Seattle Police Department

Policy and Procedure Manual

Seattle Police Department
Inspections & Procedures Unit
610 Fifth Avenue
Seattle, WA 98104-1886

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The Seattle Police Department
Law Enforcement Code of Ethics

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

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

I will never act officiously or permit personal bias, prejudices, political beliefs, animosities, aspirations, or friendships to improperly influence my decisions. I will always remember my shared humanity and will cultivate an attitude of compassion, respect, and empathy toward all peoples.

With no compromise for crime and with relentless prosecution of criminals, I will enforce the laws courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities. I will never engage in acts of bribery nor will I condone such acts by others. I will cooperate with all legally constituted agencies and their representatives, in the pursuit of justice and the maintenance of integrity in law enforcement.

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

Adopted from The International Association Of Chief's of Police Law Enforcement Code of Ethics, 1957

Oath of Office

I . . . . . being first duly sworn, on oath depose and say, that I am the person appointed on . . . . . .
to the (Office) (Position) of . . . . . of the City of Seattle, in the State of Washington, and that I possess all the qualifications prescribed for said (Office) (Position) by the Charter of the Constitution of the State of Washington, and the Charter and Ordinances of the City of Seattle; that during the time I hold said (Office) (Position) I will faithfully comply with and abide by all the requirements of Section 10 of Article XIX of the said Charter of the City of Seattle and that I will faithfully demean myself in my said (Office) (Position).

. . . . . .

Subscribed and sworn to before me this . . . . . day of . . . . . , ...

Comptroller and City Clerk

By . . . . . .

Deputy Clerk

MISSION STATEMENT

The mission of the Seattle Police Department is to prevent crime, enforce the law, and support quality public safety by delivering respectful, professional and dependable police services.

Preventing crime includes everything from strengthening neighborhoods and families to using crime data to identify patterns and suspects.

Enforcing the law includes not just the measures of arrest and warnings but also educating the public about their responsibilities.

Supporting quality public service means being a full partner with other parts of the criminal justice system and assisting witnesses and crime victims throughout the process.

Delivering respectful police services means treating people the way you want to be treated.

Professionalism is our hallmark and it means knowledgeable, competent, and ethical policing.

Dependable means that we keep our promises and serve with courage and dedication.

DEPARTMENT PRIORITIES

Best Practices in Policing – Use best practices that include officer safety guidelines and performance-based accountability to provide progressive and responsive police services to crime victims, witnesses and all members of the community.

Ethics and Integrity – Foster an organizational culture where fundamental values are integrity, accountability, ethical decision-making, and respect for civil and constitutional rights.

Community Partnership – Strengthen links with all community members and associations through open communications, mutual responsibility, and a commitment to service.

Identify, Prioritize & Solve Problems – Identify and prioritize crime prevention and law enforcement challenges using a flexible problem-solving approach that achieves results.

Management & Organizational Efficiency & Effectiveness – Structure the organization to support the SPD mission and field a well-trained sworn and civilian workforce that uses technology, training, equipment, and research strategically and effectively.

PURPOSE

To establish a consistent set of definitions for terms used in this manual. Unless specifically defined elsewhere in this manual, these terms shall have the meanings defined below.

I. General Information

A. Italics are used for Department or City forms/reports (for example - *Vehicle Report*).

B. Boldface type:

1. Used to refer to types of incidents (for example - **DUI** arrest).
2. Used to highlight key words and phrases requiring emphasis.

C. Words that are underlined:

1. Denote terms defined by the text which follows the underlined word(s), or
2. Emphasize action to be taken or avoided.

D. Unless otherwise specified, explicitly defined terms shall apply only within the chapter in which the definition appears. Terms defined in this chapter shall apply throughout the Manual.

II. Definitions

Accident: That occurrence in a sequence of events which usually produces **unintended** injury, death, or property damage.

Note: If the event produces intended injury or property damage, it is not an accident. The event must be investigated and reported as an incident.

Chain of Command**:** The hierarchy of supervision and management of the Department.

Chief: The Chief of the Seattle Police Department.

City: When capitalized, means the City of Seattle.

Civilian employee: Any Department employee other than a sworn employee.

Collision: Shall have the same definition as accident.

Command Staff: Consists of the Chief of Police, Chief of Staff, Bureau Chiefs, Director of Police and Community Partnerships, and the Director of Human Resources Bureau.

Commander: A sworn employee holding the rank of lieutenant or above.

CSO: Community Service Officer.

Department: The Seattle Police Department.

Designee**:** An employee temporarily empowered to act in the place of another. For example, "the Chief of Police or a designee" would refer to the Chief of Police or an employee assigned by the Chief of Police to act on the Chief's behalf.

DOL: Washington State Department of Licensing.

Investigation: To examine in a systematic manner. To ascertain by careful inquiry or examine into with systematic attention to detail and relationship.

Line Investigator: The employee assigned to conduct an internal investigation "Line Referral."

Manual: When capitalized, means the Seattle Police Department Policies and Procedures Manual.

PEO: Parking Enforcement Officer.

Radio: When capitalized, refers to the Communications Section.

SIN: Single Incident Number.

SPD: An abbreviation for the Seattle Police Department.

Suspect: A person detained for the purposes of determining their possible involvement in criminal activity.

Sworn Date: The date that a sworn employee took the oath of office for their position.

Sworn employee: A Department employee commissioned and empowered to enforce the criminal laws of the City of Seattle and State of Washington.

I. Municipalities

A. The Washington State Constitution provides for the incorporation of municipalities. Cities having a population of ten thousand or more inhabitants are designated as First Class Cities (RCW 35.22.010) and shall be governed and organized according to the law in accordance with the State Constitution (Article 11, Section 10, Amendment 40B. The form of the organization and the manner and mode in which cities of the first class shall exercise the powers, functions and duties conferred upon them by law, with respect to their own government, shall be as provided in the charters thereof (RCW 35.22.020).

II. Mayor, Powers and Duties

A. The Mayor shall see that the laws of the City are enforced, and shall direct and control all subordinate officers of the City, except in so far as such enforcement, direction and control is by this charter reposed in some other officer or board, and shall maintain peace and order in the City.

B. The mayor shall be the judge in any emergency, and may assume command of all or any part of the police force of the City. Before assuming such control, the mayor shall issue a proclamation to that effect, and it shall be the duty of the Chief of Police to execute orders promulgated by the mayor during such emergency.

C. The mayor shall perform such other duties and exercise such other authority as may be prescribed by law (City Charter, Article V, Section 2).

III. Chief of Police and Police Officers, Powers and Duties

A. The Chief of Police shall manage the Police Department, and shall prescribe rules and regulations, consistent with law, for its government and control; provided, that the Chief of Police shall be responsible to the Mayor for the administration of the Police Department and the enforcement of law (City Charter, Article VI, Section 4).

B. The Chief of Police shall be the chief peace officer of the City. All process issued by the police judge of the City shall be directed to the Chief of Police for service, and may be served and returned by the Chief or any peace officer. The Chief of Police shall maintain the peace and quiet of the City. The Chief shall have like powers and responsibilities as the Sheriff of King County in similar cases, and shall perform such other duties as may be imposed by ordinance (City Charter, Article VI, Section 5, First).

C. The Chief of Police or any police officer may make arrests for any crime or violation of the laws of the State, or any ordinance of the City committed within the City. The Chief of Police shall keep a correct record of all arrests, showing the time and cause of complaint upon which each arrest was made, with a list and description of all property and money taken from each person (City Charter, Article VI, Section 5, Second).

D. The Chief of Police shall be responsible for all property and money taken from any person. The Chief shall be liable therefore on the official bond, and any person may recover for loss of any such property or money in an action brought for that purpose (City Charter, Article VI, Section 5, Third).

E. The Chief of Police and duly authorized deputies and assistants acting on the Chief's behalf shall function as the Port Warden of the City and assume control and jurisdiction over all waters within the City limits, and shall maintain safety and enforce the ordinances and regulations of the Harbor Code as described in Chapters 16.04 and 16.12, of the Seattle Municipal Code.

IV. Police Department Organization

A. The Police Department shall consist of a Chief of Police and as many subordinate officers and employees as may by ordinance be prescribed. There shall be maintained adequate police protection in each district of the City (City Charter, Article VI, Section 1).

V. Appointment to Office

A. The Chief of Police shall be appointed by the Mayor, subject to confirmation of all members of the City Council (City Charter, Article VI, Section 2).

B. All subordinate police officers shall be appointed by the Chief of Police under Civil Service Rules and Regulations (City Charter, Article VI, Section 2).

I. Individual Responsibilities

A. Since each individual officer is an official representative of the entire Department, their personal attitude and approach in the performance of assigned duties must reflect consistency with that of fellow officers and the policies of the Department. Regardless of specific assignment, all personnel are responsible for knowing and complying with all Department policies and procedures. Additionally, Department employees are bound by the same legal requirements as any other citizen, whether those requirements appear in this manual or not.

II. Self-Training

A. The interpretation of the law and proper enforcement theory fluctuates with the times. This fluctuation is rapid and wide reaching and new judicial interpretations often change the methods of day-to-day police operations. It is each officer's responsibility to keep abreast of these changes and comply with them.

III. Completion of Assignments

A. An officer is relied upon as the "eyes and ears" of the City. For this reason, the officer's responsibilities do not end with just the initiation of police action but must continue through the final steps. These steps require the transmission of the facts of the incident to the proper place at the proper time. Without these facts, prosecution and the maintenance of adequate records are not possible. For this reason, the completion of necessary reports and response to subpoenas are inherent to the duties of each officer.

IV. Written Report Requirements

A. Officers are required to write an incident report in the following circumstances:

1. An arrest or protective custody.
2. Any time force is used as defined under section 1.145 of the SPD manual.
3. When statutorily required.
4. Evidence is submitted.
5. Any investigation involving felony crimes.

B. In all other incidents, the investigating officer shall complete an incident report when reasonable, appropriate and consistent with Department policy. An officer may be required to justify the decision not to write a report.

C. All written reports will be completed, reviewed and signed by a supervisor before the officer goes off shift.

D. All approved original reports will then be routed to the Data Center. Copies of Alert Felony Arrest reports shall be hand delivered with copies of statements and supporting reports to the Crime Records Team.

V. Community Relations

A. Community relations is manifested in its most common form in the numerous daily encounters between individual officers and citizens. It is at this level that the greatest burden for strengthening community relations is placed. In dealing with people, each officer must attempt to make their contact one which inspires respect for police officers as individuals and as professionals, and one which results in the cooperation and approval of the public.

B. While entitled to personal beliefs, an officer cannot allow individual feelings or prejudices to affect their contact with the public. However, since an officer's prejudices may be subconsciously manifested, it is incumbent upon the officer to strive for the elimination of attitudes which might impair their impartiality and effectiveness.

VI. Criticism of the Criminal Justice System

A. The Department shares responsibility with the judiciary and other law enforcement and prosecution agencies in the criminal justice system. All elements of the system work toward common objectives and each element is functionally complementary. The cooperative and harmonious working relationships which are essential in attaining those objectives are impaired by unnecessary criticism of others engaged in the administration of criminal justice. For that reason, employees should be aware of the effect upon law enforcement of any comments they make which might be interpreted as being critical of law enforcement, prosecution agencies, or individual members of the judiciary.

