   b. Special service vehicles may be permanently assigned to officers, as long as the assignment requiring special tools or equipment is held. The operation of Special service vehicles shall be limited to officers who have received training in their use, as prescribed by the Training Division.

   c. **Specialized Response Vehicles**: Employees with incident response duties may be permanently assigned a vehicle equipped with specialized tools, traffic control accessories, and/or communications equipment for emergency repairs or requests for assistance. Employees on 24-hour call may also be permanently assigned a vehicle. These assignments of vehicles shall last only as long as the employee holds the position.

   d. **Other Vehicles:**

      (1) The employee's business travel by motor vehicle averages 1,000 non-commuting miles per month. (OFM Regulation 70.40.20a)

(2) The employee uses the vehicle for at least 30 separate business purposes per month, making frequent check-out of a motor pool vehicle impractical.

(3) Employees who use the vehicle as a mobile office where the quantity of material/equipment makes it impractical to switch vehicles each day.

(4) Circumstances where the commander has permission for permanent assignment by submitting a written request with justification to the assistant chief/bureau director.

C. Authorization for Commuting

1. Enforcement vehicles are authorized for commuting between duty station and official residence.

2. Normally, all other assigned vehicles will be picked up at the employee's duty station during normal duty hours or after hours if called out. At least one of the following conditions must apply:

   a. Storing the vehicle at the employee's residence is more advantageous or economical to the state than using a commercial garage or other parking facility. In determining the storage location of state-owned or operated vehicles, the security and safety of the vehicle should be considered.

   b. The employee's home is also the employee's official duty station.

   c. Employees are required to perform non-voluntary functions requiring early departures or late arrivals outside their scheduled work hours.

   d. When there is a reasonable concern regarding personal safety in using the storage facility or in transferring to and from other transportation for the commute.

   e. When it can be documented as economical or advantageous to the state to allow such travel, or as a part of the department's Commute Trip Reduction Program.

   f. Circumstances where the commander has permission by submitting a written request with justification to the assistant chief/bureau director.

3. Employees may be authorized to travel between duty station and official residence in an employer-provided passenger motor vehicle (commute) for special periods, such as during a natural disaster or any declaration of emergency that requires employees' special attention to provide for the public safety.

D. Assignment of Permanent Equipment Numbers

1. All department vehicles are assigned a permanent equipment number which shall remain with the vehicle during its life with the

department. The equipment number shall be the primary identifier when referring to department vehicles.

Applies to: All WSP Employees
See Also: Applicable Collective Bargaining Agreements; OFM Regulation 70.40.20a

► SECTION 01: OPERATION ◄

17.01.010 VEHICLE OPERATION (CALEA 41.2.1)

I. POLICY

A. Use of Department Vehicles

1. Department vehicles shall be used only for official business and in a manner consistent with applicable state travel regulations. Use of a state-owned or operated vehicle shall be authorized by the Chief or designee when it is more economical or advantageous to the state.

B. Operation of Department Vehicles

1. When operating a state-owned or privately owned/rental vehicle on official state business, state employees or officials are expressly prohibited from engaging in the unauthorized transportation of passengers. Unauthorized transportation is any transportation of passengers not specifically authorized by the Chief or authorized designee in the performance of official state business and includes, but is not limited to, the transportation of family members, relatives, friends, and pets for any personal activities.

2. Personal use of state-owned or operated motor vehicles or violation of traffic safety laws in state-owned or operated motor vehicles constitutes grounds for disciplinary action which may include termination of the right to operate state-owned or operated motor vehicles. These guidelines do not apply to a state employee using his/her own personal vehicle.

C. Availability to Emergency Response

1. Employees who are required to commute in department vehicles shall be available to respond at any time to emergencies.

D. Maintenance and Orientation of Department Vehicle

1. All employees shall exercise maximum energy conservation practices in conducting state business by consolidating trips where possible and ensuring adequate maintenance of assigned vehicles. All vehicles shall be maintained according to departmental maintenance procedures. The department shall provide employee orientation on the necessity for driving within the legal speed limits and employ other means as necessary to achieve energy conservation.

2. Employees subject to emergency call-out shall not go off duty with less than one-half tank of gasoline in the vehicle.

3. Department vehicles shall be locked unless employees are in immediate attendance, or when vehicles are left for repair service.

4. When parking a marked patrol vehicle other than parallel or diagonally, it shall be backed in with the wheels placed in a straight line for an easy exit to an emergency response.

E. Out-of-State Travel

1. Out-of-state travel shall be permitted only in accordance with established department procedures.

F. Driving Protocol

1. Employees shall drive in a careful and prudent manner.

2. Employees shall obey all laws of the state pertaining thereto, except as provided by law (RCW 46.61.035), in the official operation of an authorized emergency vehicle.

3. Employees shall, at all times, set a proper example for other persons by their operation of vehicles.

4. Persons shall not be transported in department vehicles, except in the line of duty or as may be authorized by a supervisor.

Applies to: All WSP Employees
See Also: RCW 46.61.035

17.01.020 VALID DRIVER'S LICENSE REQUIRED

I. POLICY

A. License Requirements

1. Employees shall possess a valid driver's license when operating state vehicles. Supervisors shall inspect the driver's licenses of all employees who operate state vehicles to ensure the employees' driver's license is valid.

2. Inspections shall be conducted at the following intervals:

   a. By June 30 each year, for employees who are issued or routinely operate state vehicles.

   b. Prior to operation for employees who only occasionally use state vehicles (e.g., two or three times a year).

B. Notification of Revoked Driver's License

1. Any employee whose driving privilege is cancelled, suspended, or revoked by the Department of Licensing shall immediately notify their supervisor.

Applies to: All WSP Employees
See Also: --

► SECTION 02: COLLISIONS/INCIDENTS/VANDALISM ◄

17.02.010 PATROL, PRIVATELY OWNED RENTAL VEHICLE COLLISIONS/INCIDENTS/VANDALISM (CALEA 61.2.2, 81.2.4)

I. POLICY

A. Investigation and Reporting

1. When a department vehicle or privately owned/rental vehicle used for state business is vandalized or involved in a collision, incident, or the Pursuit Immobilization Technique (PIT), the vehicle's driver shall immediately notify Communications, who shall notify the supervisor/on-duty supervisor. An RCW sergeant shall respond to the scene and conduct an investigation.

2. If there is any possibility of discipline for a policy violation, an Internal Incident Report shall be completed along with a supervisor case log and forwarded through the chain of command to the Office of Professional Standards (OPS).

3. If the employee is not at fault, the RCW sergeant shall investigate (with assistance from the Criminal Investigation Division, if needed) and treat the employee as the second party involved and as a witness to the actions of the party at fault. The supervisor shall follow the reporting requirements as outlined in the *Administrative Investigation Manual* when a department vehicle or privately owned/rental vehicle is used for state business and is vandalized or involved in a collision, incident, or a PIT.

B. Commander's Responsibilities

1. Division/district commanders are responsible for all equipment and vehicles assigned to personnel under their command. The division/district commander shall ensure all vehicle damage is investigated and properly reported.

2. When a fleet collision/incident/PIT occurs, the commander shall ensure that if an Internal Incident Report was completed by the supervisor, that it is faxed to OPS by 9 a.m. the next business day.

C. Undercover Vehicle Collisions/Incidents

1. When undercover vehicles are involved in a collision/incident, the driver or vehicle custodian shall notify the supervisor or commander as soon as possible.

2. An investigation should be conducted at the scene. However, the investigation may be delayed to avoid placing the officer or a criminal investigation at risk. The supervisor or commander shall determine if local police or a department supervisor shall respond immediately to investigate.

D. Department Vehicle Collisions/Incidents While On Official State Business

1. After the responding officer investigates the collision/incident, the driver of the vehicle will notify the supervisor. Supervisors shall immediately call the department's contracted collision repair vendor when any employee using a motor vehicle for official state business is involved in a collision/incident. The name and phone number of the department's contracted collision repair vendor is located in the glove box of each vehicle. After providing the incident information the vendor requests, the driver will remove all personal items from the vehicle and deliver it to the body shop designated by the vendor. If the vehicle cannot be driven, the driver will obtain a tow truck. In the event of an emergency, the vendor may provide towing services. Because the Fleet Section and the commercial vendor will manage approvals for repair and payment of service, the Vehicle Repair Authorization form is not required. Once the repairs are completed, the driver will sign the repair invoice and mail it to the Fleet Section.

2. Supervisors shall immediately call in the vendor's collision report when any employee using a motor vehicle for official state business is involved in a collision/incident.

E. Privately Owned Vehicle Collisions/Incidents While On Official State Business

1. Collisions/incidents occurring when a privately owned vehicle is used on official state business shall be reported to the operator's own insurance carrier (refer to the *Office of Financial Management, State Administrative and Accounting Manual [SAAM], 12.20)*.

2. When driving a privately owned vehicle on official state business, each state employee must comply with the state of Washington's liability insurance laws, Chapter 46.29 and 46.30 RCW. If a collision/incident occurs when the employee is driving their privately owned vehicle, that individual's insurance is primary and will be utilized prior to the state of Washington's possible provision of any excess liability protection.

F. Transporting Unauthorized Passengers

1. Transporting of unauthorized passengers (as described in the **VEHICLE OPERATION** policy) in an employee's privately owned or rental vehicle while the employee is on official business is considered a personal decision, and the state of Washington will not provide excess liability protection to the unauthorized passenger in the event of a collision/incident.

Applies to: All WSP Employees
See Also: WSP Policies **Vehicles, Privately Owned; Vehicles, Rental Motor; Vehicle Operation;** *Office of Financial Management, State Administrative and Accounting Manual (SAAM)* 12.20; *Administrative Investigation Manual*; Chapter 46.29 and 46.30 RCW; Internal Incident Report

17.02.020 RECOVERY OF DAMAGE TO DEPARTMENT VEHICLES

I. POLICY

A. Damage to Department Vehicles

1. When a department vehicle incurs property damage as a result of a collision or incident in which another party is at fault, within 24 hours, the driver or the supervisor of the driver of the department vehicle must report the collision to the department's collision repair vendor, who will notify the Department of Transportation (DOT) Risk Management Office and the Office of Professional Standards. Instructions for reporting damage to the collision repair vendor are contained in a folder within each vehicle's glove compartment.

2. If some or all of the cost of repairs can be allocated to the liability of other parties, the DOT Risk Management Office will file claims against those parties and pursue collection for repair costs.

3. All bills to repair department vehicles shall be paid by the department.

4. All third party reimbursements must be forwarded to the DOT Risk Management Office at PO Box 47418, Olympia, WA 98504-7418. DOT Risk Management has the statutory responsibility to pursue collection of damages to department vehicles.

Applies to: All WSP Employees
See Also: *Office of Financial Management, State Administrative and Accounting Manual (SAAM), 12.20.40*

► SECTION 03: REPAIRS/MODIFICATIONS ◄

17.03.010 VEHICLE REPAIRS/MODIFICATIONS

I. POLICY

A. Vehicle Maintenance and Repair

1. It shall be the responsibility of all employees to maintain vehicles in the best condition possible. If repairs are needed, employees shall notify their immediate supervisor as soon as practical.

2. The supervisor may authorize automotive repairs when the total cost estimate does not exceed $1,000, including tax. Payment options shall be made by utilizing the vehicle-assigned Voyager Card or by using a Vehicle Repair Authorization form or through other means as determined by the Fleet Section. All vehicle repairs in excess of $1,000 must have Fleet's prior approval.

3. No unauthorized modifications, additions, or deletions shall be made to any vehicle or its equipment after it has been assigned. If it is determined that modifications, additions, or deletions are necessary for improved operation, safety, or convenience of employees, application may be made through the chain of command to the division/district commander for approval.

Applies to: All WSP Employees
See Also: *Budget and Fiscal Services Standard Operating Procedures* ("Voyager Card" and "Vehicle Repair Authorization Form"); Vehicle Repair Authorization

► SECTION 04: REASSIGNMENT ◄

17.04.010 REASSIGNMENT OF VEHICLES (CALEA 17.5.2)

I. POLICY

A. Vehicle Reassignment

1. With approval of the Fleet and Logistics Manager and in accordance with the policy on vehicle assignment, commanders may reassign vehicles within their respective areas of command. Prior to the reassignment, the commander shall forward the required forms and reports to the Fleet Section.

B. Vehicle Transfers

1. If a vehicle is to be transferred between employees, it shall be the responsibility of the detachment supervisor(s) concerned to ensure that all assigned equipment is in each vehicle and assignment classification is current on the appropriate forms.

Applies to: All WSP Employees
See Also: --

► SECTION 05: MAINTENANCE FILES ◄

17.05.010 VEHICLE MAINTENANCE FILES

I. POLICY

A. Documentation in Vehicle Maintenance Files

1. Supervisors shall be responsible for monitoring vehicle repairs and costs by periodically reviewing maintenance files. Only one set of files shall be maintained. Vehicle maintenance files shall include, at a minimum:

   a. A copy of each individual vehicle's required service intervals.

   b. A copy of each individual vehicle's warranty.

   c. A copy of all Voyager card receipts and invoices for service and all Vehicle Repair Authorizations and accompanying invoices for repairs on the vehicle since it was assigned to the division/district. Fuel receipts do not need to be maintained in the vehicle maintenance file.

   d. A copy of a Vehicle Maintenance Record, containing a chronological list of repairs performed on the vehicle since its assignment to the division/district.

Applies to: All WSP Employees
See Also: *Budget and Fiscal Services Standard Operating Procedures* ("Voyager Card" and "Vehicle Repair Authorization Form")

► SECTION 06: TURN-IN ◄

17.06.010 VEHICLE TURN-IN

I. POLICY

A. Vehicle Condition Upon Turn-In

1. When a vehicle is turned in, the registration, keys, and all records pertaining to the vehicle shall accompany it. The vehicle shall be clean and equipped with legal tires.

2. A supervisor shall inspect the trunk and interior areas for cleanliness. The rear seat shall be removed and checked for contraband or weapons.

B. Discovery of Contraband or Weapons by Employees

1. When contraband or weapons are discovered, a stop work order shall be placed on the vehicle.

2. The vehicle shall be locked and the appropriate division/section commander advised.

3. If the proper owner of the item cannot be located, the district/section commander shall request the assistance of a local officer within the area where the vehicle is being serviced/ decommissioned.

4. The officer shall confiscate the item(s) and process them as "found property."

Applies to: All WSP Employees
See Also: --

► SECTION 07: WEAPONS/CONTRABAND ◄

17.07.010 DISCOVERY OF WEAPONS/CONTRABAND BY AN OFFICER/SUPERVISOR

I. POLICY

A. Following Found Property Procedures

1. If contraband, weapons, or found property are located in the vehicle, the custodial officer shall make a reasonable effort to identify and locate the owner. Since the chain of evidence has been broken, "found property" procedures shall be followed in recording and disposing of the item(s).

Applies to: All WSP Employees
See Also: RCW 63.21; *Officer's Evidence Handbook*

► SECTION 08: CREDIT CARDS/KEY CARDS ◄ (DELETED)

► SECTION 09: CHECKS ◄

17.09.010 VEHICLE SPEEDOMETER CHECKS

I. POLICY

A. Requirement to Check Speedometer by Radar

1. Any vehicle used in traffic law enforcement shall have its speedometer checked by radar:

   a. At least every 90 days.

   b. Whenever any differential repair work is performed.

   c. Whenever a question of accuracy arises.

   d. Whenever snow tires replace the conventional tires or vice versa.

2. Speedometer certification cards shall be placed in the vehicle. Officers reading the radar (moving or stationary) shall certify and initial on the card the speeds registered at the time the check was made. All speedometers shall be checked at speeds of 30 and 60 mph.

3. The speed check records required by this policy shall be periodically examined by a supervisor.

Applies to: WSP Officers
See Also: --

17.09.020 TIRE MAINTENANCE CHECKS

I. POLICY

A. Weekly Tire Check

1. Once each week drivers of department vehicles shall check the tires of the vehicle being driven for:

   a. Tire pressure — Tires shall be inflated to their recommended pressure when cold.

   b. Punctures and foreign objects in tread and sidewalls.

   c. Tread depth:

      (1) For pursuit vehicles, tires shall be replaced when tread depth reaches 4/32 of an inch.

      (2) For staff and support vehicles, tires shall be replaced when tread depth reaches 3/32 of an inch.

B. 5,000 Mile Check

1. At least every 5,000 miles, tires shall be checked for:

   a. Cuts and bruises in tread and sidewall deep enough to weaken the tire structure.

   b. Unusual sidewall distortion.

   c. Extreme chafing or cutting of the sidewall at the rim or bead area.

   d. Unusual tread wear, such as flat spots, cupping, unevenness. Uneven wear on front tires may indicate improper alignment or excessive wear of front-end components.

   e. Cuts or chafed valve stems. In tube tires, if the valve stems are at an angle, the tire shall be deflated and repositioned on the rim.

C. Special Circumstances

1. Tires on pursuit vehicles shall be of the same model and tread design on all four wheels unless authorized by the Fleet Section supervisor.

2. The Fleet Section supervisor will establish special rules for tire combinations and studded tire usage for winter driving.

Applies to: All WSP Employees
See Also: RCW 46.37.250, 46.37.425

► SECTION 10: DISPOSAL OF TIRE CARCASSES ◄

17.10.010 DISPOSAL OF TIRE CARCASSES

I. POLICY

A. Disposal of Tire Carcasses

1. The policy for disposal of recappable tire carcasses shall be as follows, except when otherwise directed by the Fleet Section.

   a. The detachment supervisor shall obtain bids from local firms interested in purchasing the carcasses. Authority to "sell or exchange" received from the Department of General Administration, Office of State Procurement, permits this department to dispose of all recappable tires "at the highest possible price and to the best interest of the state." The carcasses may be sold to the highest bidder, with a monthly payment made by the purchaser not later than the tenth day of each month. It shall be the responsibility of the detachment supervisor to keep an accurate record of all carcasses left with such dealer and to ensure that payment is received.

b. The purchasing dealer shall issue a check or bank draft in the correct amount payable to the State of Washington, Central Stores Revolving Fund. The check or draft shall be attached with a cover IOC indicating the total number of carcasses destroyed, the total number sold, and the name of the vendor; and then forwarded to the Fleet Section.

2. All carcasses not recappable shall be destroyed by cutting the bead and discarded. They shall not be given to department employees or other individuals for personal use.

3. It is not necessary that firms bidding for the purchase of tire carcasses be new tire dealers. The disposal of tire carcasses has no connection with the purchase of new tires by this department.

Applies to: All WSP Employees
See Also: --

► SECTION 11: MARKING AND EQUIPMENT ◄

17.11.010 PATROL VEHICLE MARKING AND EQUIPMENT (CALEA 41.3.1, 41.3.2, 43.1.5, 61.1.6, 70.4.1)

I. POLICY

A. Vehicle Marking and Equipment

1. Vehicles issued by the Fleet Section shall be marked and equipped as listed below.

2. Exceptions to this policy shall be authorized in writing by an assistant chief/bureau director and be on file at the Fleet Section.

B. Command Vehicles

1. Vehicles issued to officers with the rank of lieutenant and above are classified as command vehicles. These vehicles shall be various colors, having no decal markings or emergency lights. However, grille-mounted lights or portable beacons are available upon request.

2. The license plates shall include the officer's personnel number.

3. Confidential plates may be requested as outlined in the **CONFIDENTIAL LICENSE PLATES** policy. The vehicles shall be issued with a siren, radio, and standard trunk equipment.

C. Enforcement Vehicles

1. Sergeants

a. Vehicles issued to traffic sergeants shall be various colors, having no decal markings.

b. The license plates shall include the officer's personnel number.

c. The vehicle shall be equipped with a blue spot light, siren, radios, roll bar, and standard trunk equipment.

2. Detectives

a. Vehicles issued to detectives shall be various colors, having no decal markings or emergency lighting. However, grille-mounted lights or portable beacons are available upon request.

b. License plates shall include the officer's personnel number.

c. Confidential plates may be requested as outlined in the **CONFIDENTIAL LICENSE PLATES** policy.

d. The vehicle may be issued with a siren, radio, and standard trunk equipment.

3. Troopers

a. Vehicles issued to traffic officers shall be white.

b. The vehicle shall be marked on the front doors with a black and white Washington State Patrol shield and dark blue lightning bolt. Decals with the words "State Patrol" shall be affixed to both front doors.

c. License plates shall include the officer's personnel number.

d. The vehicle shall be equipped with a roof-mounted light bar, blue spot light, roll bar, jail partition, push bars, siren, radio, and standard trunk equipment.

4. Motorcycles

a. Department motorcycles shall be white.

b. The vehicle shall have one blue light and one red light to the front and a blue and red mini light bar mounted on the rear. Two auxiliary red stop/tail lights shall be mounted on the rear.

c. License plates shall be the standard exempt motorcycle plate.

d. The motorcycle shall have a black and white Washington State Patrol shield on each side of the fuel tank and a decal with the words "State Patrol" in black on each side of the radio box or saddle bags.

e. The motorcycle shall be equipped with a siren, radio, and first aid kit.

5. WSP CVEO 3 Supervisor

a. Vehicles issued to WSP CVEO 3 supervisors shall be white.

b. The vehicle shall have a black and white Washington State Patrol shield and a "Commercial Vehicle Enforcement" decal on both front doors.

c. License plates shall be "SP" plates in the 7700, 7800, and 7900 number series, with the last three digits indicating the individual's personnel number.

d. The vehicle shall be equipped with a blue spot light, siren, radios, and standard trunk equipment.

6. WSP CVEO 1 and 2

a. Vehicles issued to the Commercial Vehicle Enforcement Section or individual WSP Commercial Vehicle Enforcement Officers shall be white.

b. Vehicles assigned to an individual shall have "SP" license plates in the 7700, 7800, and 7900 number series, with the last three digits indicating the individual's personnel number. Vehicles used in a pool shall have "SP" license plates using a 9000 number series.

c. The vehicle shall be marked with a black and white Washington State Patrol shield and a decal with the words "Commercial Vehicle Enforcement" on both front doors.

d. The vehicle shall be equipped with a roof-mounted light bar, blue spot light, siren, radios, and standard trunk equipment.

D. Temporary Limited Duty and Long-Term Limited Duty Employees

1. Temporary limited duty vehicle assignment and equipment shall be at the expense of the employer.

2. Long-term limited duty vehicle assignment shall be determined by the Human Resource Division.

E. Non-Enforcement Support Vehicle

1. License plates shall be "SP" plates in the 9000 number series, except for the Telecommunications Division, which shall use the 8000 number series with the last three digits indicating the individual's personnel number.

2. Vehicles shall be marked with the approved Washington State Patrol decal, with the wording "For Official Use Only" on the rear window, lower left, and in accordance to the Fleet Section vehicle marking policy.

3. The vehicles shall not have any emergency lighting. Radios shall be installed only when needed. Standard trunk equipment shall be issued.

F. Vehicle Equipment

1. All vehicles issued by the Fleet Section shall contain standard trunk equipment designed for the vehicle's assignment. Equipment included in all vehicles, except motorcycles and undercover vehicles, shall be determined by the Fleet Section.

2. It is the responsibility of traffic officers to ensure that their patrol vehicles are equipped with a fully-stocked first aid kit, fire extinguisher, traffic cones, road flares, shotgun or rifle, ammunition, Notice of Infraction/Notice of Criminal Citation (NOI/NOCC) book, flashlight, properly functioning communications equipment, and the necessary forms and reports.

G. Detachable Light Bars

1. With the approval of the district commander, a detachment supervisor may order the temporary removal of light bars when it is in the best public interest, such as conducting an emphasis patrol or working on an unusual enforcement problem.

H. PA/Outside Speakers

1. The PA/outside speaker on patrol vehicles shall be used only when conducting official department business.

I. Gasoline

1. Gasoline shall not be carried in the trunk of any vehicle equipped with a radio transmitter.

J. Battery Jumper Cables

1. Only employees with sufficient training shall use jumper cables. Vehicle damage and personal injury may occur if improperly applied.

2. Before using jumper cables, officers shall turn off all radios and remove the fuse located on the fender well under the hood if the vehicle is so equipped.

Applies to: All WSP Employees
See Also: WSP Policy **Confidential License Plates**

► SECTION 12: CIVILIAN USE ◄

17.12.010 CIVILIAN USE OF DEPARTMENT VEHICLES

I. POLICY

A. Use of Department Enforcement Vehicles

1. Department employees who are not officers/special deputies shall not utilize enforcement vehicles on the roads and highways.

2. On occasion, an employee of the department who is not an officer, while operating a department vehicle, may arrive at the scene of a motor vehicle collision shortly after it occurs and prior to the arrival of the appropriate authority, or may encounter an occupied, disabled vehicle. Under these circumstances, the above employees should refrain from stopping.

3. If the incident is located on highways patrolled by the department, the driver should report the incident to the nearest Communications Center.

Applies to: All WSP Employees
See Also: --

► SECTION 13: CONFIDENTIAL LICENSE PLATES ◄

17.13.010 CONFIDENTIAL LICENSE PLATES (CALEA 43.1.5, 61.1.6)

I. POLICY

A. Use of Confidential License Plates

1. Confidential license plates shall only be utilized on vehicles within the department for confidential, investigative, or undercover work; or when necessary for the personal security of any officer or public employee.

2. The Chief shall appoint a person to administer and monitor the confidential license plate file within the department. The Administrator shall maintain the file and all records pertaining to the program and will be the department's liaison to the Department of Licensing, Title Section. The confidential license plate file shall have appropriate security to ensure confidentiality. Information in the confidential license plate file shall include, but not be limited to:

   a. Confidential license plate number.

   b. Year, make, and model of the vehicle.

   c. VIN of the vehicle.

   d. Vehicle equipment number.

   e. Name and address which is indicated on the registration.

   f. Name of the individual and section where the confidential license plate and vehicle are assigned.

3. Application for confidential license plates shall be made to the confidential license plate file Administrator on the Confidential License Plate Application form, obtainable from the Administrator, outlining the justification and need for confidential plates. The Certificate of Registration must accompany the application. The application must contain the signed approval of the division or district commander and the respective assistant chief/bureau director prior to any consideration by the Administrator. In those cases where the requesting section reports directly to the Chief, prior approval shall be obtained from the Chief. The Administrator will review the request to determine conformance to RCW and departmental policies. If approved, the Administrator will sign and forward the form to the Department of Licensing, Title Section. If disapproved by the Administrator, the Chief or assistant chief/bureau director shall be immediately notified.

4. When the confidential license plates and related registration certificate are received from the Department of Licensing, the necessary information will be recorded by the Administrator, and the plates and registration will be forwarded to the requesting person for use on the appropriate vehicle.

5. The confidential license plates shall be assigned to one particular vehicle only and shall not be placed on another vehicle.

6. The confidential plates shall be issued to the assigned vehicle until it is determined that confidential plates are either no longer required, or when the vehicle is sold. If and when confidential license plates are no longer useful on the assigned vehicle, they shall be returned to the Administrator, along with the current Certificate of Registration. The Administrator will then notify the Department of Licensing, in writing, that the undercover or confidential license plates are no longer required, indicating that the license plates and registration will be destroyed. These plates and registration will then be destroyed and removed from departmental records.

7. License tabs for confidential license plates shall be sent from the Department of Licensing to the Administrator, who in turn will forward them to the appropriate vehicle custodian.

8. If a vehicle bearing confidential license plates is transferred from one section to another, the Administrator must be notified immediately so that proper tracking and controls are maintained. The Administrator will notify the Fleet Manager. If the vehicle transfer is from one bureau to another, the Administrator may require approval from the assistant chief or bureau director receiving the vehicle.

Applies to: All WSP Employees
See Also: --

► SECTION 14: SCANNERS/CB RADIOS/CELLULAR TELEPHONES ◄

17.14.010 SCANNERS/CB RADIOS/CELLULAR TELEPHONES

I. POLICY

A. Scanner Requests

1. Scanners shall be installed in department vehicles only with the approval of the appropriate division commander.

2. Employees desiring a scanner shall submit an IOC request indicating justification for a scanner to be installed.

B. Scanner Installation Procedures

1. If approved, department technicians shall install department-issued scanners.

2. The installation of temporary units by the person making the request is authorized, after receiving approval, provided alterations are not made to the vehicle.

3. Installation shall be limited to a cigarette lighter plug-in electrical connection and a gutter mount, no-hole trunk mount, or magnetic antenna.

C. Scanner Operation

1. Employees shall maintain sufficient volume levels to monitor department communications. They shall not respond to other police agency dispatches monitored on a scanner unit, except in an emergency or when an officer is in distress.

2. Except in emergencies, employees shall not use scanner units for cross-band communications with other agencies. If information is monitored that requires an officer to deviate from routine assignment or patrol, Washington State Patrol Communications shall be advised of the information and intended response.

3. Officers shall monitor CB channel 9 for emergency traffic when operating a vehicle equipped with a CB. When transmitting on CB radios, FCC regulations and call signs shall be strictly adhered to and the department's official call letters shall be used.

4. CB calls shall be answered quickly and courteously. Non-emergency calls shall be terminated as promptly and tactfully as possible. The formality expected on department frequencies shall not be required on CB transmissions. There shall be no retaliation, either by stopping or by radio transmission, against any person reporting officers' locations or activities for the apparent purpose of evading traffic laws. Employees shall not transmit false or deceptive information, or in any way entice any person to commit an unlawful act.

D. Scanner Maintenance

1. Department communications technicians shall only perform maintenance on CB radios and scanner units which are department-owned.

E. Use of Personal Cellular Telephones

1. Employees may operate personal cellular telephones in state vehicles. Personal cellular telephones will not be permanently installed in departmental vehicles. Only portable telephones shall be used.

2. Use of the cellular telephone will not interfere with the individual's performance of duty.

3. Telephone calls will not be forwarded to individuals from Communications Centers. All calls made by an individual will be at their expense.

4. All 911 emergency calls will terminate at Communications, and conferencing such calls through to a third party is not permitted.

Applies to: All WSP Employees
See Also: --

► SECTION 15: SAFETY BELTS ◄

17.15.010 VEHICLE SAFETY BELTS (CALEA 41.3.3)

I. POLICY

A. Wearing Vehicle Safety Belts

1. Vehicle safety belts shall be worn whenever employees are driving or riding in department vehicles.

2. Safety belts are to be used as they were designed by the manufacturer.

3. The shoulder strap portion of a safety belt system shall not be altered or circumvented.

4. Passengers shall not occupy a seating position for which the air-bag has been disabled.

Applies to: All WSP Employees
See Also: --

► SECTION 16: CAR WASH ◄

17.16.010 CAR WASH

I. POLICY

A. Car Wash Authorization

1. The cost of a car wash shall be the minimum available in the immediate local area. Officers shall be allowed two car washes a month, and the supervisor may authorize additional wash jobs under extenuating circumstances.

Applies to: All WSP Employees
See Also: --

► SECTION 17: PRIVATELY-OWNED ◄

17.17.010 VEHICLES – PRIVATELY-OWNED

I. POLICY

A. Use of Privately Owned Vehicles for Conducting Official State Business

1. The use of a privately-owned motor vehicle for conducting official state business must be approved by the employee's commander. Such authorization may be for any one of the following reasons:

a. A state-owned or operated passenger motor vehicle is not available.

b. It is found to be more advantageous/economical to the state for an employee to travel by a privately-owned motor vehicle, rather than a common carrier or a state-owned or operated passenger motor vehicle. Commanders shall decide if use of the privately owned vehicle is more economical or advantageous to the department.

2. The driver of a privately-owned motor vehicle authorized for use in conducting official state business must have a driver's license recognized as valid under Washington State law in their possession while operating the vehicle.

3. Traffic collisions or incidents are to be reported in accordance with the regulations in the **PATROL, PRIVATELY-OWNED, RENTAL VEHICLE COLLISIONS/INCIDENTS**.

4. See the *Budget and Fiscal Services Standard Operating Procedures* on travel for reimbursement guidelines.

Applies to: All WSP Employees
See Also: WSP Policy **Patrol, Privately-Owned, Rental Vehicle Collisions/Incidents**; *Budget and Fiscal Services Standard Operating Procedures* -("Travel"); *Office of Financial Management, State Administrative and Accounting Manual (SAAM), 10.50*

► SECTION 18: RENTAL ◄

17.18.010 RENTAL MOTOR VEHICLES

I. POLICY

A. Use of Rental Motor Vehicles

1. A rental motor vehicle may be used for official business under the following conditions:

a. A state-owned motor vehicle is not available; or

b. The use of the rental motor vehicle is advantageous to the state or more economical than other conveyances or necessary state business cannot be accomplished otherwise (e.g., mail, telephone).

c. The rental motor vehicle is charged to the department on a credit basis.

d. Vehicle insurance offered at extra cost by the rental company is declined, as Washington State's contract for rental of motor vehicles includes full insurance coverage.

e. Use has been approved in advance by the employee's commander through an approved Training/Travel Request. The employee shall file a department travel voucher documenting the rental vehicle use in accordance with *Budget and Fiscal Services Standard Operating Procedures* for travel.

f. The rental motor vehicle is obtained through a rental firm under contract by the Department of General Administration Office of State Procurement.

2. Vehicle operators shall have a driver's license recognized as valid under Washington State law in their possession while operating a rental motor vehicle.

3. Traffic collisions or incidents are to be reported in accordance with the regulations in the **PATROL, PRIVATELY-OWNED, RENTAL VEHICLE COLLISIONS/INCIDENTS**.

4. See the *Budget and Fiscal Services Standard Operating Procedures* on travel for reimbursement guidelines.

Applies to: All WSP Employees
See Also: WSP Policy **Patrol, Privately-Owned, Rental Vehicle Collisions/Incidents**; *Budget and Fiscal Services Standard Operating Procedures* -("Travel"); *Office of Financial Management, State Administrative and Accounting Manual (SAAM), 12.50.30 and 10.50.35*; Training/Travel Request; Travel Voucher

► SECTION 19: COMMUTE TRIP REDUCTION ◄

17.19.010 COMMUTE TRIP REDUCTION

I. POLICY

A. Commute Trip Encouragement

1. Because of growing traffic congestion and environmental concerns, employees (except employees subject to emergency call-out/responses) are encouraged to reduce commute trips whenever possible, using carpool, vanpool, mass transit, walking, teleworking, bicycles, or alternate work schedules (see **TELEWORKING**).

2. An Employee Transportation Coordinator (ETC) will be assigned to each worksite employing over 100 full-time employees. The ETC:

   a. Works with the department's Commute Trip Reduction Coordinator (CTRC) to satisfy the requirements of the Commute Trip Reduction law.

   b. Provides assistance to site employees, exploring possible alternatives for reducing single-occupant vehicle work trips.

   c. Registers employees for participation in the department's commute trip subsidy program, which includes carpooling, vanpooling, mass transit, ferries, bicycling, and walking to

work. Teleworking and the use of alternate work schedules are not included in the subsidy program.

Applies to: All WSP Employees
See Also: RCW 41.04.390, 46.74.010, 70.94.521-551; WAC 356-15-095; WSP Policy **Teleworking**

► SECTION 20: PARKING ◄

17.20.010 PARKING AT THE GENERAL ADMINISTRATION BUILDING

I. POLICY

A. Parking at the General Administration Building

1. The department has 18 parking stalls on the roof of the Columbia Street garage reserved for authorized guests and department employees who are visiting any of the Washington State Patrol offices located in the General Administration (GA) Building. They are clearly marked "WSP VISITOR ONLY." Washington State Patrol employees assigned to the General Administration Building shall not use these stalls.

2. Non-departmental visitors must be advised to obtain a parking permit from the Special Operations Division when using the Washington State Patrol visitor stalls.

3. The department has 24 parking stalls located on the GA Surface Lot, which is immediately adjacent to the GA Building. These stalls are reserved for specific bureau, division, and section use. They are clearly marked (e.g., "WSP-FPB-ONLY," "WSP-CID-ONLY," etc.). Any person wishing to utilize one of the GA Surface Lot stalls must have the permission of the bureau, division, or section commander (or designee) indicated on the stall placard.

4. Bureau and division commanders are responsible for ensuring their assigned and visiting department employees are made aware of the parking rules that apply to all department employees who work and visit the GA Building and Capitol Campus. When applicable, new employees are required to obtain a parking permit from the GA Parking Office as soon as they are assigned to the GA Building. A temporary parking permit may be issued by the Special Operations Division under certain conditions.

5. The Special Operations Division Commander is responsible for the oversight of all WSP Capitol Campus Parking, enforcement, and coordination with the Department of General Administration.

Applies to: All WSP Employees
See Also: --

► SECTION 21: SECURING ◄

17.21.010 PATROL VEHICLE LOCATION WHILE ON LEAVE

I. POLICY

A. Securing Patrol Vehicles

1. Marked patrol vehicles parked in public areas are frequently vandalized. Commanders or supervisors may, for security reasons, direct employees on vacation, compensatory time, or sick leave for more than five days to park their vehicles at a department office or another secure location pre-approved by the supervisor.

2. Whenever patrol vehicles are parked in locations accessible to the public, all weapons and attractive items (e.g., portable radios, portable computers, uniforms, and briefcases) shall be removed from the interior of the vehicle and stored in the trunk, office, or residence.

3. Items shall not be considered secured if they are locked in the glovebox.

Applies to: All WSP Employees
See Also: --

► SECTION 22: IRS REPORTING REQUIREMENTS ◄

17.22.010 IRS REPORTING REQUIREMENTS

I. POLICY

A. Reporting Department Vehicles Taken Home

1. The Internal Revenue Service holds the employer and employee responsible for reporting vehicle take-home use by employees (except for individuals driving law enforcement or fire vehicles that are identified as such).

B. Commanders' Responsibilities

1. Commanders shall notify (by IOC) the Budget and Fiscal Services Commander and the Fleet Manager whenever:

   a. An employee is assigned a state vehicle for take-home purposes.

   b. Pool vehicles are assigned to an employee for commuting purposes.

   c. Vehicle assignments are changed.

2. The IOC shall include the name and DOP Unique Identification number of the person assigned the vehicle and the initial assignment date.

3. Commanders shall notify employees using take-home vehicles of their IRS reporting responsibilities.

C. Employee Responsibilities

1. Employees shall notify (by IOC) the Budget and Fiscal Services Payroll Unit of:

   a. Occasional vehicle take-home usage (not permanently assigned).

   b. Vehicle take-home usage (permanently assigned) when there is a change in the standard. (The standard is based on a Monday through Friday schedule, not including holidays).

2. The IOC shall include the name of the person assigned the vehicle and their DOP Unique Identification number, date, reporting month, and total commute days for the month. The IOC is due at Budget and Fiscal Services Payroll Unit by the 10th of the following month.

Applies to: All WSP Employees
See Also: *Office of Financial Management, State Administrative and Accounting Manual (SAAM), 12.20.10*

► SECTION 23: ANTIQUE VEHICLES ◄

17.23.010 USE OF DEPARTMENT ANTIQUE VEHICLES

I. POLICY

A. Use of Antique Vehicles

1. Washington State Patrol antique vehicles have been restored for historical purposes and used for various community, public, and official events over the past years to enhance the image of the department.

B. Requesting Use

1. Any request to use an antique vehicle shall be in writing no less than 14 days in advance of the date needed.

2. The request shall be forwarded to the appropriate assistant chief or bureau director through the chain of command for approval.

3. The request shall include the following information:

   a. Specify the date, time, location, function, and duration of the event.

   b. Indicate the name of the department employee who will be charged with the care and security of the vehicle.

   c. Indicate the name(s) of the department employee(s) who will be driving the vehicle.

d. Specify who will be carried as passengers in the vehicle.

e. Indicate the method of transport.

C. Approval

1. Upon approval by the assistant chief/bureau director, the request shall be forwarded to the Fleet Section.

2. When a district/division is issued an antique vehicle, the vehicle shall:

   a. Not be used for any illegal purpose or to benefit a private person, business, or organization.

   b. Not be used for any actual or perceived political purpose.

   c. Not be driven/operated by any person(s) other than designated on the written request.

   d. Be used to transport only person(s) specified on the written request and approved by the district commander.

   e. Not be scheduled for any community/public/official event longer than 10 days unless approved 30 days in advance.

   f. Be returned on time and in the same or better condition than issued.

D. Multiple Requests

1. In cases of multiple requests for the use of an antique vehicle on the same dates, it is to the discretion of the assistant chief/bureau director as to which district/division the vehicle will be issued.

2. Employees authorized to drive an antique vehicle shall ensure proper security of the vehicle. This includes inside storage of the vehicle when not in use.

3. No unauthorized modifications, additions, or deletions shall be made to any vehicle or its equipment. If it is determined that modifications, additions, or deletions are necessary for improved operation or safety, application may be made through the chain of command for approval.

4. Any modifications made to the vehicle(s) shall be done by the Fleet Section.

Applies to: All WSP Employees
See Also: --

► SECTION 24: REPLICA VEHICLE LICENSE PLATES ◄

17.24.010 PURCHASE OF REPLICA VEHICLE LICENSE PLATES

I. POLICY

A. Purchasing Replica License Plate

1. Retired employees issued a vehicle may purchase one replica of each numbered license plate set issued to them during their service to the department.

2. Active employees who meet the above requirement and have been promoted may purchase one replica of their former rank/class license plate number(s) that had been issued to them.

3. The procedure for this purchase shall be:

   a. Division/district commanders shall ensure assigned vehicles and equipment, including both vehicle license plates, are returned to the Fleet Section prior to retirement.

   b. Upon promotion, vehicles and equipment shall be returned, as appropriate.

   c. An IOC (active) or letter (retired) requesting authorization to purchase replica license plates shall be forwarded to the Property Management Division Commander. The IOC/letter shall include the officer's name, applicable numbered license plate(s), address, and agreement to pay the cost for replication and administration. Contact the Fleet Section for current cost.

   d. Upon approval by the Property Management Division Commander, the IOC/letter will be forwarded to the Sign Shop and assigned a work order number. The work order shall identify the numbered license plate(s) to be purchased and the cost. A copy of the request shall be provided to the Fleet Section. The Fleet Section shall maintain the Department Replica License Plate Logbook.

   e. The finished replica license plate(s) shall be delivered to the Fleet Section. The Fleet Section shall collect payment for the actual cost of replication from the active or retired member and issue the replica numbered license plate(s).

4. The purchase of replica license plates shall be considered a private transaction between the authorized purchaser and the Property Management Division. Purchase arrangements shall be the responsibility of the individual.

5. Replica license plates shall not be used, displayed, or represented as a department license plate and will be labeled "FOR DISPLAY ONLY."

6. Requests for license plates not personally assigned during service shall be denied.

Applies to: All WSP Employees
See Also: --

Chapter 18

EQUIPMENT

► SECTION 00: EQUIPMENT/PROPERTY ◄

18.00.010 CARE, USE, AND EXCHANGE OF EQUIPMENT OR PROPERTY (CALEA 1.2.1, 17.5.2, 41.3.4)

I. POLICY

A. Proper Care and Handling of Equipment

1. All employees having or using any equipment or property belonging to the department shall be charged with its proper care and handling.

2. Department equipment shall not be used for other than assigned purposes without prior permission of the appropriate commander concerned.

B. Exchange of Equipment

1. Employees are prohibited from exchanging any state-owned equipment issued to them unless authorized by their immediate supervisor or during emergencies.

2. If the exchange of tagged equipment or equipment with serial numbers is authorized, the Notice of Receipt or Transfer of Non-Expendable Property will be completed.

Applies to: All WSP Employees
See Also: Notice of Receipt or Transfer of Non-Expendable Property Form

18.00.020 UNDERCOVER WSP OFFICERS – EXEMPTIONS (CALEA 1.2.1, 17.5.2, 41.3.4)

I. POLICY

A. Exemption for Undercover WSP Officers

1. Officers in undercover assignments are exempt from any of the equipment requirements which could jeopardize their personal safety or ability to fulfill their assignment.