B. It is not intended that there be any infringement of an officer's right to express personal views regarding the criminal justice system in general or any trends which seem destructive to its effectiveness. It is most desirable that Department members and employees exercise the right of expression in a thoughtful and temperate manner.

VII. Coordination of Internal Information

A. Each officer and employee of the Department is charged with the responsibility of passing along to the appropriate individual or unit all information regarding serious police matters. Any officer who comes upon any rumor or information, or investigates any situation which is, appears to be, or may be related to a civil disturbance, a potentially developing civil disturbance, or other crimes, shall immediately report the situation to their commanding officer or other appropriate person.

VIII. Objectives

A. Law enforcement operations consist of many diverse activities, which are directed toward the attainment of Department objectives. Activities such as patrolling, conducting field interviews, and issuing traffic citations are not objectives in themselves; rather, they are methods of achieving the real objectives of preventing and deterring crime, arresting offenders, preventing traffic accidents, and maintaining public order.

IX. Decisions

A. Decisions in law enforcement operations frequently must be made in an instant, and the lives of officers and others may depend upon the quality of those decisions. Officers are confronted in stress situations with both criminal and non-criminal behavior, and they must be capable of making reasonable responses in both cases. Officers must base conduct and action in each instance upon the facts of the situation as they reasonably appear, relying upon experience, training, and judgment to guide them toward morally justified and lawful decisions and actions.

X. Appropriate Action

A. What is reasonable in terms of appropriate police action or what constitutes probable cause varies with each situation, and different facts may justify either an investigation, a detention, a search and arrest, or no action at all. The requirement that legal justification be present imposes a limitation on an officer's action. In every case, an officer must act reasonably within the limits of their authority as defined by statute and judicial interpretation, thereby ensuring that the rights of both the individual and the public are protected.

XI. Responsibility for Proper Performance of Duty

A. As most police work is necessarily performed without close supervision, the responsibility for the proper performance of an officer's duty lies primarily with the officer alone. Officers carry a responsibility for the safety of the community and for their fellow officers, and discharge that responsibility by their faithful and diligent performance of assigned duties.

XII. Police Action

A. All officers, after considering the tactical situation, are to take those steps reasonably necessary and consistent with the policies of the Department to protect life and property and to achieve the enforcement of City, State, and Federal penal provisions of law. Time is an officer's most valued ally, and should be judiciously used to allow, wherever possible, the evaluation of all plausible alternatives, and the assistance of all available Department resources.

XIII. Calls for Service

A. Often, because there are no other public or private agencies available, the public relies upon the Department for assistance and advice in the many routine and emergency situations which develop in an urban society. For this reason, and because there is frequently a potential for crime, the Department regularly responds to incidents where it is not contemplated that an arrest will be made. Saving lives and aiding the injured, locating lost persons, keeping the peace, directing traffic, investigating collisions and enforcing traffic laws, and providing for many other miscellaneous needs are basic services provided by the Department. To satisfy these requests, the Department responds to calls for service and renders such aid or advice as is necessitated by the situation.

B. The Department cannot be aware of each circumstance in the City where police action or assistance may be requested. The Department is dependent upon the community for such information. The people in return expect the Department to respond to requests for police service within a reasonable time and satisfactorily perform the necessary service. A person calling for police assistance expects, as a matter of right, to be provided with a service. As a practical matter, sometimes the extent of the service must necessarily be limited but regardless of its extent, a professional quality of service must be rendered in all cases. Further, it has been established that speed of response is of greater importance than the specific action taken in attaining public support and cooperation. For that reason, we attach a very high priority to minimum response time.

XIV. Traffic Enforcement

A. The Department must enforce traffic laws, investigate traffic collisions, and direct traffic to facilitate the safe and expeditious movement of both vehicles and pedestrians..

XV. Investigation

A. As it is not feasible to expend equal time and energy in the investigation of all reported crimes, priority of investigation and allocation of resources must be based upon the relative seriousness of each reported

crime. However, reported crimes will be investigated to the fullest extent possible without regard to the status of the victims or the areas of the City in which the crimes occur.

XVI. Off-Duty Enforcement

A. Officers shall not conduct primary patrol activities or initiate primary police action while off-duty except while working for a department approved secondary employer, or in law enforcement situations requiring immediate police action.

B. Prior to taking enforcement action, off-duty officers will give first consideration to calling on-duty resources from the agency having jurisdiction. When action is considered necessary, any police action taken will be governed by the same policies and procedures that apply to on-duty personnel in similar situations.

C. Officers shall not enforce traffic laws while off-duty unless there is a driver who is immediately threatening the life or safety of other motorists.

   1. Off-duty officers shall not stop vehicles for traffic violations using their personal vehicles.

   2. Officers driving an official Department vehicle should use discretion when making traffic stops while off-duty.

D. Off-duty officers may not install or carry on their private vehicles any type of emergency equipment that is otherwise limited to public safety vehicles, without written permission from the Chief of Police.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.010	I - Administration	010 – Bias Based Profiling

PURPOSE

This policy is intended to reaffirm the commitment of the Seattle Police Department to unbiased policing, to clarify the circumstances in which officers can consider race or ethnicity when making law enforcement decisions, and to reinforce procedures that serve to assure the public that we are providing service and enforcing laws in an equitable way. In order to be effective we must be trusted and deal with both the reality of the difficult and complex job of policing and the perception of police work.

POLICY

Investigative detentions, traffic stops, arrests, searches, and property seizures by officers will be based on a standard of reasonable suspicion or probable cause. Officers must be able to articulate specific facts and circumstances that support reasonable suspicion or probable cause for investigative detentions, traffic stops, arrests, nonconsensual searches, and property seizures.

Except as provided below, officers shall not:

- Consider race or ethnicity in establishing either reasonable suspicion or probable cause.
- Consider race or ethnicity in deciding to initiate even those nonconsensual encounters that do not amount to legal detentions or to request consent to search.

Officers may take into account the reported race or ethnicity of a specific suspect or suspects based on trustworthy, locally relevant information that links a person or persons of a specific race or ethnicity to a particular unlawful incident. Race or ethnicity can never be used as the sole basis for probable cause or reasonable suspicion.

Except as provided above, race or ethnicity shall not be motivating factors in making law enforcement decisions.

In an effort to prevent inappropriate perceptions of biased law enforcement, each officer shall do the following when conducting pedestrian and vehicle stops:

- Be courteous and professional.
- Introduce him- or herself to the citizen (providing name and agency affiliation), and state the reason for the stop as soon as practical, unless providing this information will compromise officer or public safety. In vehicle stops, the officer shall provide this information before asking the driver for his or her license and registration.
- Ensure that the detention is no longer than necessary to take appropriate action for the known or suspected offense, and that the citizen understands the purpose of reasonable delays.
- Answer any questions the citizen may have, including explaining options for traffic citation disposition, if relevant.
- Provide his or her name and badge number when requested, in writing or on a business card.
- Once the reasonable suspicion for the stop is dispelled or the stop was made in error, the officer will explain why the error was made, and apologize to the citizen if appropriate.

Supervisors shall ensure that all personnel in their command are familiar with the content of this policy and are operating in compliance with it.

ADMINISTRATION

At least annually, the Director of the Office of Professional Accountability shall prepare a report for the Chief of Police describing and analyzing the status of the Department's effort to prevent bias based profiling.

The Department's ongoing training curriculum shall include regular bias based profiling updates.

I. Definitions

A. Civilian employee: Any Department employee other than a sworn employee.

B. Sworn employee: A Department employee commissioned and empowered to enforce the criminal laws of the City of Seattle and State of Washington.

II. Appointment to Office

A. Chief of Police. The Chief of Police shall be appointed by the Mayor, subject to confirmation by a majority vote of all members of the City Council.

B. Subordinate Police Officers and Employees. All subordinate police officers shall be appointed by the Chief of Police under Civil Service Rules and Regulations.

III. Employee Identification

A. A serial number shall be assigned to each employee and shall be that person's official identification within the Department. Each individual shall be responsible for including their name and serial number on all official reports and records prepared by them.

B. Official Department identification cards will be issued to employees by the Human Resources Section.

IV. Assignments - Sworn Employees

A. Police Academy Training

1. All police recruits shall be assigned to classes at the Police Academy. They may be temporarily assigned to other duties, excluding law enforcement, by the Chief of Police.

B. Openings

1. The Section / Unit commander of specialized and follow-up units must advertise an open position in the Department Notices at least 30 days prior to filling the position. Section / Unit commanders will request that applicants submit a memo of interest and / or resume for the position.

2. The Section / Unit commanders will send a memo to each applicant stating that their memo of interest/resume has been received.

3. The Section / Unit commander will submit a memo to their Bureau Commander noting the top three candidates in order of priority. The memo will also list the names of all the employees applying for the position, in alphabetical order. The Bureau Commander will decide who will fill the position after consulting with the Section / Unit commander.

4. The Section / Unit commander (or designee) will send a memo notifying the person selected for the position. A memo will also be sent to each person who applied for the position and was not selected. This will be done before any official or unofficial announcement.

5. In an effort to assist candidates to be more competitive for future openings, commanders and / or supervisors are encouraged to provide appropriate feedback and recommendations, (e.g. training, experience, improved skills, etc.) to the employees not selected for the position.

C. Voluntary Transfer Requests

1. The initial request for transfer is made by submitting a *Department Memorandum* through the employee's chain of command to the appropriate Section Commander.

2. When a transfer is likely to occur, the Section Commander will advise the employee to submit a *Personnel Transfer Justification/Request* (form 1.82.)

3. The authority to sign transfer orders between bureaus is delegated to the Deputy Chief of Administration.

E. Change of Assignment Reporting Time

1. Employees who have been transferred, detailed, or temporarily assigned to another section or unit will be excused from duty during the eight hour period immediately preceding the effective time and date of the assignment change.

F. Detective Examination and Assignment

1. Police detective or investigator assignments will be made from an eligibility roster established from the results of a non-civil service examination.

2. The Commander of the Training Section shall have primary responsibility for preparing and administering the Detective Examination.

3. The Detective Examination shall, at a minimum, be administered semi-annually and will consist of an academic section and a practical application. The academic portion of the Examination shall consist of three (3) general areas: Criminal Law, Criminal Investigations, and Department Policy and Procedure.

   a. Candidates must obtain a minimum passing score of 70% on the academic portion of the examination in order to take the practical application portion.

   b. Candidates failing to obtain a passing score on either portion of the examination, may retake that portion of the examination during the next Detective Examination cycle. Candidates failing to obtain a passing score during subsequent testing shall be required to wait twelve (12) months before retaking the examination. Candidates who fail any portion of the examination twice must retake the entire Detective Examination after waiting the aforementioned twelve (12) month period.

   c. Candidates receiving a passing score (70% or higher) will be placed on the Detective Eligibility Roster. Placement on the Detective Eligibility Roster shall remain current for two (2) years. Candidates not receiving a Detective assignment within the two (2) year eligibility period must retake the entire Detective Examination and obtain a passing score to remain eligible.

   d. Officers who previously received a Detective assignment, but who have not worked in a Detective assignment for more than two (2) years, must retake the Detective Examination and obtain a minimum passing score to be eligible for a future Detective assignment.

   e. The Detective Eligibility Roster shall list, in alphabetical order, the names of eligible candidates. The roster shall also indicate: the candidate's unit of assignment at the time the examination was taken, their eligibility period, and if they have completed the Department 40-hour Criminal Investigations Seminar. The Detective Eligibility Roster containing the actual examination scores shall be published and made available only to Bureau and Section Commanders.