Applies to: All Undercover WSP Officers
See Also: --

18.00.030 NECESSARY EQUIPMENT (CALEA 1.2.1, 41.3.4)

I. POLICY

A. Timepiece

1. Officers shall, at their expense, provide themselves with a timepiece of reasonable accuracy, and shall have it in their possession during duty hours.

B. Ball Point Pen/Forms

1. Officers shall have in their possession a ball-point pen with black ink and a supply of necessary forms to carry out their duties.

C. Flashlights

1. Flashlights shall be at least a two-cell, spotlight-type, and shall be carried by all uniformed officers during the hours of darkness.

2. While directing traffic with a flashlight, the fluorescent wand or cone may be used.

Applies to: WSP Officers
See Also: --

18.00.040 PURCHASE OF SERVICE PISTOL UPON RETIREMENT (CALEA 1.2.1, 41.3.4)

I. POLICY

A. Career Service Pistol Available for Purchase

1. Upon retirement from state service, officers may purchase their career service pistol (or undercover weapon) as a keepsake. Only one service weapon may be purchased.

B. Purchase Procedure

1. The procedure for this purchase shall be:

   a. If retiring members choose to purchase their service pistol, the Supply Section shall be notified by retiring officers at the time they notify the Human Resource Division of their intent to retire.

   b. All state equipment, including the service revolver, issued to the retiring member shall be returned to the Supply Section. If the department has not received any notification of intent to purchase, the weapon shall be held for 30 days after issued equipment is turned in to Supply. After that time, it may be reissued.

   c. Upon receiving notification of a retiree purchase, the department shall appraise the weapon and establish a price based on the Williams blue book of gun values.

d. The Supply Section shall complete, or have completed, a pistol transfer application (FIR-652-001) in accordance with RCW 9.41.090 (application to purchase) and the federal Firearms Transaction Record (ATF 4473 Part I). The Supply Section shall also maintain the State Firearms Logbook (each weapon shall be assigned a control number).

e. A complete description of the pistol, the appraisal value, and the purchaser's name and address shall be sent to the Surplus Property Section, General Administration Division.

f. The Supply Section shall transfer possession of the pistol when payment by the purchaser is received, along with the completed state and federal firearms forms.

Applies to: WSP Officers
See Also: --

18.00.050 SPEED MEASURING DEVICES (RADAR AND LIDAR) (CALEA 1.2.1, 17.5.3, 41.3.4, 61.1.6, 61.1.9)

I. POLICY

A. Operation and Deployment of Speed Measuring Devices

1. Officers shall operate speed measuring devices (SMD) in accordance with departmental guidelines established by the Training Division.

2. District commanders shall be responsible for the proper deployment of SMDs within each district.

B. Testing Speed Measuring Devices

1. Each operator shall test the SMD prior to and after use. If the SMD will not test correctly, or if the officer discovers a defect, the operator shall discontinue use and return the unit to the assigned detachment or district office.

2. The officer shall record the information on a Report of Unserviceable Equipment form and attach it to the SMD carrying case for review by a communications technician.

C. Use of Carrying Case

1. The SMD carrying case may be carried in the patrol vehicle. To prevent damage, the SMD shall not be loose on the seat or floor when the vehicle is in motion. The case should be used to carry the SMD to and from the car to prevent damage or loss of accessories.

2. If the case is in the car when transporting a prisoner, the SMD carrying case shall be removed from the prisoner's reach.

3. The SMD shall be returned to the carrying case when not in use on the vehicle. Cables shall be coiled loosely and not wound around the radar antenna.

D. Security Precautions

1. When an officer leaves the patrol vehicle (e.g., coffee stop, lunch break, or processing a DUI), the antenna shall be securely placed inside the locked vehicle or, in the case of a motorcycle, locked in the storage compartment to avoid vandalism or theft.

E. Repair and Maintenance

1. Electronic communications system technicians shall maintain two-year calibration certification documents for all SMDs assigned to the district.

2. Assigned units in need of repair shall be transported to a district technician as a unit (SMD carrying case tuning forks, head, receiving antenna, and power cord) with a brief but detailed description of the malfunction or needed repair.

Applies to: WSP Officers
See Also: Report of Unserviceable Equipment Form

18.00.060 LOSS OR DAMAGE OF DEPARTMENT PROPERTY AND EQUIPMENT (CALEA 1.2.1, 17.5.2, 41.3.4)

I. POLICY

A. Reporting Property Loss or Damage

1. The loss or damage of any department property shall be immediately reported to the employee's supervisor.

B. Investigation and OPS Involvement

1. The supervisor shall initiate an investigation.

2. If there is any possibility of discipline, an Internal Incident Report shall be completed and forwarded through the chain of command to the Office of Professional Standards.

3. Supervisors shall follow the procedures outlined in the *Administrative Investigation Manual*.

C. Permanent File at Supply Section

1. The Supply Section shall maintain a permanent file on all lost, destroyed, or stolen weapons and enter the stolen weapon(s) in WACIC and NCIC.

Applies to: All WSP Employees
See Also: RCW 42.52; *Administrative Investigation Manual*

18.00.070 RETURN OF ISSUED EQUIPMENT (CALEA 1.2.1, 17.5.2, 41.3.4)

I. POLICY

A. Return Issued Equipment to Supply Section

1. Employees separating from the department shall return all issued equipment and supplies to the Supply Section. (Equipment issued

by the employee's specific division/section shall be returned to that division/section.)

2. All issued equipment and supplies shall be returned clean and in proper working order. The employee may be charged for damaged, missing, or cleaning of dirty equipment and supplies.

Applies to: All WSP Employees
See Also: --

18.00.080 ORDERING OF SUPPLIES AND EQUIPMENT (CALEA 1.2.1, 17.3.1, 17.5.2, 41.3.4)

I. POLICY

A. Requests for Supply Purchases

1. All requests for purchases of supplies and equipment shall be approved by a commander and shall be in compliance with the purchasing authorities and practices contained in the *Budget and Fiscal Services Standard Operating Procedures*.

2. Unauthorized employees shall not order supplies in the name of the Washington State Patrol.

3. No employee shall purchase or request equipment through the department for personal use.

Applies to: All WSP Employees
See Also: *Budget and Fiscal Services Standard Operating Procedures*

18.00.090 EQUIPMENT REPLACEMENT (CALEA 1.2.1, 17.5.2, 41.3.2, 41.3.4)

I. POLICY

A. Requesting Equipment Replacement or Repair

1. Requests for replacement or repair of existing equipment shall be directed to the immediate supervisor.

2. State-tagged or serialized items being returned to the Supply Section shall be accompanied by a Notice of Receipt or Transfer of Non-expendable Property form, even if only a repair is requested. All other equipment items shall be accompanied by an Equipment Request/Return form (for uniforms, see **UNIFORM REPLACEMENT OR REPAIR**).

B. Process for Completing Equipment Request/Return Form

1. Circle the applicable word or both words in the form title. For example:

   a. Circle "Return" when returning an item.

   b. Circle "Request" when requesting a new or replacement item.

c. Circle both words when returning an item and also requesting an item to be replaced or a new item. If both words are circled, be clear in the body of the form which item is to be returned and which is requested (the form may become separated from the returned item).

C. Supervisor and Commander Approvals

1. The supervisor shall inspect the item and, if approved, forward the item and form to the district/section commander.

2. If the commander approves the request, the form shall be attached to the item to be replaced and both shall be sent to the Supply Section.

Applies to: All WSP Employees
See Also: WSP Policy **Uniform Replacement or Repair**; Notice of Receipt or Transfer of Non-Expendable Property Form; Equipment Request/Return Form

18.00.100 USE OF SPECIALIZED EQUIPMENT (CALEA 1.2.1, 17.5.2, 17.5.3, 22.2.5, 41.3.4)

I. POLICY

A. Training Needed for Specialized Equipment Use

1. Specialized equipment shall be used only by those employees who have received specific training in its operation.

2. Specialized equipment, whether stored or in use, shall be maintained in a state of readiness by the person or unit in charge of the equipment.

Applies to: All WSP Employees
See Also: --

18.00.110 DEPARTMENTAL PHOTOGRAPHIC EQUIPMENT (CALEA 1.2.1, 22.2.5, 41.3.4, 83.2.2, 83.2.4)

I. POLICY

A. Use of Departmental Cameras and Equipment

1. Departmental cameras shall be assigned to supervisors or investigators based upon availability and need. Photographic training will be provided by the department or other qualified persons. Persons not familiar with the equipment shall not attempt to use it.

2. Alterations and/or modifications of photographic equipment are prohibited.

3. Camera equipment, when not in use, shall be carried in the passenger area of the patrol vehicle due to its sensitivity to moisture. Camera equipment may be stored in the trunk of a patrol

vehicle when an approved or department-issued, waterproof carrying case is used.

4. Departmental cameras and film may be used when approved by a district/section commander for training purposes. Custodians of photographic equipment are encouraged to become familiar and proficient in its use.

B. Field Operations Bureau

1. Departmental cameras and equipment issued for collision investigations in the Field Operations Bureau shall be issued to detachments that have a collision specialist. The camera shall be assigned to and carried by a collision specialist employee only. Retention of camera equipment will be limited to those collision specialist employees either on duty or on call. The cameras shall be utilized where there is a need to record evidence or damage for preservation (fatality collisions, vehicular assaults, vandalism, or collisions involving department vehicles or equipment, unusual circumstances, etc.).

2. Cameras and equipment assigned to all other operations will be retained by their custodians and used as necessary within the section assigned.

3. For filing purposes, users shall photograph one subject or incident per roll of film. Supervisors shall monitor the use of color film to minimize the costs of processing.

C. Film Processing

1. Film may be processed by a local film processor.

D. Camera Malfunctions/Repairs

1. Camera malfunctions and maintenance shall be discussed with the Supply Section by telephone before any attempt is made to correct the problem.

E. Film Acquisition

1. All film should be obtained from the Supply Section.

Applies to: All WSP Employees
See Also: --

18.00.120 ALTERATIONS TO DEPARTMENTAL COMMUNICATIONS EQUIPMENT (CALEA 1.2.1, 41.3.4)

I. POLICY

A. Adjustments, Alterations, and Repairs to Communications Equipment

1. Communications equipment installed in the department's Communication Centers and automobiles is both expensive and

highly technical in nature. For these reasons, only qualified Electronic Services Division employees will make adjustments, alterations, or repairs to this equipment.

2. Unauthorized employees shall not repair, adjust, modify, disable, or interrupt the operation of any communications equipment.

B. Exceptions

1. Exceptions to this policy are when:

   a. At the direction of qualified technical employees or higher authority.

   b. For justifiable reasons such as a potentially hazardous condition, damage to the equipment, or damage to a facility.

Applies to: All WSP Employees
See Also: --

18.00.130 INSPECTIONS (CALEA 1.2.1, 17.5.3, 41.3.4, 53.1.1, 53.2.1)

I. POLICY

A. Inspection of Equipment

1. Uniformed officers and the equipment issued to them, as well as other vehicles owned/operated by the department (including pool vehicles), shall be inspected semiannually by a supervisor (except the Academy track cars). The Equipment Inspection form shall be used to record the inspection.

2. Violations of equipment policies found during the inspections shall be documented on the Inspection form. Supervisors shall ensure that deficiencies are corrected. Reinspection of deficiencies that could not be corrected at the time of the original inspection shall be made within seven days. Inspection results shall be reflected in the appropriate job performance evaluation.

3. The supervisor shall place the original of the completed Inspection form in the subordinate's performance record and forward a copy to district command.

4. This policy does not prevent supervisors and/or command officers from conducting periodic inspections of any officer under their command.

B. Formal Inspection – Officers

1. Formal inspections may be conducted:

   a. During in-service training.

   b. Annually, as directed by the Chief or designee.

   c. Periodically, at the discretion of the district commander.

2. Formal inspections of officers assigned to the Field or Investigative Services Bureaus shall be scheduled as the need arises.

Applies to: WSP Officers
See Also: --

18.00.140 SNOWCAT (CALEA 1.2.1, 41.3.4)

I. POLICY

A. Description of Snowcat

1. The Snowcat is a piece of machinery similar in appearance to a snowmobile. Snowcats can be used during a snowstorm for emergency transport.

2. Snowcats are designed to be used in deep snow and they are very slow.

B. Request to Use Snowcat

1. There are three Snowcats assigned to the Electronic Services Division (ESD). They are located in Bellevue, Yakima, and Wenatchee.

2. Requests to use one of the Snowcats for other than accessing communication towers shall be submitted through the chain of command to the appropriate district commander. The district commander shall contact the ESD Commander prior to granting approval.

3. The following information should be included in the request:

   a. Purpose

   b. Urgency

   c. Location Snowcat will be used

   d. Other alternatives explored

   e. Time period the Snowcat will be needed

4. When approved, the Snowcat and operator(s) will be assigned to the appropriate district commander. The commander will assume responsibility for the work hours of the Snowcat and operator(s). If another agency requests the use of the Snowcat, the department will maintain control of the machinery.

Applies to: All WSP Employees
See Also: --

18.00.150 MOBILE VIDEO CAMERA EQUIPMENT (CALEA 1.2.1, 41.3.4, 41.3.8)

I. POLICY

A. Value of In-Car Video Camera Program

1. The In-Car Video Camera Program has proven its value to the department, its officers, and the citizens of the state. In-Car video enhances officer safety, protects the integrity of honest people, and improves overall department operations.

B. District Command Responsibilities

1. District commanders are responsible for the In-Car Video Program under their command. District commanders shall designate a person under their command to maintain accountability for video tapes and digital video files in the district. The lieutenant in that person's chain of command shall supervise the tracking system.

2. Evidence officers shall not become the district video designee.

3. District policy shall be developed outlining district procedures to comply with this policy.

4. It shall be the district commander's responsibility to inform and work with the prosecutor concerning this policy upon commencement of department video recording within a prosecutor's jurisdiction.

C. Supervisory Responsibilities

1. Supervisors shall document an officer's orientation training to the In-Car Video equipment in the officer's supervisory file. Sergeants supervising officers with video cameras shall also be trained in the camera's use. A Report of Training shall be forwarded to the Training Division.

2. **Handling of Video Tapes** - Each detachment sergeant that has a video system assigned to his/her detachment shall keep a sufficient supply of pre-numbered tapes available to the officer(s) who are issued the video system. The sergeant shall contact the district's video designee or his/her lieutenant to obtain tapes, sign a check out sheet, and then store the tapes at the detachment office. Only the sergeant and officer(s) assigned to the video systems shall have access to the tapes. Recorded tapes shall be returned to the district designee within a reasonable time, as established by the district commander.

3. Supervisors are responsible to ensure officers care for and use the video camera equipment properly. They shall ensure the following:

   a. Officers have been properly trained prior to using the equipment. This includes reading of the operator's manual, RCW, and viewing of the training video.

b. Officers follow established policies and procedures for the use and maintenance of the equipment, handling of recordings, and the completion of all necessary documentation.

4. The department has the right to conduct a random spot-check review of the video tapes at any time. However, in conjunction with eighty-work-hour audits, a semi-annual, random, spot-check review of video tapes and recordings is conducted to assess officer performance and compliance with policy. While video tapes may be used as evidence in allegations of serious officer misconduct, it is not the intent of the department to use them to initiate disciplinary action in instances of minor violations of policy or procedure. They are to be regarded as a valuable training tool, providing the opportunity for review and constructive instruction for officers involved in such situations.

5. Supervisors notified of needed repairs and replacements of damaged or nonfunctional equipment shall ensure the work or replacement order is performed timely. Repairs on mobile video equipment may be handled by the Electronic Services Division (ESD) or can be contracted to an outside vendor. All such contracts will be managed by ESD.

6. Video equipment shall be inspected as part of the department's policy of semiannual equipment inspections.

7. Equipment shall be adequately safeguarded to prevent it from being misplaced or misappropriated.

D. Officer Responsibilities

1. Officers shall be trained in the operation of the In-Car Video equipment. This training shall include reading the operator's manual and becoming familiar with operating and maintenance procedures and viewing the training video. When any vehicle service is performed that may disrupt automotive electrical power, the video system shall be inspected and, if necessary, the date and clock reset.

2. At the beginning of each shift, the officer shall ensure that the In-Car Video equipment is working properly. The officer shall activate the camera, walk in front of the camera, test the audio, and then play it back to verify proper operation of the equipment. The date, time, and tape counter shall be operational on the tape.

3. If there are problems with the equipment, it shall not be used, the problem shall be documented, and a supervisor notified immediately.

4. The video camera shall be positioned and adjusted to properly record traffic stops and the wireless microphone tested.

5. Officers shall have enough tapes on hand to complete the shift. The slowest recording speed shall be used on tape systems.

6. The video tape number shall be documented on the officer's daily Time and Activity Report (TAR) form in the "comments" section.

7. Only department-issued "VT" tapes shall be used and only for business purposes; no other non-department video tapes shall be placed into or viewed through the department's video equipment.

8. A video tape number shall be used only once and not be recycled.

9. Each month, the tape heads of the machine shall be cleaned with a tape head cleaner by the video camera custodian.

10. Officers using In-Car video equipment shall document all traffic stops, pursuits, and when approaching scenes of a criminal nature; it may be used to document the approach to collision scenes. If possible, the camera shall be activated to record traffic violations. Once activated, the recording will continue until the contact in question has been completed. Officers may supplement the video recording with an audio description of the event and describe any external factors that may not have been recorded (e.g., prior observations, road conditions).

11. The In-Car Video equipment shall be activated prior to any enforcement contact. Officers using audio recording in conjunction with video cameras shall be in uniform. During initial contact, officers shall advise the subject(s) present that a sound recording is being made. Except under exigent circumstances, the following statement must be included in the recording: “This contact is being recorded.” The sound recording shall be simultaneous with the video camera (except in the case of pre-event recording, where the audio is not captured), and the recording shall not be turned off during operation of the camera. Assisting officers should not have their video equipment in the recording mode for audio or video unless they have notified both the other officer and the violator. Video and audio recording shall be stopped as necessary to protect attorney-client privilege. Officers shall not use the In-Car Video equipment to make audio only recordings of defendants at the jail, office, or BAC location.

12. Officers shall note video-recorded enforcement contacts in the "comments" section on the back of the TAR, in line with that particular contact entry. Include the defendant's name or ticket number and the tape counter stop number. For tape systems, the tape counter start number for the day shall be entered in the block where "comments" are written on the back of the TAR.

13. When a Notice of Infraction or Notice of Criminal Citation (NOI/NOCC) is written or a physical arrest is made, the officer shall indicate on the back of the court copy of the ticket or in the arrest report that the contact was video-taped.

14. Officers interviewing suspects on video camera shall adhere to constitutional requirements. The Tape Recorded Defendant Statement shall be used. The Witness section of the form shall be used for those other than suspects.

15. If the audio/video equipment stops functioning properly during a contact, the officer shall document the reason for the deactivation in the "comments" section of the TAR.

16. Any video tape or digital video file entered into the evidence system or an investigative file shall be recorded on the TAR. The tapes and digital video files are records and should not become evidence unless it becomes an actual part of the case as decided by the court. Otherwise, all tapes and video files shall be held as records only. If an officer believes a contact could become a complaint or there could be a tort claim against the state, the officer may attach a Report of Investigation (with the reason to hold onto the tape or digital video file), requesting it be held until the officer notifies the designee otherwise.

17. Video tapes are weather-sensitive and should not be left in the vehicle for extended periods of time during extreme temperatures. Anytime the ejection button on the video machine has been pushed, the tape must be removed and a new tape inserted. Do not reinsert the old tape unless the video machine is equipped with a tape recognition system that recognizes where the video had stopped prior to removal.

18. Officers shall not make copies of the tape for personal use. If an incident can be used as a training aid or has media value, the officer shall advise the district designee, who shall present the information to the district commander for approval as training material.

19. An incident approved for training or media value shall be forwarded on tape or as a digital video file to the Electronics Media Manager/Government and Media Relations. The recording may not be used for commercial purposes.

E. District Designee

1. The district designee shall be responsible for issuing and tracking video tapes and digital video files (see **Supervisory Responsibilities**).

2. Each video tape shall be sequentially numbered, beginning with the prefix "VT." The number shall consist of the year, district number, and sequential number (e.g., VT01-03-0001). A video tape number shall be used once and not recycled.

3. Recorded video tapes shall be stored in a locked container/room. Only the video tape designee and his/her lieutenant shall have access to the container/room.

4. All recorded video tapes shall be maintained as records for a minimum of 130 days. If any criminal, civil, or administrative cases are on a tape, the tape shall be held until the case(s) have been adjudicated (all court hearings, appeals, court holds, and retention times have been completed). A civil case filing in this instance does not include infractions. It shall be the responsibility of the district designee to ensure all cases on a tape have been adjudicated prior to erasing a tape. At the end of 130 days,

available tapes shall be erased by the district designee and reused. Also, when a tape is no longer required as evidence, it shall be returned to the district designee for reuse. A damaged tape shall be erased when due and destroyed. The erasing of the tape shall be noted on the Video Tape Check Out Log. There must be a record of the disposition of each sequentially numbered video tape for auditing purposes. The district designee should check the case status through the District Court Information Systems (DISCIS) and the Superior Court Information System (SCOMIS).

F. Discovery

1. The defendant or representing attorney of record may be allowed to view the incident in question during business hours by appointment. The viewing of the tape shall be done at a designated patrol office with the district designee and/or lieutenant present. The prosecutor's office may also choose to handle this viewing. Copies of tapes requested for discovery shall be made available for the prosecutor's office and for the prosecutor to forward to the defendant/attorney, unless other arrangements have been made with the prosecutor. The district designee shall request the prosecutor's office return the tape with a note advising the case has been adjudicated when the case is completed.

2. In civil cases or infractions where the prosecutor is not involved, the plaintiff, defendant, and/or their attorneys are entitled to discovery. The plaintiff, defendant, and/or their attorneys need to state the video is necessary for litigation purposes.

G. Public Disclosure

1. Any request for disclosure of video tapes or digital video files shall follow RCW 9.73.090, which states: "No sound or video recording made under this subsection (1)(c) may be duplicated and made available to the public by a law enforcement agency subject to this section until final disposition of any criminal or civil litigation which arises from the incident or incidents which were recorded. Such sound recordings shall not be divulged or used by any law enforcement agency for any commercial purpose" (e.g., media, television requests).

2. Any requests for copies of video tapes or digital video files shall be in writing or on the Request for Public Records. The incident time, date, and case or NOI/NOCC number should be included in the request. If releasable, only the portion of the tape related to the request shall be duplicated by the district designee and two copies forwarded to the district public disclosure coordinator. The actual cost of the copying shall be the responsibility of the requester and will be billed at the time of delivery, in accordance with public disclosure procedures.

Applies to: All WSP Officers, Risk Management Division
See Also: RCW 9.73.090; Report of Training; Tape Recorded Defendant Statement; Report of Investigation

Chapter 19

TRAFFIC RESPONSIBILITIES

► SECTION 00: TRAFFIC ◄

19.00.010 TRAFFIC RESPONSIBILITIES (CALEA 1.2.6, 61.1.2, 61.1.5, 61.1.6, 61.1.8, 61.2.2, 61.3.2)

I. POLICY

A. Movement of People and Vehicles

1. Life throughout this state is heavily dependent upon the free movement of people and vehicles. The department has a major share of the responsibility for achieving and maintaining that degree of order necessary to make this free movement possible. Implicit in the objective of facilitating the movement of people is a concern for their safety.

2. The department must enforce traffic laws, investigate traffic collisions, and direct traffic to facilitate the safe and expeditious movement of vehicles and pedestrians. To obtain compliance with traffic laws and to develop driver awareness of the causes of traffic collisions, the department appropriately warns, issues infraction notices, cites, or arrests traffic violators.

3. Once a violator is identified, the officer's function is to initiate appropriate enforcement action. Appropriate action is the minimum degree of enforcement necessary consistent with the traffic mission of the department.

4. In cases where the officer is the "victim" of a violation, appropriate action would normally be a warning.

Applies to: WSP Officers
See Also: --

19.00.020 TOUR OF DUTY (CALEA 61.1.6)

I. POLICY

A. Officers Assigned to Traffic Duty

1. Officers assigned to traffic duty shall be on duty at least eight hours per working day, depending on their shift schedule.

2. Officers assigned to traffic duty shall be permitted two 15-minute rest breaks per routine shift of duty, in addition to the half-hour for meals. Rest breaks shall not be taken during peak traffic periods, during times of emergency, or at any other times prohibited by the supervisor.

3. No more than two officers shall be present at the same coffee stop at one time, except when assigned to special details and having the approval of a supervisor. This shall not preclude supervisory or command officers from contacting them.

4. Officers shall not take their rest breaks at the precise same time each day in those areas where a pattern might be established that would be evident to the motoring public.

5. Officers shall vary the locations of coffee stops within their assigned area, and shall display a willingness to be of assistance to the public.

6. The time and location of the lunch period and the rest periods may be designated by the supervisor.

7. The patrol vehicle shall be properly parked and, when possible, shall be backed for safe and easy departure in cases of emergency. No attempt shall be made to hide the vehicle.

8. Officers shall advise Communications of their location when taking lunch and rest periods. They shall be available in their assigned duty area for calls by radio or telephone.

9. Officers shall be in their assigned areas by the time their tour of duty commences and shall remain in their assigned areas or districts while on duty, unless they are in pursuit of a suspect, dispatched elsewhere by Communications, directed to leave by a superior officer, given permission to leave by their supervisor, or in case of an emergency.

10. Officers shall include their location when advising Communications "out of service."

Applies to: WSP Officers
See Also: --

19.00.030 VIOLATOR CONTACT (CALEA 1.2.6, 61.1.5, 61.1.8)

I. POLICY

A. Contact With a Traffic Violator

1. Traffic law enforcement is one of many routine tasks performed by officers, but for violators it frequently is an emotionally traumatic experience. In many cases, this is the only contact a person has with the department.

2. Officers should be aware of these conditions and strive to make each contact educational, leaving the violator with the impression that the officer has performed a necessary task in a professional and friendly manner.

Applies to: WSP Officers
See Also: --

► SECTION 01: WARNINGS ◄

19.01.010 VERBAL WARNINGS (CALEA 1.2.6, 61.1.2, 61.1.5)

I. POLICY

A. Use of Verbal Warnings

1. Verbal warnings may be used to gain compliance in cases of minor infractions or violations.

Applies to: WSP Officers
See Also: --

19.01.020 WRITTEN WARNINGS – CORRECTION NOTICE (CALEA 1.2.6, 61.1.2, 61.1.5)

I. POLICY

A. Use of Written Warnings

1. Written warnings may be used as a means of gaining compliance.

II. PROCEDURES

A. Issuing a Correction Notice

1. When a Correction Notice is written for moving violations, the first copy is presented to the violator; when a Correction Notice is written for compliance, the second, or post card copy, is issued. The officer shall retain the appropriate copy for the file. When a compliance notice post card is issued, the officer shall advise the violator that non-compliance may result in a ticket being issued for the violation.

2. The officer's detachment office address shall be stamped on the postage side of the post card. The violator shall be instructed to mail the post card in order to comply with the violation. If the compliance of the Correction Notice is made at an office other than the issuing officer's duty station, the Correction Notice shall be forwarded to the issuing officer.

3. If there is no compliance, an infraction or citation may be issued ten days after the notice was due, using normal court procedures. This will be recorded on the Daily Work Report as a follow-up arrest. Should there be any question whatsoever concerning compliance, the officer should use discretion in issuing any infraction/citation.

Applies to: WSP Officers
See Also: --

► SECTION 02: INFRACTION/CITATION ◄

19.02.010 NOTICE OF INFRACTION (NOI) – ISSUING (CALEA 1.2.6, 61.1.2, 61.1.4, 61.1.5, 82.2.2, 82.2.4)

I. POLICY

A. Use of Notice of Infraction

1. The NOI shall be used for traffic and non-traffic infractions. A maximum of three infractions may be entered on the NOI. Traffic and non-traffic infractions or criminal violations shall not be combined on the same form.

2. When issuing an NOI, the monetary penalty shall be indicated in the penalty/bail space provided on the form. If questioned, officers shall emphasize that bail or monetary penalties are set by the court, and no one else has any jurisdiction regarding the amount. Officers shall refer all inquiries regarding the amount of bail or monetary penalty to the appropriate court. Officers and/or other employees shall not accept bail from any violator.

3. All issued NOIs shall be complete and legible. The Law Enforcement Agency (LEA) copy of each NOI shall be given to the officer's immediate supervisor. After review, the supervisor shall forward this LEA copy to the district commander. If legibility or completeness problems are apparent, the supervisor shall take steps to improve officer performance in filling out the NOI.

4. Officers shall not ask for Social Security numbers when filling out NOIs unless the driver is operating a commercial motor vehicle and possesses a commercial driver's license.

5. If more than one officer's signature is required, the officer responsible for the book shall sign above any other signature that appears on the notice.

Applies to: WSP Officers
See Also: --

19.02.020 NOTICE OF CRIMINAL CITATION (NOCC) – ISSUING (CALEA 1.2.6, 61.1.2, 61.1.4, 61.1.5, 82.2.2, 82.2.4)

I. POLICY

A. Use of Notice of Criminal Citation

1. The NOCC shall be used for misdemeanors. A maximum of two charges may be entered on the NOCC. Criminal violations and traffic infractions shall not be combined on the same form.

2. If the court of jurisdiction has provided a bail schedule, officers shall indicate the bail in the penalty/bail space when issuing a misdemeanor citation. If there is no bail schedule, the amount of bail shall not be noted on the citation or given verbally. In these cases, officers shall refer persons to the appropriate court. If the violation requires a mandatory court appearance, officers shall

enter a check mark in the box next to "Mandatory." Officers and/or other employees shall not accept bail from any violator. The requirements for legibility and completeness of the NOCC and for the distribution of the NOCC Law Enforcement Agency (LEA) copy shall be the same as for the NOI.

Applies to: WSP Officers
See Also: --

19.02.030 DISTRIBUTION OF NOTICE OF INFRACTION (NOI) AND NOTICE OF CRIMINAL CITATION (NOCC) (CALEA 82.2.4, 82.3.4)

I. POLICY

A. NOI Distribution

1. The original and first copy are delivered or transmitted to the court having jurisdiction within five business days of issuance (non-judicial days excluded).

2. The second copy is the violator's copy. The third copy (LEA) is attached to the required daily report for the supervisor to forward (see **NOI/NOCC - TRACKING**). The last copy is retained by the officer and is kept with the monthly activity file records. E-tickets are stored electronically in the Statewide Electronic Collision and Ticket Online Records (SECTOR) back office database. It is not necessary for officers using SECTOR to store printed copies of NOIs.

B. NOCC Distribution

1. The original and first copy are delivered or transmitted to the court having jurisdiction within 48 hours of issuance (non-judicial days excluded).

2. The second copy is the violator's copy. The third copy (LEA) is attached to the required daily report for the supervisor to forward (see **NOI/NOCC - TRACKING**). The last copy is retained by the officer and is kept with the monthly records. E-tickets are stored electronically in the SECTOR back office database. It is not necessary for officers using SECTOR to store printed copies of NOCCs.

Applies to: WSP Officers
See Also: --

19.02.040 RACE REPORTING (CALEA 1.2.9)

I. POLICY

A. Race reporting in NOI/NOCC:

1. White or Caucasian ..... W
2. Hispanic ..... H
3. Asian or Pacific Islander ..... A
4. Black or African American ..... B
5. American Indian or Alaskan Native I
6. Unknown ..... U

Applies to: WSP Officers
See Also: --

19.02.050 VOIDING NOIS/NOCCS/UNIFORM DRIVER – VEHICLE INSPECTION REPORTS (CALEA 82.3.4)

I. POLICY

A. Voiding an NOI/NOCC/UDVIR

1. If an officer must void an NOI/NOCC/Uniform Driver-Vehicle Inspection Report (UDVIR), an IOC shall be submitted to the district through the officer's immediate supervisor, stating the number printed on the ticket/report, defendant's name, address, date, time, location of the incident, and the reason for voiding. "VOID" shall be written across all copies of the NOI/NOCC/UDVIR, and all copies shall be attached to the IOC. **NOTE:** If the defendant's copy of the NOI/NOCC/UDVIR has been issued and is not available for voiding, the officer will document this in the IOC. The supervisor shall forward the original IOC and voided copies to the district commander.

2. The district shall photocopy both the IOC and voided NOI/NOCC/UDVIR, sending the NOI/NOCC copies to the Field Operations Bureau (FOB) and the UDVIR copies to the Commercial Vehicle Division (CVD). The original IOC and the NOI/NOCC/UDVIR shall be retained in a voided ticket file by the district according to the retention schedule. The original NOI/NOCC/UDVIR shall be shredded at the district after one month of retention. A copy of the IOC shall be kept in the officer's supervisory file. Upon receipt of the information from the district, FOB/CVD shall enter the voided NOI/NOCC/UDVIR information and retain the IOC photocopy as required by the retention schedule.

3. Voided electronic NOIs/NOCCs are transmitted to the Statewide Electronic Collision and Ticket Online Records (SECTOR) back office database and are available to the supervisor for audit purposes. An IOC shall be submitted to the district through the officer's immediate supervisor, stating the electronic NOI/NOCC number, defendant's name and address, the date, time, location of the incident, and the reason for voiding. IOCs shall not be required for electronic NOIs/NOCCs voided during training sessions.

4. When circumstances warrant, a commander may request the prosecutor petition the court to dismiss an NOI/NOCC.

Applies to: Field Operations Bureau, Commercial Vehicle Division, WSP Officers
See Also: --

19.02.060 NOI/NOCC – BOOKING (CALEA 61.1.4, 61.1.5, 82.2.2)

I. POLICY

A. Bookings

1. Bookings may be made when:

a. The arresting officer has reasonable cause to believe the arrested person has committed a felony.

b. Arrest is authorized through "arrest without a warrant" and the seriousness of the violation, in combination with the incident, makes the officer believe the person will be a danger to self, property, or the community.

c. Traffic laws specifically provide.

2. If an NOCC is issued at the time of booking, the word "Booked" shall be entered on the citation in lieu of the person's signature. Officers using Statewide Electronic Collision and Ticket Online Records (SECTOR) shall indicate electronically when the subject is booked.

Applies to: WSP Officers
See Also: --

19.02.070 NOI/NOCC/UDVIR TRACKING (CALEA 82.3.4)

I. POLICY

A. Ordering NOIs/NOCCs/UDVIRs

1. Ordering of Notice of Infractions (NOIs)/Notice of Criminal Citations (NOCCs)/Uniform Driver Vehicle Inspection Reports (UDVIRs) for the department is the responsibility of the Supply Section, in conjunction with the State Printer.

B. Court Docket Register Spreadsheet

1. The Court Docket Register Spreadsheet shall be completed by the Supply Section to account for all NOI/NOCC/UDVIR forms received from the printer.

2. Missing numbers (those skipped or omitted by the printer or damaged in shipping) shall be noted on the register.

3. The register shall indicate shipments of the notices to the divisions/districts.

4. The Court Docket Register shall be kept on file according to the retention schedule.

5. The Supply Section shall issue NOI/NOCC/UDVIR books by the case to the division/district offices only. **Supply shall not issue NOI/NOCC/UDVIR books directly to detachments**.

6. The Supply Section shall provide a packing slip that indicates the NOI/NOCC/UDVIR numbers in each case sent to a division/district.

C. Division/District Control

1. The division/district is responsible for the accuracy of files, inventory, tracking, use, and security of NOIs/NOCCs/UDVIRs. Divisions/districts shall order NOI/NOCC/UDVIR books by the case

from the Supply Section. When a division/district receives a case of NOI/NOCC/UDVIR books from Supply, the division/district shall verify the NOI/NOCC/UDVIR books received against the packing slip. The division/district shall keep the packing slip on file according to the retention schedule. If there is a discrepancy in the verification process, the division/district shall notify the Supply Section immediately. The NOI/NOCC/UDVIR books shall be kept locked and stored separately, with access limited to those with authority to issue the books. Locks or lock combinations allowing direct access to the NOI/NOCC/UDVIR books shall be changed when employees with access are relieved of the authority to issue books.

2. The NOI/NOCC/UDVIR books received by the division/district shall be entered on a Record of Arrest Ticket Log in numerical order before issuing to the detachments. A copy of the log shall accompany the NOIs/NOCCs/UDVIRs when issued to the detachments. The division/district shall retain a copy of the log according to the retention schedule.

3. As divisions/districts receive completed log sheets from detachments, they shall review them for accuracy and legibility. The log sheets shall be filed in numerical order, replacing the unsigned logs, and kept according to the retention schedule.

4. As divisions/districts receive NOI/NOCC (Law Enforcement Agency, or LEA) copies and book cover receipts from detachments, they shall enter them into the NOI/NOCC Citation Tracking System.

5. The number of NOI/NOCC/UDVIR books issued to detachments shall not exceed a three months' supply. **NOTE:** Detachments with limited usage may keep one case on hand. The division/district commander shall be responsible for the distribution, tracking, inventory levels at the district and detachments, and reporting of the appropriate information by use of the Citation Tracking System.

6. Divisions/districts may develop additional policies for distribution and tracking.

D. Detachment Control

1. The detachment supervisor shall maintain the Record of Arrest Ticket Log received from the district for NOI/NOCC/UDVIR books. Detachments shall keep NOI/NOCC/UDVIR books locked and stored separately, with access limited to those who have the authority to issue the books. Books shall be issued to officers in numerical order. Supervisors shall ensure that the Record of Arrest Ticket Log is filled out as the books are issued. Supervisors shall send completed logs to the division/district. A copy of the log shall be kept at the detachment. The detachment logs shall be retained sequentially and according to the agency retention schedule.

2. Only a division/district or detachment supervisor may issue an NOI/NOCC book to someone other than a department officer (i.e., prosecutor, court). Upon such issuance, an IOC shall be placed in the division/district file indicating the numbers of the NOIs/NOCCs

issued. The book receipt cover shall indicate to whom the book was issued and be forwarded to the district.

E. Officer Accountability

1. Officers obtaining NOI/NOCC/UDVIR books shall check the book for correct numerical sequence. They shall sign the Record of Arrest Ticket Log with their name or badge number and date on the line appropriate for that particular book. Officers shall not check books out for other officers nor take more than a reasonable supply, as determined by the division/district commander. Officers shall fill out the book cover receipt with their signature, badge number, and date and forward it to their supervisor. Supervisors shall forward the book cover receipt to the division/district. A completed original UDVIR inspection form (white page) shall be delivered to the supervisor within five working days.

2. If an NOI/NOCC/UDVIR book is incomplete or has an incorrect numerical sequence, the book shall not be used. The book shall be returned to the division/district to be listed as voided NOIs/NOCCs in the tracking system. An IOC shall accompany the book, detailing the numerical sequence returned. The division/district shall retain the IOC and NOI/NOCC book cover or, for the UVDIR, forward a copy of the IOC and copy of the book cover to the Commercial Vehicle Division (CVD).

3. Officers leaving Washington State Patrol service shall return any partial or unused NOI/NOCC/UDVIR books to their supervisor with an IOC. The supervisor shall forward the book(s) to the division/district. The division/district shall retain the NOI/NOCC/UDVIR books for one month and the original IOC per the retention schedule. A copy of the UDVIR IOC shall be sent to CVD. The returned NOI/NOCC/UDVIR shall be forwarded to the Training Division after one month with copies of the IOCs submitted for original turn-in or a replacement IOC indicating the NOI/NOCC numbers to be used for training purposes. The Training Division will utilize these documents for training purposes only. The front page of each document shall be marked in a manner to indicate training purposes only. At the conclusion of training utilizing these documents all copies shall be shredded by the Training Division. Two persons shall be present during the destruction process by the Training Division. An IOC noting the two persons, date, and time of shredding shall be attached to the original IOCs of those forms shredded and be kept at the division/district per the retention schedule.

4. Officers may obtain up to 150 electronic tickets through the Statewide Electronic Collision and Ticket Online Records (SECTOR) back office database. SECTOR tracks each electronic ticket and accounts for each ticket issued, voided, and filed with the court.

F. Division/District Responsibilities

1. Divisions/districts shall review the Unlocated Citation Report and the Voided Citation Report for unusual or excessive entries and investigate.

2. Division/district commanders shall be the administrative and fiscal officers responsible for the purpose of tracking and auditing NOIs/NOCCs/UDVIRs (RCW 46.64.010).

G. Field Operations Bureau Responsibilities

1. District offices shall enter NOI/NOCC tracking information received into the Citation Tracking System. The program shall compare the information from the book cover receipts with the Law Enforcement Agency (LEA) copies of the completed NOIs/NOCCs received from the divisions/districts. Information received from the divisions/districts on a missing, voided, or non-issued NOI/NOCC shall also be entered. The information received shall be retained according to the retention schedule.

2. The Citation Tracking System shall provide reports to the divisions/districts to obtain information on missing NOI/NOCC numbers and to provide commanders with ticket tracking data.

H. Commercial Vehicle Division Control

1. CVD shall be responsible for tracking UDVIR information received from districts in a filing system numerically and by month. This UDVIR information can be verified through the SafetyNet data system to ensure accountability. Information received from the districts concerning missing, voided, or non-issued UDVIR information will also be filed with the originating documents.

2. Computerized inspection reports are tracked via a CVD computer. In those cases where a UDVIR does not transmit (upload) to CVD, a copy shall be mailed to CVD for entry into the system.

3. The information received shall be retained according to the retention schedule.

I. Infraction/Citation/UDVIR Tracking Reports

1. Divisions/districts shall use the Washington State Patrol Citation Control Sheets to account for missing NOIs/NOCCs from issued books. CVD shall do the same for UDVIRs. The division/district commander shall ensure the control sheets are logged as received, then immediately forwarded to the appropriate detachment supervisor to enable the officer to locate missing NOIs/NOCCs.

2. The detachment supervisor and officers receiving a control sheet shall make every attempt to locate the noted NOI/NOCC/UDVIR and record it on the sheet. If an NOI/NOCC/UDVIR cannot be located after checking all resources (worksheet, files), "Unable to Locate" shall be written on the control sheet.

3. Officers shall complete, sign, and return the control sheet to their supervisor within two weeks of receipt. The supervisor shall ensure that a thorough search was made for any NOI/NOCC/UDVIR listed as "Unable to Locate." The supervisor shall sign the register and immediately forward it to the division/district. The division/district shall audit for completeness, retain a file copy according to the

retention schedule, and retain the completed control sheet or send it to CVD as appropriate. The division/district shall enter the new information in the tracking system.

Applies to: Field Operations Bureau, Supply Section, Commercial Vehicle Division, Training Division, WSP Officers
See Also: RCW 46.64.010; Notice of Infraction; Notice of Criminal Citation; Uniform Driver Vehicle Inspection Reports

► SECTION 03: ENFORCEMENT/COLLISION DATA ◄

19.03.010 ENFORCEMENT/COLLISION DATA SUMMARIES (CALEA 61.1.1, 61.3.1, 82.3.2, 82.3.3)

I. POLICY

A. Summaries on Enforcement

1. Budget and Fiscal Services shall provide summaries on enforcement and collision data by highway type, district, detachment, officer, and type of collision or enforcement. These shall be available online through Washington State Patrol Central Reporting Services for those employees with appropriate access. These reports can be run for all data, based on date, from July 1, 2005, to current. The data shall be used to facilitate the selective traffic enforcement function planning activities.

2. It shall be the responsibility of the recipients to review and analyze summaries to ensure proper, useful, and timely data is being received. Suggestions for modifications to the reporting system or the summaries may be forwarded through the chain of command to the Time and Activity System coordinator at Budget and Fiscal Services.

Applies to: All WSP Employees
See Also: --

► SECTION 04: ROADWAY CONDITIONS ◄

19.04.010 ROADWAY CONDITIONS FOUND DURING PATROL (CALEA 41.2.4, 61.3.1, 61.4.2, 82.3.3)

I. POLICY

A. Roadway Obstructions

1. Officers shall be on the alert for defects, damage, or obstructions to any roadway, bridge, or traffic safety devices.

2. Officers observing such defects, damage, or obstruction shall advise Communications, and Communications shall notify the proper authority. Officers may be required to protect the area until the defect is repaired.

3. Officers receiving a citizen's complaint or suggestion concerning a traffic engineering problem should ascertain the person's name, address, and telephone number. The suggestion and any additional information the officer feels would help clarify the situation shall be forwarded to the proper agency through the district's chain of command. At the discretion of the district commander, a letter may be sent to the person making the suggestion, advising of the action taken by the department.

Applies to: WSP Officers
See Also: --

► SECTION 05: ESCORTING VEHICLES ◄

19.05.010 ESCORTING VEHICLES BY WSP OFFICERS (CALEA 41.2.1, 61.3.3, 61.4.1)

I. POLICY

A. Escorts for Other Vehicles

1. Officers shall not provide escorts for any vehicle in excess of stated speed limits. If the request for an escort is of an emergency medical nature, the officer shall first consider the use of an ambulance or medivac unit. If there is no alternative, the person may be placed in the patrol vehicle for emergency transportation.

2. Other requests for departmental escort services shall be authorized by the district commander (e.g., parades, hazardous materials, or unusually large cargo). If the requested escort involves crossing district boundaries, the commander shall request authorization from the Field Operations Bureau.

Applies to: WSP Officers
See Also: --

► SECTION 06: ROAD CLOSURES ◄

19.06.010 STATE HIGHWAY ROAD CLOSURES BY WSP OFFICERS (CALEA 41.2.4, 61.3.2, 82.3.3)

I. POLICY

A. Approval for Closure of a State Highway

1. When a situation develops which, in the opinion of an officer, necessitates the closure of a state highway, prior approval shall be obtained from the district commander.

2. If, in the opinion of an officer, a state highway is unsafe for travel and constitutes an immediate threat to public safety, the officer may take steps to ensure the road is physically closed to traffic. Communications shall be informed immediately of any road closure and reopening, and shall advise the district commander, Department of Transportation (DOT), local authorities, and news media. A

message shall immediately be sent by teletype to the district office, the Headquarters Duty Officer, and the Field Operations Bureau Assistant Chief.

3. In the event a state road is closed by another agency, our officer shall proceed to the closure point to ensure that proper selection of the site was made and the road is properly barricaded.

4. If a state road has been closed, it shall be necessary to obtain DOT concurrence prior to reopening.

5. Officers may also prohibit the movement of over-legal vehicles or vehicles transporting radioactive or other hazardous materials cargo if weather, wind, or other conditions exist which pose a substantial risk to public safety. Communications shall be informed immediately of any road closure or reopening to over-legal vehicles or placarded transporters of radioactive or hazardous materials, and shall advise the district commander, Department of Transportation (DOT), local authorities, and news media. A message shall immediately be sent by teletype to the district office, the Headquarters Duty Officer, and the Field Operations Bureau Assistant Chief.

Applies to: WSP Officers
See Also: --

► SECTION 07: TRAFFIC CONTROL ◄

19.07.010 SPECIAL EVENTS – TRAFFIC CONTROL (CALEA 46.2.7, 61.1.6, 61.3.2)

I. POLICY

A. Traffic Contingency Plan

1. The district commander or designee shall ensure a department contingency plan is developed for traffic direction and control prior to departmental participation in special events within his area of responsibility.

2. Special events may include parades, sporting events, highway construction and maintenance activities, picketing, etc.

Applies to: District Commanders
See Also: --

► SECTION 08: WEIGH STATIONS ◄

19.08.010 WEIGH STATION CHECKS – VANDALISM

I. POLICY

A. Inspection of Weigh Stations

1. To reduce acts of vandalism to weigh stations, WSP Commercial Vehicle Enforcement Officers shall ensure that all weigh stations

are inspected at least once during each week. Communications shall be notified that the scale is secure and shall log the date, time, and person checking the scale.

2. Employees shall advise Communications immediately upon discovery of vandalism or other damage for transmittal of information to the Property Management Division.

3. If possible, the scale dial shall be locked or the electronic weigh meter shall be turned off after an act of vandalism has occurred, and a sign shall be posted on the dial or weigh meter face stating: THIS SCALE WILL BE CLOSED INDEFINITELY.

Applies to: WSP Officers
See Also: --

► SECTION 09: VEHICLE IMPOUNDS ◄

19.09.010 IMPOUNDING VEHICLES (CALEA 61.1.11, 61.2.2, 61.4.2, 61.4.3)

I. DEFINITIONS

A. Discretion — The freedom or authority to make decisions and choices; power to judge or act.

B. Hazard — Risk, peril, danger, jeopardy. A danger or risk lurking in a situation which by chance or fortuity could develop into an active agency of harm.

C. Highway — The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

D. Place of Safety — A place of security which provides freedom from injury, harm, danger, or damage. For the purposes of impounds, a place of safety includes the business location of a registered tow truck operator.

E. Public Safety — The exercise of the state's police powers by enacting laws for the protection of the public from injury and dangers.

F. Registered Tow Truck Operator — Any person who engages in the impounding, transporting, or storage of unauthorized vehicles or the disposal of abandoned vehicles and has complied with the requirements set forth in RCWs 46.55.020; .030; .040; .050; .060.

G. Right of Way — The right established by common or statutory law which gives precedence to movement. When referring to stopping or standing on limited access facilities, it includes the shoulders of the facility.

H. Roadway — The portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the sidewalk or shoulder even though such sidewalk or shoulder is used by persons riding bicycles. In the event a highway includes two or more separated roadways, the term

"roadway" shall refer to any such roadway separately but shall not refer to all such roadways collectively.

I. Vehicle — Every device capable of being moved upon a public highway and in, upon, or by which persons or property is or may be transported or drawn upon a public highway, including bicycles. The term does not include devices (other than bicycles) moved by human or animal power or used exclusively upon stationary rails or tracks. Mopeds shall be determined to be vehicles.

J. Impound — To take and hold a vehicle in legal custody (RCW 46.55.010).

K. Visual Inspection — To observe the vehicle's physical condition and take note of its contents.

II. POLICY

A. Requirement for All Impounds

1. Whenever a vehicle is impounded by an officer, sufficient notes shall be kept by the officer as to the reason for the impounding. This enables the officer to accurately testify at any future impound hearing.

2. The information section of the Abandoned Vehicle Warning Sticker from an impounded or abandoned vehicle shall be attached to the inventory record for the vehicle. This is evidence that the vehicle was abandoned over 24 hours and allows easy reference for later testimony. Once the Vehicle Inventory Record is completed, it shall be submitted within 24 hours to the immediate supervisor for filing. The Abandoned Vehicle Warning Sticker is not required if the vehicle is an immediate impound.

B. DUI, Physical Control, and DWLS/R Impounds

1. When a driver of a vehicle is arrested for driving or being in physical control of a vehicle while under the influence or driving with license suspended or revoked (RCW 46.61.502, 46.61.504, 46.20.342, or 46.20.345), officers may, at their discretion, considering reasonable alternatives, impound the vehicle (see WAC 204-96-010 as amended 4/4/04).

2. Considering reasonable alternatives may include, but are not limited to, contacting or attempting to contact legally permissible alternative drivers, whether a passenger, a vehicle owner, or someone located within a reasonable distance to respond.

3. When an arrest is made for a violation of RCW 46.20.342, if the vehicle is a commercial vehicle and the driver of the vehicle is not the owner of the vehicle, before impoundment, the officer/Communications shall attempt, in a reasonable and timely manner, to contact the owner of the vehicle. The vehicle may be released to the owner if the officer perceives the owner is reasonably available and has not received a prior release because of a suspended driver.

Suspended Driver Hold Matrix			
Hold for Outstanding Penalty (Payments Only)	**30 Days**	**60 Days**	**90 Days**
• Driving While License Suspended/Revoked (DWLS/R) 3rd degree with no convictions of .342 in last 5 years	• DWLS/R 3rd degree with prior conviction of .342 in 5 years or • DWLS/R 1st or 2nd degree with no convictions (.342) in 5 years	• DWLS/R 1st or 2nd degree with .342 1st or 2nd degree in last 5 years	• DWLS/R 1st or 2nd degree with two or more convictions (.342 1st or 2nd) in the last 5 years

C. Other Discretionary Impounds

1. In the following situations, officers may, at their own discretion, impound vehicles without prior notice to the registered owner. Officers shall consider all reasonable alternatives prior to impoundment. This list is not all-inclusive but is designed to set forth the more common situations:

   a. When an officer finds a vehicle standing ON the roadway in violation of any provisions of RCW 46.61.560 (stopping or parking on the roadway or not arranging for prompt removal of a disabled vehicle).

   b. When an officer finds a vehicle unattended upon a highway where the vehicle constitutes an obstruction to traffic or jeopardizes public safety.

   c. When an officer finds a vehicle unattended at the scene of a collision or the driver of a vehicle involved in a collision is physically/mentally incapable of deciding what should be done to protect his/her property (Authority - RCW 46.55.113).

   d. When an officer discovers an abandoned vehicle which has apparently been involved in a collision and which jeopardizes public safety, whether or not the vehicle is at the scene of a collision (Authority - RCW 46.55.113).

   e. When a driver is arrested and taken into custody by an officer (Authority - RCW 46.55.113).

   f. When an officer determines a vehicle is stolen (Authority - RCW 46.55.113).

   g. When an officer determines a person is operating a motor vehicle without a valid operator's license in violation of RCW 46.20.005, operating without a specially endorsed license when required, or operating with a license that has been expired for 90 days or more (Authority - RCW 46.55.113) (see **ARREST FOR DRIVER'S LICENSING VIOLATIONS**).

h. When an officer determines a vehicle will be a target for vandalism or theft and neither the owner/operator nor the spouse or friends thereof are available to move the vehicle [Authority - State v. Houser, Wn. 2d 143, 150-152 (1980); State v. Simpson, Wn. 2d 170 189 (1980)].

i. When an officer discovers a vehicle left standing in the median of a roadway or parked along a jersey barrier or guardrail in such a manner as to jeopardize public safety (Authority - RCW 46.55.113).

j. When an officer discovers a vehicle left along the shoulder of the roadway so close to the traveled portion that it jeopardizes public safety (Authority - RCW 46.55.113).

k. When an officer determines a vehicle to be so mechanically defective as to be unsafe for operation on the highways of the state (Authority - RCW 46.32.060).

l. When a vehicle which has been left alongside the road and previously did not fall within the immediate impound requirements, but due to a change of circumstances, such as no lights on as required by RCW 46.37.150, its status has changed and it now falls within a category which requires immediate impound.

m. When an abandoned vehicle constitutes an obstruction to traffic, such as preventing a snowplow from clearing the traffic lanes (Authority - RCW 46.55.113).

n. When a vehicle without a special license plate, card, or decal indicating that the vehicle is being used to transport a disabled person under RCW 46.16.381 is parked in a stall or space clearly and conspicuously marked under RCW 46.61.581, which space is provided on private property without charge or on public property (Authority - RCW 46.55.113).

2. Only the truck tractor of tractor-trailer combinations should be impounded. Arrangements with the company shall be made for removal of the trailer(s). However, if hazardous conditions exist, impound of the trailer(s) may be necessary. Commercially rented vehicles may be impounded but no suspended driver holds shall be placed upon them.

3. When impounding a vehicle, officers shall follow the inventory procedure as outlined under **INVENTORY OF VEHICLES**.

D. Twenty-Four Hour Notice Required Before Impound

1. When a vehicle or hulk has been left alongside the roadway and neither constitutes an obstruction to traffic nor jeopardizes public safety as listed above, 24-hour notice must be given prior to impound. The use of the Abandoned Vehicle Warning Sticker constitutes the 24-hour notice (Authority - RCW 46.55.085).

E. Impounding Abandoned Vehicles

1. When abandoned vehicles requiring 24-hour notice prior to impound are located, the officer shall fill out the Abandoned Vehicle Warning Sticker and attach it to the vehicle in a conspicuous place. This reflectorized sticker shall be affixed to the vehicle on a non-painted surface closest to the oncoming lane of travel. Officers shall advise Communications the vehicle has been so tagged, its location, license number, year, make, model, and color.

2. Upon being advised that a vehicle has been tagged, Communications will make a registration and records check through DOL, WACIC, and NCIC. If the vehicle has a current Washington registration or shows an address from a nearby city in a neighboring state, Communications shall make a reasonable effort to contact the registered owner by telephone. The owner shall be advised that the vehicle must be removed from the roadway within 24 hours from the date and time the vehicle was tagged, or it will be impounded and the registered owner will pay the costs for the impound. Also, the owner must redeem the vehicle from the tow company or an infraction shall be issued for Littering -- Abandoned Vehicle.

3. Communications is not required to actually contact the registered owner, but only to make a reasonable effort to do so. Two or three telephone calls at different times of the day (or a message left on an answering machine) would be considered a reasonable attempt. Regardless of whether or not the owner is contacted, the vehicle is subject to impound upon the expiration of the 24-hour period or sooner if the vehicle becomes a hazard.

4. In general, the person responsible for impounding an abandoned and previously tagged vehicle is the officer who originally tagged the vehicle. However, district commanders will develop written procedures for their districts to ensure that abandoned vehicles are impounded as soon as possible after the 24-hour period has elapsed.

F. Impounding Vehicles Involved in Collisions

1. A vehicle(s) involved in a collision that is not considered drivable shall be impounded if not immediately removed by a responsible party.

2. In some collisions, the vehicle will be considered evidence and may be impounded for that reason alone. Whenever a vehicle is retained for evidence as a result of a collision, the Field Operations Bureau (FOB) will be responsible for payment of tow costs incurred.

3. Prior to release of vehicles, district property and evidence custodians shall be responsible for collecting towing costs incurred by FOB from the registered/legal owners, salvage companies, and/or insurance companies of impounded vehicles.

G. Vehicles Containing Evidence of a Crime

1. Vehicles may be impounded when they contain evidence of a crime and impoundment is reasonably necessary to preserve the evidence or obtain more evidence.

2. Whenever officers seize a vehicle as a result of any non-collision-related crime, the initiating officer's division and/or district will be responsible for payment of towing costs.

3. District property and evidence custodians must ensure that tow invoices are charged to the appropriate division's budget code.

4. Prior to release of vehicles, district property and evidence custodians shall be responsible for collecting towing costs incurred by the department from the registered/legal owners, salvage companies, and/or insurance companies of impounded vehicles.

H. District Property and Evidence Custodians

1. The district property and evidence custodian receiving vehicles into evidence will be responsible for payment of tow costs utilizing the department-assigned towing credit cards.

I. Budget and Fiscal Services Requirements

1. Whenever a vehicle is retained/seized for evidence as described in **Impounding Vehicles Involved in Collisions** and **Vehicles Containing Evidence of a Crime** above and placed in a Washington State Patrol storage lot, a Request for Tow Invoice form, a tow company invoice, towing credit card payment receipt and/or confirmation number, and a copy of the Tow/Impound form must be forwarded to Budget and Fiscal Services (BFS) within 72 hours by the property and evidence custodian.

2. District property and evidence custodians are responsible for submitting payments received from the vehicle registered/legal owner, salvage company, and/or insurance company for release of the vehicle to BFS within 24 hours of receipt. Property and evidence custodians shall use the Towing Recovery Cash Receipt log sheet when submitting monies to BFS. Cash, personal checks, cashier's checks, or money orders may be accepted as reimbursement for towing expenses.

3. If the vehicle is released without collection of the full towing expense incurred, the district property and evidence custodian must submit a Request to Write-Off Towing Invoice form to BFS within 24 hours of release of impound. This action will clear the vehicle owner's debt to the department.

J. Leaving Vehicle on Private Property

1. Vehicles may be left on private property that either belongs to the driver or registered owner of the vehicle or with permission of the owner of the property.

K. Place of Impound

1. Statute requires impounded vehicles be removed to a place of safety. This would include, but is not limited to, any Washington State Patrol facility for storing evidentiary/seized vehicles or a registered tow truck operator's place of business.

L. Hardship Cases for Suspended Driver Vehicles

1. A vehicle being held at a tow truck yard because of a revoked/suspended driver violation may be released prior to the mandated hold period if the spouse of the vehicle's operator establishes economic or personal hardship with the district commander of the district in which the vehicle was impounded. In making a hardship determination, the district commander shall consider public safety factors, including the operator's criminal history and driving records. The spouse's license history and insurance shall also be considered. Also, a release may be considered if the owner of the vehicle was not the driver, the owner did not know that the driver's license was suspended or revoked, and the owner has not received a prior release under this section or RCW 46.55.113(3). All hardship release requests shall be in writing. Any denial or approval of a hardship release shall be in writing and shall include factors considered by the district commander in reaching the decision. The release shall be maintained in the district/detachment vehicle impound file.

M. Release of a Suspended Driver Vehicle

1. When the officer signs the Tow/Impound and Inventory Record form, the release of a vehicle operated by a suspended driver is pre-authorized so the vehicle may be released by the towing firm when the hold time expires, if the driver is not the registered owner. In cases where the driver and registered owner are the same, the towing firm will also need verification from the court showing no outstanding penalties exist.

N. Impound Hearings

1. If a driver/owner contests a vehicle impound and the officer receives a hearing notice, the officer is REQUIRED to complete the Impound Hearing & Court Order Appeals Checklist and follow the steps outlined on the form.

Applies to: WSP Officers
See Also: RCWs 46.16.381; 46.20.005; 46.20.342; 46.20.345; 46.32.060; 46.37.150; 46.55.010; .020; .030; .040; .050; .060; 46.55.085; 46.55.120**;** 46.55.113; 46.61.502, 46.61.504; 46.61.560; 46.61.581; WAC 204-96-010; State v. Houser, Wn. 2d 143, 150-152 (1980); State v. Simpson, Wn. 2d 170 189 (1980); WSP Policies **Arrest for Driver's License Violations; Inventory of Vehicles;** Tow/Impound and Inventory Record; Request to Write-Off Towing Invoice; Impound Hearing & Court Order Appeals Checklist

19.09.020 VEHICLE IMPOUND WAIVER (CALEA 61.4.2)

I. POLICY

A. Removing Vehicles From Roadway

1. When a driver is arrested or not allowed to continue to drive, the vehicle should be removed from along the roadway. Vehicles left along the road can be a traffic hazard or become involved in a collision at a later time. However, officers must consider reasonable alternatives to impoundment prior to impounding a vehicle, and some circumstances may dictate that the vehicle be left parked along the roadway.

2. If circumstances dictate that the vehicle be left parked along the roadway, officers shall make every effort to use the Waiver of Vehicle Impound form to obtain release of liability. When the waiver is used, the procedure outlined below shall be followed.

3. Before utilizing the waiver, officers shall ensure that:

   a. The person requesting the use of the waiver is the registered owner of the vehicle, the owner's spouse or another member of the owner's immediate family, or can establish a lawful right to the possession of the vehicle.

   b. The person requesting the use of the waiver fully understands the actions and responsibilities required due to the waiver.

4. If the person is handcuffed or unable to sign the waiver, a verbal consent is permitted. A notation shall be made in the officer's notebook (e.g., person handcuffed - unable to sign waiver - gave verbal consent). Upon removing the handcuffs at the place of release or booking location, the Waiver of Vehicle Impound shall be signed.

B. Third Party Release

1. The vehicle shall only be released to a third party if the person requesting the release is the registered owner of the vehicle, the owner's spouse or another member of the owner's immediate family, or can establish a lawful right to the possession of the vehicle.

2. The vehicle shall only be released to a third party if that person produces a valid operator's license and is otherwise qualified and able to drive as determined by an officer.

3. Prior to release, officers shall complete a Waiver of Vehicle Impound form.

C. Vehicles Left Alongside Roadway

1. When a waiver is used or verbal consent obtained and the vehicle is left alongside the roadway, the officer shall:

   a. Take every reasonable measure to secure the vehicle.

b. Attach an Abandoned Vehicle sticker, noting that a waiver has been signed or a verbal consent was given.

c. Advise Communications a waiver has been signed or verbal consent given, and the vehicle description, location, and approximate time it will be removed.

d. Within 24 hours, provide the detachment supervisor with a copy of the waiver, which shall be filed and then destroyed after two years if no claims are made.

Applies to: WSP Officers
See Also: Waiver of Vehicle Impound; Abandoned Vehicle Sticker

► SECTION 10: VEHICLE INVENTORY ◄

19.10.010 INVENTORY OF VEHICLES (CALEA 1.2.4, 61.2.3, 61.4.3)

I. POLICY

A. Vehicle Inventory Requirement

1. All vehicles lawfully impounded by the department shall be routinely inventoried. The vehicle owner, if present, is free to reject the protection afforded by the inventory.

2. All items of value shall be listed in the inventory section of the Vehicle Inventory Record. All money, checks, credit cards, weapons, and other items of substantial value shall be placed into the property system for safekeeping. Items identifiable by a unique serial number should be recorded on the Vehicle Inventory Record by that number and checked through the Washington Crime Information Center (WACIC).

3. A specific notation shall be made on the Vehicle Inventory Record when an area is not inspected or inventoried.

B. Vehicle Inventory Record

1. Officers shall complete a Vehicle Inventory Record at the time a vehicle is impounded, stored, or seized.

2. The officer shall obtain the signature of the tow operator, keep the original, and give a duplicate copy to the tow car operator. The original shall be submitted to the detachment supervisor within 24 hours.

3. Officers shall note on the Vehicle Inventory Record if an investigatory hold has been placed on the vehicle.

4. The supervisor may dispose of the Vehicle Inventory Record in two years if no investigatory hold or claim is filed.

Applies to: WSP Officers
See Also: Vehicle Inventory Record

► SECTION 11: FELONY PROSECUTION ◄

19.11.010 FELONY PROSECUTION CHARGES (CALEA 42.2.2, 61.1.5)

I. POLICY

A. Filing of Felony Charges

1. All felony charges are filed in the superior court at the discretion of the prosecutor in whose jurisdiction the charges fall.

2. In all instances, felony charges take precedent over misdemeanor or gross misdemeanor charges. If an incident occurs and both felony and misdemeanor charges are possible, the information regarding the incident should be submitted to the prosecutor to make the determination of what charges should be filed.

3. A subject will not be booked on any misdemeanor charges, nor will an officer issue any notice of infraction/citation or file any charges against a subject in district court when there are felony charges pending or if felony charges may arise out of an incident. The officer will assist the prosecutor in the case as the prosecutor may require.

Applies to: WSP Officers
See Also: --

► SECTION 12: BREATH TEST ◄

19.12.010 BREATH TESTING (CALEA 61.1.10, 61.1.11, 61.2.1, 61.2.2)

I. POLICY

A. When investigating a traffic incident, officers shall, whenever lawful and reasonably possible, utilize a breath test instrument for determining the degree of intoxication if intoxication is or may be an element in the case, and in non-traffic cases where intoxication may be part of the defense.

1. In traffic cases, suspects shall be advised of both their "Miranda" Rights and their rights under RCW 46.20.308. In non-traffic cases, only the "Miranda" Rights and the right to refuse the test are required.

2. Operation of the breath test instrument shall be restricted to employees who have been trained in its use and hold a current breath test instrument operator permit card.

3. When breath tests are administered, all applicable reports shall be completed.

4. In traffic cases, justification for the arrest shall be based on observations of driving, general demeanor, the results of the standardized field sobriety tests, PBT results (the arrest should not be based on PBT results alone), and the statements of witnesses. Results of the breath test shall be used for additional evidence to support the case.

Applies to: WSP Officers
See Also: WSP Policy **Blood Samples**; RCW 46.20.308, 46.61.506, 46.25.120, 90.56.550; WAC 448-16

► SECTION 13: ALCOHOL/DRUGS ◄

19.13.010 ALCOHOL/DRUG ARREST REPORT (CALEA 61.1.11, 61.2.1, 82.2.1)

I. POLICY

A. Preparation of DUI Arrest Report Forms

1. DUI arrest report forms and supporting documentation shall be prepared by the arresting/assisting officer before the end of the shift during which the arrest occurred.

2. The arrest report forms shall be submitted to a supervisor, reviewed, and forwarded to the appropriate court as soon as practical.

3. Upon completion of the DUI report, officers shall fax the entire copy of the report to the Department of Licensing as soon as possible. In the event a blood test is performed, the Report of Breath/Blood for Alcohol shall not be signed and sent until the toxicology analysis report has been obtained.

4. Observations and responses shall be accurately recorded.

Applies to: WSP Officers
See Also: RCW 46.20.308; DUI Arrest Report

19.13.020 IMPLIED CONSENT WARNINGS (INITIATIVE 242) (CALEA 61.1.11, 61.2.1)

I. POLICY

A. Implied Consent Law Contact

1. For current procedures concerning the Implied Consent Law or interpretation of recently passed legislation, contact the local prosecutor or the Labor and Policy Advisor.

2. The Assistant Attorney General can also be contacted through the chain of command.

Applies to: WSP Officers
See Also: --

19.13.030 REFUSAL TO SUBMIT TO BREATH/BLOOD TEST (CALEA 61.1.5, 61.1.11, 61.2.1)

I. POLICY

A. Completing the Report of Refusal to Submit to Breath/Blood Test

1. When an arrestee refuses to submit to a breath/blood test in traffic cases, a Report of Refusal to Submit to Breath/Blood Test for Alcohol and Drugs shall be completed by the arresting officer. The form shall then be forwarded, through the immediate supervisor, to the Department of Licensing within the time frame indicated.

Applies to: WSP Officers
See Also: Report of Refusal to Submit to Breath/Blood Test for Alcohol and Drugs

19.13.040 DUI ARREST

I. POLICY

A. Release of Individuals Arrested for a DUI Offense

1. Individuals arrested for a DUI offense may be released from custody upon completion of the testing and reporting process in lieu of a physical booking if jail rules permit, or at the request of the prosecutor.

2. Criteria for release is as follows:

   a. The officer is reasonably assured the violation will not continue.

   b. The officer is reasonably assured the individual will be available for court.

   c. The individual has transportation (e.g., taxi, relative, friend, etc.) at the conclusion of the testing and reporting process.

Applies to: WSP Officers
See Also: --

► SECTION 14: DRIVER'S LICENSING ◄

19.14.010 ARREST FOR DRIVER'S LICENSING VIOLATIONS (CALEA 42.1.5, 61.1.2, 61.1.5, 82.3.7)

I. POLICY

A. Issuing a Notice of Criminal Citation

1. Probable cause is all that is required before issuing a Notice of Criminal Citation (NOCC) for a suspended or revoked driver's license. Probable cause is established through a driver's check, driver's admission, or the officer's personal knowledge. Officers do not have to wait for a Certified Copy of the Driving Record (CCDR) to be received before issuing the NOCC. A CCDR is still required

for court purposes and vehicle impound hearings involving suspended/revoked drivers.

2. Suspended/revoked drivers shall not be allowed to continue driving. The vehicle may be impounded in circumstances listed under **IMPOUNDING VEHICLES**. Booking a suspended or revoked driver is left to the discretion of the officer who is guided by district policy, with the exception of habitual offenders, who shall be booked.

3. If a driver has a valid out-of-state license but his Washington driver's license status is suspended or revoked, that driver shall be arrested and handled according to local procedures; the out-of-state license is considered null and void. The violator shall not be allowed to continue driving.

4. If the vehicle is impounded and the driver is not booked, the officer must transport the driver/passengers to a safe location. The driver's copy of the Authorization to Tow/Impound and Inventory Record shall be filled out and given to the driver, as applicable.

B. Intermediate Driver's License

1. When an officer determines a driver is in violation of the Intermediate Driver's License law, he/she shall attempt to contact a parent or guardian of the driver or registered owner of the vehicle. Officers shall consider the following options in the order listed below:

   a. Ask the parent, guardian, or registered owner to contact the officer's location (if the adult can make the contact within a reasonable time period) to take custody of the vehicle and be responsible for its occupants.

   b. If a parent, guardian, or registered owner is not available, have the driver sign a Vehicle Impound Waiver; or

   c. If leaving the vehicle poses a safety concern, impound the vehicle (this should be the last resort).

2. When practical, the driver and any passengers shall be taken home or to a place of safety.

3. All department policies regarding vehicle impounds and vehicle inventories shall be followed.

4. If a teen driver is suspended by the Department of Licensing, the suspension shall be treated like any other suspended violation (see above).

5. Violation of the Intermediate Driver's License law is a "secondary" violation.

Applies to: WSP Officers
See Also: WSP Policy **Impounding Vehicles**

19.14.020 DRIVER'S LICENSE RE-EXAM REFERRALS (CALEA 61.1.12)

I. POLICY

A. Driver's License Re-Exam Referral

1. All officers shall, upon suspecting a violator/licensed driver suffers from incompetence, physical or mental disability, disease, or other condition which might prevent a person from exercising reasonable or normal care in the operation of a motor vehicle, submit the subject's name for driver license reexamination to the Department of Licensing (DOL).

2. Such submission shall be on DOL form OP #5 and will be sent through department channels to the nearest DOL office within five days of receipt of knowledge or suspicion.

Applies to: WSP Officers
See Also: DOL Form OP #5

► SECTION 15: AIRCRAFT ◄

19.15.010 AIRCRAFT REGISTRATION ENFORCEMENT

I. POLICY

A. Regulating Aircraft

1. Washington law requires state and municipal officers to enforce and assist in the enforcement of statutes regulating aircraft. The department recognizes the need for a consistent enforcement policy.

2. Aircraft registration enforcement shall be consistent with other registration and licensing enforcement policies of the department, except citations. Citations for expired aircraft registration from the previous year shall not be issued prior to February 1.

II. PROCEDURE

A. District commanders are responsible for aircraft registration enforcement within their districts.

B. Airport registration inspections shall be conducted in uniform and with a marked car unless there are exigent circumstances.

C. Officers shall request the airport manager or aircraft owner to assist them in an inspection tour to check pilot licenses and current Washington aircraft registrations.

D. An officer shall not enter a hangar unless accompanied by the airport manager or owner, the aircraft owner or pilot, or a representative of the above, unless acting under proper legal procedures.

E. When there is a discrepancy as to whether the use tax or sales tax on an aircraft has or has not been paid, the Department of Revenue's Tax Discovery Officers shall be notified.

Applies to: WSP Officers
See Also: --

► SECTION 16: PERMITS ◄

19.16.010 DEPARTMENT OF TRANSPORTATION ENDORSEMENT OF PERMITS ISSUED BY COUNTIES AND CITIES (CALEA 61.1.5)

I. POLICY

A. Honoring Permit for Additional Tonnage

1. It shall be the policy of this department to honor any permit involving additional tonnage issued by a city or county, if it is endorsed by a signed Department of Transportation (DOT) endorsement slip. Frequency or distance of movement shall be disregarded.

2. Any permit for additional tonnage issued by a city or county and not attached to the DOT endorsement slip shall be considered void if used on a state highway outside the corporate limits of the city or boundaries of the county issuing the permit. Normal enforcement action shall be taken in these cases.

Applies to: WSP Officers
See Also: --

► SECTION 17: MOTORCYCLES ◄

19.17.010 MOTORCYCLE PROGRAM (CALEA 41.1.3, 61.1.1)

I. POLICY

A. Use of Motorcycle Unit

1. A motorcycle is a specialized tool in traffic law enforcement. It has definite assets and liabilities which must be understood by motorcycle officers and their supervisors. The motorcycle unit is intended for use in traffic congested areas in conjunction with departmental selective enforcement programs, and those special events best suited for a motorcycle.

2. Vacant motorcycle officer positions shall be filled in accordance with the Washington State Patrol Troopers Association Collective Bargaining Agreement, Article 17 Section H.

B. Qualified Operators

1. Officers successfully completing initial motorcycle training shall be qualified motorcycle officers. A list of qualified motorcycle operators shall be maintained by the Field Operations Bureau. Department

motorcycles shall be operated only by qualified departmental employees; provided motorcycle service employees who are familiar with the operation of motorcycles and who have a valid driver's license endorsed for motorcycle operation may operate department motorcycles in the process of effecting repairs, or as directed by command officers.

2. Following the completion of initial motorcycle training, officers will be assigned as a motorcycle officer or as a motorcycle officer alternate.

C. Removal of Motorcycle Riders

1. Officers may be removed from the list of qualified motorcycle riders if:

   a. They submit a request in writing.

   b. They fail to successfully complete motorcycle in-service testing.

   c. They fail to maintain a satisfactory job performance evaluation rating over two successive rating periods.

2. Officers who wish to regain their qualification shall:

   a. Submit a request in writing with the approval of the district commander.

   b. Successfully complete motorcycle refresher training.

   c. Successfully complete an 80-hour field training exercise under the direct supervision of a motorcycle field training officer.

   d. Maintain a satisfactory job performance evaluation.

   e. Maintain good physical fitness and appearance.

D. Motorcycle Instructor Staff

1. The motorcycle instructor staff shall consist of a Motorcycle Training Sergeant and six instructors.

2. Applicants for motorcycle instructor shall have:

   a. At least two years of experience as a Washington State Patrol motorcycle officer.

   b. Satisfactory job performance as a motorcycle officer.

   c. Experience as a motorcycle field training officer (FTO).

   d. Command recommendation.

3. Applicants for motorcycle instructor shall submit a request, in writing, through the chain of command to the Field Operations Bureau Assistant Chief.

4. Motorcycle instructors will be temporarily assigned and responsible to the Training Division while conducting training. They will adhere to Training Division rules and regulations and will submit required training reports to the Training Division and the Field Operations Bureau upon completion of training.

5. Sergeants assigned to a motorcycle detachment shall be qualified motorcycle operators.

6. Selection of motorcycle instructors shall be determined through an oral interview and evaluation of command recommendations, Job Performance Appraisals, and Office of Professional Standards (OPS) history. The selection panel shall consist of the Field Operations Bureau Motorcycle Lieutenant or designee and the Motorcycle Training Sergeant. The panel shall make their recommendation to the Field Operations Bureau Assistant Chief for final determination.

E. Responsibilities of the Instructor Staff

1. The Motorcycle Training Sergeant shall be responsible for scheduling all motorcycle training dates and approving all lesson plans and proposed training as recommended by the training officers.

2. The instructors are responsible for developing new lesson plans and modifying existing lesson plans for the basic motorcycle operator's course, annual motorcycle in-service training, and trimester motorcycle training.

F. Tour of Duty

1. The motorcycles shall be used whenever practical. The designated full-time riding period shall be from March 15 through October 31.

2. Motorcycles shall not be operated when there is snow, ice, or slush on the roadway or shoulders, when icy conditions exist, or when the temperature is 35 degrees Fahrenheit or below. Supervisors shall be responsible for determining when to discontinue motorcycle operations during adverse weather conditions, and they shall advise district command when they have determined it is unsafe.

3. Supervisors shall schedule shifts during those times and in those areas where motorcycles will be most effectively utilized. The district commander may assign motorcycle officers for special events, emergency operations, or special enforcement programs.

4. During the designated full-time riding period, patrol vehicles assigned to motorcycle officers shall be pooled at the district or the detachment office.

5. Motorcycle officers shall not be required to change from the motorcycle uniform to regular uniform if it becomes necessary to use a patrol car during a tour of duty.

G. Motorcycle Operations

1. When making radio transmission and operating a motorcycle, officers shall precede their personnel number by phonetic alphabet symbol M-Mary (***Example:*** Mary-275).

2. The detachment sergeant is responsible for monitoring weather conditions during the shift and notifying all motorcycle officers of any operational changes.

3. It shall be the responsibility of motorcycle officers to perform all traffic law enforcement activities.

Applies to: WSP Officers
See Also: --

19.17.020 INSURANCE COVERAGE FOR MOTORCYCLE OFFICERS

I. POLICY

A. Insurance Coverage for Motorcycle Officers

1. Full-time and alternate motorcycle officers shall be required to obtain $150,000 of accident, death, and dismemberment insurance through the State Employees Insurance Board. Such coverage is optionally available to all state employees and does not require a health statement.

2. Upon assignment to motorcycle duty, all officers shall complete and submit to Budget and Fiscal Services a Life Insurance Enrollment/Change Form for the additional $150,000 of coverage. This additional insurance becomes effective the first day of the following month. The fee for the coverage shall be reimbursed to the officer through the motorcycle specialty pay. Officers shall maintain the added coverage while assigned to a motorcycle unit. The insurance coverage may be terminated when an officer leaves the motorcycle assignment. This policy does not preclude motorcycle officers from obtaining additional insurance at their own expense.

Applies to: WSP Officers
See Also: --

► SECTION 18: INDIAN RESERVATIONS ◄

19.18.010 INDIAN RESERVATION JURISDICTION (CALEA 61.1.6)

I. POLICY

A. Police Powers on Indian Reservations

1. The police powers and duties of the Washington State Patrol are valid on all state and county roads on Indian reservations. The department's authority and responsibilities on these roads are the same as in all other areas of the state.

2. On Indian reservations, the department has no jurisdiction on Indian roads, Indian lands, or private property. The department will, however, respond to all requests for assistance from tribal police agencies. If the incident that caused the request for assistance is occurring on the reservation where the department does not have jurisdiction, department officers can operate under Indian police authority, but only if the tribal police officers are physically present.

3. The department has the moral obligation to protect lives and assist injured persons, even in the absence of tribal police. If, after responding, it is determined that the department has no jurisdiction, the responding officer shall clear the scene as soon as adequate measures have been taken to protect lives and property, to notify the proper authority, and to record the information available to be forwarded to the proper authority.

Applies to: WSP Officers
See Also: --

► SECTION 19: BAIT VEHICLES ◄

19.19.010 BAIT VEHICLES

I. POLICY

A. Approval of Bait Vehicles

1. The department and other law enforcement agencies utilize bait vehicles, which are specially equipped vehicles used to combat auto theft by targeting and apprehending auto thieves.

2. Department-assigned bait vehicle(s) shall only be deployed after approval by the Criminal Investigation Division (CID) Regional Auto Theft Unit (RATU) sergeant to whose unit the bait vehicle is assigned.

3. Prior to deploying a department-assigned bait vehicle, all personnel involved in the deployment, monitoring, and response to an activation shall be familiar with bait vehicle policy and procedures and receive training approved by the CID Auto Theft Section Commander. Department-assigned bait vehicles shall not be used for any other purpose unless approved by the CID Auto Theft Section Commander.

4. Any other law enforcement agency requesting to use the department's assigned bait vehicle shall obtain approval from the CID Auto Theft Section Commander and sign a Use Agreement contract with the Washington State Patrol. The contract will require that the department bait vehicle policy and procedures are followed by the requesting agency and all officers who are involved in the deployment, monitoring, and response to an activation receive training approved by the CID Auto Theft Section Commander prior to deployment of the bait vehicle.

B. Bait Vehicle Deployment

1. Current auto theft and related crime data should be used to determine areas and times for bait vehicle deployment.

2. The RATU sergeant to whose unit the bait vehicle is assigned shall notify Communications and the appropriate district commander when any department-assigned bait vehicle is being deployed in their region. Communications shall be advised of the deployment location, department contact person responsible for directly monitoring the deployment, specific bait vehicle information, and any other information required by the RATU sergeant, Communications, or the district commander for the region where the bait vehicle will be deployed.

3. Anytime a department-assigned bait vehicle is deployed, a minimum of two officers (RATU detectives or other commissioned offers) shall provide direct surveillance of the vehicle and position themselves for an immediate activation/arrest response. In addition to being equipped with the necessary bait vehicle monitoring equipment, they shall be equipped with a portable LoJack Tracking System.

4. All department-assigned bait vehicles shall be equipped with LoJack Tracking Systems.

C. Bait Vehicle Activation

1. Activation refers to when a bait vehicle's door, trunk, or other exterior component is compromised and/or the vehicle is moved from its deployment location.

2. When a bait vehicle alarm is activated on a department-assigned bait vehicle, the department contact person responsible for monitoring the bait vehicle deployment shall notify Communications of the activation. The department contact person shall keep Communications advised of the bait vehicle activity. The information should include the type of activation, vehicle information, and bait vehicle location and, if applicable, the direction of travel.

3. If the department contact person and/or the officers assigned to surveil the bait vehicle observe the bait vehicle being stolen (actually being moved from the deployed location), they shall immediately notify Communications, who shall enter the bait vehicle information into WACIC as stolen, triggering the LoJack transponder.

4. Department employees shall not respond to a bait vehicle activation when the vehicle is deployed by another agency unless requested by that agency.

D. Bait Vehicle Response (Not Stolen)

1. An activation in this case indicates a bait vehicle has been accessed or the ignition has been turned on. The two officers

assigned to surveil the bait vehicle should respond immediately and confirm whether suspects are inside or near the vehicle. Those officers shall advise Communications of the disposition of the response to include location, occupants, any damage to the vehicle observed, and whether local patrols should be notified to respond. In addition, they shall notify the RATU sergeant to whose unit the bait vehicle is assigned.

E. Bait Vehicle Response (Stolen)

1. At a minimum, the two officers responsible for surveilling the bait vehicle should respond and advise Communications of the status and what level of response is needed. Depending on whether the bait vehicle is moving and the type of technical equipment installed in the vehicle, for the purposes of disabling or engaging special equipment on the bait vehicle, the officers surveilling should be close enough to accurately determine the identity of the bait vehicle, its license number, speed, and other circumstances necessary to safely and effectively stop the vehicle.

2. Once the bait vehicle's LoJack transponder is activated, it is not necessary to pursue, conduct a Pursuit Immobilization Technique (PIT), or use spike strips to stop the bait vehicle, unless the vehicle's equipment is defeated or becomes defective, and such means have been authorized by the RATU sergeant.

3. Whenever bait vehicle equipment is defeated and contact is lost with the bait vehicle, Communications shall be advised to have local patrols respond to the area where the bait vehicle was last seen to begin an expanding grid search of the area. In areas where LoJack is operational, it is preferable to have officers whose vehicles are equipped with LoJack Tracking Systems respond.

4. When a stolen department-assigned bait vehicle is recovered, it shall not be used again until the mechanical and technical bait equipment systems have been deemed functional by the Auto Theft Section Commander or his/her designee.

Applies to: All WSP Employees
See Also: Use Agreement Contract

Chapter 20

INVESTIGATIONS

► SECTION 00: INVESTIGATION PROCESS ◄

20.00.010 PRELIMINARY AND FOLLOW-UP INVESTIGATION (CALEA 1.2.6, 42.1.1, 42.1.2, 42.1.4, 42.1.5, 42.2.1, 41.2.4, 42.2.2, 61.2.1, 61.2.4, 82.1.5, 82.2.1, 82.2.2, 82.2.4, 83.1.1, 83.2.1, 83.2.4, 83.2.6)

I. POLICY

A. Responsibility for Preliminary Investigations

1. Except in those cases where the presence of a uniformed officer would obviously prevent a complete investigation being made, the preliminary investigation shall be conducted by the officer responsible for the call for police service.

2. As soon as the preliminary investigation is concluded, and before the officer goes off duty, the original documents from the initial investigation report shall be completed and forwarded to his or her supervisor. The supervisor shall review and sign the reports. The completed reports shall be delivered to the case detective. All information obtained at the scene of the offense and any other information that may be of aid in a continuing investigation shall be included. Original supplemental reports shall be forwarded to the appropriate Investigative Services Bureau (ISB) supervisor as they are completed by field employees.