4. Selection of personnel for a Detective assignment shall be at the discretion of the respective Bureau Commander.

   a. In the event a particular individual is needed for a specific Detective assignment and that individual is not on the Detective Eligibility Roster or has not worked a Detective assignment, said individual must, within six (6) months of assignment to a Detective position, take and pass the Detective Examination.

      (1) Failure to pass the Detective Examination will eliminate their eligibility to work in a Detective assignment. Eligibility may only be regained by passing the next scheduled Detective Examination.

V. Probation

A. Civilian Employees

1. The probationary period shall be equivalent to twelve (12) months full-time service from the date of hire.

B. Sworn Employees

1. The probationary period shall be twelve (12) months from the date a police recruit successfully completes the Washington State Basic Law Enforcement Training Academy. Minor absences due to vacations, annual military leaves, illnesses, etc., shall not be construed as interrupting the probationary period. If absences become excessive, the Secretary of the Civil Service Commission will approve a Departmental request for an extension of the probationary period. (Civil Service Laws and Rules, Rule 12.03)

C. Requests For Regular Status

1. At the end of the eleventh month of probation, the sworn probationer's Section Commander or the civilian probationer's supervisor shall submit a written report encompassing the probationer's work performance record and qualifications and shall include a recommendation as to whether the probationer should be granted permanent status. This report shall be sent to the Personnel Services Section no later than one week after the end of the eleventh month of probation.

VI. Performance Evaluations

A. Sworn Employees

1. As directed by the 1978 City of Seattle Public Safety Civil Service Ordinance 107791, Section 12, the Department has developed an evaluation system by which sworn employees may be evaluated. Besides documenting performance that meets or exceeds the standards set by the Department, the evaluation system also emphasizes the identification of deficient performance and training needs with the goal that all members are properly performing the duties of their positions. It shall be the responsibility of the supervisors to record the performance of their subordinates and their training needs. Periodic performance evaluations using forms provided by the Personnel Services Section that correspond to the respective positions shall be completed as follows:

   a. Each sworn employee through the rank of Captain shall be rated by their immediate supervisor. Upon completing the evaluation, the supervisor shall meet with the employee and discuss the evaluation. During the interview the employee shall have an opportunity to have questions concerning the evaluation answered by the supervisor and be permitted to make written comments on the *Performance Evaluation Form* (PEF) in the space provided. The evaluations shall then be reviewed by the next supervisor in the chain of command and returned to the Personnel Services Section on the following schedule:

(1). Probationary sworn employees in the field training program (Phase II Training) shall be evaluated per current Field Training and Evaluation Program standards.

Upon completion of Phase II Training, the probationary sworn employee will advance to Phase III Training for the remainder of their probationary period. A *Monthly Observation Report* will then be completed by their squad supervisor(s) for the remainder of their probationary year.

(a) Police recruits (Phase I Training) are not included in this system and will be evaluated by the State Criminal Justice Training Academy through the Basic Law Enforcement Training program or an appropriate training program conducted or contracted by the Department.

(2). All non-probationary sworn employees will be evaluated a minimum of once a year, as close to the employee's sworn date as possible.

B. Civilian Employees

1. In response to the 1978 Personnel Ordinance 107790, Section 16, the Police Department has implemented a performance evaluation system for non-exempt civilian employees. As with the sworn evaluation system, the primary goal of the civilian evaluation system is that civilian employees are meeting the Department's performance standards for their respective positions.

2. Each civilian employee shall be evaluated by their immediate supervisor using the appropriate performance standards and forms distributed by the Personnel Services Section. Upon completing the evaluation, the supervisor shall meet with the employee and discuss the evaluation, answering any questions the employee may have. During the evaluation meeting, the employee shall be permitted to write on the *Performance Evaluation Form* any comments relevant to the evaluation. The PEF shall then be reviewed by the next supervisor in line and returned to the Personnel Services Section on the following schedule:

a. Once a year for all non-probationary employees,

b. Every three (3) months for probationary employees, and

c. Every three months for employees placed on the Special Evaluation Cycle who are chronically performing at a deficient level.

C. Evaluation Appeals

1. Supervisors and managers shall provide a copy of the completed *Performance Evaluation Form* to the evaluated employee. If an employee disagrees with an evaluation and believes that ratings or comments on the evaluation are inaccurate or unjustified, and should be modified or removed, the employee may appeal the evaluation.

POLICY

The Special Recruit Program is designed to provide remedial training and skill development for police officer recruits who fail a performance examination during their training at the State Academy in one or more of the following areas:

- Defensive Tactics
- Emergency Vehicle Operation Course (EVOC)
- Firearms

I. Assignment

A. An assignment to the Special Recruit Program for police officer recruits is subject to approval by the Chief of Police.

B. The Human Resources Section, at the request of the Chief of Police, will assign a police officer recruit who fails in one or more of the listed areas to the Special Recruit Program.

C. Police recruits participating in the Special Recruit Program will be assigned to the Training Section.

1. The Training Section will provide the identified area(s) of remedial training and skill development.

2. The Training Section will coordinate with the State Academy to schedule timely make-up examinations.

D. The recruit will retain recruit status while assigned to the Special Recruit Program and will not perform police duties nor progress beyond recruit status until a Certificate of Graduation is awarded by the State Academy.

II. Defensive Tactics/EVOC

A. In accordance with State Academy policy, make-up examinations for Defensive Tactics and/or EVOC can be scheduled by the student's agency, beyond the student's Academy graduation date. Students retain recruit status and do not receive a "Certificate of Graduation" until the make-up examination is successfully completed. The Special Recruit Program will provide remedial training for one make-up examination for Defensive Tactics and/or EVOC, with the make-up examination to be scheduled no later than 30 days after graduation.

III. Firearms

A. In accordance with State Academy policy, students who fail the State Academy Firearms mid-term are suspended from the BLEA and a subsequent make-up examination may be scheduled by the student's

agency. The Special Recruit Program will provide remedial training for one make-up examination for the Firearms mid-term, to be scheduled no later than 30 days from the start of the suspension status of the student.

B. Per State Academy policy, students who successfully complete the mid-term make-up examination may reenter the State Academy in a subsequent class at the mid-term Firearms session.

C. Also, in accordance with State Academy policy, students who fail other firearm proficiency tests (i.e., block or section tests and practical proficiency tests) may be scheduled for make-up examinations beyond the student's Academy graduation date.

1. Students retain recruit status and do not receive a "Certificate of Graduation" until the make-up examination is successfully completed.

2. The Special Recruit Program will provide remedial training for one make-up examination for other firearm proficiency tests, to be scheduled no later than 30 days after graduation.

IV. Extensions

A. In accordance with State Academy policy, all extensions for make-up tests must be submitted in writing by the student's agency and are subject to the approval by the State Academy Commander.

1. All extension requests to the State Academy are at the discretion of the Chief of Police.

2. If the Chief of Police determines that extenuating circumstances exist, he/she may request extensions beyond 30 days.

3. Upon completion of remedial training by the Special Recruit Program and absent extenuating circumstances determined by the Chief of Police, failure of a make-up examination or failure to take the make up examination will result in termination.

POLICY

City policy states that employees have the right to compete openly for positions on the basis of knowledge, skills, and abilities. This manual section shall apply to civilian employees not hired or promoted as a result of Civil Service examination.

I. Authority

A. Selection procedures for the upward movement of current City employees, as well as access to the employment process by members of the public, are approved by the City Personnel Director. The Director may make rules for employee transfers from one class to another, provided, that such transfer shall not constitute a promotion; and provided further, that the similarity of such class can be documented.

II. Position Announcements

A. Official advertisements for all regular position vacancies shall be coordinated by the City Personnel Director. City employees shall be notified through internal employment (*Opportunity for Advancement*) bulletins.

III. Selection Process

A. The City Personnel Director shall evaluate applicants from the public and forward a list of applicants meeting the desired criteria at the request of the Department. Regular employees may apply directly to the Department personnel office for consideration. Final interviews and selection of regular employees shall be conducted by the Chief of Police or his designee.

IV. Exempt Positions

A. The Department positions listed below are exempted from the evaluation process by statute:

1. Administrative Assistant to the Chief of Police,
2. All sworn positions included in the Public Safety Civil Service to include Assistant Chiefs and Deputy Chiefs,
3. Fiscal, Property, and Fleet Management Director-Police,
4. Police Human Resources Director,
5. Warrant Officer,
6. Warrant Officer, Senior,
7. Warrant Officer, Supervisor,
8. Administrative Secretary,
9. Executive Assistant/Secretary,
10. All legal advisors and associate legal advisors,
11. Office/Maintenance Aide,

12. Office of Professional Accountability Director, and
13. All other Department positions that are listed in Seattle Municipal Code 4.13.010.

V. Recall and Reinstatement of Employees

A. The City Personnel Director shall establish procedures governing the recall and reinstatement of employees who have been laid off, and may provide assistance programs to support the alternative placement of employees whose positions are targeted for layoff.

VI. Temporary Employment

A. The City Personnel Director may promulgate rules distinguishing various types of temporary employment according to the City's needs. These types of employment shall be exempt from Civil Service requirements.

VII. Recommendations

A. No person shall use inappropriate pressure to effect the hiring of any candidate for City employment. The Mayor, City Council members, and their immediate staff shall not initiate any recommendations regarding candidates for employment with the City. They may, however, respond to requests for recommendations regarding their direct knowledge of a candidate's ability, knowledge, and skill.

I. Resignations

A. Notice

1. Resignations shall be made in writing and submitted to the Chief of Police at least two weeks in advance of the final day of employment. Upon approval by the Chief of Police or his designee, the Public Safety Civil Service Secretary (for sworn employees) or the Personnel Department (for civilian employees) shall be notified (Public Safety Civil Service Rule 17.01 or Personnel Rule 6.2.100, respectively).

B. Withdrawal

1. The Public Safety Civil Service Secretary may permit the withdrawal of a resignation only upon a written request filed within 180 days from the effective date of the resignation, if the request for withdrawal bears the favorable recommendation of the Chief of Police (Public Safety Civil Service Rule 17.02).

C. Return to Eligible Register Following Resignation

1. A former employee who resigned may request the return of their name to the proper eligible register for their class (Civil Service Rule 10.05).

II. Separations

A. Retirement

1. Employees nearing the date of retirement shall notify the Department Personnel Services Section at least two weeks prior to their last day of work. This will provide adequate time for the preparation of necessary paperwork.

B. Department Property

1. When any employee permanently vacates their office, the employee shall surrender to the Evidence Section all accountable items of Department issued equipment.
2. Upon separation, final pay and allowances shall not be made to sworn personnel until all Department property has been returned and accounted for by the Department on a *Return of Police Equipment* (form 1.75).
3. Lieutenants and above shall return their badges and cap shields to the Fiscal, Property, and Fleet Management Section.
4. In the event of death of an employee, the Section/Precinct Commander to which the deceased was assigned shall make proper disposition of all Departmental property that was in the possession of the deceased.