3. The investigating officer shall be responsible for initiating action to inform a duty sergeant of the investigation. Notification of the ISB of a serious crime or one requiring immediate on-the-scene follow-up investigation will be the responsibility of the duty sergeant.

4. In the event circumstances exist where photographs are not taken or physical evidence is not gathered on a felony investigation, the investigating officer's report to the supervisor shall explain why evidence or photographs were not submitted. A notation shall be made in the case file.

B. Immediate Follow-Up Investigations

1. Some investigations may require immediate response and investigation from ISB. Upon receiving notification from a supervisor, the appropriate ISB supervisor shall assign a detective to the following:

   a. Major crimes against persons or property on the Capitol Campus or other state property as determined by the Chief's Office.

   b. Threats against the Governor, Governor's family, members of the legislature, and department employees (see **THREATS AGAINST STATE OFFICIALS**).

2. The ISB supervisor may assign a detective to the following:

   a. Any police activity-related death, serious injury, extensive damage (this includes all department employees), or at the request of the district commander.

   b. All felony collision investigations.

   c. Criminal acts committed against departmental employees due to the performance of their duties or affiliation with the department.

   d. Motor vehicle, heavy equipment, or boat theft, including, but not limited to:

      (1) "Chop shop" operations

      (2) Vehicle stripping

      (3) Insurance fraud

      (4) Salvage switch operations

      (5) Fraudulent documents

   e. Motor vehicle or aircraft license fraud where a follow-up investigation is too time-consuming for Field Operations Bureau (FOB) employees.

   f. Major narcotics trafficking.

   g. Organized crime activity. Persons, businesses, or organizations in the detachment area suspected of such activities.

   h. Human trafficking.

3. Reports shall be submitted to the appropriate ISB supervisor. A follow-up investigation may be authorized by this supervisor upon reviewing initial reports.

C. Field Operations Bureau Responsibilities

1. FOB shall be responsible for conducting and completing the investigation of all non-criminal calls for police service, and for misdemeanor crimes not specifically authorized for referral to specialized investigative units.

2. In incidents of a non-criminal nature and in misdemeanor offenses, the officer will request the assistance of the detachment supervisor when the need for counsel and guidance arises.

3. The investigation of most misdemeanor crimes can be completed by the officer. Misdemeanor offenses should be referred to the Criminal Investigation Division for follow-up only when the following conditions exist:

a. The offense appears to be a part of a pattern of such offenses.

b. Follow-up is required in widely separated locations outside the geographic boundaries of the district in which the offense occurred.

c. The officer cannot reasonably be expected to continue the investigation because of the level of expertise needed.

4. In some cases initiated by FOB, additional investigation will be required at the end of the tour of duty of the investigating officer. In such cases, the investigating officer's detachment supervisor will determine whether the investigation should be discontinued until the assigned officer's next tour of duty or continued by officers on the relieving shift. Except in cases where the investigation would be jeopardized by its temporary discontinuance, it shall remain the responsibility of the investigating officer.

5. Preliminary reports shall be completed by those officers involved prior to going off shift, then immediately forwarded to the detachment supervisor.

6. A supplemental report must be prepared by each officer who works on the case, but not necessarily on each occasion the case is worked.

7. Supervisors completing an ICS-201 Incident Briefing Form will have met the reporting requirements of this section.

D. Investigative Services Bureau Responsibilities

1. At the direction of the ISB supervisor, detectives shall conduct the follow-up investigations. Case assignment in the investigative units shall be made by the supervisor.

2. Requests for immediate assistance shall be made by the detachment supervisor to the ISB supervisor. The detective responding will assume investigative responsibility of all felony investigations. If it is determined that felony or exigent circumstances are not involved, the detective may assist the investigating officer. This decision will be made by the detective and the detachment supervisor after jointly reviewing the known facts of the incident.

3. It is understood that not all felonies need a detective response. Examples of these would be an occupied stolen with no follow-up or simple possession of illegal drugs. The working protocol for the area should be developed into a district policy by the ISB supervisor and district command.

4. If the investigation is relinquished by the detachment supervisor, the officer conducting the preliminary investigation shall obtain adequate information to properly complete a field report. The field report will be forwarded through channels to the appropriate ISB supervisor. When authorized by a supervisor, the officer charged with the preliminary investigation responsibility may provide further assistance to the detective in the follow-up investigation.

5. After the case responsibility is assumed by ISB, the detective is responsible for providing timely reporting to the local prosecutor for the preliminary appearance, if the investigation results in an arrest or incarceration. The report or investigative checklist shall indicate if the defendant is a habitual offender.

6. The ISB supervisor shall keep the local district commander updated as to the status of the investigation until the case is closed.

7. Upon closure of the investigation, and when the case involves use of force by an officer, a copy of the completed report will be forwarded as outlined in the *Administrative Investigation Manual*.

E. Crime Scene Processing Responsibilities

1. Detectives with specialized crime scene training shall act as crime scene specialists.

2. If special assistance is required for the gathering of physical evidence at the scene, the request will be authorized by the field supervisor and assistance will be provided by the specialist.

3. If the expertise needed is beyond the capability of the specialist, assistance shall be requested from the Crime Scene Response Team (CSRT).

4. All requests for CSRT assistance shall be initiated through the CSRT Commander. The CSRT Commander is contacted during normal business hours through the Criminal Investigation Division at Headquarters. After hours, the CSRT Commander can be reached through Communications. CSRT members shall then assist in the collection and processing of all physical evidence.

5. When assistance has been requested of either the crime scene specialist or the CSRT, response shall be made within one hour, distance permitting.

F. Detachment Supervisor Responsibilities

1. It is the responsibility of the detachment supervisor to ensure that an adequate and complete preliminary investigation was made and to review and approve the preliminary reports.

2. A completed copy of the preliminary and supplemental reports shall be forwarded by the detachment supervisor to the appropriate ISB supervisor.

3. The detachment supervisor shall notify the district command whenever a case is referred to ISB.

Applies to: WSP Officers
See Also: WSP Policy **Threats Against State Officials**; Incident Briefing Form

20.00.020 CASE FILING SYSTEM (CALEA 42.1.2, 42.1.3, 74.1.3, 82.1.5, 82.2.3, 82.3.5)

I. POLICY

A. Case File

1. A case file shall be established on fatal, hit-and-run, and felony investigations. The original materials and reports shall be kept in a case file tracking envelope. If the file is too large to fit into the envelope, the case shall be placed in a pressboard binder. The case file tracking sheet shall be affixed to the front of the binder. The file will be kept in storage by the District Public Disclosure Coordinator (PDC).

2. Supervisors shall log all cases and ensure completion on a timely basis. All cases shall be reviewed every 30 days.

3. All files shall have one of the following classifications:

   a. **Open:** This file shall be kept by the detachment supervisor until the investigation concludes or is assigned to a Criminal Investigation Division detective.

   b. **Inactive:** When a supervisor determines an investigation has reached a stage where further investigation is not practical, the current date shall be indicated on the log by "Date Case Inactive." The case file shall be sent to the PDC. If new evidence is discovered, the supervisor should retrieve the file and reopen the case. The Case Status Letter shall be sent by the district commander.

   c. **Closed:** A case is considered closed when it is submitted to the prosecutor for charging consideration or the case is completed and charges are not possible (e.g., a one-car, driver-causing fatality collision). When a case is closed, it shall be sent to the District Public Disclosure Coordinator for filing and retention. If tracking case adjudication is deemed necessary, it will be conducted by the District Public Disclosure Coordinator.

B. Criminal Investigation Division File Retention

1. When Criminal Investigation Division (CID) employees complete a criminal investigation, the original case file shall be retained at the local district office per district procedures and the retention schedule.

2. When a CID investigation involves a department employee, a copy of the completed investigation shall be forwarded to the Office of Professional Standards (OPS). The district CID supervisor shall ensure that the original case file is packaged in such a manner that denies access to non-authorized employees. CID shall attach a red cover sheet to the outside of the packaging that displays the following language: "This file is not to be accessed or released without permission of the department's Public Records Officer at the Risk Management Division."

Applies to: WSP Officers, District Public Disclosure Coordinators
See Also: --

20.00.030 CASE FILE SIGN-OUT (CALEA 42.1.3, 81.2.3, 82.1.5, 82.2.4, 82.3.5)

I. POLICY

A. Case Tracking

1. The District Public Disclosure Coordinator shall track case files using a Case File Sign-Out Card.

B. Sign-Out Cases

1. After a case file is received, access shall be limited to the District Public Disclosure Coordinator. When a case file is checked out, the recipient shall complete a Sign-Out Card, which shall remain in the district files. The District Public Disclosure Coordinator shall be responsible for checking the case file in and out, recording current status, and obtaining the signature of the receiving officer.

C. Spot Check

1. The district commander shall ensure that a spot-check of the case file records is conducted every six months to ensure the case files are current and properly maintained.

D. Filing System

1. This policy applies to district files. Other divisions/sections which create investigative files shall establish and maintain a filing system which provides both security and accountability. Commanders are responsible to spot-check these files every six months.

Applies to: All District Public Disclosure Coordinators, District Commanders
See Also: --

20.00.040 STORAGE OF FATAL/FELONY COLLISION AND INVESTIGATION CASE FILES (CALEA 42.1.3, 82.2.4, 82.3.5, 83.2.2)

I. POLICY

A. Accountability

1. This policy is to provide uniform accountability of fatal/felony collision and investigation case files throughout the department. The procedures outlined in this policy are to be used in conjunction with the case filing system policy.

B. Completion of an Investigation

1. Upon completion of an investigation, the original records, including photographs, negatives, digital images, videotapes, and statement

tapes shall be forwarded to the District Public Disclosure Coordinator immediately.

C. Property of the Department

1. All photographs, negatives, digital images, and videotapes taken or acquired by members of this department during the course of their duties are the property of the department. This shall not preclude the use of these materials as training aids.

D. Digital Images

1. Digital images taken by or acquired for a non-criminal or misdemeanor investigation shall be stored on floppy disk or CD. Floppy disks used for this purpose shall be write-protected.

2. Digital images taken by or acquired for felony investigations or investigations that have a reasonable likelihood to result in tort action(s) against the state shall be stored on CD. The floppy disk or CD shall be stored in the binder or Case File Tracking envelope.

3. Digital images taken in the performance of routine duties (e.g., impounds, minor collision investigations, etc.) shall be kept in the officer's monthly activity file.

Applies to: WSP Officers, District Public Disclosure Coordinators
See Also: --

20.00.050 CRIMINAL ACTS AGAINST DEPARTMENTAL EMPLOYEES, PROPERTY, AND EQUIPMENT

I. POLICY

A. Victims of Criminal Acts

1. Department employees may be victims of criminal acts due to the performance of their duties or affiliation with the department. The department will investigate such acts and take appropriate action to protect its employees, their families, and property.

Applies to: All WSP Employees
See Also: --

20.00.060 PUBLIC CORRUPTION INVESTIGATION

I. POLICY

A. Participating in Public Corruption Investigations

1. Department participation in public corruption investigations shall be determined by the following circumstances:

a. **Jurisdiction and Agency Responsibility**

(1) If the matter is within the jurisdiction of federal authorities, it shall be referred to the U.S. Attorney or to the appropriate federal law enforcement agency.

(2) If the matter is within the jurisdiction of other state or local authorities and is not related to investigative activities ordinarily conducted by the department, it shall be referred to the Attorney General, local prosecutor, or law enforcement agency having jurisdiction.

(3) If after initiating an investigation it is determined that the subject matter is within another agency's area of responsibility, the investigation shall be suspended and the matter referred to that agency.

b. Potential involvement of organized crime.

c. The nature and extent of corrupt activities, and the potential for continuance or expansion or effect on the integrity of government and the public welfare; and the inability or refusal of the agency having jurisdiction other than the department to conduct an investigation (no investigation of alleged public corruption shall be undertaken unless approved directly by the Chief or designee).

d. The department may offer technical support or assistance to any public agency conducting an investigation of public corruption activities within its area of responsibility.

e. The Chief shall advise the Governor of all public corruption investigations undertaken by the department.

f. Upon approval of appropriate prosecuting officials, the Chief shall advise the Advisory Board or consult with any member of the Board concerning public corruption investigations undertaken by the department.

g. Upon approval of appropriate prosecuting officials, the Chief shall advise the administrative head of a public agency concerning investigations by the department within that agency.

Applies to: All WSP Employees
See Also: --

20.00.070 COURT CASES – DECLINED PROSECUTION/COURT DISMISSAL

I. POLICY

A. Commander Review of Declined/Dismissed Case

1. A commander shall, upon notification of a prosecutorial decline or court dismissal due to alleged mishandling of a case, initiate a review and/or investigation to determine the cause of such action and recommend any necessary training, improved supervision, or appropriate disciplinary action.

Applies to: All Commanders
See Also: --

20.00.080 COLLISION INVESTIGATION (CALEA 61.2.1, 61.2.2, 61.3.2, 82.2.1, 83.2.1, 83.2.4)

I. POLICY

A. Response to Collisions

1. Collision investigation is an important function of the department. The public expects officers to conduct a fair and thorough investigation to document collisions, as well as care for the injured and protect the rights and property of those involved. An integral part of a thorough investigation is interviewing all available participants and witnesses. When practical, each participant and witness should be given the opportunity to provide a written statement. A collision can be an emotional experience for all parties involved. Officers should understand these emotions and conduct themselves and the investigation in an impartial and professional manner.

2. Traffic collisions are investigated to determine the causes of collisions so methods of prevention may be developed, and to determine if evidence exists to support a charge. Enforcement should occur at the scene of the investigation when circumstances allow.

3. Officers shall respond to collisions in their area of responsibility involving death or injury, hit and run, impairment due to alcohol or drugs, damage to publicly owned vehicles/property, disturbances between the occupants, major traffic congestion as a result of a collision, and vehicles reported to be blocking the roadway.

NOTE: Areas of responsibility may be defined by agreements between the Chief and city/county officials.

4. Collisions that occur on private property are to be investigated when injury or death occurs, there is impairment due to alcohol or drugs, or there is major property damage (e.g., a tow is required). Communications officers shall advise citizens that if a law enforcement officer does not take a report and if the damage is in excess of $700, the citizen is required to submit a collision report. District commanders may limit or direct the response to collisions in private parking lots during times of natural disasters or ice/snow emergencies.

B. Investigator's Report

1. A Police Traffic Collision Report shall be completed for every investigated collision involving either of the following:

   a. Injury to or death of any person.

   b. Damage to the property of any one person to an apparent extent of $700 or more.

2. Reportable collisions are not limited to those occurring on public roadways.

3. The Police Traffic Collision Report shall be typewritten or printed in black ink or completed using Statewide Electronic Collision and Ticket Online Records (SECTOR) software. Supervisors shall review the reports for clarity and completeness.

4. The first copy of the Police Traffic Collision Report shall be sent to the Washington State Patrol, Collision Records Section, PO Box 47381, Olympia, Washington 98504-7381, within seven days of the date of collision. The second copy shall be retained by the detachment for two years, and the third copy shall be kept by the officer for general information references. Collision reports completed and reviewed using SECTOR shall be transmitted electronically to the Washington State Patrol, Collision Records Section, within seven days of the date of collision.

5. Any additional information obtained during a collision investigation which does not have its own case file shall be kept by the investigating officer.

C. Supplemental Report

1. When corrections or additions or any question needs to be made, refer to the "General Instructions" in the Police Traffic Collision Report instruction manual. There are different procedures used, dependent on the information involved.

D. Collision Scene Road Closures

1. Partial or complete road closures are necessary on occasion. However, the department is charged with promoting the safe, expeditious flow of traffic. Opening the roadway is a primary concern to minimize the risk of additional collisions and/or injuries. The duration of road closures shall be as short as possible.

2. If a felony is involved or the investigation will be complex, Criminal Investigation Division detectives shall be utilized, where available. To facilitate the objective of clearing the roadway as soon as possible, the first officer at the scene shall be responsible for beginning the investigative process (e.g., taking statements, collecting evidence, etc.) and shall not wait for the arrival of certified investigators or Criminal Investigation Division detectives. The investigating officer shall coordinate with other employees as they arrive to avoid duplication of effort.

E. Collision Memo Submittal

1. It shall be the responsibility of the investigating officer of any fatality, injury, or major property damage collision to provide Communications with adequate information to complete a Collision Memo. The information shall be submitted by telephone or in person as soon as practical after the officer clears the scene or prior to the end of the officer's shift.

2. Collision Memos shall not be transmitted by mobile radio, except in exigent circumstances.

F. School Bus Collisions

1. A Commercial Vehicle Division trooper/Commercial Vehicle Enforcement Officer shall be called to the scene of a commercial vehicle-involved collision or School Bus involved collision.

2. If possible, if a School Bus Inspector is on duty, he or she could be called to the scene if a school bus is involved.

Applies to: WSP Officers
See Also: RCW 46.52.070; Police Traffic Collision Report

20.00.090 USE OF CERTIFIED TECHNICAL SPECIALISTS (CALEA 61.2.1, 61.2.2, 61.2.4, 83.2.4)

I. POLICY

A. Collision Investigation Training

1. The department has trained and certified many of its officers in the technical and reconstruction aspects of collision investigation. This training must be supplemented by the use of these Certified Technical Specialists (CTS), whenever possible.

B. Use of Certified Technical Specialists

1. CTSs in the Field Operations Bureau shall be utilized for:

   a. Fatality collisions.

   b. Felony collisions.

   c. Serious injury collisions where contributing negligence on the part of two or more drivers is present.

   d. Collisions which occur as a result of pursuit or emergency operation of a patrol vehicle, whether or not the patrol vehicle was involved in the collision.

   e. CTSs will respond to all major or moderate patrol vehicle collisions. The use of a CTS at a minor collision will be at the discretion of the on-scene supervisor.

II. PROCEDURE

A. Involvement of a Collision Technical Specialist

1. An available CTS for the detachment area involved shall be notified of any of the above collisions. Utilization of a CTS for one-car, driver-causing fatal collisions will be at the discretion of the supervisor. Upon notification, the CTS shall respond to the scene to assist in the investigation.

2. The CTS may complete follow-up investigations if a detective is not available.

3. The first officer on the scene shall have Communications notify the detachment supervisor, who shall, in turn, see that a CTS is notified. Supervisors should not wait until they arrive at the scene to call for a CTS.

4. Availability of off-duty CTSs shall not be any different than availability of any other officer. In areas of multiple detachments or detachments with more than one CTS, notification shall be made until one is found and is able to respond in a timely manner. If a CTS is not immediately available, the investigating officer shall be responsible for contacting one at the earliest opportunity.

5. The CTS shall not assume the primary investigation unless directed to do so by the detachment supervisor.

Applies to: WSP Officers
See Also: *Administrative Investigation Manual*

20.00.100 FATALITY – FELONY INVESTIGATIONS (CALEA 12.1.2, 41.2.4, 42.1.3, 42.2.1, 61.2.1, 61.2.2, 61.2.3, 61.2.4, 81.2.3, 81.2.4, 82.2.1, 82.2.3, 83.1.1, 83.2.1, 83.2.4, 83.2.6)

I. POLICY

A. First WSP Officer on the Scene

1. The major part of a collision investigation rests with the first officer on the scene. Even if this is not the officer who completes the final report, the responsibilities remain the same. The first officer at the scene of a fatality or felony collision shall advise Communications to notify the detachment supervisor, who shall contact appropriate employees (e.g., certified investigator, Criminal Investigation Division detective, DRE Officer, Major Accident Investigation Team, etc.). The first officer is in command of, and responsible for, the investigation until a supervisor arrives.

2. To clear the roadway quickly, and to avoid future duplication of effort, the first officer at the scene shall begin the investigative process and coordinate with other employees as they arrive. The officer's responsibilities include:

   a. Protecting the scene.

   b. Caring for the injured.

   c. Preserving evidence.

      (1) Marking movable evidence.

      (2) Marking or photographing temporary evidence which may disappear (e.g., tire marks in snow).

   d. Locating involved persons (drivers, passengers, witnesses) and obtaining:

      (1) Names and birth dates.

(2) Addresses.

(3) Phone numbers (home and work).

(4) Brief statements, including spontaneous remarks. Identify as many people as possible.

e. Noting location of people involved.

(1) Who was in the vehicles and where?

(2) Ask paramedics the location of each occupant in the vehicle, if seat belt removed, etc.

f. Identifying assisting employees, aid crews, and other police officers. Try to identify the first person to arrive at the scene.

g. Promptly requesting notification of street/highway department and/or public utilities employees to handle emergency repairs, if needed. Communications Centers maintain current lists for their area of responsibility.

h. Requesting coroner or medical examiner, if needed. Coordinating notification with on-scene medical personnel.

i. If probable cause exists, making the appropriate arrest at the scene and reading Miranda Rights.

j. If probable cause exists to believe the causing driver is intoxicated or impaired, arranging for a blood sample to be taken.

k. Noting weather and road conditions.

l. Notifying the news media (through the supervisor) to inform motorists of traffic congestion or detours resulting from the collision/incident.

m. Obtaining case number from Communications.

n. Completing investigator's Police Traffic Collision Report.

o. Completing the Collision Investigation forms.

p. Completing the Field Diagram form.

q. Filling out a Vehicle Inventory Record for any impounded vehicles.

r. Staying at scene until relieved.

3. The above criteria is a guideline to a thorough investigation.

B. Assisting WSP Officers

1. Each collision scene dictates the type of assistance needed to conduct a proper investigation. Any officer assisting at the scene of

a collision is important to the investigation. When assigned a task, all appropriate reports or forms shall be completed and forwarded to the investigating officer.

2. The officer who accompanies the driver(s) to the hospital should:

   a. Interview/interrogate:

      (1) Driver(s) - If driver(s) is a criminal suspect, ensure Miranda Rights are given prior to interrogation.

      (2) Passenger(s).

      (3) Paramedics (e.g., what medications given, any statements made to them).

   b. Make observations:

      (1) Note odor of intoxicants.

      (2) Note speech and demeanor.

   c. Collect evidence:

      (1) Coordinate with officer at the scene to develop probable cause in criminal cases.

      (2) Obtain blood (and urine, if appropriate) from suspects, if appropriate. Take possession; mark and identify sample(s); include name of suspect. (Refer to the **BLOOD/URINE SAMPLE RETRIEVAL** policy.)

      (3) Obtain clothing (if appropriate) from suspect and/or victim.

C. Supervisor's Responsibility

1. Supervisors are responsible for coordinating fatality and felony collision investigations. The detachment supervisor responds to the scene of such collisions to assist in the investigation. Clearing the roadway is a primary concern, but a proper investigation must not be jeopardized by losing or destroying evidence at a felony crime scene by prematurely opening the scene to traffic.

2. The on-scene supervisor shall notify the local Criminal Investigation Division (CID) supervisor of all potential felony collisions. The CID supervisor will determine whether an immediate CID response is required.

3. The detachment supervisor shall track the investigation and keeps commanders and Communications advised of status changes. The detective supervisor shall keep the local district advised of the case status, if a detective is assigned to the case.

4. Supervisors shall review the case file at the end of the investigation for completeness and accuracy. When criminal charges are possible, the supervisor shall forward copies of the investigator's

report and all collision report forms to the local prosecutor. The supervisor shall maintain contact to monitor the case disposition (i.e., charges filed, final disposition). When all criminal proceedings are completed, the supervisor shall notify the division/district commander of the outcome.

D. Detective's Responsibility

1. Where available, a detective is assigned to a follow-up investigation if there is evidence of a felony. Follow-up investigations are assigned as outlined in the **PRELIMINARY AND FOLLOW-UP INVESTIGATION** policy.

2. In districts with CID detectives, the supervisor shall transfer responsibility for felony investigations to them. Field officers shall remain the responsibility of the field supervisor. Detectives shall closely coordinate their activities with the field supervisor while at the scene.

E. Collision Investigation Forms

1. Officers have a collision investigation forms packet containing the forms listed below:

Investigation Check List	Collision Investigation—Witness and General Information
Collision Investigation—Driver/Occupant Information	Collision Investigation—Vehicle Information
Field Diagram	WSP Spot Diagram/Measurement Information
DUI Packet	Vehicle Inventory Record
Property/Evidence Report	Tape Recorded Defendant/Witness Statement Form
Case Report/Witness/Suspect	Consent to Search Waiver—English/Spanish (Form)
Report of Investigation	Supplemental Report of Investigation

2. These forms should be packaged together in a manila envelope. During an investigation, each form shall be identified by case number. On felony or potential felony investigations, preliminary reports shall be submitted prior to going off shift.

F. Minimum Reporting Requirements

1. When there is no major property damage or indication of homicide or suicide, the minimum requirements for a one-vehicle, driver-causing, fatality collision with no occupant are:

   a. Preliminary collision reports.

   b. A Police Traffic Collision Report.

   c. Vehicle Inventory Record.

   d. Field Diagram form.

   e. Witness Statement.

   f. A narrative report containing synopsis and details of the collision.

   g. Spot Diagram/Measurement Information.

   h. Autopsy report/death certificate.

   i. Toxicology report.

   j. Supplemental collision report, when applicable.

   k. Photographs.

Applies to: WSP Officers
See Also: RCW 46.20.308; WSP Policies **Blood/Urine Sample Retrieval; Preliminary and Follow-Up Investigation**

20.00.110 HIT-AND-RUN INVESTIGATIONS (CALEA 42.1.3, 42.2.1, 61.2.1, 61.2.2, 81.2.3, 82.2.1, 82.2.3, 83.2.1, 83.2.4, 83.3.1)

I. POLICY

A. Documentation of Hit-And-Run Collisions

1. A hit-and-run collision involves damage to property or other vehicles, or death or injury in which an involved driver leaves the scene of the collision without providing the proper information. This includes collisions both on public highways and private property. All such collisions are investigated.

2. All hit-and-run collisions are:

   a. Assigned a case number by Communications.

   b. Documented in a case file.

3. Case file procedures are outlined under **CASE FILING SYSTEM**.

4. Preliminary investigations are made on all reported hit-and-run collisions. Complete the Police Traffic Collision Report on all hit-and-run collisions (i.e., collisions on public roadways and private

property) involving either injury or death to any person or damage to one person's property of $700 or more. (If hit-and-run collisions involve serious injury or death, utilize Criminal Investigation Division detectives.)

5. Vehicles causing collisions without actually contacting other vehicles are considered involved in the collision. The driver of such a vehicle who fails to stop may be charged with hit-and-run. Drivers of such vehicles may not know they were involved, and probable cause must be present in order to file charges. Consult local prosecutors to determine whether follow-up investigation is warranted in these cases.

B. Physical Evidence

1. Physical evidence important to a hit-and-run investigation includes, but is not limited to:

   a. Paint samples

      (1) Loose paint chips and a paint sample in the areas damaged due to the incident from the running vehicle.

      (2) A paint sample from the victim's vehicle.

      (3) Chips and/or smeared areas that contain paint transfer.

   b. Parts or glass fragments or other trace evidence from the running vehicle.

   c. Dirt from the running vehicle.

   d. Blood, hair, tissue, or clothing samples of an involved pedestrian.

   e. Detail of skid marks, tire prints, or relevant pattern impressions should be photographed. Include a scale.

2. In some cases, a supervisor may have the traffic officer do both the preliminary and follow-up investigation.

C. Use of Logs

1. The Detachment Collision Log is used by the detachment supervisor to follow the status of hit-and-run collisions investigated by detachment employees.

2. Cases are sometimes assigned to detectives, where available. Any reassignment of a case is noted on all logs.

3. Investigated hit-and-run collisions are assigned case numbers for recordkeeping purposes. A case file is established on each such collision. Case file procedures are outlined in the **CASE FILING SYSTEM** policy.

D. Follow-Up Investigations

1. If any of the following criteria is met, a follow-up investigation is mandatory:

   a. There is significant physical evidence.

   b. The suspect vehicle can be identified.

   c. The collision involved an injury, fatality, or other felony.

   d. A suspect can be identified.

   e. A suspect was arrested.

2. If none of the criteria are available, the investigation becomes inactive and remains in that status, unless further information is available that could assist in completing the investigation.

3. If the investigator feels a collision may be successfully investigated, even though none of the criteria are met, the supervisor may approve follow-up investigation.

4. When the investigation is complete, the supervisor reviews the case and forwards it to the prosecutor, if charges are to be recommended.

E. Traffic Officer's Responsibility

1. When beginning a hit-and-run investigation, obtain a case number from Communications. Complete the preliminary investigation of the hit-and-run case. For felony hit-and-run collisions, request a certified investigator for assistance. As soon as possible, provide Communications with all available information to complete the Master Log.

F. Supervisor's Responsibility

1. The supervisor tracks hit-and-run collisions through the Detachment Collision Log. Other responsibilities include ensuring pertinent additional data is submitted on a supplementary report and ensuring Communications is aware of any changes in the status of a hit-and-run investigation which would be pertinent to the Master Log.

2. The detective supervisor keeps the local district advised of the status of the case. If the case is not assigned to a detective, the detachment sergeant supervises the investigation.

3. If the case is placed on inactive status, the supervisor notifies the division/district commander.

G. Commander's Responsibility

1. Individuals involved in hit-and-run collisions are notified of the status of investigations through the commander's use of the "Case

Status Letter" or by the investigating officer (documentation of notification is required within the officer's Report of Investigation). Case Status Letter files are maintained at the districts.

Applies to: WSP Officers
See Also: WSP Policy **Case Filing System**

20.00.120 USE OF THE MAJOR ACCIDENT INVESTIGATION TEAM (MAIT) (CALEA 12.1.2, 61.2.1, 61.2.2, 61.2.3, 83.1.1, 83.2.1, 83.2.2, 83.2.4)

I. POLICY

A. Criteria for Requesting MAIT Assistance

1. MAIT conducts investigations of designated collisions. They are utilized:

   a. When a fatal or major injury (injuries that require hospitalization) collision occurs involving an on-duty WSP or State Department of Transportation (DOT) employee.

   b. When a fatal or major injury collision occurs involving any state-owned vehicle, at the request of the agency involved, or at the discretion of the district commander.

   c. A collision where three or more fatalities occur.

   d. Any multi-vehicle collision with one or more fatalities involving any commercial vehicle (over 10,000 pounds).

   e. At the discretion of the district commander, any collision which results in the spillage or leakage of a significant amount of a hazardous material which seriously threatens life or property.

   f. Any collision or event in which, in the district commander's judgment, MAIT involvement would be appropriate.

   g. Any collision in which a fatal or major injury (requiring hospitalization) occurs involving a school bus carrying any passengers.

   h. Any collision resulting in a fatality or major injuries where a high likelihood of a tort claim against the state exists.

   i. Any collision or event in which the DOT District Engineer feels MAIT involvement would be appropriate.

   j. MAIT may also be called for limited participation in a potential felony collision where there is a claim or indication an involved vehicle has a manufacturing or mechanical defect which may be the primary cause or a contributing factor.

II. PROCEDURES

A. Active Scene Request

1. The district investigating officer or supervisor arriving at the scene of a collision determines whether the collision meets MAIT criteria. Requests for MAIT assistance should be initiated through the supervisor to the MAIT Team Leader or designee.

B. Non-Active Scene Request

1. If MAIT assistance is determined necessary during an investigation, or after completing an investigation, follow the procedure in **Active Scene Request**.

C. Allied Agency Request for MAIT Assistance

1. All requests for MAIT assistance from allied agencies (police department, prosecuting attorney, etc.) are directed to the district commander where the event occurred. The district commander determines if (a) the district has the expertise to provide the requested assistance, or (b) the request meets the criteria for requesting MAIT assistance, and refers the agency to the MAIT Coordinator.

D. Contacting the MAIT Coordinator

1. The MAIT Coordinator is contacted during normal business hours through Criminal Investigation Division Headquarters.

2. After hours, the MAIT Coordinator is reached through the Tacoma Communications Center.

E. Procedures While Awaiting the Team

1. Follow collision investigation procedures while awaiting MAIT.

2. To preserve all physical evidence, the investigating officer should mark or take extensive measurements to show the exact locations of all involved vehicles, skid marks, debris, and any other significant factors. In addition, take photographs to indicate the pre-collision, collision, and post-collision movement of involved vehicles. Emphasis should be placed on showing the points of rest and impact areas.

F. Operational Responsibility

1. While the team is involved in an investigation within a district, they are responsible to the MAIT Coordinator.

Applies to: All WSP Employees
See Also: --

20.00.130 COLLISION ENFORCEMENT

I. POLICY

A. Issuance of NOI/NOCC

1. If investigation/evidence determines that a driver's action caused a traffic collision, excluding collisions where felony charges are possible, officers shall issue a Notice of Infraction/Notice of Criminal Citation (NOI/NOCC) for the appropriate violation at the scene of the collision. If the driver is injured and is to be taken to a hospital, the officer, if practical, shall advise the driver that an NOI/NOCC will be mailed.

2. If the NOI/NOCC is not issued at the scene or is issued after a complete investigation, either the box marked "sent to court for mailing" or "referred to prosecutor" shall be checked. The NOI/NOCC shall then be forwarded to the court or prosecutor.

3. In collisions where felony charges are possible, an NOI/NOCC shall not be issued. Charges for such collisions shall only be filed through the prosecutor's office. If the prosecutor declines to file felony charges on a Criminal Investigation Division (CID) collision case, the appropriate CID unit supervisor shall ensure that CID files the appropriate infraction or misdemeanor charge with the prosecutor's office.

B. Statements and Questions Regarding Charges

1. In all cases where a fatality or serious injury has occurred, officers shall not make any statement(s) related to possible charges (including answers to hypothetical questions). All questions regarding charges arising from these cases shall be coordinated with the district and/or CID public information officer for response or referral to the prosecutor's office as is necessary.

2. Drivers on whom felony charges may be filed shall not be booked for lesser misdemeanor charges (see policy on **FELONY PROSECUTION**).

Applies to: WSP Officers
See Also: WSP Policy **Felony Prosecution**

20.00.135 EMPLOYEE RESPONSIBILITIES WHEN INVOLVED IN COLLISIONS

I. POLICY

A. Reporting Vandalism or Collisions

1. When a department vehicle or privately-owned/rental vehicle used for state business is vandalized or involved in a collision or incident, the vehicle's driver shall immediately notify Communications, who shall notify the supervisor/on-duty supervisor.

B. Scene Responsibilities

1. Employees involved in on-duty injury collisions shall comply with RCW 46.52.020(2)(a).

   (2)(a) The driver of any vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person or damage to other property must move the vehicle, as soon as possible, off the roadway or freeway main lanes, shoulders, medians, and adjacent areas to a location on an exit ramp shoulder, the frontage road, the nearest suitable cross street, or other suitable location. The driver shall remain at the suitable location until he/she has fulfilled the requirements of subsection (3) OF THIS SECTION.

2. Employees involved in injury collisions shall abide by RCW 46.52.020(1)(a)

   (1)(a) A driver of any vehicle involved in an accident resulting in the injury to or death of any person or involving striking the body of a deceased person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall then forthwith return to, and in every event remain at the scene of such accident until he/she has fulfilled the requirements of subsection (3) of this section; every such stop shall be made without obstructing traffic more than is necessary.

3. Officers shall ensure scene safety, render aide, locate witnesses, and protect evidence as appropriate to the circumstances involved.

4. Employees shall comply with department policy **VEHICLE COLLISIONS AND INCIDENTS, EMPLOYEE CONTACT WITH COLLISION VICTIMS** with regard to employee contact with accident victims.

5. Employees shall comply with department policy **MEDIA AND PUBLIC RELATIONS** with regard to employee contact with the media and public relations.

C. Investigation

1. The on-scene supervisor, as determined by policy, shall be responsible for the investigation and appropriate notifications as outlined in the notification procedures. Supervisors shall follow investigative procedures outlined in the *Administrative Investigation Manual*.

2. Supervisors conducting the on-scene investigation shall follow department policy **PATROL, PRIVATELY-OWNED RENTAL VEHICLE COLLISIONS/ INCIDENTS/VANDALISM** with regard to vehicle collisions/incidents while on official state business.

3. Whenever a department employee is involved in a collision, the other party shall be treated with fairness, compassion, and dignity.

Applies to: All WSP Employees
See Also: RCW 46.52.020; WSP Policies **Patrol, Privately-Owned Rental Vehicle Collisions/Incidents/Vandalism; Media and Public Relations; Vehicle Collisions and Incidents, Employee Contact With Collision Victims;** *Administrative Investigation Manual*

20.00.140 AUDIO RECORDINGS (CALEA 42.2.1, 83.2.1)

I. POLICY

A. Use of Recording Devices

1. Use of recording devices shall be in strict accordance with the following guidelines:

   a. Recording devices may be used during interviews or interrogations only when the consent of all persons engaged in the conversation is first obtained.

   b. Interviews or interrogations begin with the time, date, and location.

   c. Each voice recorded on the tape is identified by the name and address of the person speaking.

   d. If appropriate, record Constitutional Rights prior to obtaining a suspect's statement. If recording, ensure advisement is also recorded.

   e. State the time at the conclusion of the interview.

   f. The Tape Recorded Defendant/Witness Statement form is available for this process.

   g. All investigative photographs, negatives, audio tapes, and video tapes should be placed in a sealed envelope and stored in the Case File Tracking envelope or attached to the pressboard binder. DO NOT enter as evidence. If any of the items DO become evidentiary, then they should be handled as evidentiary property.

Applies to: WSP Officers
See Also: Tape Recorded Defendant/Witness Statement Form

► SECTION 01: VICTIM/WITNESS ◄

20.01.010 VEHICLE COLLISIONS AND INCIDENTS, VICTIM/WITNESS ASSISTANCE PROGRAM (CALEA 42.2.2, 55.1.1, 55.1.3, 55.2.1, 55.2.2, 55.2.3, 55.2.4, 55.2.5, 82.2.1)

I. DEFINITIONS

A. A **victim** is a person who suffers bodily injury or death as a result of a criminal act of another person.

B. A **witness** is one who, being present, personally sees or perceives something; a beholder, spectator, or eyewitness; one who testifies to what was seen, heard, or otherwise observed.

C. A **survivor** is one who outlives another; one of two or more persons who lives after the death of the other or others.

D. A **criminal act** is an act committed or attempted in this state which is punishable as a felony or gross misdemeanor.

II. POLICY

A. Treatment of Victims, Witnesses, and Survivors

1. Whenever officers investigate human trafficking, a vehicular homicide, vehicular assault, or other criminal act involving serious injury, the victims, witnesses, or survivors shall be:

   a. Informed of their rights according to state law.

   b. Furnished with information about state and local victim/witness assistance programs.

   c. Treated with fairness, compassion, and dignity.

III. PROCEDURE

A. Training Division Responsibilities

1. The Training Division shall provide victim/witness basic training to officers and communications officers.

B. District Commander Responsibilities

1. District commanders shall maintain contact with government agencies and organizations concerned with victim/witness needs and rights. They shall periodically inform the public and media about the department's victim/witness assistance services.

2. District commanders are responsible for coordinating the department's role in victim/witness assistance by the following:

   a. Informing their employees biannually about victim/witness programs provided by the state and local community.

   b. Informing new employees about victim/witness assistance programs during orientation.

3. District commanders shall also maintain a current list of victim, witness, and survivor services available in the district, with the name, address, and telephone number of the agency. The list shall be kept in Communications for 24-hour access.

4. District commanders or the Criminal Investigation Division Commander for primary CID investigations, shall ensure that victims, witnesses, and survivors are informed of their rights and services available by providing department resources to assist a victim/witness and advising them in writing (within five days) of their rights and services available. These include the name of the investigating officer, a telephone number where victims/witnesses can report additional information or receive information about a case, and a case number.

C. Primary Investigator's Responsibilities During Preliminary Investigations

1. Investigators shall inform the victims, witnesses, and survivors of state and local services available to them. (Victim/witness brochures provided by the Department of Labor and Industries and the local victim/witness services will provide the necessary information.) They shall assist the victims, witnesses, and survivors by advising them of the primary investigator's name and telephone number to report or receive additional information about the case. (Provide a business card.)

D. Primary Investigator's Responsibilities During Follow-Up Investigations

1. The following responsibilities are to be completed when feasible. Contacts shall be noted on the case log.

   a. Contact the victims, witnesses, and survivors within 10 days after beginning the investigation to ascertain whether their needs are being met.

   b. Inform victims, witnesses, and survivors of important aspects of the case (arrest, charges filed, etc.), if not an endangerment to successful prosecution.

c. Ensure that victims, witnesses, and survivors understand their roles in the prosecution of the case.

d. Schedule interviews, line-ups, and other required appearances at the convenience of the victims, witnesses, and survivors. Provide transportation if absolutely necessary and feasible.

e. Return all of the property belonging to victims, witnesses, and survivors as soon as possible or when no longer needed as evidence.

Applies to: WSP Officers
See Also: RCW 9A.40.100; Victim/Witness Brochure, Department of Labor and Industries

20.01.020 VEHICLE COLLISIONS AND INCIDENTS, EMPLOYEE CONTACT WITH COLLISION VICTIMS

I. POLICY

A. Employees Involved in a Collision

1. Whenever a department employee is involved in a collision, the other party shall be treated with fairness, compassion, and dignity.

B. Major Collisions

1. One representative, as determined by the Chief, shall be assigned to interact with families as the single point of contact on behalf of the Chief for all major collisions. The Government and Media Relations (GMR) Captain shall be considered first.

C. Moderate/Minor Collisions

1. District and division commanders shall be the point of contact for all moderate and minor collisions. Within 48 hours, the district or division commander shall contact the other party involved or their family and advise them of the following:

   a. The department's role in the investigation.

   b. The name of the officer in charge of the investigation.

   c. Telephone numbers to obtain information about the investigation.

   d. Criminal justice and department administrative investigation procedures.

      (1) At no time should charges or possible charges be discussed.

(2) Questions regarding charges shall be directed to the prosecuting attorney's office.

e. Provide forms and contact information for tort claims, if applicable.

f. Provide information on the Victim/Witness Assistance Program, if applicable.

g. Commanders shall follow the **PUBLIC RECORDS REQUESTS** policy with regard to public disclosure of employee information.

2. Contact shall be initiated first by personal appearance. If personal appearance is not practical, contact shall be initiated via letter.

3. District and division commanders shall re-contact the other party or their family within 10 days of the initial contact and ascertain whether their needs are being met and determine if there is any other assistance the department can provide pertaining to the investigation. Contact shall be maintained with the other party or their family as needed. All contacts with collision victims shall be documented in the case log by the contacting party.

D. Criminal Investigation Division Responsibilities

1. Whenever the Criminal Investigation Division (CID) assumes the responsibility for an investigation involving another agency, the detective sergeant or designee shall provide the other agency with the name of the detective in charge of the case and a contact telephone number.

a. Detectives shall ensure that the involved agency's contact person is kept apprised of the case and informed of any important aspects as soon as possible.

b. All contacts shall be noted in the case log.

c. Detectives shall ensure that all property belonging to the other party involved is returned. The family shall be informed if property has been retained as evidence and is not available for release.

E. Training Division Responsibilities

1. The Training Division shall provide officer-involved collision training to all officers.

Applies to: All WSP Employees
See Also: WSP Policies **Public Records Requests; Vehicle Collisions and Incidents, Victim/Witness Assistance Program**

► SECTION 02: COLLISION INVESTIGATION COMMITTEE ◄

20.02.010 COLLISION INVESTIGATION COMMITTEE (CALEA 42.2.2)

I. POLICY

A. Collision Investigation Committee Purpose

1. Collision investigation is recognized as a core function and high priority of the department. To ensure the highest collision investigation standards are maintained, the department has established a Collision Investigation Committee (CIC).

2. The CIC will be co-chaired by lieutenants from the Criminal Investigation Division, Training Division, and Field Operations Bureau. The committee will report to the department's Training Committee on training issues and to the Field Operations and Investigative Services Bureaus for other issues as appropriate.

B. Committee Membership

1. Training Division lieutenant (co-chair).

2. Criminal Investigation lieutenant (co-chair).

3. Field Operations Bureau lieutenant (co-chair).

4. Major Accident Investigation Team sergeant.

5. Two Criminal Investigation Division detectives (eastside detective and westside detective).

6. Two Academy collision investigation instructors.

7. Two Field Operations Bureau sergeants (eastside sergeant and westside sergeant).

8. Two Field Operations Bureau troopers (eastside trooper and westside trooper).

9. One WSP Commercial Vehicle Enforcement Officer.

C. Selection Criteria

1. CIC members will be selected by their respective assistant chief and will serve a minimum of two years, unless they become disqualified as a result of an assignment change.

2. Meetings of the committee will be held at least quarterly.

D. Committee Role Definition

1. Identify instructors for technical collision training and reconstruction training.
2. Review training curriculum for all levels of collision investigation and make recommendations for revision.
3. Review *Regulation Manual* collision investigation policies and form requirements for accuracy with training curriculum and recommend revisions.
4. Review student critiques of collision training and make recommendations for improved training.
5. Develop curriculum for semiannual collision investigators in-service training.
6. Suggest topics and review collision curriculum for decentralized training.
7. Develop collision investigation curriculum for trooper/sergeant in-service training.
8. Obtain and evaluate internal and external stakeholder input.
9. Evaluate available technology for collision investigation.
10. Review the collision investigation certification process.
11. Review the certified technical specialist (CTS) of the year criteria.
12. Review the CTS of the year nominations and make award recommendation.
13. Monitor the Certified Technical Collision program.
14. Report to the Training Committee and to the Field Operations Bureau and Investigative Services Bureau Assistant Chiefs.

Applies to: All WSP Employees
See Also: --

► SECTION 03: CRIME ANALYSIS ◄

20.03.010 CRIME ANALYSIS (CALEA 15.3.1)

I. DEFINITIONS

A. Crime Analysis - A system utilizing regularly collected information on reported crimes and offenders to assist in the prevention and suppression of crime and to apprehend criminal offenders. Crime analysis is a scientific process that employs systematic techniques of

analysis and seeks to determine, for predictive purposes, the frequency with which events occur and the extent to which they are associated with other events.

B. Washington's Uniform Crime Reporting (UCR) System - The summary reporting system which collects data on known offenses and persons arrested.

II. POLICY

A. Criminal Investigation Division and Investigative Assistance Division

1. The Criminal Investigation Division (CID) and Investigative Assistance Division (IAD) staff shall provide support to law enforcement operations by monitoring and documenting the activities of criminal violators through surveillance, confidential sources, interviews, public records, field interviews, case reports, and communication with law enforcement agencies at all levels. The resulting information shall be made available for targeting significant criminal operations, supporting Washington State Patrol missions, and meeting the legitimate information needs of federal, state, and local law enforcement agencies.

2. The CID and IAD commanders shall ensure all department personnel are informed of the procedures for effectively collecting, analyzing, and interpreting criminal information at the division/section level.

3. The CID and IAD commanders shall be responsible for conducting crime analysis and developing/documenting procedures to ensure the following:

   a. Accuracy and completeness of the data collected.

   b. Efficient organization, development, and analysis of the data collected.

   c. Timely dissemination and exchange of crime data and analysis with the Chief; Executive Staff; personnel under their command; and, if requested, other law enforcement agencies.

   d. The Chief or designee is briefed on crime patterns or trends as they are identified.

   e. A feedback system is developed, maintained, and utilized. The CID commander shall use the system to measure internal productivity and external impact in relationship to acknowledged objectives, identify process improvements, and verify effective use of tools and information.

B. Crime Data Analysis

1. The initial step in the analysis of crime data is to establish the factors to be included in the analysis. At a minimum, the following factors shall be identified and documented by Criminal Analysts:

    a. Frequency by type of crime and geographic (location) factors.

    b. Temporal (time) factors.

    c. Victim and target descriptors.

    d. Suspect descriptors (age, sex, race, national origin, and affiliation or associates).

    e. Suspect vehicle descriptors (color, year, make, body style, and license).

    f. Modus operandi factors (information from Uniform Crime Reporting [UCR] statistics, arrest data sheet, citations, etc.).

    g. Physical evidence information.

    h. Written strategy to combat the crime (to include, but not limited to, Community Policing).

2. The following list includes a sampling of various sources from which the Criminal Analyst may extract crime analysis data elements:

    a. Communications logs

    b. Case logs

    c. Citations

    d. Stolen property reports and hot sheets

    e. Law enforcement crime reports

    f. UCR reports

    g. Court databases

    h. Department of Licensing

    i. Internal Revenue Service

    j. County clerks

    k. Employment Security Reports

    l. National Insurance Crime Bureau

    m. Time and Activity Reports

n. Strategic Advancement Forums

o. NCIC/WACIC/WASIS

Applies to: WSP Officers
See Also: --

► SECTION 04: MISSING CHILDREN ◄

20.04.010 MISSING CHILDREN INVESTIGATIONS (CALEA 41.2.6)

I. DEFINITION

A. The term **missing child** refers to a person:

1. Younger than 18 years of age.

2. Whose whereabouts are unknown to his/her parent, guardian, or responsible party.

II. POLICY

A. Missing Children Reporting and Investigation

1. Reports of missing children can be among the most difficult, challenging, and emotionally charged cases a law enforcement agency will every experience. Each stage of the case from initial investigation through successful recovery forms a critical component of a thorough law enforcement response.

2. The agency of jurisdiction for missing children cases rests with the sheriff of the appropriate county or the chief of police of a city or town. Departmental employees may be asked to provide assistance, directly or indirectly, to local law enforcement when requested.

3. When officers respond with the missing child's safety as their foremost concern they will be more likely to collect evidence or information that might otherwise be lost during the critical, early stages of an investigation. The following are the types of missing child cases officers may encounter:

   a. The **non-family abduction** in which a child is taken by an unknown individual, through force or persuasion, usually in furtherance of additional victimization.

   b. The **family abduction** in which a non-custodial family member flees with a child, usually in direct violation of a court ordered custody arrangement.

   c. The **runaway child**, most often a teenager, who leaves home voluntarily for a variety of reasons.

d. The **lost or otherwise missing** child, who becomes separated from parents or caretakers under circumstances not indicating the likelihood of an abduction or voluntary absence.

e. The **throwaway** whose caretaker makes no effort to recover the child who has run away or who has been abandoned or deserted. While not necessarily reported to authorities as missing, children in this category frequently require the services of law enforcement.

4. It shall be the policy of this department for field force personnel to refer cases of missing children to the agency of jurisdiction for reporting and investigative responsibility. The agency of jurisdiction shall be the county or city agency where the child either resides in or was last seen in.

III. PROCEDURES

A. Communication Center Responsibilities When Receiving Report of Missing Child

1. Determine if circumstances of the report meet the definition of a missing child.

2. Refer the reporting party to the agency of jurisdiction for reporting of the missing child.

3. If appropriate, obtain sufficient information from the reporting party to alert the agency of jurisdiction, other agencies, and officers about the circumstances of the child's disappearance. Information may include the child's height, weight, hair and eye color, clothing, location child last seen, and information regarding a possible abductor with special emphasis on the description of the suspect, vehicle used, and direction of travel.

B. Officer Response to Report of Missing Child

1. If departmental personnel are requested by local law enforcement to respond as an initial officer or first responder to a report of a missing child they should:

a. Notify and obtain approval from a supervisory officer.

b. Respond promptly to the scene of the report.

c. Interview the parent(s) or person who made the initial report.

d. Obtain a description of the missing child including photograph(s) and videotapes. The collection of information regarding race, height, weight, hair and eye color, clothing, and other noteworthy features and information shall be done promptly and relayed to the agency of jurisdiction and other officers who may be assisting in the investigation.

e. Verify that the child is in fact missing.

f. Determine the child's custody status by ascertaining whether a dispute over the child's custody might have played a role in the disappearance. Questions regarding whether the reporting party has full legal custody, if the non-custodial parent has been contesting custody, or if the missing child expressed a wish to live with the other person, may help an officer gain important insight into the case.

g. Identify the circumstances of the disappearance. If unusual circumstances exist then the decision to employ additional response methods is clear. In other situations, where the circumstances are not clear, officers should keep the missing child's safety in mind and act accordingly.

h. Determine when, where, and by whom the missing child was last seen.

i. Interview the individual who last had contact with the missing child.

j. Identify the child's zone of safety for his or her age, developmental stage, and physical and mental state. The child's zone of safety includes how far a missing child could travel from the location where last seen before he or she would most likely be at risk of injury or exploitation. The perimeter, under many circumstances, will define the first search zone.

k. Obtain a description of any suspected abductors or other pertinent information.

l. Ensure proper information is relayed to the agency of jurisdiction to allow for proper entry into the NCIC Missing Person File.

m. Provide detailed descriptive information to the agency of jurisdiction and up to date facts as they become available.

n. Identify and interview individuals at the scene.

o. Conduct a thorough search of the scene.

p. Secure and safeguard the area as a potential crime scene if appropriate.

q. Record if the child has access to an online computer, cellular telephone, and/or pager to determine if a child may have left to meet someone he or she encountered while online. Moreover, since many children have their own pagers and cellular telephones and may have them while missing, an officer should note these devices during the information gathering process.

C. Supervisor Responsibilities to Report of Missing Child

1. Department supervisors at the scene of a report of a missing child should contact the agency of jurisdiction to determine the level of assistance requested. The agency of jurisdiction will generally determine if additional personnel and resources are needed to assist in the investigation.

2. If warranted, an AMBER Alert shall be initiated by the agency of jurisdiction. If an agency of jurisdiction request WSP assistance with the activation of an AMBER Alert, the AMBER Alert Plan shall be strictly adhered to.

3. The agency of jurisdiction will be responsible, if appropriate, for the establishment of the command post, organization and coordination of search efforts, required notifications, liaison with the victim family, and management of media relations.

D. Investigator Responsibilities to Report of Missing Child

1. The agency of jurisdiction will be responsible for the case investigation and all follow-up responsibilities involving reports of missing children. If the agency of jurisdiction requests additional resources or specialized services, the WSP Missing and Exploited Children Task Force (MECTF) and Missing Children Clearinghouse (MCC) are resources available for local law enforcement.

Applies to: All WSP Employees
See Also: --

► SECTION 05: THREATS ◄

20.05.010 THREATS AGAINST DEPARTMENTAL EMPLOYEES

I. POLICY

A. Employees Shall Notify Supervisors of Threats

1. Whenever a departmental employee is intimidated or threatened during the course of his or her official duties by a person or persons outside the department and the employee has a reasonable belief that the threat will be carried out, the employee shall immediately notify his or her supervisor.

2. The supervisor shall immediately notify the division/district commander through his or her chain of command.

B. Division/District Commander and Deputy Chief Responsibility

1. The division/district commander shall immediately notify the Investigative Services Bureau (ISB) Assistant Chief through the chain of command.

2. If the ISB Assistant Chief approves a criminal investigation, the information shall be forwarded to the Criminal Investigation Division (CID) Commander, who shall direct the appropriate CIU to conduct an investigation.

3. The CIU supervisor shall keep the affected employee's division/district commander informed of the investigation's progress.

Applies to: All WSP Employees
See Also: --

20.05.020 THREATS AGAINST STATE OFFICIALS

I. POLICY

A. Relaying Complaint Information Received From State Officials

1. Whenever a departmental employee receives a complaint from a state official indicating that they believe they are being intimidated, or that they were threatened as a result of their official duties, the employee receiving the complaint shall immediately relay the information through their chain of command to the division/district commander.

B. Division/District Commander and Deputy Chief Responsibility

1. The division/district commander shall immediately notify the Investigative Services Bureau (ISB) Assistant Chief through the chain of command.

C. Complaints Received from Other Public Officials

1. When complaints are received from local municipal or county officials, the ISB Assistant Chief shall be immediately notified through the chain of command.

2. If the ISB Assistant Chief approves a criminal investigation, the information shall be forwarded to the Criminal Investigation Division (CID) Commander, who shall contact the local or county law enforcement agency with jurisdiction in accordance with the right of first refusal.

3. If the local jurisdiction declines the investigation, the CID Commander will then direct the appropriate Criminal Investigation Unit (CIU) to conduct an investigation.

Applies to: All WSP Employees
See Also: --

Chapter 21

EVIDENCE SYSTEM

► SECTION 00: EVIDENCE PROCESS ◄

21.00.010 EVIDENCE AND PROPERTY HANDLING (CALEA 61.2.3, 82.3.2, 83.2.1, 83.3.1, 83.3.2, 84.1.1, 84.1.2, 84.1.3, 84.1.5)

I. DEFINITIONS

A. **Property:** The department has a general obligation to protect all property that comes within its custody. For the purpose of this policy, property is defined as "evidence, found property, safekeeping, and asset seizure."

B. **Property Storage:** Each division/district commander shall provide for the secure storage of all property within the custody of the department. Employees' desks, lockers, cars, or homes shall not be used for this purpose.

II. POLICY

A. Uniformity

1. To ensure uniformity in the handling and disposal of property, each commander shall designate a Property Custodian to supervise and coordinate all property and evidence handling procedures within their division/district. Appointed Property Custodians shall be accountable for all property accepted or stored by the department.

2. The commander shall also provide a secure facility with a locking device and with no master entry to house the property entrusted to the Property Custodian's care.

   a. Only the Property Custodian and the assigned alternate shall have access to those areas used for the storage of property.

   b. Any additional keys in existence that can access those areas used for the storage of property shall be documented at the district level and maintained in a sealed envelope dated and initialed by any personnel who must access the keys for entry into the property room areas. A witness shall be present when the envelope is accessed and resealed, and shall initial the envelope.

   c. A property drop box shall be used as a repository after normal working hours or when the Property Custodian is not immediately available. The drop box shall be locked by the collecting officer and shall only be opened by the Property Custodian and/or a designated alternate.

3. The Property Custodian may handle property for more than one detachment, but the Property Custodian and property storage must be physically located so as to be readily accessible to each officer served.

B. Handling

1. Property-Proper Handling – Procedures for the proper handling of property and evidence shall be followed as prescribed in the *Officer's Evidence Handbook* and the *Property and Evidence Custodian Manual*.

    a. All property entered into the property system must be accounted for by either possession of the property or a receipt showing transmittal of the property. No property within the property system shall be transmitted to any other person without the person relinquishing it retaining a receipt showing the property disposition.

    b. All property coming into the possession of the department shall be handled according to procedure. No property shall be destroyed by any employee without due process of law or in violation of departmental procedures.

    c. The Property Custodian shall dispose of all property in the property system according to due process of law and departmental procedure.

    d. Employees shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with, or withhold any property or evidence in connection with an investigation or other police action, except in accordance with established departmental procedures.

    e. All property/evidence taken into custody shall be assigned a property number prior to the end of the collecting officer's shift, except property that will be immediately reclaimed by the owner.

    f. All property, including evidence, shall be properly sealed immediately upon taking custody.

    g. A Property/Evidence Report shall be completed and delivered along with the property/evidence to the Property Custodian or deposited in the evidence drop box before the collecting officer goes off shift.

C. Property Handling/Special Considerations

1. When a vehicle is stored at a Washington State Patrol bullpen, personal property that is not sent with the owner shall be submitted into the evidence system for safekeeping. If the vehicle is impounded to a towing company, a list of all personal items shall be listed on the impound form. A copy of the Vehicle Inventory Record shall be turned in to the Property Custodian. All monies, checkbooks, credit cards, weapons, and other property with a substantial value shall be tagged or sealed and submitted to the Property Custodian for safekeeping.

2. Any employee who obtains any type of property having a distinguishable identification number shall check the property through WACIC and NCIC when obtained.

3. Whenever an officer places a weapon into the department evidence system as either evidence of a crime or found property, the officer shall consult the *Property and Evidence Custodian Manual* to verify if it should be entered into the Integrated Ballistic Identification System (IBIS). Weapons of recommended calibers shall be sent to the appropriate crime laboratory for test-firing and entry into IBIS. This also includes weapons taken under the forfeiture statute for being under the influence of alcohol or drugs while in possession of a weapon. Weapons taken and entered into evidence for safekeeping only shall NOT be sent for entry into IBIS. The guidelines for submitting a weapon are located in the *Property and Evidence Custodian Manual*.

D. Property Released

1. All property released by the Property Evidence Custodian to any other person for any reason shall be recorded on the appropriate form (i.e., Transfer/Disposition Report, Release of Firearms, Request for Laboratory Examination), and a copy retained. That portion of the Request for Laboratory Examination that documents transfer of evidence to the lab for testing may be substituted for the use of the Transfer/Disposition Report.

E. Property from Outside Agencies

1. The department shall not accept evidence or property from another agency for the purpose of custodial storage or disposal without written permission from the Chief.

   a. This does not prevent forensic assistance to other agencies by the Forensic Laboratory Services Bureau or Identification Section.

   b. The department will accept property and contraband from the Department of Corrections only, as outlined in the *Property and Evidence Custodian Manual*.

Applies to: All Division/District Commanders and Property Custodians
See Also: *Officer's Evidence Handbook*; *Property and Evidence Custodian Manual*; Property/Evidence Report; Vehicle Inventory Record; Transfer/Disposition Report; Request for Laboratory Examination

21.00.020 PROPERTY INVENTORY/AUDIT (CALEA 84.1.6)

I. POLICY

A. Required Audits Performed by Field Staff

1. A joint audit shall be conducted when there is a change in Property Evidence Custodians or the Property/Evidence Custodian alternate. The audit/inventory shall be conducted jointly by the incoming custodian and a manager/supervisor who does not control the property function. Any discrepancies shall be reported to the appropriate commander, the Risk Management Division Commander, and the Evidence Control Officer.

2. A 100% audit shall be conducted when a property storage area has been breeched and a loss of or theft of item is suspected. Property storage areas shall include property rooms, vaults, refrigerators/freezers, cabinets, bull pens, containers, and any rented storage locations. Any discrepancies shall be noted and a report shall be sent to the appropriate assistant chief/bureau director with copies to the Risk Management Division Commander and the department's Evidence Control Officer within 30 days.

3. All commanders in the department who have responsibility for an evidence function shall conduct quarterly inspections of all property/evidence storage facilities under their authority. The annual audit performed by the department's Evidence Control Officer may be substituted for that quarter's inspection normally performed by field staff. These facilities include, but are not limited to, property rooms, vaults, refrigerators/freezers, cabinets, bull pens, containers, and any rented storage.

4. The Field Operations Bureau lieutenant who has responsibility for the evidence function in each district and the commanders of other divisions/sections shall examine a random statistical sampling of all evidence in their inventory providing for a 95% confidence level with a +/- 10% confidence interval.

5. Commanders shall review associated paperwork, chain of custody, accountability, and/or the proper final disposition of the property/evidence. Security, orderliness, and overall cleanliness of the storage facilities shall be ensured. FOB commanders shall concentrate on the disposal audit trail of drugs, weapons, money, and other attractive items. A report of findings shall be on file at the district/section/laboratory, listing the property/case numbers inspected, discrepancies—if any—and their resolution, with a copy to the department's Evidence Control Officer.

6. If the Property Evidence Custodian's position and alternate both become vacant, all property/evidence shall be the commander's responsibility. The commander shall immediately appoint an assistant commander to conduct an audit/inventory of the property room, containers, and storage yard, and submit a written report to the commander, with a copy to the department's Evidence Control Officer.

B. Required Audits Performed by Evidence Control Officer

1. In addition to the required audits performed by field staff, the Evidence Control Officer shall conduct an annual audit providing for a 99% confidence level with a +/-3% confidence interval of the evidence system. This shall include property/evidence at:

   a. All district property rooms, storage containers, yards, and leased storage.

   b. All crime laboratory evidence storage areas.

   c. Latent print laboratory property room.

d. High Tech Crimes Unit.

e. Toxicology Laboratory.

C. Spot Inspections by Evidence Control Officer

1. The Evidence Control Officer shall also conduct unannounced spot inspections providing for a 95% confidence level with a +/- 5% confidence interval of randomly selected property storage areas in each affected district/division at least annually.

Applies to: All FOB, ISB, TSB, FPB, and FLSB Employees
See Also: --

21.00.030 DISPOSAL OF PROPERTY/EVIDENCE (CALEA 84.1.1, 84.1.7)

I. POLICY

A. Disposal Guidelines

1. Disposal of evidence and property shall be strictly in accordance with the procedures outlined in the *Property and Evidence Custodian Manual*.

2. The Property Evidence Custodian shall attempt to locate owners of safekeeping and found property and notify them of its status. Release to the owner should be expedited. Property that is evidence may be disposed of only after checking with the court, prosecutor, arresting officer, or submitting agency. Property that is illegal to possess shall not be returned to the owner (exception – drug paraphernalia associated with appropriately certified medical marijuana).

3. If the owner of property in the custody of the department cannot be immediately contacted, then a certified letter shall be sent to the most likely address, allowing at least 60 days to be claimed. If there is no response after this time period, the Property Evidence Custodian will dispose of the property in accordance with procedures outlined in the *Property and Evidence Custodian Manua*l.

4. Under no circumstances shall an employee of this department take personal possession of any item contained or processed within the department evidence and property system.

5. If the employee responsible for the disposition leaves the department, a command-level officer for the department shall authorize the disposition when it is determined the evidence is no longer needed for official purposes.

6. No evidence shall be disposed of without proper authorization. Evidence remaining in property rooms longer than five years shall be evaluated by the department's Evidence Control Officer for further retention and/or disposal.

7. It is the policy of the department to destroy all contraband following adjudication of a case. This includes illicit narcotics in all cases. In

the event that a Property Evidence Custodian receives a court order to return contraband, the Property Evidence Custodian shall immediately notify the Evidence Control Officer for the department and advise their district command.

B. Half Yearly Status Check and Drug Destruction

1. The Property Evidence Custodian shall conduct a status check on all property in the department's custody at least every six months.

2. A controlled substances drug burn shall be conducted at least every six months. The drug destruction shall be conducted as outlined in the *Property and Evidence Custodian Manual*.

Applies to: All Property Evidence Custodians and WSP Officers
See Also: *Property and Evidence Custodian Manual*

21.00.040 CHIEF'S DESIGNEE HANDLING UNCLAIMED PROPERTY (CALEA 84.1.7)

I. POLICY

A. Designee for Final Disposition of Unclaimed Property

1. The commander of the Property Management Division shall be the designee of the Chief in all matters of final disposition of "Unclaimed Property in the Hands of the State Patrol" (RCW 63.35). District commanders shall review all property/evidence sent directly to GA Surplus for auction by their respective Property and Evidence Custodians.

2. Responsibility is especially relevant for this commander in managing methods of disposition involving sale, retention, destruction, trade, or donation as outlined in RCW 63.35.020.

Applies to: Commander of the Property Management Division
See Also: RCW 63.35.020

21.00.050 PROPERTY SEIZURE – NARCOTICS INVESTIGATION (CALEA 82.2.1, 84.1.8)

I. DEFINITIONS

A. **Seizure of Motor Vehicles or Property:** Any assertion of dominion and control over a vehicle or property by a law enforcement officer or agency pursuant to suspected criminal acts that interfere with the legal owner's full possessory and/or ownership rights of the vehicle or property.

B. **Forfeiture of Motor Vehicles or Property:** Forfeiture is the judicial procedure by which title to seized property is transferred to the seizing agency.

C. **Indicia:** Signs; indications. Circumstances which point to the existence of a given fact as probable, but not certain. For example, "indicia of partnership" are any circumstances which would induce the belief that the given person was in reality, though not ostensibly, a

member of a given firm. The term "indicia" is nearly or entirely synonymous with circumstantial evidence. It denotes facts which give rise to inferences, rather than the inferences themselves. *Black's Law Dictionary, With Pronunciations*, 5th edition, (West Publishing Co. 1979).

D. **Indicia of Title:** Generally, a document evidencing title to property, real or personal (e.g., a carbon copy of a bill of sale of an automobile). *Black's Law Dictionary, With Pronunciations*, 5th edition, (West Publishing Co. 1979).

II. POLICY

A. Property Seizure/Narcotics Investigation

1. It is the policy of this department to utilize, to the fullest extent, the civil forfeiture provisions available in the state and federal drug laws in order to impact narcotics dealers in Washington State.

2. Officers are encouraged to utilize the Narcotics Section and Risk Management Division as resources.

3. This policy is focused on the seizure of personal property, such as motor vehicles, currency, equipment, and assets, in which the officer has probable cause to believe the property was used or intended for use in any manner to facilitate the sale, delivery, receipt, or manufacturing of a controlled substance.

III. PROCEDURES

A. General Seizure Information

1. Prior to seizing any property pursuant to RCW 69.50.505, officers shall have a supervisor review the circumstances on which the seizure is based and ensure the circumstances meet the guidelines outlined under RCW 69.50.505 and this policy.

2. When a seizure occurs, officers shall comply with this policy and all reporting time requirements. The Narcotics Section shall be notified by phone by the next working day and a ***copy of the initial case information shall be faxed to the Narcotics Section immediately***. The Narcotics Property Seizure Checklist shall be utilized to ensure all appropriate information is forwarded to the Narcotics Section.

3. The Narcotics Section is required by law to notify owner(s) of seized conveyances and intended forfeiture proceedings within 10 days of the seizure. In all other cases involving seizure of personal property or those situations where the owner is not present, notice must be served within 15 days. The owner of seized property has the right to contest the seizure and intended forfeiture. The claimant must notify the seizing agency, in writing, within 45 days

from the date of the service of notice from the seizing agency in the case of personal property, not the date of seizure, and within 90 days in the case of real property. The notice of claim may be served by any method authorized by law or court rule including, but not limited to, service by first class mail. Service by mail shall be deemed complete upon mailing within the 45-day period following service of the notice of seizure in the case of personal property and within the 90-day period following service of the notice of seizure in the case of real property. Consequently, all follow-up documentation, such as lab reports, shall be forwarded to the Narcotics Section within 2 days of receipt and no later than 30 days from the date of seizure. If the claimant has submitted a claim and/or request for hearing, he/she is entitled to a civil hearing within 90 days from the date the written request is received by the seizing agency.

4. Drug-related property may be seized as follows:

   a. Upon process issued by any superior court having jurisdiction over the property.

   b. Incident to an arrest or a search pursuant to a search warrant.

   c. When the property has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding.

   d. When the officer has probable cause to believe the property is directly or indirectly dangerous to public health or safety.

   e. When the officer has probable cause to believe the property was used or is intended to be used in violation of RCW 69.50.

   f. RCW 69.50.505 sets forth circumstances under which a law enforcement officer may effect a seizure of drug-related assets. Refer to the issued *RCW Selected Titles* book before taking action.

B. Seizure of Property for Forfeiture

1. When an officer contacts property in which there is probable cause that the owner is engaged in—or has knowledge of—intended use of the property, in any manner to facilitate the sale, delivery, receipt, or manufacturing of controlled substances, a seizure for forfeiture of related personal property may be appropriate and the officer shall:

   a. Determine if there is probable cause that the property was used in the commission of a drug-related felony and therefore subject to seizure.

b. Contact his/her supervisor and advise of the facts and circumstances surrounding the potential seizure and obtain authorization to seize the property until the Narcotics Section can review the case.

(1) The Investigative Assistance Division (IAD) should be advised of all cases which involve investigations where felony charges are filed. IAD can assist with difficult cases, interviews, and search warrants.

(2) Narcotics Section employees are available after normal business hours to assist with complicated seizures by contacting Communications.

c. Identify the registered owner, legal owner, rightful owner, and indicia of title by name, address, and telephone number. Determine whether the violator or some other person owns the vehicle. Obtain a copy of the information for the case file.

d. Conduct post-Miranda interviews and debriefings to determine the level of knowledge or criminal intent of the owner(s).

e. All containers and items of seized property or contraband shall be handled as potential evidence, possibly requiring fingerprinting.

f. All seized items shall be handled in a manner consistent with current departmental policies on property, evidence, and inventory control.

g. When practical, seized property should be placed in a secure evidence storage facility, pursuant to current regulations and procedures.

h. Complete a standard case report. Pay particular attention to justification for the initial traffic stop and search, and describe the probable cause factors attendant to the seizure.

C. Vehicle Storage and Processing

1. In those cases where the seized property is a motor vehicle, the seizure shall be handled as follows:

a. The inventory section of a Property/Evidence Report shall be completed and all personal property shall be removed. Trunks or locked containers require a warrant or consent for search. If the vehicle is to be processed for fingerprints, and it is determined the vehicle would be contaminated by removing any personal property, the seizing officer may wait until the processing is completed. It is the responsibility of the seizing officer to ensure that the personal property is removed.

b. Personal property not being held for evidence or seizure shall be returned to the owner. If the owner has been arrested or is otherwise unavailable to take possession of the property, it shall be entered into the property system for return to the owner at a later date. The Property/Evidence Report shall be completed, including the authorization for release.

c. Evidence shall be packaged consistent with current departmental policies and entered into evidence separately from any personal property.

d. The seizing or assisting officer shall meet the tow driver at the vehicle storage facility to secure the keys and place them into evidence.

e. When vehicles are seized for forfeiture, the investigating officer shall ensure the vehicle identification number is obtained from the vehicle, rather than from a registration check.

D. Property Seizure – Case File Requirements

1. In order to comply with requirements set forth by the Attorney General's Office, the Narcotics Property Seizure Checklist shall be completed to ensure the following items are included in the case file when officers seize property pursuant to 69.50.505:

a. Initial case report from the officer.

b. Follow-up and/or supplemental case reports.

c. Case reports from additional personnel that may be involved.

d. Copies of notes, telephone numbers, photos, vehicle registration.

e. Lab report/results (include as follow-up item if not immediately available) (Request for Laboratory Examination).

f. Search Consent Waiver Form (Search Consent Waiver Card).

g. Constitutional Right Waiver Form (Right/Case Report).

h. Tow/Impound and Inventory Record.
i. Property/Evidence Report.

j. Record of Seized Vehicle, Vessel, or Aircraft.

k. Copy of towing and storage charges.

l. Copy of any NOI/NOCC issued related to the contact.

m. Names/addresses of corroborating witnesses.

n. Summary of witness testimony.

o. All statements.

p. Copy of search warrant, supporting affidavit, and return of service.

q. Status of criminal case and name of county prosecutor.

r. Current location of the seized property (by address).

s. Copy of the officer's notes corresponding to the event.

t. Criminal history of defendant.

u. FBI Identification record.

E. Supervising the Seizure

1. Supervisors who are called to the scene of a seizure situation shall determine whether forfeiture procedures are appropriate and ensure the contents of the case file comply with the above **Property Seizure - Case File Requirements (Narcotics Property Seizure Checklist**). The Narcotics Section will evaluate the facts of the case to determine if a forfeiture is appropriate or if further investigation is warranted. If further investigation is required, the investigation and management of the case shall be continued by the arresting officer and the officer's immediate supervisor; however, the Narcotics Section will assist when needed.

2. The preliminary report shall contain (as near as possible) the required information listed in the **Property Seizure - Case File Requirements** section above. A copy of the preliminary case file shall be faxed immediately to the Narcotics Section and copies of the original shall be mailed within two working days from the date of seizure.

3. The supervisor shall ensure that all reporting deadlines are met.

F. Responsibility of Narcotics Section

1. The Narcotics Section shall:

a. Receive phone call and copies of all reports from the seizing officer.

b. Determine if the case meets criteria for forfeiture.

c. Determine if seizure and forfeiture is cost-effective.

d. Prepare and mail certified seizure notice within (ten) 10 days from date of seizure.

e. Attempt to settle cases short of hearing.

f. Coordinate forfeiture process with the appropriate Assistant Attorney General.

g. Dispose of the vehicle either through sale or retain as department property.

(1) If released to owner or repossessed, the involved district shall ensure that all towing and/or storage fees are reimbursed to the department prior to release.

(2) If held for forfeiture, the Narcotics Section shall reimburse the involved for all towing and/or storage fees.

h. Maintain proof of process service, either by affidavit or by certified mailing.

i. Notify the seizing officer of case results.

Applies to: WSP Officers; Narcotics Section; Risk Management Division; and Investigative Assistance Division

See Also: 14th Amendment of United States Constitution; Substitute Senate Bill 5160; RCW 69.50.505; *Black's Law Dictionary, With Pronunciations*, 5th edition; *RCW Selected Titles*; Tow/Impound and Inventory Record; Search Consent/Waiver Card; Narcotics Property Seizure Checklist; Property/Evidence Report; Request for Laboratory Examination

Chapter 22

REPORTING

► SECTION 00: REPORTS ◄

22.00.010 REPORTING AND DISTRIBUTION (CALEA 11.4.1, 82.3.7)

I. POLICY

A. Proper Reporting and Distribution of Summary Reports

1. In order to ensure timely and informative reporting, the department maintains a "Summary of Departmental Reports." The summary shall include all administrative reports, the person/position responsible, the purpose, the frequency, and the distribution of the reports.

2. Division/district/section commanders should refer to this list to ensure proper reporting and distribution. Analytical reports shall be distributed to the affected organizational unit.

3. Employees shall submit all reports on time to the person/section requiring the report and in accordance with established department procedures.

4. Employees shall not knowingly enter or cause to be entered any inaccurate, false, or misleading information on a report.

Applies to: All WSP Employees
See Also: --

22.00.020 TIME AND ACTIVITY REPORTING (TAR) (CALEA 82.2.1, 82.3.2)

I. POLICY

A. Reporting Time and Activity Reporting

1. Employees shall report their time and activities on the Time and Activity Report (TAR) as outlined in the *Time and Activity Report Manual*, unless the employee has been approved for automatic time distribution.

2. Officers shall report violator contacts on the TAR as outlined in the *Time and Activity Report Manual*. The name and date of birth of violators given a verbal warning shall be noted in the comment column of the TAR.

Applies to: All WSP Employees
See Also: Time and Activity Reporting (TAR) Manual

22.00.030 UNIFORM CRIME REPORTING (CALEA 82.1.4, 82.3.2)

I. POLICY

A. Uniform Crime Report Purpose

1. The Uniform Crime Report (UCR) is not a measure of the department's activity, nor is it a method for giving credit for work completed by the agency, but rather it is a supplemental crime report provided to the Federal Bureau of Investigation.

2. The data is used to produce Uniform Crime Reports, the Crime Index, the FBI's "Crime in the United States," the Washington Association of Sheriffs and Police Chiefs' "Crime in Washington State," and other publications.

3. UCR information shall be recorded on the Time and Activity Report.

Applies to: All WSP Employees
See Also: --

22.00.040 VEHICLE RECOVERIES – REPORTING (CALEA 81.2.4, 82.2.1, 82.3.7)

I. POLICY

A. Recovery of Stolen Vehicles

1. When stolen vehicles are recovered, the following procedure shall be followed:

II. PROCEDURES

A. Abandoned Stolen Vehicles

1. Communications shall confirm the stolen "hit" with the originating agency.

2. Officers shall advise Communications of the location and condition of the vehicle and any related circumstances. Communications shall place a "recovery message" in the WACIC/NCIC file and notify the originating agency and the Criminal Investigation Division (CID) Auto Theft Section. The investigating agency shall call the reporting party with the above information to allow him/her the opportunity to take possession of the vehicle, unless it must be held for investigative purposes. If the owner is unavailable, the vehicle shall be impounded for safekeeping, regardless of the information contained on the theft report. All attempts to contact the owner shall be documented.

3. Officers shall collect all information reasonably available at the scene, using investigative techniques. The most current Motor Vehicle Recovery Report form found on the WSP Intranet shall be completed, outlining the circumstances, evidence, and other information that may be used by the originating investigating law enforcement agency. Officers shall indicate the stolen vehicle recovery on the Time and Activity Report.

4. When a recovered stolen vehicle in the possession of the department is to be released to the owner or the owner's authorized agent, a Hold Harmless Agreement form shall be completed. Only an officer in a supervisory position shall have the authority to release a recovered stolen motor vehicle.

5. Communications shall be notified of the storage location (if applicable), date of release (if applicable), person who released, and the case number (not property number) for inclusion in the WACIC/NCIC "recovery message."

6. Distribution of copies of the Motor Vehicle Recovery Report form is as follows:

    a. The original shall be forwarded to the immediate supervisor within 48 hours of the recovery for review and approval.

    b. After review and approval, the supervisor will forward one copy through the chain of command to the CID Auto Theft Section and one copy to the originating agency. Supervisors shall be responsible for the timely submission to ensure the report is received by the CID Auto Theft Section within ten calendar days of vehicle recovery.

    c. One supervisor-approved copy shall be retained in the case file at the district/detachment. Once the case file is completed, the entire case file shall be sent to the district public disclosure coordinator.

    d. Officers shall maintain photocopies for their records.

7. Appropriate notations shall be indicated on the bottom portion of the Motor Vehicle Recovery Report form indicating distribution of forms.

8. When the Stolen/Seized Vehicle Release form is signed, it shall be retained in the district file.

B. Occupied Stolen Vehicle

1. After securing and arresting the possessor of the vehicle as appropriate, the investigating officer shall follow the same reporting procedure as listed for abandoned stolen vehicles.

2. The officer shall provide Communications with the driver and occupant information for inclusion in the WACIC/NCIC "recovery message" sent to the originating agency and the CID Auto Theft Section. The officer shall make immediate notification to the regional CID Auto Theft Unit supervisor for possible response and follow-up.

3. In addition to the required distribution of the Motor Vehicle Recovery Report outlined in **Abandoned Stolen Vehicles**, the primary investigator shall gather the necessary documentation to be included in the case file for submission to the appropriate prosecutor for a charging decision. All cases shall be reviewed and approved by the supervisor for accuracy, completeness, and

inclusion of the necessary elements of the crime prior to submission to the prosecutor.

C. Stolen Vehicle – Vehicle Identification Number (VIN) Removed, Altered, Defaced, or Destroyed

1. After securing and arresting the possessor of the vehicle as appropriate, the investigating officer shall provide Communications with the available information outlined in **Abandoned/Occupied Stolen Vehicles** for inclusion in the WACIC/NCIC "recovery message." The officer shall also make immediate notification to the regional CID Auto Theft Unit supervisor for possible response and follow-up.

2. If CID Auto Theft is unavailable to respond, using investigative techniques, the officer shall collect all information/evidence reasonably available at the scene.

3. When the on-scene investigation is completed, the vehicle shall be transported to the nearest Washington State Patrol bullpen following prescribed evidence procedures. The CID Auto Theft Unit supervisor will coordinate the identification of the vehicle, notifications to the VIN Program coordinator, and the subsequent investigation.

4. Within two working days, the local VIN Specialist and regional Auto Theft Unit supervisor shall be provided the supervisor-approved recovering officer's report, outlining the circumstances, evidence, and any other information that would assist with the identification of the vehicle and further investigation.

5. Once the vehicle owner is positively identified, if applicable, a Motor Vehicle Recovery Report shall be completed in compliance with timelines outlined in **Abandoned/Occupied Stolen Vehicles** by the assigned primary investigator. The responsible supervisor shall ensure the name of the officer who positively identifies the vehicle as stolen is indicated in the "Recovery By" section of the form.

6. The primary investigator's supervisor shall ensure the required notifications, the report completion, and the dissemination of the Motor Vehicle Recovery Report **in accordance with this regulation**.

7. **No vehicle held in evidence with a VIN removed, altered, defaced, or destroyed shall be released prior to being properly renumbered by the VIN Specialist and after written approval by the VIN Program coordinator.**

Applies to: All WSP Employees
See Also: Motor Vehicle Recovery Report; Hold Harmless Agreement

22.00.050 FIELD INFORMATION REPORTS (FIR) (CALEA 41.2.4, 46.3.2, 82.2.1, 82.2.4, 83.2.1)

I. POLICY

A. Obtaining Criminal Activity Data From the Field

1. An important crime prevention and information-gathering technique is the creation of a legitimate system to obtain criminal activity data from the field. An innocuous piece of information could assist in breaking a seemingly unrelated criminal enterprise.

B. Collecting Field Intelligence Information

1. Field intelligence information may be collected from individuals who are in custody and from individuals who are not in custody (e.g., "free to leave"). When requesting information from suspects who are not in custody, the officer must rely upon persuasion, not coercion. The individual has the right to refuse to divulge the information and to leave at any time.

C. Field Information Report Submission

1. Employees shall submit a Field Information Report to their immediate supervisor when they have knowledge or suspicion of any of the following:

    a. Narcotics activity.

    b. Auto theft activity.

    c. Motorcycle or street gang movement or activity.

    d. Officer safety information.

    e. Any other signs or indications of felony movement or activity.

NOTE: FIRs shall not be submitted solely to report persons with outstanding warrants.

D. Field Information Report Distribution

1. Upon receipt of a FIR, supervisors shall determine if the information is of local, state, regional, national, or international importance.

2. Local information that is critical time-wise or pertains to officer safety shall be immediately disseminated to local officers, sheriffs' offices, and police departments through the appropriate district or, if of an exigent nature, through the local detachment. Local FIRs shall then be forwarded to the Investigative Assistance Division for filing, analysis, and/or further dissemination, if applicable.

3. Information with state, regional, national, or international implications shall be forwarded directly to the Investigative Assistance Division for analysis and dissemination. All information on narcotics, auto theft, gangs, or felony movement and activity shall be forwarded to the Investigative Assistance Division.

4. If an officer has completed a felony case report dealing with a significant felony arrest, a copy of the case report may be submitted in lieu of a FIR.

E. Employee Responsibility

1. FIRs shall be submitted within 48 hours of the initial knowledge or suspicion of felony activity. Critical FIRs shall be submitted immediately. If the employee's immediate supervisor is not available and the information is of a critical nature, it shall be the employee's responsibility to ensure the information is forwarded to another supervisor or to the next level of supervision.

Applies to: All WSP Employees
See Also: Field Information Report Form

22.00.060 CHILD AND ADULT-DEPENDENT ABUSE REPORTING GUIDELINES (CALEA 55.2.2)

I. POLICY

A. Child and Adult-Dependent Suspect Physical Abuse Requirements

1. If an officer suspects the possibility that a child or adult-dependent is the object of physical abuse, the officer is responsible for obtaining and forwarding the following information:

a. Verify the address of the parents/legal guardians and the victim.

b. Notify CPS and local law enforcement jurisdiction of (a) address of parent/legal guardians and victim; (b) nature, location, and extent of injuries; (c) nature and extent of neglect and/or sexual abuse; and (d) any evidence the officer may have observed; or

c. Notify the district investigative officers of the same information. The detectives assigned to the follow-up shall ensure that Department of Social and Health Services (DSHS) or CPS and local law enforcement are notified of the investigation.

d. Ensure the parents or legal guardians are advised of the investigation.

B. Investigation of Child Abuse

1. If DSHS or a law enforcement agency responds to a complaint of child abuse or neglect and discovers that another agency has also responded to the complaint, the agencies shall coordinate the investigation and keep each other apprised of the progress.

2. DSHS, and any other agency involved in a child abuse case, shall make, as soon as practicable, a written record, and shall maintain records of all incidents of suspected child abuse reported to that person or agency. Records kept under this section shall be identifiable by means of an agency code for child abuse. Therefore, records of all abuse cases involving children and adult-dependent persons shall be maintained by the department. Upon the receipt of a report concerning the possible occurrence of abuse or neglect, it shall be the duty of the law enforcement agency to investigate and provide CPS with a report.