III. Retired Police Officer Commissions

A. Retired police officers may, within 2 years of retirement, request an Extended Authority Commission be granted by the Department.

B. Retired police officers desiring Extended Authority shall request and complete a Retired Police Officer's Commission packet, which includes the following:

1. Request form,
2. Hold Harmless Agreement,
3. Retired Police Officer Information Form, and
4. Information Sheet.

C. Applicants shall also:

1. Acquire a Washington State approved First Aid Certification Card valid through the year of extended authority,
2. Have their weapon inspected by the Range Officer/Designee and qualify at the Department range,
   a. Retired officers shall provide their own ammunition.
3. Report to the Employment Services Section any Friday (except holidays) at 0900 or 1300 hours and take the Retired Officers Commission Examination, and
4. Pay a fee of $50.00 to the Department's Fiscal, Property, and Fleet Management Section and return the receipt to the Employment Services Section.

D. After completing the above requirements, the retired officer shall be photographed by the Employment Services Section and issued a Seattle Police Commission Card that will expire January 15th of the following year.

E. A retired police officer, who receives approval from the Chief of Police to obtain a Retired Police Officer Commission, may be issued a badge set, gun, and handcuffs upon payment of a cash deposit equal to the value of the equipment selected or a sum determined by the Fiscal, Property, and Fleet Management Section. Such deposit shall be refunded in full upon return of the equipment in good condition.

IV. Discharge Or Removal For Cause

A. Regular employees may be discharged from the Department only upon the filing by the Chief of Police or his Designee of a written statement of the reasons for such discharge with the Public Safety Civil Service Commission (Public Safety Civil Service Rule 5.01 and City Personnel Rule 8.1.100).

B. Although a discharge may be made for any other good cause, (the following are declared to illustrate adequate causes for discharge):

1. False or fraudulent statements or fraudulent conduct as an applicant, examinee, eligible, or employee, or such actions by others with the applicant's, examinee's, eligible's, or employee's connivance,
2. Conviction of a criminal offense or misdemeanor involving moral turpitude,
3. Willful or intentional violation of any lawful and reasonable regulation, order or direction made or given by a superior officer,
4. Willful or intentional violation of any of the provisions of Civil Service law,
5. Incompetence or inefficiency in the performance of the duties of the position,
6. Improper or unauthorized use of City property or equipment,
7. Failure to pay or make reasonable provision for future payment of just debts,
8. Use of, or attempts to use, political influence or payment in securing appointment, promotion, transfer, leave of absence or increase in pay,

9. Aiding in assessment or collection from any employee of the City appointed under Public Safety Civil Service Rules for the purpose of securing the nomination or election of any person to municipal office,
10. An attempt to induce any employee of the City to commit an illegal act or act in violation of any lawful or reasonable Departmental regulation,
11. Taking or giving of bribes,
12. Abusive or improper treatment of a prisoner or one who is under arrest or sentence; provided, the acts committed were not necessarily or lawfully committed in self-defense, to protect the lives of others, or to prevent the escape of anyone lawfully in custody,
13. Unexcused absence from duty for three days,
14. Failure to pass a thorough medical examination in accordance with Public Safety Civil Service Rule 9.39. Discharge in such case is mandatory unless the employee is otherwise separated from the class to which probationary appointment has been made,
15. Other employment which in any way conflicts with the City's interests or interferes with City employment, or
16. Failure to successfully complete firearms qualification.

V. Right to Demand Investigation (Discharges)

A. A regular employee who is discharged or demoted may, within 10 days after the date of the Public Safety Civil Service Secretary's notification to the individual of such action, make written demand of the Public Safety Civil Service Commission for an investigation.

B. The Commission will proceed to conduct a hearing at which the Department and the employee involved will be entitled to the attendance of witnesses, and the employee may be represented by counsel.

C. After such hearing, the Commission shall make its finding and decision and certify the same to the Chief of Police, either sustaining the action or reinstating the employee (Public Safety Civil Service Rule 6.01)

PHILOSOPHY

Since the behavior of employees, on or off-duty, may reflect directly upon the Department, employees must at all times conduct themselves in a manner which does not bring discredit to themselves, the Department, or the City.

I. All Employees - Sworn and Civilian

A. Members of the Department, at all times, are expected to accept all responsibilities of their positions and to perform their duties in an effective and efficient manner. In addition, members are expected at all times to conduct themselves in all matters related to their employment in a manner which does not bring discredit on themselves, the Department, or the City.

II. Police Officers

A. A police officer is the most conspicuous representative of government, and to the majority of people the officer is the symbol of stability and authority upon whom they can rely. An officer's conduct is closely scrutinized, and when their actions are found to be excessive, unwarranted, or unjustified, they are criticized far more severely than comparable conduct of persons in other professions. Officers must be fully aware of the ethical responsibility of their position and must constantly strive to live up to the highest possible standards of professional policing.

III. Employee Associations

A. The public demands that the integrity and credibility of its police officers and civilian Police Department employees be above reproach. Individual employees' actions which give the appearance of conflict of interest, dishonesty, criminal activity, or permitting criminal activity, may impair public confidence in the employee or the Department.

B. Employees must avoid associations with persons, both on and off-duty, which might reasonably be expected to compromise the integrity or credibility of themselves or of the Department.

IV. Acceptance of Responsibilities

A. Police officers at all times, on or off-duty, shall accept the responsibilities imposed upon them by law as to their duties and authority. When within the boundaries of the City, 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 and the ordinances of the City of Seattle.

V. Obedience to Rules

A. Employees shall be familiar with, abide by, and conform to all State and Federal laws, all laws and ordinances of the City of Seattle, and to Department rules and procedures.

VI. Obedience to Orders of Superiors

A. Employees shall obey any lawful order issued by any superior officer. Should such order conflict with any previous order, published regulation, or chart of organization, this conflict shall be respectfully called to the superior officer's attention. The superior officer who issued the conflicting order shall take such

steps as are necessary to correct the conflict in orders and, at the same time, shall assume full responsibility for the subordinates' actions.

VII. Criticism of Orders

A. 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 or falsity.

VIII. Public Speaking

A. While employees of the Seattle Police Department are encouraged to participate in community activities, including public speaking events, it must be remembered that the Chief of Police has the ultimate responsibility for formulating or interpreting Departmental policies and procedures.

B. Employees, while engaged in community relations activities or public speaking events, shall be responsible for accurately relating Departmental policy and procedure, as outlined in the Manual.

C. Individual expression of opinions or philosophy which is contrary to Departmental policy and procedures, shall be clearly identified as those of the speaker.

D. Employees representing the Seattle Police Department who plan to address the public concerning the administrative, functional or operational policies or procedures of the Department, shall first obtain the approval of their Section or Precinct Commander, with notification being made to the Media Response Unit. Employees shall complete a *Public Information Unit Request* (form 10.8) approved by the Section or Precinct Commander and forward a copy to the Media Response Unit.

E. Requests for speakers will normally be referred to the Media Response Unit.

IX. Communications through the Chain of Command

A. In routine matters, all members shall direct their communications through the Department's normal chain of command.

B. If a member believes they have information of such a sensitive nature as to require communication outside the chain of command, the member may communicate directly with any higher ranking officer, including the Chief of Police, and at that point the responsibility for any further dissemination of that information lies with that higher ranking officer.

X. Firearms and Identification

A. When sworn employees are in public within the city limits of Seattle, they will carry official identification as a member of the Seattle Police Department, and will be armed:

1. On-duty, except when in a jail, psychiatric ward, or mental institution, or when participating in recreational or training activities which would make being armed impractical, and

2. Off-duty, except when they find it inconvenient to be armed because of the nature of their activities.

   a. Refer to section 1.157 for policy regarding firearms in the King County Courthouse.

B. Employees will not, at any time, be armed while substantially affected by alcohol.

C. Reserve Seattle Police Officers are not required by the Department to be armed while off-duty.

XI. Gratuities, Gifts or Rewards

A. Employees shall not solicit or accept any gratuity or any other thing of value where there is any connection, however remote, between such offer or solicitation and the employee's Police Department employment, except as expressly approved by the Chief of Police. Employees shall not:

1. Solicit or accept any gratuities of merchandise, meals, beverages, or any other thing of value which might tend to influence their or any other employee's actions in any matter of police business or which might cast an adverse reflection on the Department or any of its employees,
2. Solicit or accept any discounted services or merchandise whatsoever as a result of their Department employment unless such discount is routinely offered to various groups or individuals and not limited to Department employees,
3. Solicit or accept any gift or gratuity from other employees if such items would adversely affect the actions of the employee in connection with police operations,
4. Become financially or otherwise indebted to any other employee to the extent that work performance is affected,
5. Solicit or accept any reward for services rendered incident to their position or duty as an employee of the Department, or
6. Solicit or accept free admission to the theaters and other places of amusement for themselves or others; except in the line of duty.

B. Any unauthorized gratuity, gift, fee, commission, loan, reward, or other thing falling into any of these categories which comes into the possession of any employee shall be forwarded to the office of the Chief of Police together with a written report explaining the circumstances connected therewith. A copy of the report shall be forwarded to the employee's Section or Precinct Commander.

XII. Derogatory Language

A. Words which imply derogatory connotations or manifest contempt or disrespect toward any race, creed, religion, sexual orientation, or national origin shall not be used at any time by employees of the Department in the course of their duties or at any other time so as to bring the Department or themselves into disrepute.

XIII. Saluting

A. Sworn employees in uniform will come to attention and render a military salute:

1. During the playing of the National Anthem,
2. Whenever the United States flag passes during parades or appears at other ceremonies where a display of normal respect to the flag is in order,
   a. As a matter of courtesy, salutes shall be rendered to flags of foreign countries displayed in conjunction with the United States flag.
3. At a parade whenever the President, Governor, Mayor, Chief of Police (or the Chief's official representative), Heads of State, or dignitaries of national importance pass an officer, and
4. At any public ceremony wherein any of the above individuals or any employee of the Seattle Police Department in uniform and holding the rank of Assistant Chief or above pass in close proximity under conditions requiring a greeting or sign of recognition.

B. Salutes will not be exchanged inside police buildings or offices except at inspections or at official ceremonies.

XIV. Recognition and Identification of Civilian Attired Officers

A. Any employee in uniform who meets another employee (sworn) dressed in plain clothes shall in no manner indicate recognition unless greeted first, as the anonymity of sworn employees dressed in plain clothes must be maintained.

B. Plain-clothes officers shall properly identify themselves when officially engaging in public contacts with citizens, except where anonymity is essential to the performance of duty.

XV. Citizen Requests for Identification

A. Provided that no investigation is jeopardized and no police function is hindered, when a citizen requests a Department employee engaged in Department related activities to identify themselves (including but not limited to requests for name, badge number, or serial number), the employee shall do the following, depending on the employee's status:

1. Uniformed, sworn employees and Parking Enforcement Officers shall verbally provide their name and Department serial number, or provide a Department issued business card that contains their name and serial number.

2. Non-uniformed, sworn employees shall display their badge and Department identification card, and shall verbally provide their name and Department serial number, or provide a Department issued business card that contains their name and assignment.

3. Civilian employees shall verbally provide their name and Department serial number, or provide a Department issued business card that contains their name and serial number, and shall display their Department identification card if specifically requested to do so.

XVI. Membership in Organizations

A. Employees shall not affiliate themselves with any organization whose rules, by-laws, constitution, or policies require or expect them, as law enforcement officers, to give special consideration in the performance of their duties to other members of the organization or the organization's activities. (See Section 1.289 regarding Secondary Employment for related information.)

XVII. Attendance at Public Functions

A. All Department personnel are prohibited from attending any of the following functions while on-duty, without prior approval of their Section or Precinct Commander, unless their attendance has been requested as part of their official duties:

1. Court trials and hearings,

2. Public hearings, City Council meetings,

3. Guild or union meetings, or

4. Public demonstrations.

B. 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.

XVIII. Participation in Parades and Festivals

A. Employees representing the Department may participate and use City equipment in parades and festivals, under the following conditions.

1. The purpose for participation must meet City policy:

a. To distribute educational materials,

b. To demonstrate or promote City programs,

c. To show community support,

d. To support City goals as adopted by ordinance or resolution passed by the City Council,

e. To represent the diversity of the Department, or

f. To recruit targeted minority groups.

2. City vehicles shall not be decorated.

3. Employees and vehicles shall not participate as official representatives of the City of Seattle in parades that are religious or political in nature.

4. Prior approval must be obtained from the Chief of Police or his designee for employee or equipment participation.

B. The Chief of Police shall determine if staff participation is Volunteer, Normal Shift, Overtime, or an Honorarium.

1. If an hourly employee is required by the Department to participate in a parade or festival as a representative of the Department, the employee shall be compensated.

2. An employee's voluntary participation does not require compensation.

C. Since Department Heads (Chief of Police) may be asked by organizations, groups, or the public to share information about the number and type of events and whether the conditions were met, they are advised to:

1. Document the decision to participate and how they met the conditions, and

2. Maintain a record of the number of events in which:

a. Employees are compensated, and

b. Department equipment is used.

D. The Office of the Chief of Police and the Media Response Unit shall be notified in writing at least seventy-two (72) hours prior to participation in the event.

XIX. Civil Suits for Damages in the Line of Duty

A. No employee shall initiate a civil action for damages sustained while working on or off-duty in a police capacity or which arises by virtue of the officer's employment with the Seattle Police Department, without first reporting the case, in writing, to the Chief of Police.

XX. Warrant for Assault Upon Officer

A. Sworn employees shall not apply for a warrant regarding an assault upon themselves that occurred on or off-duty, without approval of their chain of command.

XXI. Recommendations Regarding Disposition of Cases

A. No employee below the rank of Bureau Commander shall make any recommendations regarding the disposition of any pending court case investigated by the Department to any court or other judiciary agency.

B. Employees shall refrain from making any recommendations to any other agency which might tend to reflect the Department's official approval or disapproval of that agency's action.

C. Any employee below the rank of Bureau Commander who wishes to make any other recommendation may forward such recommendation, in writing, through the proper channels, to the bureau handling the investigation.

XXII. Recommending Employment of Attorneys, Bondsmen, and Business Firms

A. Employees shall not recommend or suggest the employment of any attorney, bondsman, business firm, or individual to any person during the course of, or as a result of, their official business as employees of the Department.

XXIII. Civil Actions

A. 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.

XXIV. Employee Telephone and Home Address

A. No employee shall be without a telephone in their residence. Employees shall ensure that their current residential address and telephone number is furnished to their Bureau Commander and to the Personnel Section.

1. Post office boxes are not acceptable.

B. It is the employee's responsibility to notify any applicable bargaining unit(s).

XXV. Disclosure of Personal Information

A. Employees shall not disclose addresses, telephone numbers, or information from personnel files to the public or to news media, except with the consent of the concerned individual or by due process of law.

Seattle Police Department
Policies and Procedures

Section 1.030

Title: I - Administration

Chapter: 030 – Supervisor/Employee Relationships

PHILOSOPHY

The Seattle Police Department believes that it is in the employees' and the Department's best interest to keep business and professional relationships separate from personal relationships. It is imperative that the Department strives at all times to prevent the reality or appearance of impropriety. The performance of official duties in a situation where a reasonable and prudent person would believe that an employee's marital, domestic partnership, familial or other relationship interest would or could supersede or interfere with the interests of the Department shall be avoided. For the purposes of this section, family or household member shall be defined as domestic partners, spouses, parents, siblings, parents or siblings in-law, children, step-children, aunts, uncles and grandparents of the employee, without condition, as well as any person who is dependent upon or resides with the employee. This section shall apply to all employees civilian, sworn, represented, and non-represented.

I. Policy

A. The Seattle Police Department will not knowingly assign employees who are family or household members, spouses, or domestic partners, to work assignments that involve the following circumstances:

1. Where one employee will directly supervise, appoint, remove, or discipline the other.
2. Where one employee will evaluate or audit the work of the other.
3. Where circumstances exist or reasonably could exist which would place the spouses, domestic partners, or household members in a situation that a reasonable and prudent person would believe that an employee's marital, domestic partnership, familial or other relationship interest would or could supercede or interfere with the interests of the Department.
4. Where business necessity dictates that some action by SPD management is necessary in order to avoid the reality or appearance of improper influence.

B. If a supervisor and subordinate enter into a domestic partnership or marital relationship during the course of employment, and the Department reasonably believes the relationship may create a conflict of interest, one of the employees shall be transferred to another position. Such transfers shall be made in accordance with applicable collective bargaining agreements.

C. The supervisor or subordinate, currently involved in a relationship as described above, shall report the relationship to the supervisor's commander. Failure to report such a relationship may subject the involved employees to discipline.

II. References

A. Seattle Municipal Code (SMC) Chapter 4.16.070 Code of Ethics.

B. Seattle Ethics & Election Commission Memo (08-24-95), Employment Issues Involving Family Members.

C. Washington Administrative Code (WAC) 162-16-150.

Seattle Police Department
Policies and Procedures

Section
1.033

Title: I - Administration

Chapter: 033 - Employee Political Activity

POLICY

Seattle Police Department Employees have the same political freedoms as all other citizens. But because of their City jobs, State and City laws may restrict some political activity. Employees shall be familiar with the City's Code of Ethics (SMC 4.16) and Elections Code (SMC 2.04).

I. Permitted Campaign Activity

A. State law, RCW 41.06.250, provides that employees have the right to:

1. Vote,
2. Express opinions on all political subjects and candidates,
3. Hold any political party office,
4. Participate in the management of a partisan, political campaign,
5. Participate fully in campaigns relating to constitutional amendments, referendums, initiatives, and issues of a similar character, and
6. Participate fully in campaigns for nonpartisan offices.

II. Prohibited Campaign Activity

A. The exercise of those rights, however, are subject to the provisions of State law, (RCW 42.17.130), and the Seattle Municipal Code, SMC 2.04.300, which prohibit the use of City facilities for political purposes. The Seattle Code of Ethics (SMC 4.16.070(2)(a) and (b) prohibits the use of a City position for private benefit, and the use of City funds and facilities for other than a City purpose. SMC 2.04.300 and SMC 4.16.070(2)(a) and (b) prohibit City officers and employees from:

1. Engaging in campaign work (volunteer or paid) during City paid time, except vacation time,
2. Using office space, telephones, stationary, etc., at any time, to assist a candidate or to support or oppose a ballot measure; and
   a. For example, signs, bumper stickers, photos, invitations to fund raisers, position papers, etc., may not be displayed on City bulletin boards, walls of City work areas, or City vehicles
   b. City officers and employees may not solicit campaign funds (verbally or with literature) or petition for signatures on City property, at any time.
3. Using their City position to endorse or oppose a candidate or ballot issue.
   a. For example, a City employee may give an endorsement speech to a local service club, as long as the employee clearly states that this is the employee's personal position and not a City position.
      (1) The exception to this rule, however, is that an elected official may be listed, with their office title, on campaign literature or in the voter's pamphlet as an endorser or a member of an advisory committee.

(2) Likewise, the City Council may take official actions (motions, resolutions, or ordinances) that endorse or oppose candidates or ballot issues.

III. Ballot Issues

A. The law only applies to ballot issues, not issues of interest. An issue of interest does not become a ballot issue, under law, until some paperwork is in progress to perfect certification.

1. State ballot issues

a. Certification is begun when a proposed ballot title is submitted to the Secretary of State.

2. County-wide ballot issues

a. Certification is begun when a ballot is submitted to the County Auditor.

b. See RCW 29.27.060.

3. City ballot issues

a. The first step for certifying a City ballot issue is either:

(1) Collection of signatures for a citizen-initiated initiative, referendum, or Charter amendment, or

(2) Passage of a Council resolution for a levy election or Council initiated Charter amendment.

(a) See Seattle City Charter Article IV, and Article XX (1992).

b. Management may restrict the use of City time and facilities to disseminate information about an issue of interest, but the law prohibits such activity when it involves a ballot issue, as discussed below.

IV. City Facilities

A. City facilities include supplies, equipment, property, and City paid time, except vacation and holiday time.

V. Prohibited Uses

A. The Elections Code prohibits City employees and appointed and elected officials (except as provided in the exceptions below) from using City facilities to campaign for or against a ballot issue.

1. Even a City agency that was established to promote or oppose the subject of a ballot issue may not use City funds to promote or oppose a ballot issue (including soliciting money or signatures for the ballot issue), unless there is expressed authority in the agency's enabling ordinance to use City funds to promote or oppose ballot issues.

VI. Permitted Activities

A. Ballot Issue Campaigns - Use of Personal Time and Facilities

1. City employees, appointed and elected officials may use their own personal time and private facilities (not the City's) to conduct activity in support of or in opposition to a ballot issue. When a City employee expresses an opinion about a ballot issue, however, the employee may not use City position as part of the argument for or against the issue.

a. For example, when giving a speech about a ballot issued, employees must make it clear that the opinions expressed are their own and not those of the City.

B. Providing Information on Request

1. An employee or official may use City facilities to provide information, on request, about the subject of a ballot issue if the normal and regular conduct of the agency is to provide such information and if the information is presented without comment.

C. Unbiased Information in the Course of City Business

1. City facilities may be used to discuss a ballot issue in a newsletter or other printed or broadcast matter if:

   a. That is the normal and regular conduct of the department, and

   b. The discussion includes both the proponent's and opponent's views of the issue.

D. Departments Authorized to Promote Issues

1. City officers and employees of departments that are authorized to promote an issue may not use City facilities to do so once the issue is a ballot issue, unless the department's enabling ordinance expressly authorizes the use of City resources to promote or oppose ballot issues.

E. Equal Access to Public Facilities

1. City facilities that are available to the public for use may be used by proponents or opponents of ballot issues, provided that both have equal access to the use of those facilities.

F. Normal and Regular Conduct of Elected Officials / Statements

1. City elected officials may use City facilities to make statements in support of or in opposition to ballot issues as long as such statements are made in either:

   a. An open press conference, or

   b. In response to a specific request.

G. Normal and Regular Conduct of Elected Legislator's Motions / Resolutions

1. City Council members may adopt resolutions or motions in support of or in opposition to a ballot issue. Other City officers, elected or appointed officials may not adopt such resolutions.