3. When an officer responds to a call alleging that a child or adult-dependent has been subjected to sexual or physical abuse and has probable cause to believe that a crime has been committed, or responds to a call alleging that a temporary restraining order or preliminary injunction has been violated, the peace officer has the authority to arrest the person without a warrant.

4. An officer may take, or cause to be taken, a child or adult-dependent into protective custody without a court order if there is probable cause to believe that the child or adult-dependent is abused or neglected and that the victim will be further subjected to injury if the officer does not immediately remove the victim.

5. To comply with legislatively-mandated responsibilities, officers shall be familiar with definitions related to sexual assault/abuse and the details of RCW 26.44, Abuse of Children and Adult-Dependent or Developmentally Disabled Person; Protection; Procedure.

6. Officers shall be aware that sexual exploitation of children is defined as allowing, permitting, or encouraging a child to engage in prostitution; or allowing, permitting, encouraging, or engaging in obscene or pornographic photographing, filming, or depicting of a child for commercial purposes as those acts are defined by state law by any person.

7. Child abuse or neglect is defined as the injury, sexual abuse, sexual exploitation, or negligent treatment or maltreatment of a child (a person under the age of 18 years) by any person under circumstances which indicate that the child's health, welfare, and safety are harmed thereby. An abused child is a child who has been subjected to child abuse or neglect as defined in RCW 26.44. PROVIDED, however, RCW 26.44 shall not be construed to authorize interference with child-raising practices, including reasonable parental discipline, which is not proved to be injurious to the child's health, welfare, and safety. FURTHER, nothing in RCW 26.44 shall be used to prohibit the reasonable use of corporal punishment as a means of discipline. No parent or guardian shall be deemed abusive or neglectful solely by reason of the parent's or child's blindness, deafness, developmental disability, or other handicap.

C. Interviewing Victims of Abuse

1. It is imperative that victims of abuse be interviewed in an open, honest setting. The child must feel safe and comfortable enough to speak freely, or he/she will not respond. Therefore, identifying a suitable interview site is the most critical aspect of the interviewing process. Depending on the nature of the investigation, the interviewing officer can contact the child at his/her school, home, or other appropriate location.

2. The interviewing officer should possess a camera, Kid Kit (for interviewing), and a copy of human figure drawings. The interviewer should allow the child to describe the incident in his/her own words and then follow up with non-leading questions. The officer should utilize the drawings to have the child illustrate the places where the child was touched or injured.

3. Child abuse injuries require medical attention and formal documentation of evidence. This process enables the uniform collection of evidence and the subsequent testimony of the attending physician.

4. Photographs shall be taken to illustrate the injuries received and to be used as evidence in court.

Applies to: All WSP Employees
See Also: RCW 10.31.100, 26.44.050

► SECTION 01: SERIOUS REPORTING ◄

22.01.010 REPORTING USE OF FORCE – WSP OFFICERS (CALEA 1.3.6, 81.2.4)

I. POLICY

A. Supervisor Notification of Use of Force Incidents

1. In any instance where officers use force (as defined in the **USE OF FORCE – DEFINED** policy) to defend themselves or to overcome a person's combative resistance or aggression, they shall immediately notify a supervisor. The supervisor shall immediately submit a Use of Force Report to their division/district commander.

2. If an arrest is made, the officer shall complete an arrest report and any other reports necessary to satisfy prosecutorial requirements.

Applies to: WSP Officers
See Also: WSP Policy **Use of Force – Defined;** Use of Force Report

22.01.020 REPORTING DEATHS, SERIOUS INJURIES, AND SUBSTANTIAL LOSSES

I. POLICY

A. Completing an Office of Financial Management Incident Report Form

1. Division/district/section commanders must complete an Office of Financial Management Incident Report Form on any incident involving a Washington State Patrol employee where there has been a death of a person, serious injury to a person, or substantial property damage or loss caused (or alleged to have been caused) by the actions of a Washington State Patrol employee.

2. Commanders must submit the OFM Incident Report Form and any other pertinent information relating to the incident, by fax or e-mail, to the Risk Management Division (RMD) through the appropriate chain of command. Commanders are responsible for ensuring that RMD receives the form within four days of the incident.

Applies to: All Division/District Commanders
See Also: RCW 43.41.370; OFM Incident Report Form

22.01.030 REFERRAL TO PROSECUTOR

I. POLICY

A. Criminal Violation

1. When a specific investigation reveals sufficient evidence to indicate a criminal violation was committed by an employee of the department, the appropriate prosecuting attorney shall be requested to review the case.

Applies to: All WSP Employees
See Also: --

22.01.040 RELIEF FROM DUTY (CALEA 1.3.8, 26.1.5, 52.2.7)

I. POLICY

A. Relieved From Duty

1. When, as the result of an investigation or direct observation a supervisor determines that it is in the best interest of the employee, the department, or the public to do so, an employee may be temporarily relieved from duty with pay. Immediately upon relieving an employee from duty, the supervisor shall notify the district/division commander, who will ensure the appropriate assistant chief/bureau director is notified. A temporary relief from duty shall not exceed 48 consecutive hours.

2. During a temporary relief from duty, the employee shall remain available from 9 a.m. to 5 p.m. to return to duty. During that time, the employee shall call his/her respective division/district twice each work day and be available to respond to the office in one hour.

3. Pending completion of any complaint investigation or disciplinary process, the Chief, assistant chief, or bureau director may reassign an employee to an administrative position or administrative leave. Employees so assigned shall not return to their regular work assignment except by order of the Chief, assistant chief, or bureau director.

Applies to: All WSP Employees
See Also: --

POPS
SARA WORKSHEET

Project Owner _____ **Project No.** _____

District/Division/Section _____

Date Project Opened _____ **Date Project Closed** _____

SCANNING

Problem definition:

ANALYSIS

Stakeholders, internal and external, should be listed in detail on page 3. "Stakeholders" are those who are affected by the problem and who can help solve the problem. *(Use additional copies of page 3, if necessary)*

1. Has this problem been addressed previously? Yes ☐ No ☐

2. Establish a statistical baseline utilizing data available pertinent to the problem.

NOTICE:

The POPS SARA Worksheet is generated electronically by the Remedy/POPS (CITE) system. Please refer to the "POPS" page on Inside WSP (under the Field Operations Bureau) for further information.

RESPONSE

What is the goal of your action plan? What strategies will you apply to solve the problem?

Example: Goal: State your goal or desired outcome.
Action Plan: Steps to be taken by each stakeholder to accomplish the goal(s). (Include a target date for each action step.)

ASSESSMENT

1. Statistical Comparison (compile data and compare to the established baseline).

2. Did you eliminate ☐ or reduce ☐ the problem? *(check one)* Please explain.

This problem-solving effort addresses which of the following strategic goals:

- ☐ Make Washington roadways and ferries safe for the efficient transit of people and goods.
- ☐ Reduce our citizens' vulnerability to fire, crime, terrorism, and natural hazards.
- ☐ Meet the growing need for law enforcement, forensic, investigative, and other public safety services statewide.
- ☐ Leverage technology to enhance and sustain business processes, public safety infrastructure, and statewide emergency communications interoperability.
- ☐ Provide critical leadership, tools, and resources to foster an ethical, innovative, knowledgeable, and diverse workforce.
- ☐ Other bureau/division/district goal *(please explain)* insert text lines here:

(Not to be signed until completion of project)

Supervisor's Signature _____ **Date** _____

POPS Coordinator's Signature _____ **Date** _____

Division/District Commander's Signature _____ **Date** _____

Distribution: Original worksheet retained by project owner
Copy to be forwarded through supervisor, POPS Coordinator and district/division commander to the Field Operations Bureau **upon project completion**

STAKEHOLDERS		
Stakeholder	Name/Title	Agency/Organization
	Phone	Address
	Define resource(s) each stakeholder is willing to commit.	
Stakeholder	Name/Title	Agency/Organization
	Phone	Address
	Define resource(s) each stakeholder is willing to commit.	
Stakeholder	Name/Title	Agency/Organization
	Phone	Address
	Define resource(s) each stakeholder is willing to commit.	
Stakeholder	Name/Title	Agency/Organization
	Phone	Address
	Define resource(s) each stakeholder is willing to commit.	
Stakeholder	Name/Title	Agency/Organization
	Phone	Address
	Define resource(s) each stakeholder is willing to commit.	
Stakeholder	Name/Title	Agency/Organization
	Phone	Address
	Define resource(s) each stakeholder is willing to commit.	

Unlisted Traffic Infractions $124.00
Unlisted Non-Traffic Infractions $87.00

NOTE: This is intended as a guide to assist the officer. It is **not** the definitive source of RCWs or penalties. There may be RCWs that apply in addition to those listed. Also, judges may increase or decrease the amount of bail or penalty for a particular violation as they deem proper. ALSO, SOME FINES VARY ACCORDING TO LOCAL LAWS.

SPEEDING SCHEDULE (RCW 46.61.400)

MPH	1-5	6-10	11-15	16-20	21-25	26-30	31-35	36-40	> 40
≤40	$113	$124	$154	$195	$247	$298	$349	$411	$411
>40	$93	$113	$144	$175	$206	$247	$298	$349	$411

CT = Criminal Traffic
CN = Criminal Non-Traffic
CF = Criminal Felony
IT = Infraction Traffic
IN = Infraction Non-Traffic
Mand = Mandatory Court Appearance

OBEDIENCE TO TRAFFIC LAWS

RCW	VIOLATION	FINE	TYPE
46.61.015	Fail to Obey Officer, Flagman, Fireman	Mand	CT
46.61.020	Refusal to Cooperate with or Give Information to Officer	Mand	CT
46.61.021	Fail to Stop/Hand Signal - Fail to Identify	Mand	CT
46.61.024	Attempting to Elude Police Vehicle (Felony Flight)	Mand	CF

TRAFFIC SIGNS, SIGNALS & MARKINGS

46.61.050	Failure of Driver, Bicyclist, Pedestrian to Obey Traffic Control Signs, Devices, Barricades	$124	IT
46.61.065	Failure to Stop - Flashing Red Signal Light	$124	IT
46.61.070	Failure to Obey Lane Control Device/Signal	$124	IT
46.61.075	Unlawful Display of Signs/Devices	$124	IT
46.61.080	Defacing or Destroying Traffic Control Signs/Devices, Driving over Freshly Painted Traffic Lines	$124	IT

DRIVING ON RIGHT SIDE OF ROADWAY, OVERTAKING & PASSING, USE OF ROADWAY

46.61.100	Keep Right Except When Passing, etc.	$124	IT
46.61.100.3	Illegal Use of Left Lane (3 or More Lanes)	$124	IT
46.61.110	When Overtaking Vehicle on the Left Permitted	$124	IT
46.61.115	When Overtaking Vehicle on the Right Permitted	$124	IT
46.61.120	Unsafe Passing (Sight Distance & Row)	$124	IT
46.61.125	Illegal Passing (100' from Intersection)	$124	IT
46.61.130	No Passing Zone	$124	IT
46.61.135	Wrong Way on a One Way Street	$124	IT
46.61.135.3	Rotary Traffic Island Violation	$124	IT
46.61.140	Improper Lane Travel/Unsafe Lane Change	$124	IT
46.61.145	Following too Closely	$124	IT
46.61.150	Crossing Physical Barrier/Median & Wrong Way on Freeway	$411	IT
46.61.155	Entering/Exiting Limited Access Highway by other than Authorized Locations, Wrong Way on Freeway Ramp	$216	IT
46.61.165	Violation of Transit/Car Pool Lane	$124	IT
46.61.235.4	Passing Vehicle Stopped at Crosswalk	$124	IT

RIGHT OF WAY

46.61.180	Failure to Yield Right of Way to Vehicle on Right	$124	IT
46.61.185	Failure to Yield Right of Way When Turning Left	$124	IT
46.61.190	Failure to Stop/Yield at Intersection	$124	IT
46.61.202	Obstructing Traffic in Intersection	$124	IT
46.61.205	Fail to Yield From Private Road/Alley/Driveway	$124	IT
46.61.210	Fail to Yield to Emergency Vehicle	$1,062	IT
46.61.215	Fail to Yield to Construction/Maintenance Equipment/Crew	$124	IT
46.61.220	Fail to Yield to Transit Bus	$124	IT

PEDESTRIANS RIGHTS & DUTIES

46.61.060	Fail to Obey Pedestrian Control Signal/Device	$56	IN
46.61.160	Unlawful Use of Limited Access Highway	$124	IN
46.61.230	Pedestrians Subject to all Traffic Regulations	$56	IN
46.61.235.1	Failure to Yield to Pedestrian in Crosswalk	$124	IT
46.61.235.2	Pedestrian Suddenly Entering the Roadway	$56	IN
46.61.235.4	Passing a Vehicle Stopped at Crosswalk (Rear)	$124	IT
46.61.240	Pedestrian Failing to Yield to Vehicular Traffic when Crossing at Other than Crosswalk	$56	IN
46.61.245	Driver Failing to Exercise Due Care Regarding Pedestrians	$124	IT
46.61.250.1	Walking in/on Roadway when Sidewalks Provided	$56	IN
46.61.250.2	Failure to Walk Facing Traffic When No Sidewalk Provided	$56	IN
46.61.255.1	Soliciting a Ride Where Inadequate Room Exists to Allow a Vehicle to Stop	$56	IN
46.61.255.2	Soliciting a Ride on a Limited Access Roadway	$56	IN
46.61.255.4	Soliciting Business or Employment on the Public Roadway	$56	IN
46.61.261	Failure to Yield Right of Way to Pedestrian on Sidewalk	$124	IT

TURNING & STARTING/SIGNALING ON STOPPING & TURNING

46.61.290.1	Right Turns: Improper Turning Movement (Correct Lane & Vehicle Position)	$124	IT
46.61.290.3	Improper Use of 2-Way Left Turn Lane (300')	$124	IT
46.61.295	Improper "U" Turn (Curves & Hills 500')	$124	IT
46.61.300	Unsafe Movement from a Parked Position	$124	IT
46.61.305.1	Unsafe Lane Change	$124	IT
46.61.305.2	Fail to Signal Turn or Lane Change (100')	$124	IT
46.61.305.4	Illegal Use of "Do Pass Signals"	$124	IT
46.61.315	Improper Hand/Arm Signals	$124	IT

SPECIAL STOPS REQUIRED

46.61.340	Fail to Stop at Approach of Train Disobeying RR Crossing Gates	$124	IT
46.61.350	Failure of Busses Carrying Passengers/Vehicles Carrying Explosives or Flammables to Stop Prior to Crossing RR Tracks (Except when control devices present)	$124	IT
46.61.365	Failure to Stop Prior to Crossing Sidewalk From Alley/Driveway	$124	IT
46.61.370	Failure to Obey School Bus "Stop Paddles"	$394	IT
46.61.385	Failure to Obey School Patrolman	$216	IT

SPEED RESTRICTIONS

46.61.400	Speeding Over Posted Limits/Basic Rule	See Schd above	IT
46.61.400.1	Speed too Fast for Conditions	$124	IT
46.61.425	Impeding Traffic (4 Lanes)	$124	IT
46.61.427	Failure of Slow Moving Vehicle to Pull Over and Allow Traffic to Pass (Over 5 Vehicles Backed Up on 2-Lane Road)	$124	IT
46.61.440	Speeding in a Posted School Zone	Minimum: $189	IT

A SCHOOL ZONE SPEEDING SCHEDULE (RCW 46.61.440)

MPH	1-5	6-10	11-15	16-20	21-25	26-30	31-35	36-40	
	$189	$210	$271	$353	$456	$558	$661	$784	

A CONSTRUCTION ZONE SPEEDING SCHEDULE (RCW 46.61.527)

MPH	1-5	6-10	11-15	16-20	21-25	26-30	31-35	36-40	41+
≤40	$169	$190	$251	$333	$436	$538	$641	$764	$764
>40	$128	$169	$231	$292	$354	$436	$538	$641	$764

RECKLESS OR NEGLIGENT DRIVING, ALCOHOL-RELATED VIOLATIONS, VEHICULAR HOMICIDE

46.61.465	Reckless Driving, Speed Only	Mand	CT
46.61.500	Reckless Driving	Mand	CT
46.61.502	Driving Under the Influence	Mand	CT
46.61.503	Minor Operating Vehicle After Alcohol Consumption	Mand	CT
46.61.504	Physical Control While Under Influence	Mand	CT
46.61.5051.1	DUI Regular License <.15 BAC	Mand	CT
46.61.5051.2	DUI Regular License = >.15 BAC	Mand	CT
46.61.5052.1	DUI Probationary License <.15 BAC	Mand	CT
46.61.5052.2	DUI Probationary License = >.15 BAC	Mand	CT
46.61.5053	DUI Suspended/Revoked License	Mand	CT
46.61.519	Open Alcohol Container/Drinking in Vehicle	$124	IT
46.61.520	Vehicular Homicide	Felony	CF
46.61.522	Vehicular Assault	Felony	CF
46.61.524.9	Negligent Driving - 1st Degree	Mand	CT
46.61.525	Negligent Driving - 2nd Degree	$550	IT
46.61.530	Reckless Driving/Racing	Mand	CT

HIT & RUN

46.52.010	Hit & Run Unattended Vehicle/Prop. Damage	Mand	CT
46.52.020	Hit & Run Attended Vehicle	Mand	CT
46.52.020.4	Hit & Run Injury	Felony	CF

MOTORCYCLE VIOLATIONS

46.37.530	Motorcycle Helmet, Eye Protection, Mirrors, and Children	$124	IT
46.61.608.2	Motorcycle Passing in Same Lane as Vehicle on Roadways Laned for Traffic	$124	IT
46.61.610	Operation of a Motorcycle Without Permanent Seat Attached	$124	IT
46.61.611	Operation of a Motorcycle with Handgrips + 30 Inches Above Seat	$124	IT
46.61.612	Operation of Motorcycle with Both Feet on Same Side	$124	IT
46.61.614	Operation of a Motorcycle While Clinging to Another Vehicle	$124	IT

STOPPING, STANDING, PARKING

46.61.570	Illegal Parking or Standing (List Specific Violation)	$20	IT
46.61.575	Additional Parking Regulations: Parked With Right Wheels in Excess of 12 Inches of Curb/Road Edge (Parked on Wrong Side of Roadway)	$20	IT
46.55.105	Littering – Abandoned vehicle	$550	IT
46.61.590	Leaving an Unattended Motor Vehicle on Highway	$124	IT
46.16.381	Parked in Handicap Zone	$550	IT

AUTHORITY FOR IMPOUND -- RCW 46.55.113;
Also See RCW 46.61.560, RCW 46.61.590

MISCELLANEOUS RULES

46.61.600	Unattended Motor Vehicle	$124	IT
46.61.605.1	Unsafe Backing	$124	IT
46.61.605.2	Backing on a Limited Access Highway	$216	IT
46.61.606	Driving on a Sidewalk	$124	IT
46.61.615	Obstructed Vision or More Than 3 People in Front Seat	$124	IT
46.61.620	Improper Opening/Closing of Vehicle Doors	$124	IT
46.61.625	Allowing Riders in a Trailer	$124	IT
46.61.630	Coasting Vehicle Prohibited	$124	IT
46.61.635	Following Fire Apparatus too Closely (Within 500 ft)	$124	IT
46.61.640	Driving Over/Crossing Fire Hoses	$124	IT
46.61.645	Throwing or Depositing Glass, etc., on Highway	$216	IT
46.61.655	Allowing Escape of Load Materials	$216	IT
46.61.660	Carrying Person/Animals Outside of Vehicles	$124	IT
46.61.665	Embracing While Driving	$124	IT
46.61.668	Text Messaging While Driving	$124	IT
46.61.670	Driving With Wheels off Roadway or Driving on Shoulder	$124	IT
46.61.675	Requiring/Permitting Illegal Oper. of Vehicle	$124	IT
46.61.680	Lowering Vehicle Below Legal Limits	$124	IT
46.61.685	Leaving Children Unattended in Motor Vehicle While the Engine is Running	Mand	CT
46.61.687	Failure to Use Child Restraint Devices	$124	IT
46.61.688	Failure to Use Seat Belts (Motor Veh - 1968 or newer, Pickup - 1972 or newer)	$124	IT
46.61.700	Allowing Unauthorized Child/Ward to Operate a Vehicle	$124	IT
46.61.710	Improper Operation of a Moped	$124	IT
46.61.755	Violation of Traffic Laws While Riding a Bicycle	$103	IT
46.61.760	Too Many People on a Bicycle (one per seat)	$103	IT

VEHICLE LICENSES & REGISTRATIONS

46.16.010.L	Expired Vehicle License Plates (Tabs) Less than 2 Months	$124	IT
46.16.010.O	Expired Vehicle License Plates (Tabs) Over 2 Months	$216	IT
46.16.010	Failure to Obtain Vehicle Registration (WAC 308-99-025(2A) defines residency)	$1,122	IT
46.16.180	Unlawfully Carrying Passenger for Hire (No License)	$124	IT
46.16.240	Improper Display of Vehicle License Plates	$124	IT
46.16.240	Disfigured/Illegible License Plates	$124	IT
46.16.240	Changed, Altered or Switched License Plates	$216	IT
46.16.260	No Valid Vehicle Registration	$124	IT
46.16.381.7	Unauthorized Use of Handicap Card/Decal/Sticker	$550	IT
46.16.381.8	Blocking Handicap Parking Access Aisle	$124	IT
46.16.381.9	Parking in Handicap Space Without Permit	$124	IT
46.16.381.12d	Failure to Show ID/Placard Upon Request	$124	IT
46.16.505	No Camper License Plate	$124	IT
46.12.101.6	Failure to Transfer Title Within 45 Days of Purchase	Mand	CT
46.70.090	Unlawful/Improper Use of Dealer Lic. Plates	Mand	CT

FINANCIAL RESPONSIBILITY VIOLATIONS

46.29.605	Driving With Suspended Vehicle License/ Registration/Title	Mand	CT
46.29.610	Failure to Surrender Suspended Vehicle License	Mand	CT

DRIVING WHILE SUSPENDED/REVOKED

46.20.342	Driving While License and/or Privilege Suspended, Revoked or Denied - 1st, 2nd, 3rd Degrees	Mand	CT

OPERATORS LICENSE

46.20.005	No Valid Operators License Without ID (Includes: Expired, Never Having a License, Failure to Obtain a Washington License)	Mand	CT
46.20.015	No Valid Operators License With ID	$550	IT
46.20.017	No Driver's License on Person	$124	IT
46.20.021.1	Failure to Obtain Washington Driver's License	$124	IT
46.20.021.2	Driving While in Possession of 2 Valid Operators Licenses	$124	IT
46.20.024	Allowing Unauthorized Child or Minor Ward to Drive	$124	IT
46.20.041	Violation of License Restriction (Medical/Corrective Lenses)	$124	IT
46.20.055	Violation of Instruction Permit	$124	IT
46.20.075	Intermediate License:		
	Passenger <20	$124	IT
	3 passengers	$124	IT
	1 a.m. – 5 a.m.	$124	IT
46.20.0921.1a	Lending an Operators License to Another	Mand	CT
46.20.0921.1c	Representing as One's License, a License Issued to Another	Mand	CT
46.20.0921.1e	Use of False/Fictitious Name Upon Application for License	Mand	CT
46.20.0921.1f	Permitting Any Unlawful Use of One's Operators' License	Mand	CT
46.20.205	Failure to Notify DOL of Address Change (10 Days)	$124	IT
46.20.220	Rental of Motor Vehicle to Unlicensed Driver	$124	IT
46.20.410	Violation of Occupational License	Mand	CT
46.20.500	No Motorcycle Endorsement/Electric Bicycle (16 Years)	$124	IT
46.20.510	Violation of Motorcycle Instruction Permit	$124	IT
46.20.740	Integrating Ignition Interlock	Mand	CT
46.30.020	Failure to Maintain Current Insurance	$550	IT
46.30.040	Falsification of Insurance Documents	Mand	CT

VEHICLE EQUIPMENT

46.37.010	Unlawful Operation of Vehicle With Defective Equipment	$124	IT
46.37.020	Operating Vehicle Without Headlights During Hours of Darkness	$124	IT
46.37.030	Headlight Covers (WAC 204.72.040)	$124	IT
46.37.040	Defective Headlights	$124	IT
46.37.050	Defective Tail Lights/License Plate Light White Light to Rear	$124	IT
46.37.070	Defective Brakelights/Turn Signals	$124	IT
46.37.090	Defective Clearance or Marker Lights	$124	IT
46.37.140	Failure to Light or Flag Extended Load	$124	IT
46.37.150	Parked/Stopped Vehicles-Lights Required	$124	IT
46.37.180	Improper Use of Spot or Auxiliary Light	$124	IT
46.37.185	Improper Use of Green Lights	$124	IT
46.37.186	Improper Use of Fire Department Insignia on Private Vehicle	$124	IT
46.37.187	Failure to Carry ID for Green Light Usage	$124	IT
46.37.190	Illegal Use of Emergency Equipment	$216	IT
46.37.196	Illegal Use of Red Lights by Tow Truck	$124	IT
46.37.210.3	Backup Lights on While in Forward Motion	$124	IT
46.37.215	Defective or No Hazard Warning Lights	$124	IT
46.37.230	Fail to Dim Headlights	$124	IT
46.37.270	Too Many Auxiliary/Spot Lights on While Driving	$124	IT

46.37.280	Flashing License Plate Holders, Flashing Lights in Rear Window	$124	IT
46.37.340	Defective Brakes or Brake Systems	$124	IT
46.37.369	Defective Wheels, Suspension or Projection From Wheels	$124	IT
46.37.375	Defective Steering or Suspension	$124	IT
46.37.380	Defective Horn, Horn Required	$124	IT
46.37.390	Defective Exhaust System - 1st Offense	$134	IT
	- 2nd Offense	$175	IT
	- 3rd Offense	$216	IT
46.37.400	Mirrors Required	$124	IT
46.37.410	Defective Windshield Wipers; No or Obscured Windshield	$124	IT
46.37.420	Studded Tires After Legal Period April 1 - Nov 1	$124	IT
46.37.425	Defective Tires	$124	IT
46.37.430	Improper Tinted Windows	$124	IT
46.37.450	Failure to Display Warning Device on Certain Disabled Vehicles	$124	IT
46.37.465	Gas/Fuel Caps Required	$124	IT
46.37.480	T.V. in View of Driver Wearing Earphones or Headset	$124	IT
46.37.490	Failure to Secure Load With Safety Devices	$124	IT
46.37.495	Failure to Use Safety Chains	$550	IT
46.37.500	No Splash Guards/Fenders	$124	IT
46.37.513	No or Defective Bumpers	$124	IT
46.37.522	Operating a Motorcycle Without Head and Tail Lights On	$124	IT
46.37.523	Failure to Meet Lighting Requirement on Motorcycle	$124	IT
46.37.524	Failure to Meet Motorcycle Headlamp Illumination Requirements	$124	IT
46.37.525	Failure to Meet Motorcycle Tail Lamp Stop Lamp Illumination Requirements	$124	IT
46.37.527	Failure to Meet Motorcycle Brake Requirements	$124	IT
46.37.528	Failure to Meet Motorcycle Brake Performance Requirements	$124	IT
46.37.530	Operating a Motorcycle Without Eye Protection or 2 Mirrors/Electric Bicycle Helmets	$124	IT
46.37.535	Renting a Motorcycle Without Having Helmets on Hand for Use	$124	IT
46.37.537	Modified Exhaust System on Motorcycles	$124	IT

SIZE, WEIGHT, & LOAD/TYPE 2 (REFER ALSO TO TRUCK VIOLATIONS)

46.44.010	Excess Width (> 8½ ')	$144	IT
46.44.020	Excess Height (14' above level surface)	$144	IT
46.44.030	Over Legal Length - 40' (exceptions in RCW) articulated auto stage - 61'; truck & trailer - 75' tractor w/53' trailer; tractor w/61' - 2 trailers	$144	IT
46.44.034	Excess Length, Front/Rear	$144	IT
46.44.036	Illegal Vehicle Combination	$175	IT
46.44.070	Allowing Trailer to Whip/Oscillate, Towing Flag	$144	IT
46.44.080	Violation of Road Restriction	$411	IT
46.44.090	Failure to Obtain Special Permit (Oversize, Overweight)	$185	IT
46.44.091	Violation of Special Permit	$185	IT
46.44.105.4	Violation of Road Closure	$411	IT
46.44.105.5	Failure to Submit to Being Weighed	$175	IT
82.38.090	No Fuel Permit	Mand	CN
46.16.135	No Valid Tonnage	$124	IT

MISCELLANEOUS

46.64.048	Attempting, Aiding, Abetting, Coercing, Conspiring to Commit (Violations of Title 46 which are Crimes)	Mand	CT

46.55.113	Authorization to Impound Vehicles		
46.61.740	Theft of Motor Vehicle Fuel	Mand	CN
47.48.031	Emergency Closures by the State Patrol	Mand	CN
CRIMINAL CHARGES			
9.41.050	Carrying a Concealed Weapon	Mand	CN
9.41.098(e)	Seizing/Forfeiture of Weapon on Intoxicated Person (no criminal charge)		
9.41.140	Alteration of Identification Marks (Pistol)	Mand	CN
9.41.230	Unlawful Aiming or Discharging of Firearms	Mand	CN
9.41.240	Use of Firearms by Minor	Mand	CN
9.41.250	Possession of Other Dangerous Weapons	Mand	CN
9.41.270	Displaying Weapon to Intimidate	Mand	CN
9.61.160	Threats to Bomb or Injure Property	Felony	CF
9.66.010	Public Nuisance	Mand	CN
9.66.050	Deposit of Unwholesome Substance	Mand	CN
9A.36.011	Assault, 1st Degree - Deadly Weapon	Class A	
9A.36.021	Assault, 2nd Degree - Substantial Bodily Harm	Class B	
9A.36.031	Assault, 3rd Degree - On Police Officer	Class C	
9A.36.041	Assault, 4th Degree - Not 1, 2, or 3	Mand	CN
9A.36.045	Reckless Endangerment, 1st Degree	Class B	
9A.36.050	Reckless Endangerment, 2nd Degree	Mand	CN
9A.42.030	Criminal Mistreatment in the 2nd Degree	Class C	
9A.48.050	Reckless Burning, 2nd Degree	Mand	CN
9A.48.070	Malicious Mischief, 1st Degree - Over $1500 damage	Class B	
9A.48.080	Malicious Mischief, 2nd Degree - Over $250	Class C	
9A.48.090	Malicious Mischief, 3rd Degree - Not Amounting to 1st or 2nd	Mand	CN
9A.48.100	Malicious Mischief, "Physical Damage" defined		
9A.52.010	Burglary Definitions		
9A.52.020	Burglary, 1st Degree	Class A	
9A.52.030	Burglary, 2nd Degree	Class B	
9A.52.060	Making or Having Burglary Tools	Mand	CN
9A.52.070	Criminal Trespass, 1st Degree	Mand	CN
9A.52.080	Criminal Trespass, 2nd Degree	Mis	
9A.52.090	Criminal Trespass, Defenses		
9A.52.100	Vehicle Prowling, 2nd Degree	Mand	CN
9A.56.020	Theft Definition, Defense		
9A.56.030	Theft, 1st Degree - Over $1500	Class B	
9A.56.040	Theft, 2nd Degree - Over $250	Class C	
9A.56.050	Theft, 3rd Degree - Larceny (includes shoplifting)	Mand	CN
9A.56.070	Taking Motor Vehicle Without Permission 1st Degree	Class C	
9A.56.096	Criminal Possession of Leased or Rented Machinery, Equipment or Motor Vehicle	Class C	
9A.56.140	Possession of Stolen Security - Definition Credit Cards, Presumption		
9A.56.150	Possession of Stolen Property, 1st Degree (over $5,000)	Class B	
9A.56.160	Possession of Stolen Property, 2nd Degree (over $750)	Class C	
9A.56.170	Possession of Stolen Property, 3rd Degree (not to exceed $750)	Mand	CN
9A.56.180	Obscuring Identity of a Machine	Mand	CN
9A.56.190	Robbery, Definition		
9A.56.200	Robbery, 1st Degree	Class A	
9A.56.210	Robbery, 2nd Degree	Class B	
9A.56.300	Theft of a Firearm	Class C	
9A.60.040	Criminal Impersonation (signing false name) 1st Degree	Mand	CN
9A.72.150	Tampering With Physical Evidence	Mand	CN
9A.76.020.3	Obstructing a Law Enforcement Official	Mand	CN
9A.76.030	Refusing to Summon Aid for a Peace Officer	Mand	CN

9A.76.040	Resisting Arrest	Mand	CN
9A.76.080	Rendering Criminal Assistance, 2nd Degree	Mand	CN
9A.76.090	Rendering Criminal Assistance, 3rd Degree	Mand	CN
9A.76.110	Escape From Facility - 1st Degree	Class B	
9A.76.120	Escape From Facility/Custody - 2nd Degree	Class C	
9A.76.130	Escape From Custody - 3rd Degree	Mand	CN
9A.76.180	Intimidating a Public Servant	Class B	
9A.84.010	Riot - w/Deadly Weapon	Class C	
	Riot - All Other Cases	Mand	CN
9A.84.020	Failure to Disperse	Mand	CN
9A.84.030	Disorderly Conduct	Mand	CN
9A.84.040	False Reporting	Mand	CN
9A.88.010	Indecent Exposure	Mand	CN
9A.88.010	Indecent Exposure (Child Under 14)	Class C	
10.31.100	Arrest Without Warrant Defined		

LIQUOR LAWS

66.44.100	Consuming Liquor in Public Place	$103	IN
66.44.200	Sale of Liquor to Persons Under the Influence	Mand	CN
66.44.270.1	Furnishing Liquor to a Minor	Mand	CN
66.44.270.2A	Illegal Possession/Consumption by Minor	Mand	CN
66.44.290	Unlawful Purchased by Minor	Mand	CN
66.44.310	Minor Frequenting a Tavern	Mand	CN
66.44.325	Supplying Minor with Unlawful Age ID	Mand	CN
9.91.060	Leaving a Child (Age 12 or Under) in Parked Vehicle While Visiting a Liquor Establishment	Mand	CN

CONTROLLED SUBSTANCE VIOLATIONS

69.41.030	Possession of a Legend Drug (a.k.a. ephedrine)	Mand	CN
69.50.401	Possession of Controlled Substance (Marijuana, Cocaine, Meth., Heroine, etc.)	Mand	CF
69.50.4014	Marijuana Less Than 40g.	Mand	CN
69.50.412	Possession/Use of Drug Paraphernalia	Mand	CN
69.50.505	Seizure/Forfeiture of Drug Paraphernalia (no criminal charge)		

HUNTING VIOLATIONS

77.15.380	Unlawful Fishing 2nd Degree	Mand	CN
77.15.410	Big Game Hunting During Closed Season/Closed Area; w/o License, Tag, Stamp; Exceed Limit	Mand	CN
77.15.430	Unlawful Hunt of Wild Animals	Mand	CN
77.15.460	Carrying Loaded Shotgun or Rifle in Vehicle	$271	CN
77.15.460.2	Shooting Firearm Along or Across Public Highway	Mand	CN
77.15.675	Hunting While Intoxicated	Mand	CN

OTHER MISDEMEANOR CHARGES

69.50.505	Vehicle Seizures		
10.99.040	Violation of No Contact Order	Mand	CN
46.55.105	Littering – Abandoned vehicle	$550	IT
70.93.060.2A	Littering (less than 1 cubic foot)	$103	IN
70.93.060.2B	Littering - Class 1 (greater than 1 cubic foot)	Mand	CN
70.93.060.4	Littering - Tobacco Products Capable of Starting a Fire	$1,025	IN

TRUCK VIOLATIONS

46.44.080	Violation of Posted Road Conditions		$411	IT
46.44.105.5	Failure to Submit to Being Weighed		$175	IT
46.16.140	Over Licensed Capacity	- 1st Offense	$154	IT
		- 2nd Offense	$247	IT
		- 3rd Offense	$277	IT

*Penalties for Load Violation Listed Below (add 34 for each lb excess wt)

- 1st Offense	$185	IT
- 2nd Offense	$247	IT
- 3rd Offense	$277	IT

46.44.041	Over Lawful Weight on Tandem Axles, on Axle Spacing, on Axle Group		
	- 1st Offense	$185	IT
	- 2nd Offense	$247	IT
	- 3rd Offense	$277	IT
46.44.042	Over Lawful Weight on Tire Size		
	- 1st Offense	$185	IT
	- 2nd Offense	$247	IT
	- 3rd Offense	$277	IT
46.44.047	Over Lawful Weight & Log Tolerance Permit	$185	IT
46.44.095	Over Lawful Weight & Additional Tonnage Permit	$185	IT

SIZE VIOLATIONS

46.44.105	Failure to Obtain SMVP/Violation Thereof	$154	IT
46.44.170	Illegally Transporting Mobile Home	$277	IT
46.44.036	Unlawful Vehicle Combination	$175	IT
46.44.010	Over width (> 8½')	$144	IT
46.44.020	Over height (14' above level surface)	$144	IT
46.44.030	Over length - 40'; articulated auto stage - 61'; truck & trailer - 75'; tractor w/53' trailer; tractor w/61' - 2 trailers (see RCW for exceptions)	$144	IT
46.44.034	Unlawful Front or Rear Protrusions	$144	IT

EQUIPMENT VIOLATIONS

46.37.010	Defective Equipment (46.37.600 - To Company)	$124	IT
46.37.040	Defective Headlamps (WAC 204-90-140)	$124	IT
46.37.050	No Tail Lamps (WAC 204-90-140)	$124	IT
46.37.060	No Required Reflectors (WAC 204-90-140)	$124	IT
46.37.070	No Stop Lamps/No Turn Signals (WAC 204-90-140)	$124	IT
46.37.200	Defective Stop Lamps/Defective Turn Signals (WAC 204-90-140)	$124	IT
46.37.090	Defective Clearance Lights	$124	IT
46.37.120	Failure to Light Load After Dark	$124	IT
46.37.140	Failure to Extend Flag (load extends to rear 4' or more beyond bed or body of vehicle)	$124	IT
46.37.160	Failure to Display Hazard Warning Lamps on Farm Vehicle	$124	IT
46.37.185	Illegal Use of Green Light	$124	IT
46.37.340	Defective Brakes - No Brakes (WAC 204-90-090)	$124	IT
46.37.340	Defective Brakes - Low Air Warning Device	$124	IT
46.37.340	Defective or No Breakaway System	$124	IT
46.37.360	Defective Brakes - Adjustment	$124	IT
46.37.375	Defective Steering (WAC 204-90-110)	$124	IT
46.37.380	Defective/No Horn (WAC 204-90-140)	$124	IT
46.37.390	Defective Exhaust/Muffler, 1st Offense	$134	IT
46.37.400	Defective Mirrors (WAC 204-90-070)	$124	IT
46.37.410	Defective/No Wipers	$124	IT
46.37.420	Improper Use of Studded Tires April 1 to Nov 1 (WA only)	$124	IT
46.37.425	Defective Tires	$124	IT
46.37.465	Defective Fuel System (WAC 204-90-100)	$124	IT
46.37.500	No Anti-Spray Devices (Mud Flaps)	$124	IT
46.37.513	Unlawfully Removing/Failing to Maintain Bumpers	$124	IT
46.37.517	Body/Fender/Bumper Protrusions (WAC 204-90-040)	$124	IT

LOGBOOK VIOLATIONS/MEDICAL CARD VIOLATIONS

46.32.010	Violation of Driver's Daily Logbook (WAC 446.65.010/CFR 395)		IT
	Driver Not Out of Service	$179	IT
	Driver Out of Service	$232	IT
44.32.010	Driver Qualification Violation (Medical Card)	$179	IT

VEHICLE LICENSING VIOLATIONS

46.16.010	Expired Vehicle License (Less Than 2 Months)	$124	IT
46.16.010	Expired Vehicle License (Over 2 Months)	$216	IT
46.16.070	No Valid Tonnage	$124	IT
46.16.260	No Valid Vehicle Registration	$124	IT
46.16.135	No Valid Tonnage Displayed	$124	IT
46.16.010	No Valid Washington Vehicle License, Prorate or Trip Permit Displayed	$124	IT
46.16.160	Trip Permit Violation	Mand	CT
82.38.090	No Valid Fuel User's License Displayed	Mand	CN
82.38.075	No Propane, Natural Gas, Butane Decal	Mand	CT
46.70.090	Unlawful Use of Dealer Plates	Mand	CT
46.16.240	Switching Licenses Plates	$216	IT
46.16.260	Failure to Display Registration	$124	IT
46.16.090	Improper Use of Farm Plates	$124	IT
46.16.010	Failure to Obtain Vehicle Licensing	Mand	CT
46.16.240	Missing License Plate	$124	IT

DRIVER LICENSING VIOLATIONS

46.20.005	No Valid Operator's License Without ID	Mand	CT
46.20.015	No Valid Operator's License With ID	$550	IT
46.20.041	Violation of License Restriction	$124	IT
46.20.055	Violation of Instruction Permit	$124	IT
46.20.420	Operating a Motor Vehicle With Out-of-State License While Suspended/Revoked in WA	Mand	CT
46.20.336	Presenting/Representing as One's Own Any Driver's License Not Issued to Him/Her	Mand	CT
46.20.342	Driving While License Suspended/Canceled or Revoked	Mand	CT
46.20.021	Failure to Obtain Washington Driver's License	Mand	CT
46.25.050	No CDL, Lacking Proper CDL Endorsement	Mand	CT

HAZARDOUS MATERIAL VIOLATIONS

46.48.175	Failure to Display Placards (also see 49CFR177.823)	Mand	CT
46.48.175	Unlawful Placarding (also see 49CFR177.823)	Mand	CT
46.48.175	No Current Inspection/Leaking Load Due to Defective Tank with Load of Fuel (also see 49CFR177.824II)	Mand	CT
46.48.175	Unsecured Load (Hazardous Materials) (also see 49CFR173.620)	Mand	CT
46.48.175	Improper Shipping (also see 49CFR177.817)	Mand	CT
46.48.175	Defective Brakes (Hazardous Materials) (also see 49CFR393.40)	Mand	CT

MISCELLANEOUS VIOLATIONS

46.37.440	No Flares/Reflectors - Vehicle in Excess of 80 Inches (6'6") Wide	$124	IT
81.80.370	Failure to Register ICC Authority	$250	CN
46.64.015	Failure to Sign Notice of Infraction/Citation	Mand	CT

HAZARDOUS VIOLATIONS

46.37.490	Failure to Secure Load	$124	IT
46.37.495	Failure to Use Safety Chains	$550	IT
46.61.655	Permitting Escape of Load Materials	$216	IT
46.61.050	Failure to Obey Restrictive Sign	$124	IT
46.37.480	Driving Vehicle with Headset on/T.V. on	$124	IT
46.61.015	Failure to Obey Police Officer	Mand	CT
46.61.020	Failure to Cooperate/Give Information to Police Officer	Mand	CT
46.61.615	Operating with Obstructed Vision	$124	IT
46.61.688	No Seat Belt/Not Worn	$124	IT

COLLISION VIOLATIONS - NOTE: Any collision in conjunction with the "Rules of the Road" (46.61) changes the penalty to $175.