VII. Additional Resources

A. The City of Seattle Ethics and Elections Commission is available for assistance if you have questions or concerns concerning permitted or prohibited employee political activity.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.037	I - Administration	037 - Chain of Command

I. Supervision in Field Situations

A. In all field situations where more than two (2) officers are present, the senior officer of the first unit at the scene shall be in charge.

B. The senior officer of the first unit at the scene shall remain in charge until officially relieved.

C. The mere presence of a ranking or senior officer or supervisor at a scene shall not indicate their assumption of command. Such persons shall remain in an advisory or evaluation capacity unless command is specifically assumed.

D. If the situation warrants, a sergeant should be called to the scene. Upon arrival, the sergeant should officially assume command.

E. In common field situations, which are to be handled by a squad or less, command normally need not go higher than a sergeant. The sergeant may at any time request the assistance of a ranking officer.

F. When a senior officer is at a scene and begins to issue orders directing the activities of employees assigned to the scene, that senior officer shall be deemed to have assumed command.

G. Persons in command, in all situations and of all ranks, are guided by the policy of this Department as stated in Section 1.009 - Duties of Police Officers.

II. Supervision Philosophy

A. Proper supervision is essential to maintain a professional level of competence in law enforcement operations; a fundamental component of proper supervision is the "chain of command". At its most basic level, the chain of command requires that each employee reports, and is accountable, to only one direct supervisor.

B. Supervision in its broadest sense consists of three main tasks: organize, delegate, and oversee.

1. To "organize" means planning the work of the Department and of the personnel in an orderly manner.

2. To "delegate" means giving someone else the responsibility and authority to do something. The supervisor confers upon a subordinate officer the same authority and responsibility that the supervisor possesses to accomplish the specific task. The supervisor remains responsible for the completion of the delegated task.

3. To "oversee" means that the supervisor ensures that the work that has been organized and delegated is satisfactorily completed.

C. A sergeant is the first level of supervision and their primary responsibility is to guide, direct, and motivate subordinate employees. Supervisors are expected to be familiar with the mechanics of the learning process and use them for training employees.

D. 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, in order to prepare them for additional responsibilities should the need arise.

E. A commanding officer has responsibility and accountability for every aspect of their command. Supervisors have the authority to coordinate and direct assigned personnel and other allocated resources in achieving organizational objectives. In doing so, a supervisor must perform the full range of administrative functions relying upon policy, direction, training, and personal initiative as a guide for themselves and their command in achieving the highest level of performance possible.

F. All supervisors and commanders are fully responsible and accountable for the acts or omissions of their subordinates. Any failure on the part of a subordinate may be assumed to be a failure in supervision or command.

I. Functional Structure

A. The Seattle Police Department is organized along departmental and functional lines, combining the advantages of direct lines of authority with assistance from various specialized units.

1. Chief of Police: Overall commander of the Department.
2. Deputy Chief: The command of the Department is organized under two Deputy Chief positions subordinate to the Chief of Police.
   a. Deputy Chief of Operations.
   b. Deputy Chief of Administration.
3. Bureau: The Department is divided into six bureaus commanded by an Assistant Chief, subordinate to a Deputy Chief.
   a. Investigations Bureau
   b. Operations Bureau I
   c. Operations Bureau II
   d. Technical Services Bureau
   e. Employee & Community Support Bureau
   f. Emergency Preparedness Bureau
4. Section: A primary subdivision of a Bureau with department-wide responsibility for providing a specific specialized function.
5. Unit: A subdivision of a Section, usually small in size, with personnel assigned to perform a specialized activity; or, one or two employees performing assigned work (patrol unit, Zebra unit, etc.).
6. Squad: A subdivision of a Unit.
7. Detail: A subdivision of a Squad.
8. Precinct: The primary geographic subdivision of the Operations Bureau.
9. Sector: The primary geographic subdivision of a Precinct, supervised by a sergeant.
10. Beat: The primary geographic subdivision of a Sector.
11. Post: A fixed geographic location usually assigned to an individual officer.
12. Watch or Shift: One of several tours of duty
13. Task Force: An ad hoc work group, normally established by a Bureau commander to respond to a specific incident or series of related incidents. Task Force assignments are temporary and specialized. The establishing Bureau commander shall set a reporting schedule for the Task Force commander and shall periodically assess the ongoing need for the Task Force.

II. Command of Police Department

A. The Chief of Police shall exercise command over all personnel within the Department.

B. In the absence of the Chief of Police, or in the event the Chief is incapacitated, the order of succession to the command of the Seattle Police Department shall be as follows:

1. Deputy Chief of Operations
2. Deputy Chief of Administration
3. Assistant Chief, Investigations Bureau
4. Assistant Chief, Technical Services Bureau
5. Assistant Chief, Operations Bureau I
6. Assistant Chief, Operations Bureau II
7. Assistant Chief, Employee & Community Support Bureau
8. Assistant Chief, Emergency Preparedness Bureau

III. Ranks of Authority

A. The following ranks of authority (in descending order) shall establish the chain of command within the Seattle Police Department.

1. Chief of Police
2. Deputy Chief
3. Assistant Chief of Police (Bureau Command)
4. Captain (Precinct or Section Command)
5. Lieutenant (Section, Watch, or Unit Command)
6. Sergeant (Unit or Squad Command)
7. Police Officer

IV. Appointments

A. Except for the Chief of Police (appointed by the Mayor), Deputy Chief(s) and Assistant Chief(s) (appointed by the Chief of Police), all other sworn appointments are made by the Chief of Police on a permanent basis from a certified Civil Service list.

B. Police Recruits, Police Reserves, and Other Commissions

1. Police Recruits: The duties of such position shall be to attend the Washington State Criminal Justice Training Commission accredited Police Academy until graduation and to perform other duties as assigned by the Chief of Police. The duties of a police recruit shall not include law enforcement duties, nor shall any employee holding such position be considered a law enforcement officer for purpose of any State law relating to police pensions. The Chief of Police may appoint and swear police recruits as police officers upon their graduation from the State accredited Academy.

2. Police Reserves: Police Reserves are volunteer personnel selected from the community who serve without pay. They are under the Command of the Seattle Center Unit and are responsible for aiding and supplementing the Department in matters of routine police duty and assisting in the event of emergencies.

3. Retired Police Officer Commissions: The Chief of Police, at his discretion, may grant an extended authority Retired Police Officer Commission to any Seattle Police Officer who is retired in good standing for service and not for disability. Said authority may not be used in any employment or profession except uniformed security employment. (See also Section 1.025 - Resignations and Separations.)

4. Special Police Commissions: Special Police Commissions may be approved by the Assistant Chief of the Training and Technical Services Bureau as a representative of the Chief of Police. The Employment Services Section is responsible for processing all applications. The duties of Commissioned Special Police will conform to City Ordinance. Special Police Commissions are valid only during the performance of duties for which the commission was issued.

5. Honorary Police Commissions: Honorary Police Commissions may be issued by the Chief of Police to:

   a. Civilian Employees - Legal Advisor, etc.

   b. Professional Consultants - Chaplain Corps, etc.

   c. Any other individual whose activities warrant formal Departmental recognition or identification.

   Honorary Police Commission holders shall have no authority or responsibility to enforce laws and ordinances, beyond that of any other citizen, as provided for by law.

Seattle Police Department
Policies and Procedures

Section 1.045

Title: I - Administration

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I. Office of the Chief of Police

A. Chief of Police shall be responsible for organizing and managing the Department as necessary to accomplish its mission as prescribed by the Seattle City Charter. The Office of the Chief of Police shall include:

1. Chief's Executive Aide shall assist the Chief of Police in the day to day operation of the Department.

   a. Administrative Section shall provide administrative support for the office of the Chief of Police.

   b. Mayor's Security Unit shall provide security and support for the Mayor of Seattle.

2. Legal Section shall provide legal advice to the Department.

3. Finance, Strategic Policy, and Planning Section shall be responsible for budget, financial, capital, and planning policy analysis and related document development for the Department and for coordinating responses to requests for information the Office of Management and Planning (OMP) and the City Council.

   a. Budget, Finance, and Capital Improvement Program (CIP) Analysis Unit shall be responsible for preparing and managing the Department's biennial and mid-biennial budget submittal to OMP and budget processes; the annual Capital Improvement Program Submittal; SPD unit organizational space moves and facility changes; all programmatic ordinances and resolutions; position, organization, or budget transfers; financial analysis reports; salary settlement, year-end, and carryover reports; monthly overtime expenditure control reports; SPD participation at Council hearings; and Council/Executive information requests.

   b. Strategic Policy and Planning Unit shall be responsible for developing and managing preparation of: the Department's Strategic Plan and updates; all Departmental unit performance measures; the biennial budget narrative; SPD environmental impact statement responses; Executive/Council work program report responses; planning and program research and evaluation; and the SPD Annual Report.

4. Director of the Office of Professional Accountability (OPA) will be responsible for advising the Chief, the Mayor of Seattle, and the City Council on all matters involving the Department's investigatory and disciplinary functions. The Director of the Office of Professional Accountability will direct all investigations, develop findings, make recommendations regarding disposition of cases and ensure consistency for proposed discipline. The Director shall build and maintain community outreach programs to educate the public about the O.P.A.'s role in ensuring professional standards for police personnel.

a. OPA Administration provides administrative support to the Director of the Office of Professional Accountability.

b. Internal Investigations Section shall assure ethical conduct by Department personnel through the investigation of complaints of misconduct

II. Chief Of Staff Bureau

A. Chief of Staff shall closely coordinate Operations Bureaus I and II and shall the role of acting Chief of Police in the absence of the Chief of Police. Units reporting to Chief of Staff are:

1. Communications Section shall provide telecommunications between the public and appropriate public safety agencies, operate a computer assisted dispatch system, and provide data to the Department.

2. Emergency Management Unit shall develop, maintain, and implement the City of Seattle Disaster Readiness Response Plan. This Plan provides for mitigating vulnerability to known hazards, maintaining readiness to cope with a major emergency or disaster, managing inter-departmental cooperation and collective resources in a major emergency or disaster, and seeking outside assistance, when resource needs exceed local capabilities.

3. Field Support Section shall be responsible for coordinating Department resources for planed large scale events and for the oversight of the Seattle Police Operations Center (SPOC).

   a. Special Deployment Unit for obtaining statistical data from the Departments CAD system to determine proper allocation of the Department's patrol resources. The unit maintains a current list of personnel assignments within the Patrol Operations Bureaus. Updates the court computer with the current court codes for Bureau personnel and shall respond to crime problems where a tactical response is needed, provide for special event staffing, and support the precincts in preventing violent crime. It shall coordinate Seattle Police Department's efforts in mutual aid, major event planning groups, and Sound Transit.

   b. Crime Analysis Unit shall provide statistical analysis of criminal activity, commercial false alarm/retail theft monitoring, and a Crime Stoppers program.

4. Field Training Program shall administer the Field Training program consisting of the evaluation of student officers in a Patrol environment. Establish a training program and selection process of police officers applying to become Field Training Officers (FTO's). Maintain field training records and evaluations of both student officers and FTO's.

5. Training Section shall be responsible for maintaining training records for Department police officers, academy and post-academy training for recruits, the scheduling of required training, and producing training bulletins

   a. Range Unit shall be responsible for firearms training, firearm qualifications and department firearms maintenance.

   b. Video Unit. Shall be responsible for producing informational videotapes for the Department.

   c. Washington State Criminal Justice Training Unit shall provide contract instructors to the academy.

III. Police Community Partnerships Bureau

A. Chief of Community Partnerships shall provide support, crime prevention, problem solving, and general assistance to the citizens of Seattle.

1. Administrative Unit provides administrative support to the Chief of Police Community Partnerships.

2. Community Crime Prevention Unit shall provide citizens with a centralized source of assistance in making their families, homes, and businesses more secure, through Neighborhood Block Watch Programs, educating the public on preventing crime, and instructing them in applicable safety precautions.

3. Community Service Officers (CSO) Unit shall perform a wide variety of tasks, including: assisting people needing emergency food, shelter, and transportation; by resolving non-violent conflicts between individuals, neighbors, and businesses; and investigating all juvenile runaways. C.S.O.'s respond to radio-dispatched calls for assistance of a non-enforcement nature.

4. Media Response Unit shall promote effective relations between the public press, the community, and all Department officers and employees by providing accurate information within legal guidelines.

   a. Media Response Officer: The Department's Media Response Officer serves as a central source of information for release by the Department and responds to requests for information by the news media and the community. The Media Response Officer also acts as the Department's liaison to the City Attorney's Office in providing necessary information for civil claims made against the Department.

5. Public Affairs the Director shall build and maintain media and community outreach networks at the direction of the Chief of Police to educate the public about the Department's events and in ensuring relevant information is shared with the community and Department.

IV. Patrol Operations Bureau I

A. Chief of Patrol Operations Bureau I shall maintain sufficient line and support units to provide adequate, responsive and continuous police services for the Bureau's area of responsibility. The Bureau shall consist of the following units:

1. Administrative Unit provides administrative support for the Office Chief of Patrol Operations Bureau I

2. West Precinct shall provide uniform patrol in that area bounded by the waterfront on the west, the Lake Washington Ship Canal on the north, the I-5 freeway on the east, and Spokane Street on the south.

3. North Precinct shall provide uniformed patrol in all areas of the City north of the Lake Washington Ship Canal to the City limits bordered by N. 145th St.

4. Traffic Unit shall enforce laws, prevent accidents, expedite traffic flow, plan Special Event traffic control and assist the Patrol Operations Bureaus when required. The Unit consists of:

   a. AM Enforcement/PM Enforcement Squads shall enforce traffic laws and provide primary traffic control for special events.

b. DUI Squad shall be primarily responsible for the detection and apprehension of DUI drivers.

c. Motorcycle Unit enforce traffic laws and provide saturation of high accident areas, especially those areas offering limited access to patrol cars.

d. Adult Crossing Guards shall assist Seattle School District children in the safe crossing of designated intersections in proximity of Seattle area schools.

e. Parking Enforcement Unit shall enforce parking regulations, assist in traffic control as directed by the Traffic Unit.

5. Sound Transit Unit

6. Crisis Intervention Team (CIT) will continuously recruit officers to serve as Crisis Intervention Team Officers conduct specialized training in the area of mental illness. Shall act as a liaison with mental health professionals in: the community, government agencies, support groups and the court system. CIT responds to crisis situations involving mentally ill persons; educate officers and the public on current laws, reporting procedures and mental health resources. The supervisor shall develop a follow up system to ensure that mentally ill persons are receiving the most appropriate aid possible and ensure that the police officers trained in crisis intervention are flagged in the Communication's CAD system.

V. Patrol Operations Bureau II

A. Chief of Patrol Operations Bureau II shall maintain sufficient line and support units to provide adequate, responsive and continuous police services for the Bureau's area of responsibility. The Bureau shall consist of the following units:

1. Administrative Unit shall provide administrative support for the Bureau.

2. South Precinct shall provide uniformed patrol in all areas of the City south of the I-90 freeway.

3. Southwest Precinct shall provide uniformed patrol in that area bound by the I-5 freeway to the east.

4. East Precinct shall provide uniformed patrol in that area bounded by the Lake Washington Ship Canal on the north, the I-90 freeway on the south, and the I-5 free way on the west.

5. Metropolitan Section shall provide specialized patrol and traffic enforcement services in the parks and on the waterways. Metropolitan Section shall assist and support Patrol and other field units through the use of canine and mounted units.

a. Special Weapons and Tactics (SWAT) Unit shall apply specific tactical response to priority crime problems, when and where they occur. It shall maintain training and flexibility for immediate deployment during unusual occurrences. SWAT may also provide dignitary protection for officials visiting the city.

b. Harbor Unit shall enforce the Harbor Code, preserve lives and property, and perform rescue or recovery of victims of water mishaps.

c. Canine/Mounted/DWLS Unit shall provide canine, mounted patrol and DWLS support.

(1) Canine Squad shall provide tracking support to Patrol and investigative units, and also provide support and assistance to line officers when the presence of a dog may be physically or psychologically helpful.

(2) Mounted Patrol Squad shall assure peace and good order in public parks through conspicuous horseback patrol and provide citizens direct, personal contact with officers. They also provide crowd control and assistance during special events.

(3) DWLS Unit shall provide support for enforcement of state and local Driving While License Suspended Laws. The unit provides driver status verification, specifies length of impoundment, and mediates among the towing companies, Seattle Municipal Court, and the Department.

VI. Training and Technical Services Bureau

A. Chief of Training and Technical Services shall be responsible for the Fiscal Property, and Fleet Management Section, the Ethics, Inspections and Grants Section, Records & Evidence Section, Identification Section, and Information Technology Section; to ensure that they accomplish their missions and goals effectively; and to ensure that they meet the service needs of the community.

1. Administrative Unit shall provide administrative support to the Training and Technical Services Bureau.

2. Fiscal, Property, and Fleet Management Section shall be responsible for managing the expenditure/receipt of funds, managing the Department's fleet, and the common supplies necessary for the ongoing performance of the Department.

   a. Property Unit shall provide logistical support for the Department, including the supply and distribution of equipment and supplies, the provision of inventory controls, and the conducting of public auctions to dispose of surplus property

   b. Fiscal Management Unit shall be responsible for managing the receipt/ disbursement of all Department funds and processing purchase requests for standard requisitions, blanket contracts, direct voucher purchases, and emergency requisitions.

   c. Fleet Control Unit shall be responsible for managing all activities associated with Department vehicles including scheduling and developing specifications for replacement, distribution, maintenance and repair, and licensing

3. Ethics, Inspections and Grants Section shall promote improved Department policies, procedures through planning, and inspections.

   a. Inspections and Procedures Unit shall promote improved Department procedures through policy planning and ensure Department operations are conducted in the prescribed manner through inspections.

   b. Research and Grants Management Unit shall provide the necessary research, application, and management of assigned grants.

4. Information Technology Section shall be responsible for establishing and maintaining systems and software for criminal records, business information, computer operations, and network facilities.

5. Records, Evidence, and Identification Section shall provide records maintenance and retrieval, report distribution, fingerprint classification data, evidence control, and court preparation services to the Department. The Records, Evidence and Identification Section shall collect fees charged for services rendered as identified in the appropriate City ordinances.

   a. Evidence Unit shall secure and maintain records on evidence and property in police custody; dispose of evidence, property, and confiscated weapons as appropriate; and manage all "Department Equipment Transactions," including the custody and issue of city-owned police equipment.

   b. Identification and Photo Lab Unit shall be responsible for developing and printing photographs, examining fingerprints lifted from crime scenes and suspects, and subsequent entry into the Automated Fingerprint Identification System (AFIS). Additionally this Unit processes requests for concealed weapon permits, alarm licenses, and fingerprints individuals for employment, immigration, or business license requirements.

6. Data/Distribution Unit shall provide for the input, retrieval and distribution of information associated with the Department's mission.

7. Records Files Unit shall provide both active and archival records services to all Department units and other agencies, public and private, on a need/right-to-know basis. Provide court case preparation for misdemeanor cases

VII. Criminal Investigations Bureau

A. Shall investigate serious crimes, identify and apprehend suspects, recover stolen property, prepare cases for the prosecutor and assist in the presentation of cases in court, and provide criminal intelligence.

1. Criminal Investigations Bureau Administrative Unit shall provide administrative support to the Bureau.

2. Violent Crimes Section shall investigate "hate crimes," serious crimes involving the use of violence, and threats of bodily harm including homicide, robbery, and assault.

   a. Homicide/Assault Unit shall investigate felony and misdemeanor crimes and incidents against persons with the following classifications: homicides, assaults, kidnappings, abductions, carrying concealed weapons, natural deaths, suicides, industrial fatalities, disturbances, gunshot wounds, harassment, obstruction/ resisting arrest, injured persons, intimidating witnesses, menacing, reckless endangerment, suspicious circumstances, missing persons, and felons in possession of firearms.

   b. Robbery Unit shall investigate felony crimes of robbery, extortion, and theft from a person.

   c. Bias Crimes Unit shall coordinate the Department's efforts against "hate crimes" by handling directly or coordinating the follow-up investigation on all malicious harassment cases. This unit shall compile and report on all hate crimes as required by state and federal statutes, and provide training and information on "hate crimes" to Department staff, other law enforcement agencies, and the general public.

   d. Crime Survivor Services Unit shall provide direct assistance to the victims and witnesses of aggravated assault, robbery, and other violent crimes in Seattle by assuring the criminal justice

and social service needs of the victims are met. Its purpose is to prevent or ameliorate secondary victimization and to maximize victim cooperation with the criminal justice system.

3. Special Assignments Unit shall be responsible for investigations concerning felony warrants, explosive related incidents, and arson incidents. The unit shall be responsible for investigating all felony attempts to elude, and serious motor vehicle collisions. The Unit shall also provide polygraph examinations for the Department.

   a. Fugitive Warrants Squad shall be responsible for serving felony warrants initiated by the Seattle Police Department, maintaining an audit trail on all cases with outstanding felony warrants, and for handling the follow-up responsibilities for all fugitives arrested for out-of-state felony warrants by Seattle Police personnel.

   b. Arson/Bomb Squad shall be responsible for investigating all incidents related to explosives and chemical, biological, or radiological agents. Its duties include the disposal of explosives, suspected explosives, fireworks, and large munitions and shall be the liaison to the Fire Department's Fire Investigation Unit (FIU) and serve as investigators, training officers, consultants, and quality control officials between the police, prosecutors, and Fire Department

   c. Fraud, Forgery, Financial Exploitation Squad shall investigate all check crimes and credit card forgeries reported in the City. Also this unit investigates identity theft, crimes involving financial exploitation of vulnerable adults, fraud, theft by fraud, counterfeit and embezzlement cases.

   d. Traffic Collisions Investigations Squad shall be responsible for investigating all felony attempts to elude, and serious motor vehicle collisions resulting in death, likelihood of death or substantial bodily harm, including plane and boating accidents with special consideration for these incidents involving persons over 70 years of age or under five years of age. It shall also provide technical support for the Accident Review Board.

   e. Polygraph Detail shall administer all of the polygraph examinations for the Department, including pre-employment exams, as well as investigative exams conducted for follow-up units.