1. Failure to Stop (RCW 46.61.050, .210)
2. Failure to Yield Right of Way (RCW 46.61.180, .190, .205, .210, .235, .300, .365)
3. Following to Close (RCW 46.61.145, .635
4. Failure to Signal (RCW 46.61.310)
5. Improper Lane Usage or Travel (RCW 46.61.140)
6. Impeding Traffic (RCW 46.61.425)
7. Improper Passing (RCW 46.61.110, .115, .120, .125, .130)
8. Prohibited and Improper Turn (RCW 46.61.290, .295, .305)
9. Crossing Double Yellow Line/Left of Center Line (RCW 46.61.100, .130, .140)
10. Operating with Obstructed Vision (RCW 46.61.615)
11. Wrong Way on a One-Way Street (RCW 46.61.135)
12. Failure to Comply With Restrictive Signs (RCW 46.61.050)
13. Speed Too Fast for Conditions (RCW 46.61.400)
14. Cross Median Barrier (RCW 46.61.150)

NOTE: This is intended as a guide to assist the officers. It is **not** the definitive source of RCWs or penalties. There may be RCWs that apply in addition to those listed.

County Codes

01	Adams	21	Lewis
02	Asotin	22	Lincoln
03	Benton	23	Mason
04	Chelan	24	Okanogan
05	Clallam	25	Pacific
06	Clark	26	Pend Oreille
07	Columbia	27	Pierce
08	Cowlitz	28	San Juan
09	Douglas	29	Skagit
10	Ferry	30	Skamania
11	Franklin	31	Snohomish
12	Garfield	32	Spokane
13	Grant	33	Stevens
14	Grays Harbor	34	Thurston
15	Island	35	Wahkiakum
16	Jefferson	36	Walla Walla
17	King	37	Whatcom
18	Kitsap	38	Whitman
19	Kittitas	39	Yakima
20	Klickitat		

Courts

EVERETT DISTRICT
3000 Rockefeller Ave
Everett WA 98201
(425) 388-3331

EVERGREEN DISTRICT
14414 179th Ave SE
Monroe WA 98272
(360) 805-6776

SOUTH DISTRICT
20520 68th Ave W
Lynnwood WA 98036
(425) 774-8803

SHORELINE DISTRICT
18050 Meridian Ave N
Shoreline WA 98133

SKAGIT DISTRICT
1800 Continental Pl Ste 100
Mount Vernon WA 98273
(360) 336-9319

ISLAND DISTRICT
800 SE 8th Ave
Oak Harbor WA 98277
(360) 675-5988

WHATCOM DISTRICT
311 Grand Ave
Bellingham WA 98225
(360) 676-6770

CHELAN DISTRICT
350 Orondo Ave 4th floor
Wenatchee WA 98801
(509) 667-6600

CASCADE DISTRICT
415 E Burke
Arlington WA 98223
(360) 435-7700

Snohomish County District Court web page E-payments
http://web5.co.snohomish.wa.us/DistrictCourt/ePayments/Payment.aspx

COLLISION INVESTIGATION FORMULAS

◘ SLIDE TO STOP SPEED

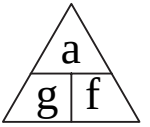
$S = \sqrt{30\ d\ f}$

$Vi = \sqrt{Ve^2 - 2ad}$

◘ ACCELERATION

$a = g\ f \qquad a = \frac{Ve - Vi}{t}$

$a = \frac{Ve^2 - Vi^2}{2d}$



◘ COEFFICIENT OF FRICTION

Drag Sled: $f = \frac{F}{W}$

Test Skids: $f = \frac{S^2}{30\,d}$

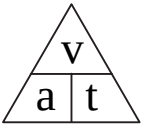
◘ INITIAL VELOCITY

$Vi = \sqrt{Ve^2 - 2ad}$

◘ ENDING VELOCITY

$Ve = \sqrt{Vi^2 + 2ad}$

$Ve = Vi + at$



◘ CRITICAL SPEED SCUFF

Radius: $R = \frac{C^2}{8m} + \frac{m}{2}$

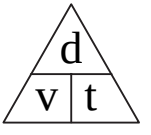
Speed: $S = 3.87\sqrt{R\ f}$

◘ DISTANCE

$d = Vt$ (Constant)

$d = Vit + \frac{1}{2}\,at^2$

$d = \frac{S^2}{30f}$



◘ COMBINED SPEED

$Sc = \sqrt{(S_1)^2 + (S_2)^2}$

◘ TIME

$t = \frac{Ve - Vi}{a} \qquad t = 25\sqrt{\frac{d}{f}}$

◘ FALL SPEED (LEVEL)

$S = \frac{2.74\,d}{\sqrt{h}}$

◘ VELOCITY CONVERSION

$V = S\ (1.47) \qquad S = \frac{V}{1.47}$

◘ CONSERVATION OF MOMENTUM

Angular:

$$S2 = \frac{S'1\ W1\ \sin\theta + S'2\ W2\ \sin\phi}{W2\ \sin Y}$$

$$S1 = \frac{S'1\ W1\ \cos\theta + S'2\ W2\ \cos\phi - S2\ W2\ \cos Y}{W1}$$

In-Line:

- Same Direction $\quad S2 = \frac{S'1\ W1 + S'2\ W2 - S2\ W2}{W1}$
- Head-On $\quad S1 = \frac{S'1\ W1 + S'2\ W2 + S2\ W2}{W1}$
- Vehicle Stopped $\quad S1 = \frac{S'1\ W1 + S'2\ W2}{W1}$

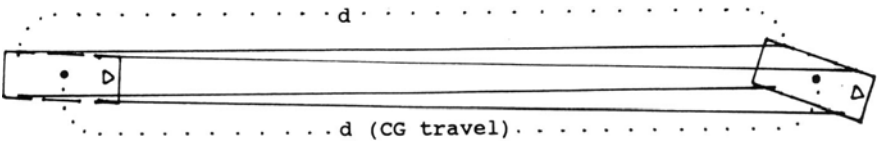
◘ SLIDE TO STOP SPEED:

- Minimum speed from skidmarks.

$S = \sqrt{30\ d\ f}$

d = skid distance
(Measure longest straight skid or CG travel distance if rotational)

F = drag factor
(Adjusted Coefficient)



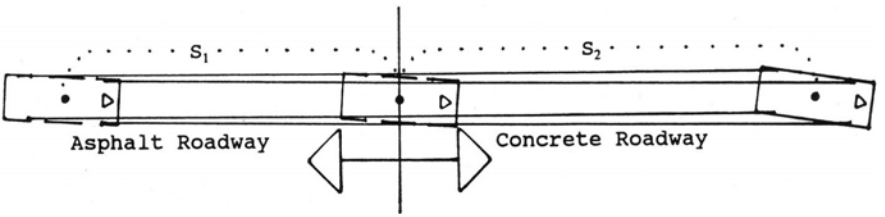
◘ COMBINED SPEED:

- Speeds from multiple problems.
- Speed problems with rotational drag factors or different road surfaces.

$Sc = \sqrt{(S_1)^2 + (S_2)^2}$

S_1 = Speed from problem 1.

S_2 = Speed from problem 2.



◘ Trigonometry Functions:

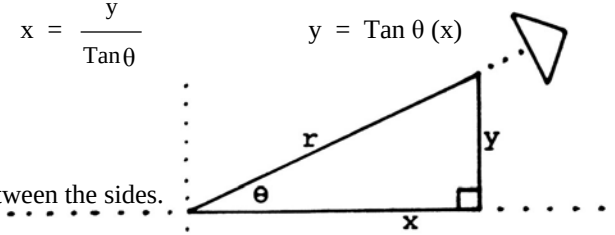
$\text{Sin}\ \theta = \frac{y}{r}$ $\quad r = \frac{y}{\text{Sin}\theta}$ $\quad y = \text{Sin}\ \theta\ (r)$

$\text{Cos}\ \theta = \frac{x}{r}$ $\quad r = \frac{x}{\text{Cos}\ \theta}$ $\quad x = \text{Cos}\ \theta\ (r)$

$\text{Tan}\ \theta = \frac{y}{x}$ $\quad x = \frac{y}{\text{Tan}\theta}$ $\quad y = \text{Tan}\ \theta\ (x)$

$r = \sqrt{x^2 + y^2}$

Note: “Sin” is a ratio between the sides.

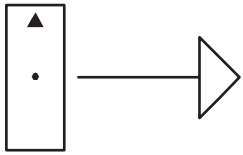


COEFFICIENTS of FRICTION

DESCRIPTION of ROAD SURFACE	DRY				WET			
	Less than 30 mph		More than 30 mph		Less than 30 mph		More than 30 mph	
	From	To	From	To	From	To	From	To
Portland Cement								
New, Sharp	.80	1.20	.70	1.00	.50	.80	.40	.75
Traveled	.60	.80	.60	.75	.45	.75	.45	.65
Traffic Polished	.55	.75	.50	.65	.45	.65	.45	.60
Asphalt or Tar								
New, Sharp	.80	1.20	.65	1.00	.50	.80	.45	.75
Traveled	.60	.80	.55	.70	.45	.70	.40	.65
Traffic Polished	.55	.75	.45	.65	.45	.65	.40	.60
Excess Tar	.50	.60	.35	.60	.30	.60	.25	.55
Gravel								
Packed, Oiled	.55	.85	.50	.80	.40	.80	.40	.60
Loose	.40	.70	.40	.70	.45	.75	.45	.75
Cinders								
Packed	.50	.70	.50	.70	.65.	.75	.65	.75
Rock								
Crushed	.55	.75	.55	.75	.55	.75	.55	.75
Ice								
Smooth	.10	.25	.07	.20	.05	.10	.05	.10
Snow								
Packed	.30	.55	.35	.55	.30	.60	.30	.60
Loose	.10	.25	.10	.20	.30	.60	.30	.60

DRAG FACTORS: Adjusting the "f"

- **<u>BROADSIDE SLIDE</u>: f = 100% of COF**
  - Even if the wheels are turning.



- **<u>4 WHEEL SKID</u>: f = 100% of COF**
  - 60 / 40 split from weight shift.
  - Front skids show tire overdeflection. Wide marks with dark outside edges.
  - Rear skids show lighter and narrower marks. Longest skid mark probably from the rear.

- **<u>2 WHEEL SKID (FRONT ONLY)</u>: f = 60% of COF**
  - Front brakes only will cause vehicle to skid straight.

- **<u>2 WHEEL SKID (REAR ONLY)</u>: f = 50% / 75% / 60% of COF**
  - Skid distance: Plot the CG to CG travel.
  - Three problems: straight skid / rotational / backwards.



- **<u>3 WHEEL SKID (2 REAR / 1 FRONT)</u>: f = 75% / 87.5% / 75% of COF**
  - Skid distance: Plot the CG to CG travel.
  - Three problems: straight skid / rotational / backwards.

- **<u>POST-COLLISION DRAGS</u>:**
  - Wheel locked from damage: f = Full Coefficient
  - Sliding on top or side: f = .40 to .50
  - Free-rolling wheel: f = .01 to .02
  - Engine/Transmission drag: f = .04

- **<u>TRUCKS</u>:**

  90% All Brakes Adjusted
  <u>Slack Adjusters</u>
  90% .25 to .50 inch
  80% .50 to .75 inch
  50% 2 inches
  60% Trailer Brakes Only
  or: Not sure if front brakes working.
  32.8% Bob Tail
  75% Buses

- **<u>MOTORCYCLES</u>:**

  50% Rear Wheel Only
  - Dark/Wide Long Wiggly Skid

  120% Both Wheels (70% Front/50% Rear)
  - Light/Narrow Short Straight Skid
    f = .4 on its side
    f = .5 crash on bars & fairing
    f = .6 other

ACCELERATION RATES & FACTORS

Typical Values of Acceleration & Negative Acceleration
for Motor Vehicles on Level Surface

Acceleration Positive (+) or Negative (−)	Speed Range	factor f = a / g	rate (fps^2) a = gf
1) Free Fall		+ 1.00	+ 32.2
2) Passenger Cars, Normal Acceleration	Less than 20 mph 20 to 40 mph More than 40 mph	+ 0.15 + 0.10 + 0.05	+ 4.8 + 3.2 + 1.6
3) Passenger Cars, Rapid Acceleration	Less than 20 mph 20 to 40 mph More than 40 mph	+ 0.30 + 0.15 + 0.10	+ 9.7 + 4.8 + 3.2
4) Medium Trucks, Normal Acceleration	Less than 20 mph 20 to 40 mph More than 40 mph	+ 0.10 + 0.05 + 0.03	+ 3.2 + 1.6 + 1.0
5) Big Trucks Loaded, Normal Acceleration	Less than 20 mph 20 to 40 mph More than 40 mph	+ 0.05 + 0.03 + 0.01	+ 1.6 + 1.0 + 0.3
6) Pedestrians, Normal Acceleration in Walking Pedestrians, in a hurry		+ 0.05 + 0.10	+ 1.6 + 3.2
7) Passenger Cars, Coasting Out of Gear	Less than 20 mph 20 to 40 mph More than 40 mph	− 0.01 − 0.02 − 0.04	− 0.3 − 0.6 − 1.3
8) Passenger Cars, Engine Braking High Gear	Less than 20 mph 20 to 40 mph More than 40 mph	− 0.04 − 0.05 − 0.08	− 1.3 − 1.6 − 2.6
9) Gradual Slowing, Light Braking Normal Braking, No Skidding		− 0.10 − 0.20	− 3.2 − 6.4
10) Quick Stop, Skids on Ice or Snow Hard Braking, Skids on Most Surfaces Maximum Braking on High-Friction Surface		− 0.40 − 0.65 − 0.95	− 12.9 − 20.7 − 30.6
11) Car Crash into Standing Car Crash into Solid Fixed Object		− 5.00 −20.00	−161.0 −644.0

f = "factor" a = "acceleration rate" fps^2

Acceleration factor: Speeding up!

Drag factor: Slowing down!

TIME and DISTANCE EQUATIONS

TO FIND	WHEN GIVEN	EQUATION TO USE
ACCELERATION a (fps^2)	t Vi Ve	* 1) $a = \frac{Ve - Vi}{t}$
	t Vi d	2) $a = \frac{2d - 2Vit}{t^2}$
	Vi Ve d	3) $a = \frac{Ve^2 - Vi^2}{2d}$
INITIAL VELOCITY Vi (fps)	t a Ve	4) $Vi = Ve - at$
	t a d	5) $Vi = \frac{d}{t} - \frac{at}{2}$
	a Ve d	* 6) $Vi = \sqrt{Ve^2 - 2ad}$
ENDING VELOCITY Ve (fps)	t a Vi	7) $Ve = Vi + at$
	a Vi d	* 8) $Ve = \sqrt{Vi^2 - 2ad}$
DISTANCE d (feet)	t a Vi	* 9) $d = Vit + \frac{1}{2} at^2$
	a Vi Ve	10) $d = \frac{Ve^2 - Vi^2}{2a}$
	t Vi Ve	11) $d = \frac{t(Vi + Ve)}{2}$
TIME t (seconds)	a Vi Ve	* 12) $t = \frac{Ve - Vi}{a}$

*Note: $a = gf$ $g = 32.2\ fps^2$

CRITICAL SPEED SCUFFMARK

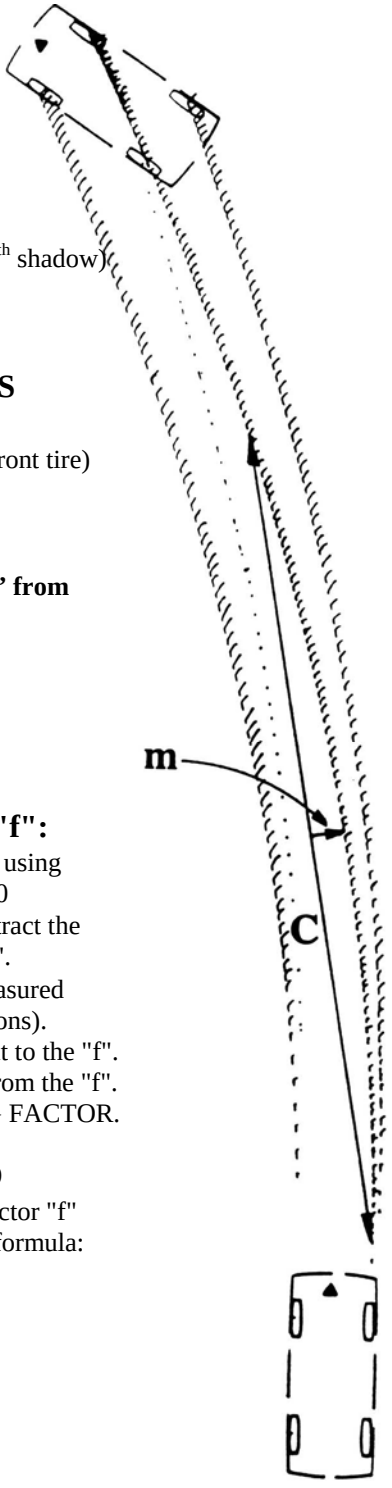
Determine if scuffmark is from STEERING only:

- **Usually only 3 tire marks** (Possible 4th shadow)
- **Diagonal Striations**
- **Tire Marks Separate**

MEASURE to determine RADIUS of the scuff:

- Measure Darkest Tire Mark (Outside front tire)
- Take two measurements:
  C = Chord
  m = Middle ordinate
  Note: Don't forget to convert the "m" from inches to feet!
  (Example: 3"/12" = .25 feet)
- Determine **RADIUS** using the formula:

$$R = \frac{C^2}{8m} + \frac{m}{2}$$



Determine the DRAG FACTOR "f":

- Determine the road coefficient "f" by using a drag sled/test skids/chart or VC2000
- If not already adjusted - Add or subtract the percent of superelevation from the "f".
- Superelevation: Percent of grade measured in the direction of the sideslip (striations).
  If going uphill……...…….Add it to the "f".
  If going downhill……Subtract it from the "f".
  This adjusted "f" becomes the DRAG FACTOR.

Calculate the CRITICAL SPEED

- With the Radius "R" and the Drag Factor "f" calculate the critical speed using the formula:

$$s = 3.87\sqrt{R\,f}$$

FALLS

LEVEL TAKEOFF:

$$s = \frac{2.74\ d}{\sqrt{h}}$$

d = Horizontal Distance
h = Vertical Distance (height)

SLOPING TAKEOFF:

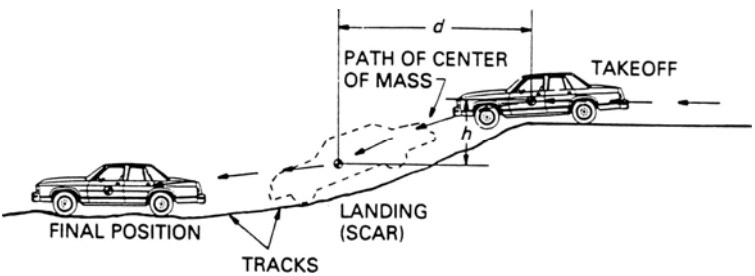
$$s = \frac{2.74\ d}{\sqrt{(m)(d) - (h)}}$$

d = Horizontal Distance
h = Vertical Distance (height)
(+h) Landing higher than takeoff.
(−h) Landing lower than takeoff.
m = Slope at takeoff (Percent)
(+m) If slope is up.
(−m) If slope is down.

NOTE: If takeoff is more than **10%**: use **Vault** formula.
If slope is measured in **percent**: use **Fall** formula.
If slope is measured in **degrees**: use **Vault** formula.

CONVERSION: To convert Degrees to Percent
(TAN) (DEGREES) = PERCENT
Example: If→ 4.74° Angle Then →(TAN) (4.74°) = **.083** (8.3%)

To convert Percent to Degrees
(INV TAN) (PERCENT) = DEGREES
Example: If→ Rise 3" = .083 (8.3%) Then →(INV TAN) (.083) = **4.74°**



Slope at takeoff: Usually this is neither the longitudinal slope of the roadway nor the transverse slope of the shoulder. It is the exact path that the vehicle followed.

FLIPS

SHORT FORMULA: Use if the takeoff angle is **unknown**.
Assume the takeoff angle is 45 degrees, which will give you minimum speed.

$$s = \frac{3.87\ d}{\sqrt{(d) - (h)}}$$

d = Horizontal Distance
h = Vertical Distance (height)
(+h) Landing higher than takeoff.
(−h) Landing lower than takeoff.

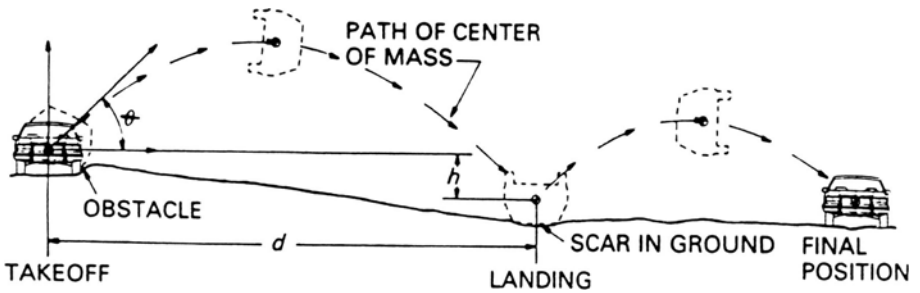
LONG FORMULA: Use if the takeoff angle is **known**. Or
assume the takeoff angle is 45 degrees, which will give you minimum speed.

$$v = d\sqrt{\frac{g}{2(\cos\theta)(d\sin\theta - h\cos\theta)}}$$

Don't forget to **convert** the velocity to speed at the end.

$$s = \frac{V}{1.47}$$

d = Horizontal Distance
h = Vertical Distance
(+h) Landing higher than takeoff.
(−h) Landing lower than takeoff.
θ = Takeoff angle



VAULTS

SHORT FORMULA: Use if the takeoff angle is **unknown**.
Assume the takeoff angle is 45 degrees, which will give you minimum speed.

$$s = \frac{3.87\ d}{\sqrt{(d) - (h)}}$$

d = Horizontal Distance
h = Vertical Distance (height)
(+h) Landing higher than takeoff.
(−h) Landing lower than takeoff.
θ = Angle at takeoff

LONG FORMULA: Use if the takeoff angle is **known**.

$$v^2 = \left(\frac{g}{2}\right)\left(\frac{d^2}{(d)(\sin\theta)(\cos\theta) - (h)(\cos\theta^2)}\right) \quad \textbf{OR}$$

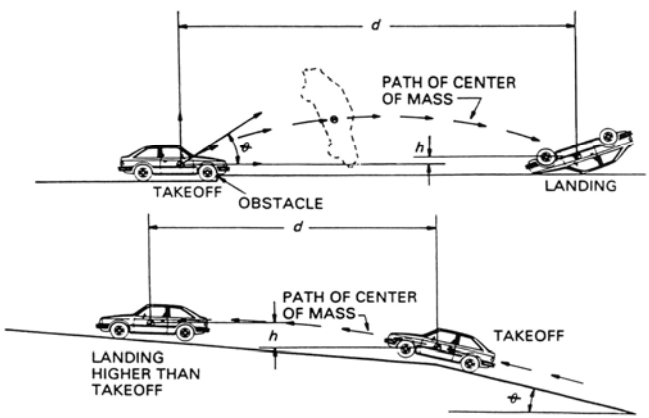
$$v = d\sqrt{\frac{g}{2(\cos\theta)(d\ \sin\theta - h\cos\theta)}}$$

Don't forget to convert velocity to speed: $s = \frac{V}{1.47}$

NOTE: If takeoff is more than **10%**: use **Vault** formula.
If slope is measured in **percent**: use **Fall** formula.
If slope is measured in **degrees**: use **Vault** formula.

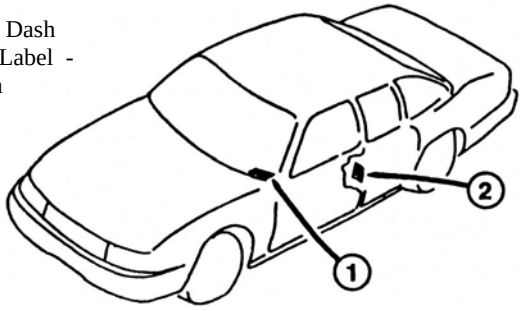
CONVERSION: To convert Degrees to Percent
(TAN) (DEGREES) = PERCENT
Example: If→ 4.74° Angle Then →(TAN) (4.74°) = **.083** (8.3%)

To convert Percent to Degrees
(INV TAN) (PERCENT) = DEGREES
Example: If→ Rise 3" = .083 (8.3%) Then →(INV TAN) (.083) = **4.74°**

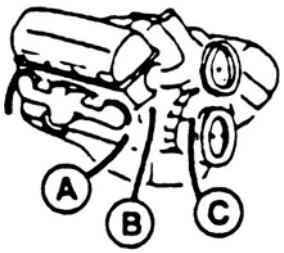


VIN NUMBER LOCATIONS
PASSENGER VEHICLES

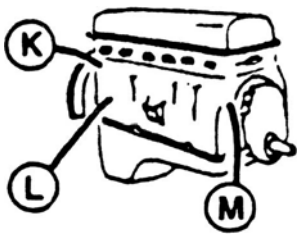
1. Public VIN - Top of Dash
2. Federal Certification Label - Rear Door Jamb Area

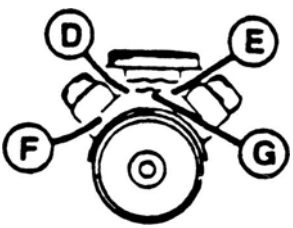


Engine Number Locations

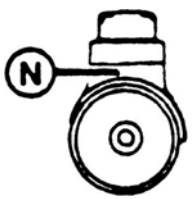


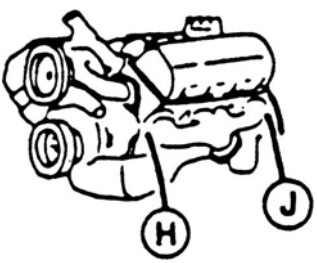
Right Side
&
Front View



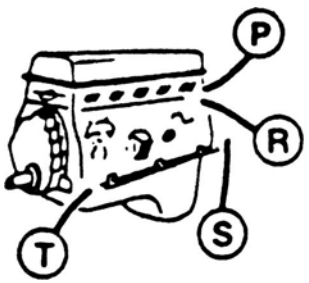


Rear View





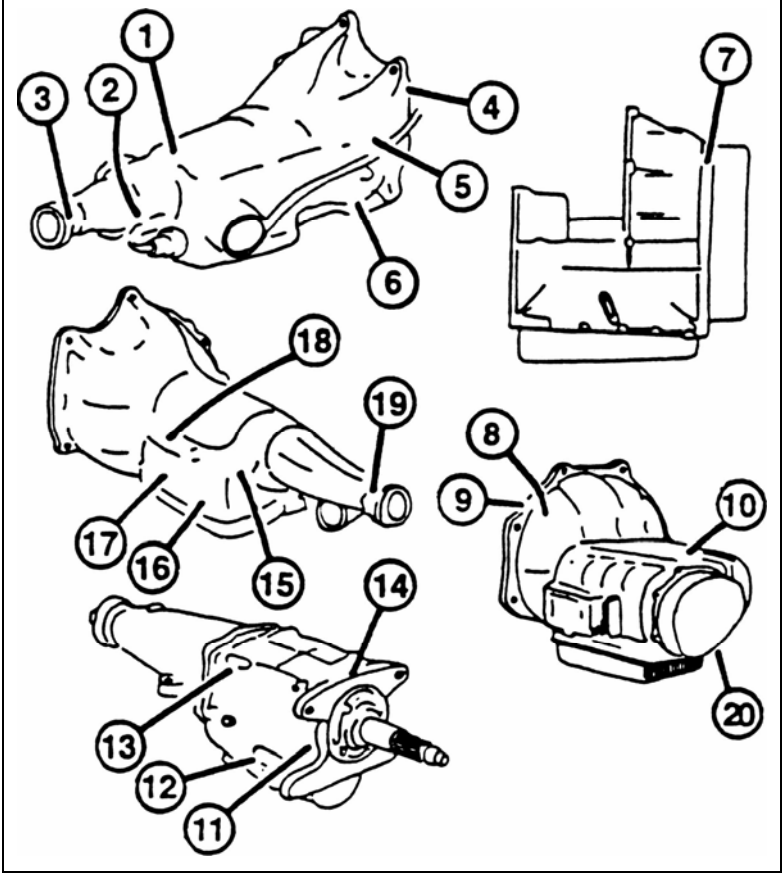
Left Side
&
Front View



Manufacturer	Engine Number Locations
Chrysler Corporation	A, K, N, R
Ford Motor Company	D, E, F, R, L, T
General Motors Corporation	B, C, G, H, J, M, P, S

VIN NUMBER LOCATIONS
PASSENGER VEHICLES

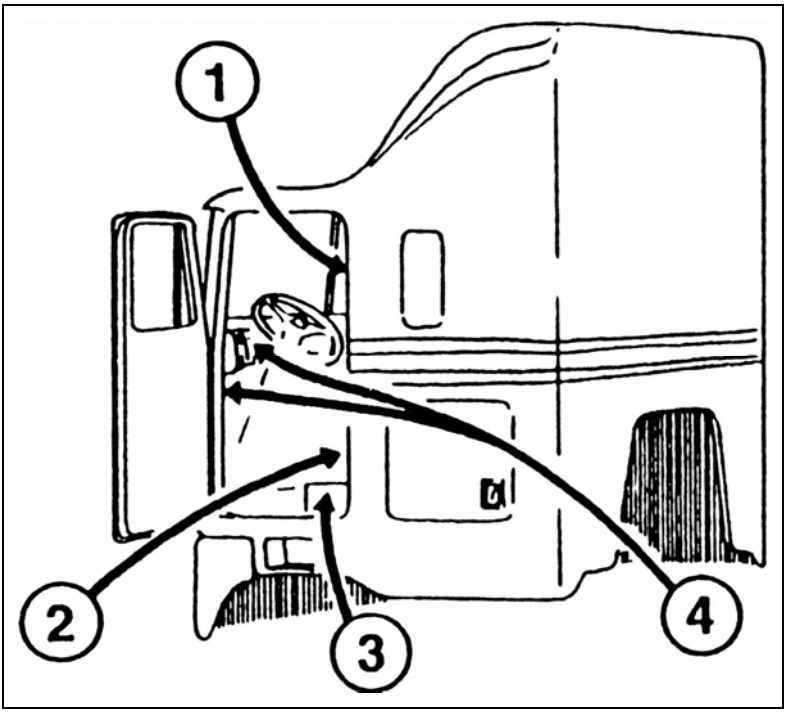
Transmission Number Locations



Manufacturer	Transmission Number Locations
Chrysler Corporation	6, 8, 12, 16
Ford Motor Company	1, 10, 11*, 14, 15, 20
General Motors Corporation	2, 4, 7, 9, 10, 11*, 12, 13, 16, 17

*Denotes Left Side

VIN NUMBER LOCATIONS
COMMERCIAL VEHICLES



Public VIN Locations

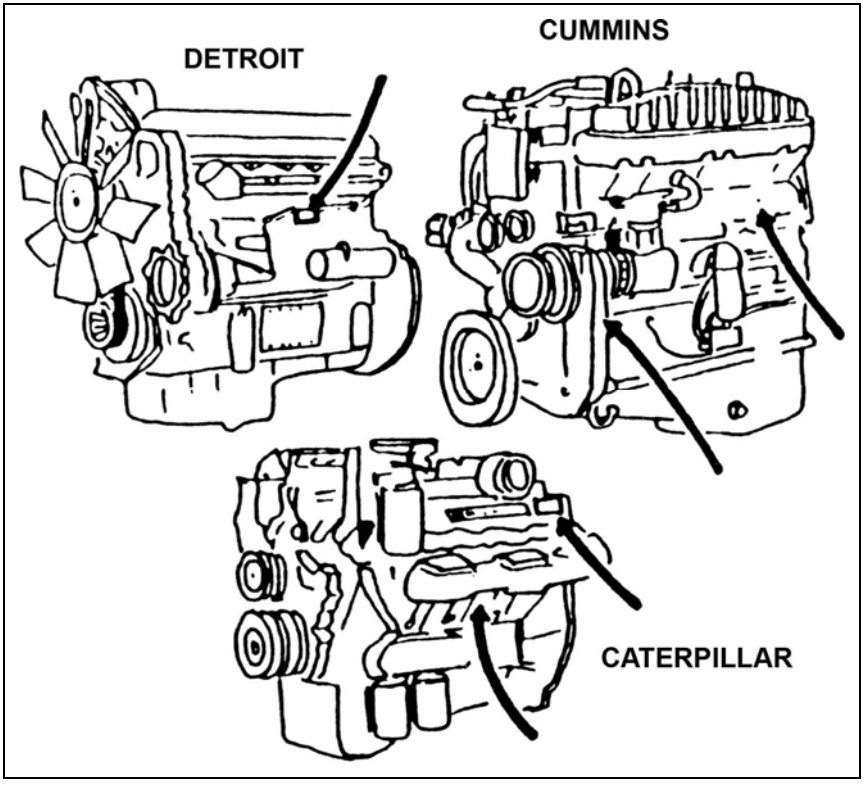
1. Attached to the interior surface of rear cab wall.
2. Attached to the door jamb or edge of door.
3. Attached to the base of the driver's seat.
4. Attached to the underside of the dashboard on the left side, or on the firewall in the area of the clutch pedal.

Prior to 1981, no uniformity existed in the configuration of VINs utilized on truck-tractors. Some VINs were as short as four characters, while others were much longer. Quite often only the suffix, or sequential portion, of the VIN was reflected on invoices, registrations, and titles. Since the 1981 model year, truck-tractors have utilized the seventeen-character VIN, as have automobiles.

There is little consistency in the display of truck-tractor VINs. Some manufacturers attach a metal VIN plate, while others display the VIN on a mylar-type label affixed to the interior of the cab. Most manufacturers stamp the VIN into other portions of the vehicle; however, such stampings may not necessarily display the full VIN.

The National Auto Theft Bureau publishes a Commercial Vehicle and Off-Road Equipment Identification Manual, which is available to law enforcement agencies.

VIN NUMBER LOCATIONS
COMMERCIAL VEHICLES

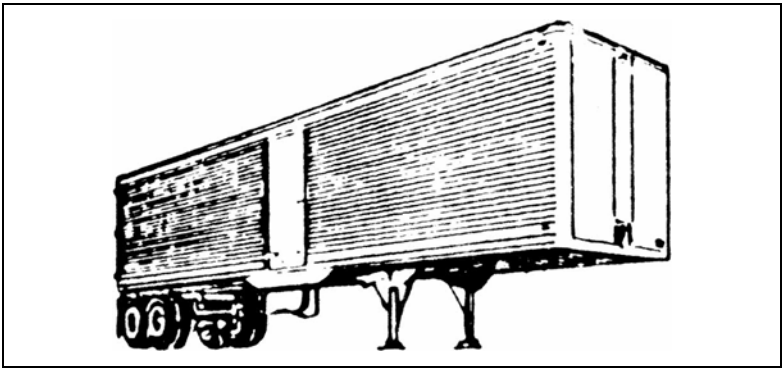


Engines and Transmissions

Engines and transmissions are identifiable by a manufacturer's serial number that normally does not contain any portion of the truck-tractor VIN. Serial numbers on engines and transmissions can generally be cross-referenced to the VIN through assembly and warranty records.

Caterpillar	Engine Serial Number can be located in two places. A plate attached to the valve cover or a plate attached directly to the block on the left side.
Cummins	Engine Serial Number can be located on the fuel pump side below the cylinder head stamped into the side of the block, or on a metal plate on the left side of the engine at the front.
Detroit	Engine Serial Number is stamped into the block near the thermostat housing on the left side. There are two numbers at this location. The top number is the model number and the bottom number is the serial number.

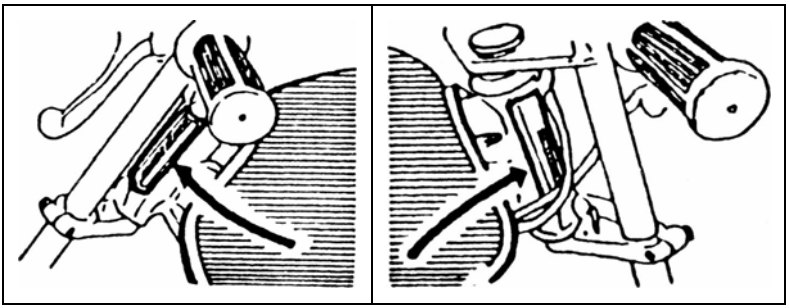
VIN NUMBER LOCATIONS
TRAILER IDENTIFICATION



Trailer identification number formats prior to the 1981 model year were non-standardized and consisted of various alpha-numeric configurations. Most identification numbers were displayed on a metal plate attached to the front or front sides of the trailer, although some manufacturers used less permanent means of identification, such as labels.

Use of the standardized character VIN format, beginning with the 1981 model year, has significantly improved trailer identification. Trailer vehicle identification numbers will normally be displayed on a metal plate attached to the front of the trailer at the lower center or the lower left or right corner.

MOTORCYCLES



Left Side Right Side

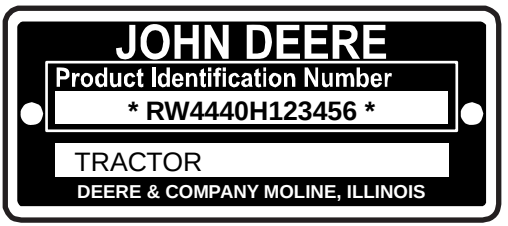
Motorcycle vehicle identification numbers will generally be stamped into the left or right side of the headstock or frame downtube.

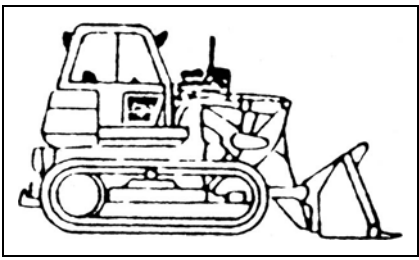
Motorcycles display a Federal Safety Certification Label containing the VIN and date of manufacture that is attached to the headstock or frame. On some models, the complete VIN may be found only on the Federal Safety Certification Label.

An engine number will normally be stamped into a location on the left side, right side, top, or front of the crankcase. The engine number may or may not be identical to the frame VIN.

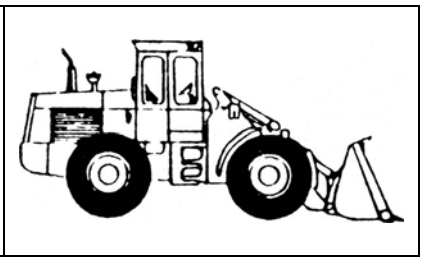
PIN NUMBER LOCATIONS
OFF-ROAD EQUIPMENT

Sample PIN Plate





Crawler Loader



Wheel Loader

The PIN is die-stamped into an aluminum foil or metal plate and is attached with drive rivets, pop rivets, screws, or adhesive.

PINs are displayed in various locations depending on the manufacturer, year, make, and model of the product. Local dealers can offer assistance in locating the PIN and describing the method of attachment.

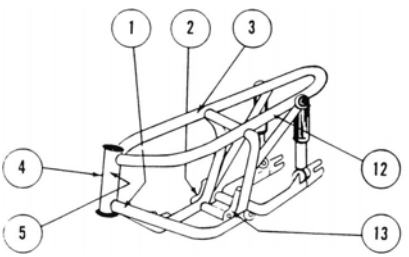
Most equipment will also possess serial plates for most major components (e.g., engine, transmission, and attachments). Caution should be taken when attempting to identify a product to ensure that the PIN plate is located, not a component part number.

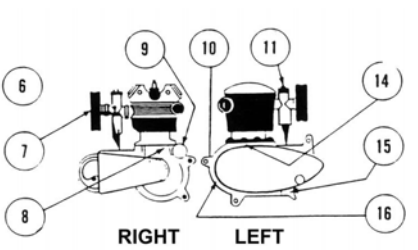
The manufacturer's name and model number should be prominently displayed on the unit and should accompany requests for shipping or assembly information. The model number becomes a significant identifier along with the PIN when requesting information through the National Auto Theft Bureau (NATB) or the manufacturer.

For more detailed information on the PIN location of off-road equipment, please refer to the NATB Commercial Vehicle and Off-Road Equipment Identification Manual.

MOTORCYCLE VIN INFORMATION

MAKE	FRAME VIN LOCATION	ENGINE NUMBER LOCATION
BMW	4	7
BSA	1, 5, 16	14, 11
BENELLI	5, 6	11, 16
BONANZA	5	9
BRIDGESTONE	2	7
BULTACO	4	7, 11
CAPRIOLA	13	15
CIMATTI	2	7, 9
DUCATI	5	10
GUAZZONE	1	10
HARLEY DAVIDSON	4, 5, 2	9, 14
HODAKA	12, 4	9
HONDA	5, 1, 7	11, 15
INDIAN	5	7
JAWA	5	7
KAWASAKI	5	7, 11
MAICO	4	8
MARUSHO	4	8
MONTESSA	5	10, 9
MOTO GUZZI	5	8, 14
MOTO MORONI	3	7
NORTON	1	16
OSSA	5	10
PARILLA	5	15
SUZUKI	4	11, 8, 14
TRIUMPH	4, 5, 16	11
VESPA	1	2
YAMAHA	4, 5	9, 14
YANKEE	5	15





MOTORCYCLE VIN INFORMATION

NOTE: VIN locations are general and may differ somewhat on certain models. It is important to note that the frame VIN is usually the number used in titling or registering a motorcycle in most states. The frame VIN and the engine numbers may or may not be the same.

Motorcycles are registered and titled in most states using the frame VIN and not the engine number **prior** to 1981. On occasions, the law enforcement officer limits identity checks to the engine number and not the frame VIN, causing many motorcycles not to be recovered or positively identified. In checking the legality of an imported motorcycle, the sequential part of the frame VIN should be checked **with** and **without** the model prefix. Law enforcement files show many errors in reporting of the frame VIN.

EXERCISE CAUTION when checking an incomplete number, as the sequential number is often repeated on other models. Question factory assembly records in order to cross-match a frame to an engine serial number on motorcycles where the numbers are different. Most motorcycles display a frame VIN on the headstock (where the fork assembly attaches to the frame). The numbers should be die-stamped into the steel frame in this area. There may also be a serial or VIN plate attached at this same location by rivets or adhesive. In this same area, most manufacturers display the Federal EPS Standards Certification Label that became effective in 1970.

CONVERSION CHARTS
METRIC to STANDARD

KILOGRAMS to POUNDS

36.28 = 80	61.22 = 135	83.89 = 185
38.54 = 85	63.39 = 140	86.16 = 190
40.81 = 90	65.75 = 145	88.43 = 195
43.08 = 95	68.02 = 150	90.70 = 200
45.35 = 100	70.29 = 155	92.96 = 205
47.61 = 105	72.56 = 160	95.23 = 210
49.88 = 110	74.82 = 165	97.50 = 215
52.15 = 115	77.09 = 170	99.77 = 220
54.42 = 120	79.36 = 175	102.03=225
56.68 = 125	81.63 = 180	104.30=230
58.95 = 130		

CENTIMETERS to FEET/INCHES

121.92 =4'00	152.40 =5'00	182.88 =6'00
124.46 = 01	154.94 = 01	185.42 = 01
127.00 = 02	157.48 = 02	187.96 = 02
129.54 = 03	160.02 = 03	190.50 = 03
132.08 = 04	162.56 = 04	193.03 = 04
134.62 = 05	165.10 = 05	195.58 = 05
137.16 =4'06	167.10 =5'06	198.12 = 6'06
139.60 = 07	170.18 = 07	
142.24 = 08	172.72 = 08	
144.78 = 09	175.26 = 09	
147.32 = 10	177.80 = 10	
149.86 = 11	180.34 = 11	

MILES PER HOUR to KILOMETERS PER HOUR

20 MPH	=	32 KPH	40 MPH	=	65 KPH	60 MPH	=	97 KPH
25	=	41	45	=	73	65	=	105
30	=	49	50	=	82	70	=	113
35	=	57	55	=	89			

CONVERSION CHARTS
STANDARD to METRIC

OUNCES to GRAMS

Conversion Factor: 1 ounce = 28.35 grams

Ounces		Grams	Ounces		Grams	Ounces		Grams
0.01	=	0.28	0.50	=	14.18	7.00	=	198.45
0.02	=	0.57	0.60	=	17.01	8.00	=	226.80
0.03	=	0.85	0.70	=	19.85	9.00	=	255.15
0.04	=	1.13	0.80	=	22.68	10.00	=	283.50
0.05	=	1.42	0.90	=	25.52	11.00	=	311.85
0.06	=	1.70	1.00	=	28.35	12.00	=	340.20
0.07	=	1.98	1.53	=	51.88	13.00	=	368.55
0.08	=	2.27	2.00	=	56.70	14.00	=	396.90
0.09	=	2.55	3.00	=	85.05	15.00	=	425.25
0.10	=	2.84	4.00	=	113.40	16.00 (1lb)	=	453.60
0.20	=	5.67	5.00	=	141.75	32.00 (2lb)	=	907.20
0.30	=	8.51	6.00	=	170.10	48.00 (3lb)	=	1360.80
0.40	=	11.34						

To use chart, add components:

64 oz –

.60 oz = 17.01 grams
.04 oz = 1.13 grams
.64 oz = 18.14 grams

1 lb 14.09 oz –

.09 oz = 2.55 grams
14.00 oz = 396.00 grams
(1 lb) 16.00 oz = 453.60 grams
1 lb 14.09 oz = 853.05 grams

7.93 oz –

.03 oz = 0.85 grams
.90 oz = 25.52 grams
7.00 oz = 198.45 grams
7.93 oz = 224.82 grams

THE METRIC SYSTEM

WEIGHTS

10 milligrams	=	1 centigram	=	0.1543 grain
10 centigrams	=	1 decigram	=	1.5432 grains
10 decigrams	=	1 gram	=	15.432 grains
10 grams	=	1 decagram	=	0.3527 ounce
10 decagrams	=	1 hectogram	=	3.527 ounces
10 hectograms	=	1 kilogram	=	2.2046 pounds
10 kilograms	=	1 myriagram	=	22.046 pounds

LINEAR MEASURE

10 millimeters	=	1 centimeter	=	0.397 inch
10 centimeters	=	1 decimeter	=	3.937 inches
10 decimeters	=	1 meter	=	39.37 in or 3.28 ft
10 meters	=	1 decameter	=	393.7 inches
10 decameters	=	1 hectometer	=	328.0 feet 1 inch
10 hectometers	=	1 kilometer	=	0.621 mile
10 kilometers	=	1 myriameter	=	6.21 miles

SQUARE MEASURE

100 sq millimeters	=	1 sq centimeter	=	0.15499 sq inch
100 sq centimeters	=	1 sq decimeter	=	15.499 sq inches
100 sq decimeters	=	1 sq meter	=	1,549.9 sq in or 1.196 sq yards
100 sq meters	=	1 sq decameter	=	119.6 sq yards
100 sq decameters	=	1 sq hectometer	=	2.471 acres
100 sq hectometers	=	1 sq kilometer	=	0.386 sq miles

LAND MEASURE

1 sq meter	=	1 centiacre	=	1,449.9 sq inches
100 sq centiacres	=	1 acre	=	119.6 sq yards
100 sq acres	=	1 hectare	=	2.471 acres
100 sq hectares	=	1 sq kilometer	=	0.386 sq mile

VOLUME MEASURE

1,000 cubic millimeters	=	1 cubic centimeter	=	.06102 cubic inch
1,000 cubic centimeters	=	1 cubic decimeter	=	61.02 cubic inches
1,000 cubic decimeters	=	1 cubic meter	=	35.314 cubic feet

CAPACITY MEASURE

10 milliliters	=	1 centiliter	=	.338 fluid ounce
10 centiliters	=	1 deciliter	=	3.38 fluid ounces
10 deciliters	=	1 liter	=	1.0567 fluid qt/.9081 dry qt
10 liters	=	1 decaliter	=	2.64 gal or 0.284 bushel

SOCIAL SECURITY PREFIXES

001-003	New Hampshire
004-007	Maine
008-009	Vermont
010-034	Massachusetts
035-039	Rhode Island
040-049	Connecticut
050-134	New York
135-158	New Jersey
159-211	Pennsylvania
212-220	Maryland
221-222	Delaware
223-231	Virginia
232-236	West Virginia
237-246	North Carolina
247-251	South Carolina (also **654-658**)
252-260	Georgia (also **667-675**)
261-267	Florida (also **589-595**)
268-302	Ohio
303-317	Indiana
318-361	Illinois
362-386	Michigan
387-399	Wisconsin
400-407	Kentucky
408-415	Tennessee
416-424	Alabama
425-428	Mississippi (also **587-588**)
429-432	Arkansas
433-439	Louisiana
440-448	Oklahoma
449-467	Texas (also **627-645**)
468-477	Minnesota
478-485	Iowa
486-500	Missouri
501-502	North Dakota
503-504	South Dakota
505-508	Nebraska
509-515	Kansas
516-517	Montana
518-519	Idaho
520	Wyoming
521-524	Colorado
525	New Mexico (also **585, 648-649**)
526-527	Arizona (also **600-601**)
528-529	Utah (also **646-647**)
530	Nevada
531-539	Washington
540-544	Oregon (also **589-595**)
545-573	California (also **602-626**)
574	Alaska
575-576	Hawaii
577-579	District of Columbia
580	Virgin Islands
580-584	Puerto Rico (also **596-599**)
585	New Mexico (also **525, 648-649**)
586	Guam, American Samoa, Northern Mariana Islands, Philippine Islands
587-588	Mississippi (also **425-428**)
589-595	Florida (also **261-267**)
596-599	Puerto Rico (also **580-584**)
600-601	Arizona (also **526-527**)
602-626	California (also **545-573**)
627-645	Texas (also **449-467**)
646-647	Utah (also **528-529**)
648-649	New Mexico (also **525, 585**)
700-728	Railroad Retirement

****700-728 Issuance of these numbers to railroad employees was discontinued July 1, 1963.**

ABBREVIATIONS
For STATES & PROVINCES

Alabama	AL	North Carolina	NC
Alaska	AK	North Dakota	ND
Arizona	AZ	Ohio	OH
Arkansas	AR	Oklahoma	OK
California	CA	Oregon	OR
Colorado	CO	Pennsylvania	PA
Connecticut	CT	Rhode Island	RI
Delaware	DE	South Carolina	SC
Dist. of Columbia	DC	South Dakota	SD
Florida	FL	Tennessee	TN
Georgia	GA	Texas	TX
Hawaii	HI	Utah	UT
Idaho	ID	Vermont	VT
Illinois	IL	Virginia	VA
Indiana	IN	Washington	WA
Iowa	IA	West Virginia	WV
Kansas	KS	Wisconsin	WI
Kentucky	KY	Wyoming	WY
Louisiana	LA		
Maine	ME	Alberta	AB
Maryland	MD	British Columbia	BC
Massachusetts	MA	Manitoba	MB
Michigan	MI	New Brunswick	NB
Minnesota	MN	Newfoundland	NF
Mississippi	MS	Nova Scotia	NS
Missouri	MO	Ontario	ON
Montana	MT	Prince Edward Is	PE
Nebraska	NE	Quebec	PQ
Nevada	NV	Saskatchewan	SK
New Hampshire	NH		
New Jersey	NJ	Mexico	MX
New Mexico	NM	Puerto Rico	PR
New York	NY	Virgin Islands	VI

WASHINGTON DRIVER'S LICENSE CODING

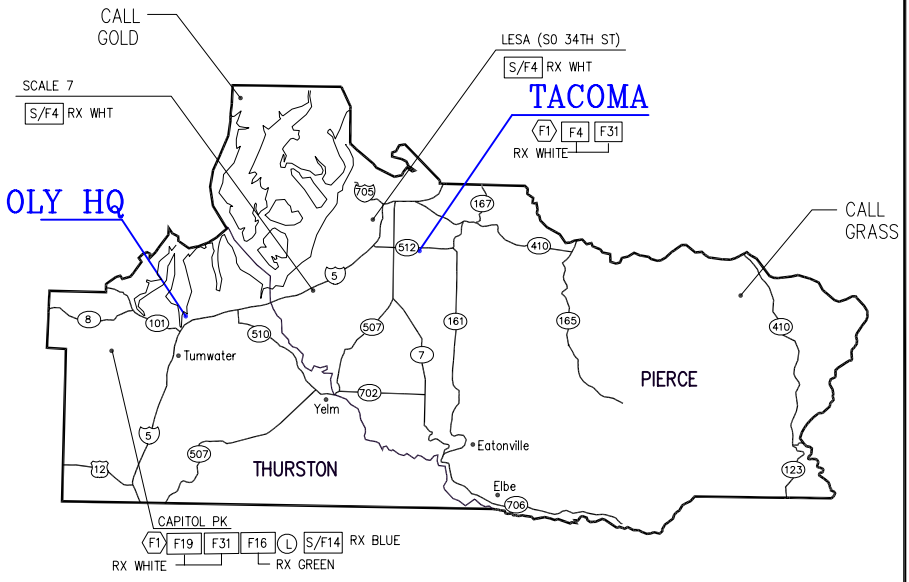
LICENSE NUMBER

1st through 5th characters:	Letters of last name (asterisks fill blanks)
6th character:	First name initial
7th character:	Middle initial (asterisk if no middle initial)
8th and 9th characters:	Number + year of birth = 100
10th character:	Computer-assigned number/letter/symbol (chosen from 1, 2, 3, 4, 5, 6, 7, 8, 9, 0, &, A, B, C, D, E, F, G, H, or Z)
11th character:	Code month of birth (see below)
12th character:	Code day of birth (see below)

CONTROL NUMBER (located on driver's photograph)

1st and 2nd digits:	Type of license (32 = renewal, 31 = original)
3rd and 4th:	Year license obtained
5th through 7th:	Julian day of year license was obtained (001 to 365)
8th and 9th:	Department of Licensing office number
Last 4 Digits:	Military time of day that license was obtained

Month	Days of Month			Alternate Month
Jan = B	1 = A	16 = W		Jan = S
Feb = C	2 = B	17 = P		Feb = T
Mar = D	3 = C	18 = Q		Mar = U
Apr = J	4 = D	19 = R		Apr = 1
May = K	5 = E	20 = 0 (#)		May = 2
Jun = L	6 = F	21 = 1		Jun = 3
Jul = M	7 = G	22 = 2		Jul = 4
Aug = N	8 = H	23 = 3		Aug = 5
Sep = O (alph)	9 = Z	24 = 4		Sep = 6
Oct = P	10 = S	25 = 5		Oct = 7
Nov = Q	11 = J	26 = 6		Nov = 8
Dec = R	12 = K	27 = 7		Dec = 9
	13 = L	28 = 8		
	14 = M	29 = 9		
	15 = N	30 = T		
		31 = G		



CHANNEL GUARD TONES MAP

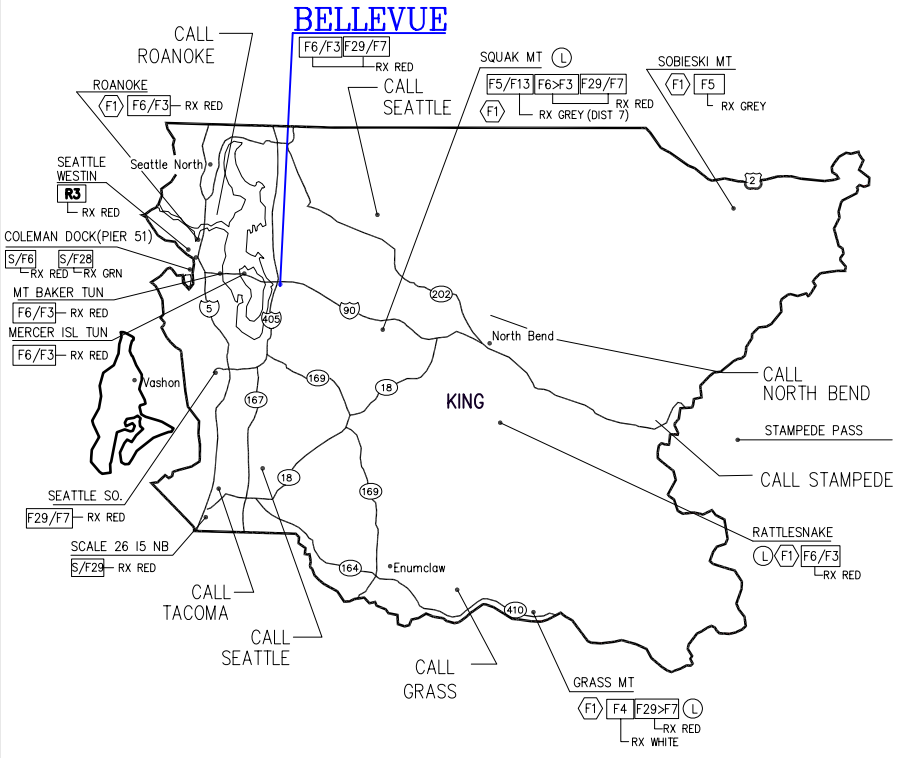
KEY:

- (F1) =F1 CONTROL RX–F1, TX–F1/F6
  FOR PAGING AND/OR REPEATER CONTROL
- (L) =BASE STATION WITH 155.370 & 155.475, FL/FN
- [R] =REPEATER RX–F6, TX–F1
- (F#) =BASE STATION
- [F#] =VOTING BASE STATION
- [S/#] =VOTING RECEIVER (SATELLITE)

DISTRICT 1

TONE CODE – WHITE
F–1, F–2, F–7, F–14

UPDATED 11/2005



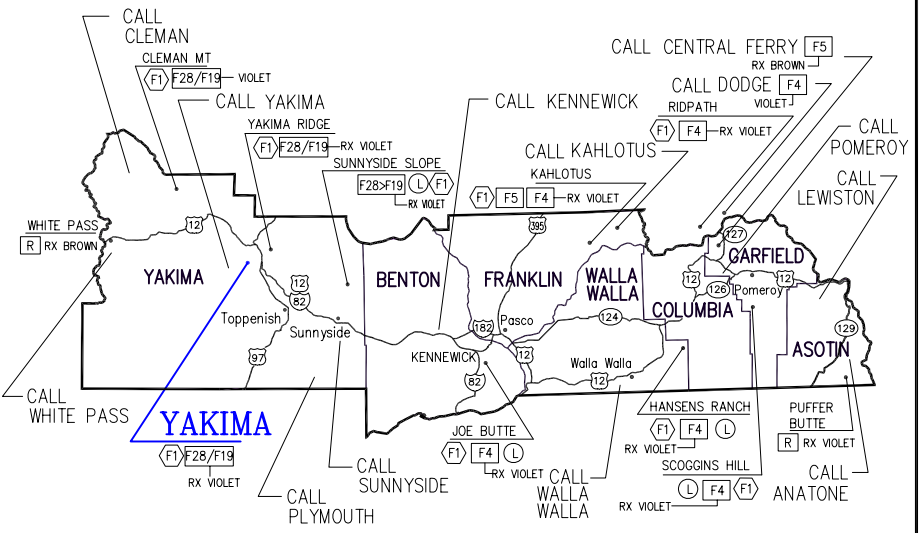
CHANNEL GUARD TONES MAP

KEY:

- (F1) =F1 CONTROL RX–F1, TX–F1/F6
  FOR PAGING AND/OR REPEATER CONTROL
- (L) =BASE STATION WITH 155.370 & 155.475, FL/FN
- [R3] =REPEATER RX–F6, TX–F1
  WESTIN HOTEL/SEATTLE REMOTE ON/OFF BY BELLEVUE.
- (F#) =BASE STATION
- [F#] =VOTING BASE STATION
- [S/F#] =SATTELITE RECEIVER / VOTED
- [F#>F#] =AREA REPEATER > VOTED

DISTRICT 2

TONE CODE – RED
F-1, F-2, F-7, F-14
UPDATED 11/2005



CHANNEL GUARD TONES MAP

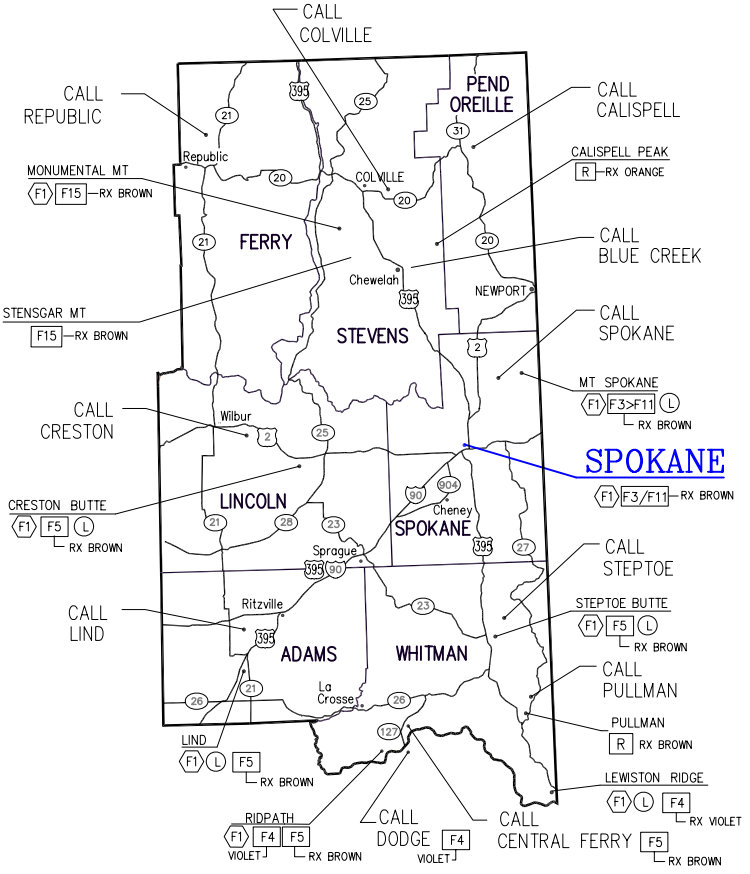
KEY:

- (F1) =F1 CONTROL RX–F1, TX–F1/F6 FOR PAGING AND/OR REPEATER CONTROL
- (L) =BASE STATION WITH 155.370 & 155.475, FL/FN
- [R] =REPEATER RX–F6, TX–F1
- (F#) =BASE STATION
- [F#] =VOTING BASE STATION
- [S/F#] =SATTELITE RECEIVER / VOTED

DISTRICT 3

TONE CODE – VIOLET
F–1, F–2, F–7, F–14

UPDATED 11/2005



CHANNEL GUARD TONES MAP

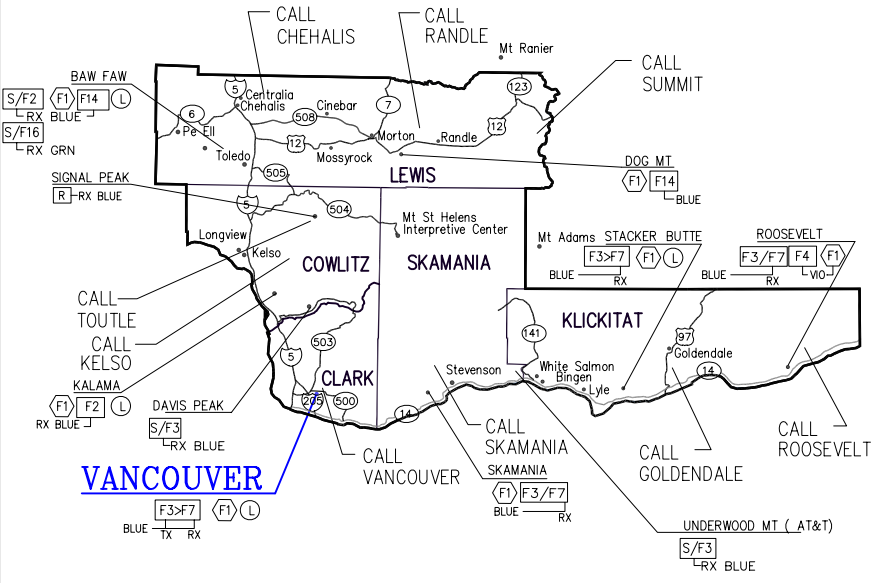
DISTRICT 4

TONE CODE – BROWN
F–1, F–2, F–7, F–14

UPDATED 11/2005

KEY:

- (F1) =F1 CONTROL RX–F1, TX–F1/F6 FOR PAGING AND/OR REPEATER CONTROL
- (L) =BASE STATION WITH 155.370 & 155.475, FL/FN
- [R] =REPEATER RX–F6, TX–F1
- (F#) =BASE STATION
- [F#] =VOTING BASE STATION
- [S/F#] =SATTELITE RECEIVER / VOTED



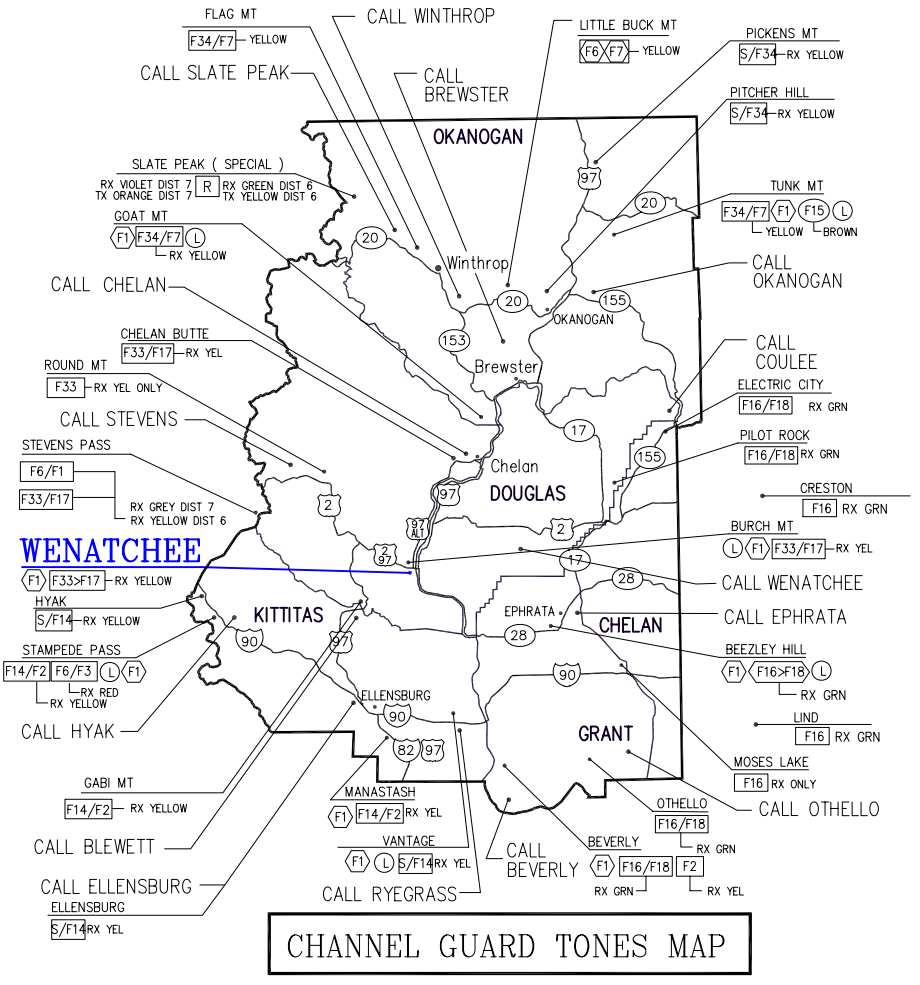
CHANNEL GUARD TONES MAP

KEY:

- (F1) =F1 CONTROL RX–F1, TX–F1/F6
  FOR PAGING AND/OR REPEATER CONTROL
- (L) =BASE STATION WITH 155.370 & 155.475, FL/FN
- [R] =REPEATER RX–F6, TX–F1
- (F#) =BASE STATION
- [F#] =VOTING BASE STATION
- [S/F#] =SATTELITE RECEIVER / VOTED
- [F#>F#] =AREA REPEATER > VOTED

DISTRICT 5

TONE CODE – BLUE
F–1, F–2, F–3, F–7
F–14, F–15
UPDATED 11/2005



CHANNEL GUARD TONES MAP

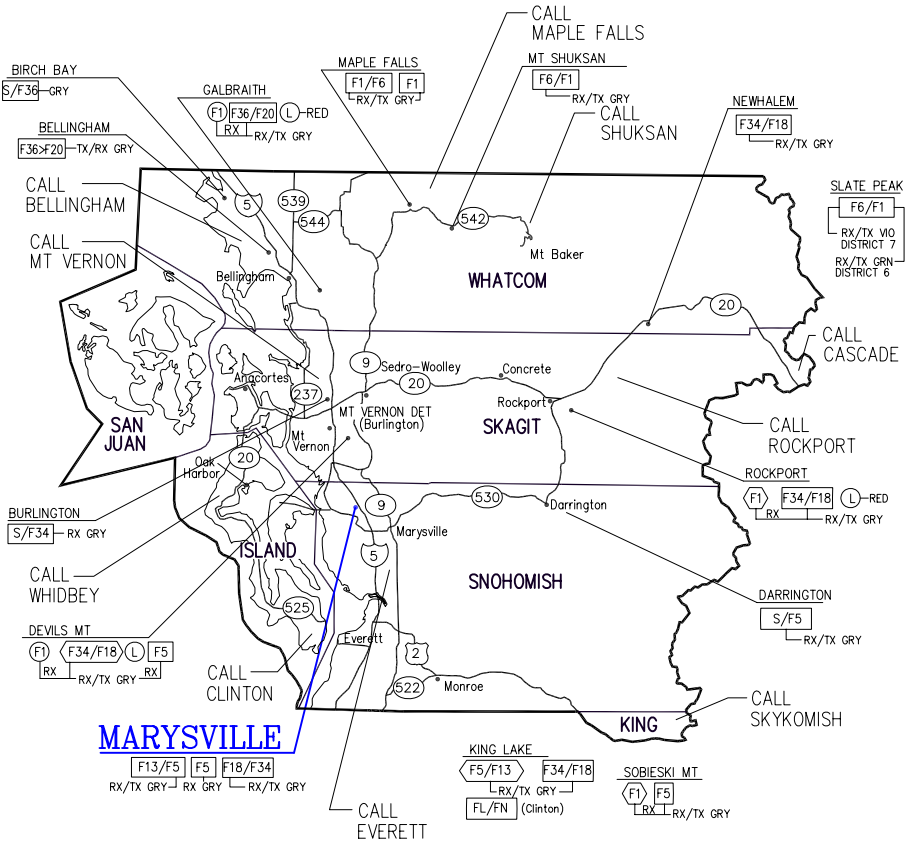
KEY:

- (F1) =F1 CONTROL RX–F1, TX–F1/F6
  FOR PAGING AND/OR REPEATER CONTROL
- (L) =BASE STATION WITH 155.370 & 155.475, FL/FN
- [R] =REPEATER RX–F6, TX–F1
- (F#) =BASE STATION
- [F#] =VOTING BASE STATION
- [S/F#] =SATTELITE RECEIVER / VOTED

DISTRICT 6

TONE CODE – YELLOW
F–1, F–2, F–7, F–14

UPDATED 11/2005



CHANNEL GUARD TONES MAP

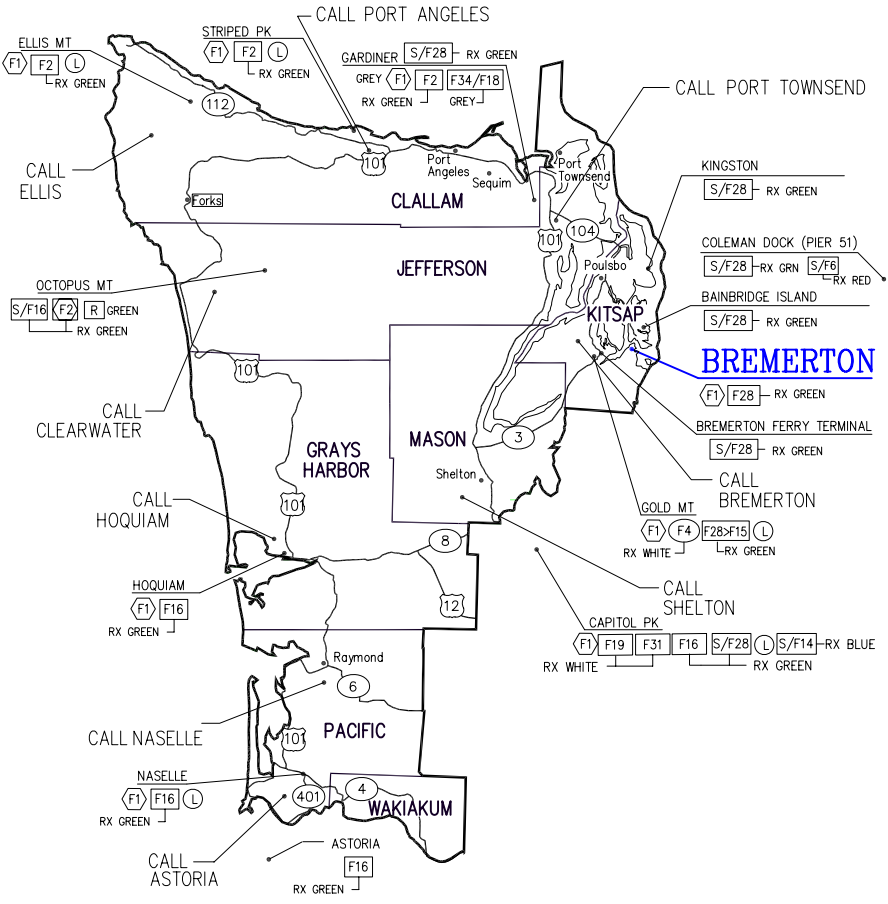
KEY:

- (F#) =F1 CONTROL RX-F1, TX-F1/F6 FOR PAGING AND/OR REPEATER CONTROL
- (L) =BASE STATION WITH 155.370 & 155.475, FL/FN
- (F#) =BASE STATION
- [F#] =VOTING BASE STATION
- [S/#] =VOTING RECEIVER (SATELLITE)

DISTRICT 7

TONE CODE – GRAY
F-1, F-2, F-7, F-14

UPDATED 11/2005



CHANNEL GUARD TONES MAP

KEY:

- (F1) =F1 CONTROL RX–F1, TX–F1/F6 FOR PAGING AND/OR REPEATER CONTROL
- (L) =BASE STATION WITH 155.370 & 155.475, FL/FN
- [R] =REPEATER RX–F6, TX–F1
- (F#) =BASE STATION
- [F#] =VOTING BASE STATION
- [S/F#] =SATTELITE RECEIVER / VOTED

DISTRICT 8

TONE CODE – GREEN
F–1, F–2, F–7, F–14

UPDATED 11/2005

Location: W122 20, N47 38

SEATTLE, WASHINGTON
Rise and Set for the Sun for 2010

Pacific Standard Time

Astronomical Applications Dept.
U. S. Naval Observatory
Washington, DC 20392-5420

	Jan.		Feb.		Mar.		Apr.		May		June		July		Aug.		Sept.		Oct.		Nov.		Dec.	
Day	Rise	Set	Rise	Set	Rise	Set	Rise	Set	Rise	Set	Rise	Set	Rise	Set	Rise	Set	Rise	Set	Rise	Set	Rise	Set	Rise	Set
	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m
01	0758	1629	0736	1711	0650	1754	0548	1839	0452	1922	0416	1959	0416	2011	0447	1944	0528	1850	0608	1749	0654	1652	0737	1620
02	0758	1630	0734	1712	0648	1756	0546	1841	0450	1923	0415	2000	0416	2010	0448	1942	0529	1848	0610	1746	0655	1650	0738	1619
03	0758	1631	0733	1714	0646	1757	0544	1842	0449	1924	0414	2001	0417	2010	0449	1941	0531	1846	0611	1744	0657	1649	0739	1619
04	0757	1632	0732	1715	0644	1759	0542	1844	0447	1926	0414	2002	0418	2010	0451	1939	0532	1844	0613	1742	0658	1647	0740	1619
05	0757	1633	0730	1717	0642	1800	0540	1845	0446	1927	0413	2003	0418	2009	0452	1938	0533	1842	0614	1740	0700	1646	0741	1618
06	0757	1634	0729	1719	0640	1802	0538	1846	0444	1928	0413	2004	0419	2009	0453	1936	0535	1840	0615	1738	0701	1644	0743	1618
07	0757	1635	0727	1720	0638	1803	0536	1848	0443	1930	0413	2004	0420	2008	0455	1935	0536	1838	0617	1737	0703	1643	0744	1618
08	0756	1636	0726	1722	0636	1805	0534	1849	0441	1931	0412	2005	0421	2008	0456	1933	0537	1836	0618	1735	0704	1641	0745	1618
09	0756	1637	0724	1723	0634	1806	0532	1851	0440	1933	0412	2006	0421	2007	0457	1931	0539	1834	0620	1733	0706	1640	0746	1618
10	0756	1639	0723	1725	0632	1808	0530	1852	0438	1934	0412	2006	0422	2007	0459	1930	0540	1832	0621	1731	0707	1639	0747	1618
11	0755	1640	0721	1726	0630	1809	0528	1854	0437	1935	0411	2007	0423	2006	0500	1928	0541	1829	0623	1729	0709	1637	0748	1618
12	0755	1641	0720	1728	0628	1811	0526	1855	0436	1937	0411	2007	0424	2005	0501	1927	0543	1827	0624	1727	0710	1636	0749	1618
13	0754	1643	0718	1730	0626	1812	0524	1856	0434	1938	0411	2008	0425	2005	0503	1925	0544	1825	0625	1725	0712	1635	0749	1618
14	0753	1644	0716	1731	0624	1814	0522	1858	0433	1939	0411	2009	0426	2004	0504	1923	0545	1823	0627	1723	0713	1634	0750	1618
15	0753	1645	0715	1733	0622	1815	0520	1859	0432	1940	0411	2009	0427	2003	0505	1921	0547	1821	0628	1721	0715	1633	0751	1618
16	0752	1647	0713	1734	0620	1816	0518	1901	0431	1942	0411	2009	0428	2002	0507	1920	0548	1819	0630	1719	0716	1632	0752	1618
17	0751	1648	0711	1736	0618	1818	0517	1902	0429	1943	0411	2010	0429	2001	0508	1918	0549	1817	0631	1717	0718	1631	0752	1619
18	0751	1649	0710	1737	0616	1819	0515	1903	0428	1944	0411	2010	0430	2000	0509	1916	0551	1815	0633	1715	0719	1629	0753	1619
19	0750	1651	0708	1739	0614	1821	0513	1905	0427	1945	0411	2010	0431	1959	0511	1914	0552	1813	0634	1714	0721	1628	0754	1619
20	0749	1652	0706	1741	0612	1822	0511	1906	0426	1947	0411	2011	0432	1958	0512	1912	0553	1811	0636	1712	0722	1628	0754	1620
21	0748	1654	0704	1742	0610	1824	0509	1908	0425	1948	0411	2011	0434	1957	0513	1911	0555	1809	0637	1710	0723	1627	0755	1620
22	0747	1655	0703	1744	0608	1825	0507	1909	0424	1949	0412	2011	0435	1956	0515	1909	0556	1807	0639	1708	0725	1626	0755	1621
23	0746	1657	0701	1745	0606	1827	0506	1910	0423	1950	0412	2011	0436	1955	0516	1907	0558	1805	0640	1706	0726	1625	0756	1621
24	0745	1658	0659	1747	0604	1828	0504	1912	0422	1951	0412	2011	0437	1954	0517	1905	0559	1803	0642	1705	0728	1624	0756	1622
25	0744	1700	0657	1748	0602	1829	0502	1913	0421	1952	0413	2011	0438	1953	0519	1903	0600	1801	0643	1703	0729	1623	0757	1623
26	0743	1701	0655	1750	0600	1831	0500	1915	0420	1953	0413	2011	0439	1952	0520	1901	0602	1759	0645	1701	0730	1623	0757	1623
27	0742	1703	0653	1751	0558	1832	0459	1916	0419	1954	0413	2011	0441	1950	0521	1859	0603	1757	0646	1700	0732	1622	0757	1624
28	0741	1704	0652	1753	0556	1834	0457	1917	0418	1955	0414	2011	0442	1949	0523	1857	0604	1755	0648	1658	0733	1621	0757	1625
29	0740	1706			0554	1835	0455	1919	0418	1956	0414	2011	0443	1948	0524	1855	0606	1753	0649	1656	0734	1621	0757	1626
30	0738	1707			0552	1837	0454	1920	0417	1957	0415	2011	0444	1946	0525	1854	0607	1751	0651	1655	0736	1620	0758	1626
31	0737	1709			0550	1838			0416	1958			0446	1945	0527	1852			0652	1653			0758	1627

Add one hour for daylight time, if and when in use.

Location: W117 25, N47 40

SPOKANE, WASHINGTON
Rise and Set for the Sun for 2010

Pacific Standard Time

Astronomical Applications Dept.
U. S. Naval Observatory
Washington, DC 20392-5420

	Jan.		Feb.		Mar.		Apr.		May		June		July		Aug.		Sept.		Oct.		Nov.		Dec.	
Day	Rise	Set	Rise	Set	Rise	Set	Rise	Set	Rise	Set	Rise	Set	Rise	Set	Rise	Set	Rise	Set	Rise	Set	Rise	Set	Rise	Set
	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m	h m
01	0738	1609	0716	1651	0630	1735	0528	1820	0432	1902	0356	1940	0356	1951	0427	1924	0508	1830	0549	1729	0634	1632	0717	1600
02	0738	1610	0715	1652	0628	1736	0526	1821	0431	1903	0355	1941	0356	1951	0428	1923	0510	1828	0550	1727	0636	1630	0718	1600
03	0738	1611	0714	1654	0626	1738	0524	1822	0429	1905	0355	1942	0357	1951	0430	1921	0511	1826	0552	1725	0637	1629	0720	1559
04	0738	1612	0712	1656	0624	1739	0522	1824	0427	1906	0354	1942	0358	1950	0431	1920	0512	1824	0553	1723	0639	1627	0721	1559
05	0738	1613	0711	1657	0622	1741	0520	1825	0426	1908	0354	1943	0358	1950	0432	1918	0514	1822	0554	1721	0640	1626	0722	1559
06	0737	1614	0709	1659	0620	1742	0518	1827	0424	1909	0353	1944	0359	1949	0433	1917	0515	1820	0556	1719	0642	1624	0723	1558
07	0737	1615	0708	1700	0618	1744	0516	1828	0423	1910	0353	1945	0400	1949	0435	1915	0516	1818	0557	1717	0643	1623	0724	1558
08	0737	1616	0706	1702	0616	1745	0514	1830	0421	1912	0352	1945	0401	1948	0436	1914	0518	1816	0559	1715	0645	1622	0725	1558
09	0737	1618	0705	1703	0615	1747	0512	1831	0420	1913	0352	1946	0402	1948	0437	1912	0519	1814	0600	1713	0646	1620	0726	1558
10	0736	1619	0703	1705	0613	1748	0510	1832	0419	1914	0352	1947	0403	1947	0439	1910	0520	1812	0601	1711	0648	1619	0727	1558
11	0736	1620	0702	1707	0611	1749	0508	1834	0417	1916	0352	1947	0403	1946	0440	1909	0522	1810	0603	1709	0649	1618	0728	1558
12	0735	1621	0700	1708	0609	1751	0506	1835	0416	1917	0351	1948	0404	1946	0441	1907	0523	1808	0604	1707	0651	1616	0729	1558
13	0735	1623	0659	1710	0607	1752	0504	1837	0415	1918	0351	1949	0405	1945	0443	1905	0524	1806	0606	1705	0652	1615	0730	1558
14	0734	1624	0657	1711	0605	1754	0503	1838	0413	1920	0351	1949	0406	1944	0444	1904	0526	1804	0607	1703	0654	1614	0731	1558
15	0733	1625	0655	1713	0603	1755	0501	1840	0412	1921	0351	1950	0407	1943	0445	1902	0527	1802	0609	1701	0655	1613	0731	1558
16	0733	1627	0654	1715	0601	1757	0459	1841	0411	1922	0351	1950	0408	1943	0447	1900	0528	1800	0610	1659	0657	1612	0732	1558
17	0732	1628	0652	1716	0559	1758	0457	1842	0410	1923	0351	1950	0409	1942	0448	1858	0530	1758	0612	1658	0658	1611	0733	1559
18	0731	1630	0650	1718	0557	1800	0455	1844	0408	1925	0351	1951	0410	1941	0449	1857	0531	1755	0613	1656	0700	1610	0734	1559
19	0730	1631	0648	1719	0554	1801	0453	1845	0407	1926	0351	1951	0411	1940	0451	1855	0532	1753	0614	1654	0701	1609	0734	1559
20	0729	1633	0647	1721	0552	1803	0451	1847	0406	1927	0351	1951	0413	1939	0452	1853	0534	1751	0616	1652	0702	1608	0735	1600
21	0729	1634	0645	1722	0550	1804	0450	1848	0405	1928	0352	1951	0414	1938	0453	1851	0535	1749	0617	1650	0704	1607	0735	1600
22	0728	1635	0643	1724	0548	1805	0448	1849	0404	1929	0352	1952	0415	1937	0455	1849	0536	1747	0619	1649	0705	1606	0736	1601
23	0727	1637	0641	1725	0546	1807	0446	1851	0403	1930	0352	1952	0416	1936	0456	1847	0538	1745	0620	1647	0707	1605	0736	1601
24	0726	1638	0639	1727	0544	1808	0444	1852	0402	1932	0352	1952	0417	1934	0457	1846	0539	1743	0622	1645	0708	1604	0737	1602
25	0725	1640	0638	1728	0542	1810	0442	1854	0401	1933	0353	1952	0418	1933	0459	1844	0541	1741	0623	1643	0709	1604	0737	1603
26	0723	1642	0636	1730	0540	1811	0441	1855	0400	1934	0353	1952	0420	1932	0500	1842	0542	1739	0625	1642	0711	1603	0737	1603
27	0722	1643	0634	1732	0538	1813	0439	1856	0359	1935	0354	1952	0421	1931	0502	1840	0543	1737	0626	1640	0712	1602	0738	1604
28	0721	1645	0632	1733	0536	1814	0437	1858	0359	1936	0354	1952	0422	1929	0503	1838	0545	1735	0628	1638	0713	1602	0738	1605
29	0720	1646			0534	1815	0436	1859	0358	1937	0355	1951	0423	1928	0504	1836	0546	1733	0629	1637	0715	1601	0738	1606
30	0719	1648			0532	1817	0434	1901	0357	1938	0355	1951	0424	1927	0506	1834	0547	1731	0631	1635	0716	1600	0738	1607
31	0718	1649			0530	1818			0356	1939			0426	1925	0507	1832			0632	1633			0738	1608

Add one hour for daylight time, if and when in use.

GENERAL ORDERS CHECKOFF SHEET

Employees are responsible for indicating they have read and understand all written directives throughout the year. They must do this by dating and initialing the filled-in General/Special Order number.

Supervisors shall monitor this form on an ongoing basis throughout the year to ensure that members are familiar with all policies and procedures.

Order No.	Date	Initials	Order No.	Date	Initials

I hereby certify that I have read and understand all of the General/Special Orders listed above.

NAME	DIVISION/DISTRICT/SECTION

NOTES