4. Coordinated Criminal Section shall investigate reports of all serious crimes directed against property, including auto theft, burglary, larceny, significant acts of property destruction, and traffic king in stolen property. The Section is responsible for investigating, monitoring and collecting information on gang activity. It shall investigate juvenile crimes and handle misdemeanor warrants issued by the City.

   a. Misdemeanor Warrants Unit shall process and provide information on misdemeanor warrants issued by the Seattle Municipal Court.

   b. Burglary/Theft Unit shall be responsible for investigating crime reports involving theft, possession of stolen property, property damage, and burglary.

   c. Property Inspection Squad shall be responsible for inspecting and regulating the buying and selling of merchandise by licensed used goods dealers (e.g. second hand dealers, pawn shops, scrap dealers) to ensure compliance with City and State Laws. The Unit shall process applications to purchase firearms submitted by retailers, and perform computer entries into the National Crime Information Center and the Washington Crime Information Computer, listing all property items taken in pawn or purchased as used goods within the City.

d. Auto Theft Squad shall be responsible for identifying, tracking, and investigating motor vehicle related thefts; and inspecting and maintaining records on all wrecking yards, scrap processors, and hulk removers that operate in the City limits.

e. Gang Squads shall be responsible for reducing the level of gang related criminal activity, increasing overall knowledge and understanding of gang culture and behavior, and reducing the likelihood of non-involved youth adopting a criminal gang lifestyle.

f. Juvenile Unit shall be responsible for investigating all crimes involving juvenile suspects except for those pertaining to homicide, arson, and narcotics sales.

5. Domestic Violence and Sexual Assault Section Shall investigate domestic violence offenses and sex offenses.

a. Domestic Violence Unit shall investigate serious domestic violence offenses and be responsible for offenses involving violations of court orders relating to domestic violence.

b. Sexual Assault and Child Abuse Unit shall investigate all cases of sexual and physical offenses against children, neglect of children, sexual assaults against developmentally disabled adults, and all sex offenses (rape, indecent liberties, exposing, etc.) committed against adults.

6. Narcotics Section shall be responsible for discovering, investigating and assisting in the prosecution of violations of laws related to narcotics and it shall apply enforcement pressure against those trafficking in narcotics or dangerous drugs. The Section shall maintain coordination with County, State and Federal drug enforcement agencies, and various prevention and rehabilitation programs.

a. Street Narcotics Unit shall be responsible for giving support to the precinct Anti-Crime Teams in their efforts against street-level drug sales by arranging undercover purchases of narcotics, which then lead to the issuance of search warrants to be served by the Anti-Crime Teams.

b. Proactive and Technical Units shall use undercover detectives and confidential informants to target mid- and upper-level distributors. Narcotics search warrants and buy-bust operations are their primary enforcement tools. The Technical Detail shall provide technical support to the Proactive Squads and the Street Narcotics Unit. Much of their support is in the area of technical surveillance -- “wiring” undercover officers, “bugging” sites of planned buys, etc.

c. General Investigations Unit shall be responsible for follow-up investigations on narcotics arrests made by patrol officers and for preparing the cases for prosecution.

d. Abatement/Forfeiture Unit shall use the Asset Seizure and Forfeiture Program to seize assets that are used in or are the proceeds of narcotics trafficking. The Abatement Program also closes premises identified as a locations of continual drug trafficking for up to one year.

e. Federal Task Force Unit shall be comprised of a regional task force, which focuses on the interdiction of narcotics trafficking, by local youth gangs and organized crime elements.

7. Vice Section shall be responsible for investigating both legal and illegal gambling. This includes monitoring legal fund raising events such as bingo, casino nights, and raffles, as well as investigating illegal gambling activities such as bookmaking and professional fixed location card games, escort services, pornography, liquor violations, and sexual exploitation of children with focus on child pornography, prostitution, and adult entertainment.

a. shall be responsible for follow-up investigations on cases largely related to promoting prostitution that needs preparation before going to the prosecutor. In addition, the Unit shall enforce the adult entertainment ordinances, and conduct liquor, pornography, and prostitution investigations.

b. Street Vice Unit shall be responsible for preventing street prostitution and prostitution enforcement in hotels and liquor establishments.

8. Criminal Intelligence Section shall collect and analyze information on individuals and groups who are suspected of being involved in organized crime activity, and shall provide such information to the Chief of Police for crime prevention and decision making purposes.

VIII. Human Resources Bureau

A. The Human Resources Bureau shall be responsible for general personnel matters.

1. Chaplain shall provide appropriate support to Department Employees upon request.

B. Personnel Section shall be responsible for managing the Department's personnel needs and ensuring that the Department is adequately staffed. It also ensures that the Department's work force reflects the cultural diversity of the Seattle community. This is accomplished through the effective coordination of: recruiting, testing and selection; training, performance evaluation, and promotions; progressive discipline; labor relations; employee wellness and accountability programs; risk management; employment records maintenance; and human resource information management.

1. Employment Services Unit shall be responsible for recruiting, background investigations, employee safety, monitoring employee illness and injury time, processing the attendant paperwork, managing the Mandatory Reporting Program for employees who have sick leave records which indicate excessive use, coordinating the placement of limited duty employees, maintaining contact with employees on extended sick leave through phone calls and on-site visits, managing the Retired Officers Extended Authority Commission program.

a. Special Recruit Program shall provide remedial training and skill development for police officer recruits whom experience difficulties performing one or more critical functions during their training at the Washington State Criminal Justice Training Academy. The Special Recruit Program provides the individuals with opportunities to work on improving their skills while working for the Department in the Community Service Unit.

b. Recruitment Squad shall be responsible for conducting employment recruitment campaigns, as well as recruitment related activities; including conducting physical and mental skills development workshops.

c. Background Investigations Squad shall be responsible for conducting comprehensive background investigations on all sworn and civilian candidates for employment with the Department and, on some candidates, for "sensitive" positions with other City departments.

d. Safety Officer shall be responsible for safety issues that affect on the job employee injuries and traffic accidents. In addition, the Safety Officer provides support and coordination to the Accident Review Board, conducts employee safety orientation, training, and safety education programs, disseminates safety policies, procedures, and information on a variety of topics, and monitors work practices to ensure compliance with safety requirements. The Safety Of-

ficer also produces reports required by local, state, and federal law, including an annual accident and injury report.

2. Personnel Services Unit shall be responsible for maintaining personnel records, timekeeping, employee illness and injury matters, and personnel programs, such as career counseling services.

   a. Timekeeping Squad shall be responsible for organizing, verifying, coding, sorting, adjusting and entering all the timekeeping data into the City's financial management system (SFMS).

   b. Personnel Records Squad shall be responsible for the Department's civilian employment processing and personnel records.

IX. Organization Change

A. Definition

1. An organization change is defined as any administrative change that affects the organization of a Bureau, Section, or Unit. This includes changes in the organizational subdivisions affecting numbers of personnel, position descriptions, or unit names within those subdivisions, or in SFMS, Personnel, or Unit numbers.

B. Any organizational change within the various Bureaus, Sections, and Units requires prior notification and request for approval through a unit's chain of command to the Finance, Strategic Policy, and Planning Section, which shall coordinate final approval with the Command Staff and through the Ethics, Inspections and Grants and the Personnel Section. All requested changes will be made in one of the two following ways.

1. Through the biennial or mid-biennial budget process for the following fiscal year, in which case units shall submit proposed changes as part of the SPD budget development/review process. Such requests are to be made to the Finance, Strategic Policy, and Planning Section through a unit's chain of command.

2. For current year organizational changes, units shall complete a *Request For Organizational Change* (form 18.1) and submit it through their chain of command to the Finance, Strategic Policy, and Planning Section. Specific requirements for organizational changes at mid-year are outlined on the form and shall be followed.

C. Organizational changes made must be consistent with policies established by the Chief/Command Staff, the Office of Management and Planning, and the City Council.

I. General - Budget Control

A. The yearly budget approved by the City Council is our basic operational plan, defining maximum levels of effort within activity categories and allowing certain specific expenditures for equipment, supplies, etc. Each Section/Bureau Commander or their designee shall be responsible for adherence to that plan or, alternatively, development of a new plan within available resources for approval by the Chief of Police (via the Finance, Strategic Policy, and Planning Section), Department of Finance, and the City Council. Only expenditures so authorized will be allowed.

II. Expenditures as Authorized in the Budget

A. The Revised Code of Washington (RCW) 35.32, is the governing policy for budgets of first class cities, which includes Seattle.

1. Procedure

   a. Of the four classifications of the budget, the Personnel Services Unit deals primarily with the money for salaries and personnel benefits. Any increase in personnel allocations, or creation of new positions will be requested by section commanders through their bureau chiefs and the Finance, Strategic Policy, and Planning Section, with final approval by the Chief of Police or the Deputy Chief of Administration.

   b. In general, supplies shall be requested on a *Purchase and Supply Request* (form 1.5) through established channels of section commanders, as determined by bureau chiefs and the Director of the Fiscal, Property and Fleet Management Section for action.

   c. Requests for services, charges, and capital outlay items (i.e. computer equipment, travel/ training, and consultants) shall be submitted on a *Purchase and Supply Request*, via the chain of command, to the Fiscal, Property and Fleet Management Section.

   d. In addition to approval via the chain of command, requests for all technology purchases must also be approved by the Information Technology Section Manager.

   e. All requests for transfer of budget authority must be forwarded to the Finance, Strategic Policy, and Planning Section, which will coordinate review and approval with the Fiscal, Property and Fleet Management Section, the Chief of Police/Deputy Chief of Administration, and the City Department of Finance.

2. RCW 35.32.000 prohibits the obligation of public funds by any personnel other than those authorized to disperse funds for the City.

a. In the event that an employee orders or purchases a product(s) or service(s) without prior authorization, and at a later date submits a bill, the employee has no claim whatsoever for reimbursement.

III. Procedure for Expenditures Not Previously Authorized in the Budget

A. The requester must prepare a suggested addendum to the budget, defining the new object of expenditure, authorized spending to be abandoned, and justification for the change. Any impact on planned objectives, productivity, level of effort, and deferred costs or needs must be clearly identified.

B. Approval must be obtained from the chain of command to the Bureau Chief.

C. All requests for budget authorization changes to an approved line item, account category, or budget organization category must be forwarded to the Finance, Strategic Policy, and Planning Section for review/approval coordination with the Chief of Police/Deputy Chief of Administration, and if required, the Department of Finance.

D. Once a budget change/transfer is approved, follow the procedure outlined for Expenditure as Authorized in the Budget.

IV. Grant Expenditures

A. Overview

1. Grant proposals in which the Seattle Police Department is principally involved are normally prepared by Department personnel and must be approved by the Chief of Police/Deputy Chief of Administration prior to submittal to the Mayor. All requests for grants are to be forwarded for preparation to the Research and Grants Unit. After preparing the grant application, the Research and Grants Unit will submit it for approval to the Mayor and City Council via the Finance, Strategic Policy, and Planning Section. The Finance, Strategic Policy, and Planning Section will write any required resolution to make an application for a grant and will write ordinances requesting Mayor/Council approval of funding acceptance.

2. Upon the Mayor's review and the City Council's adoption of the acceptance of grant funding, expenditures can be made in the amounts which will be reimbursed through grant assistance.

3. As a grant project progresses, related obligations are created against the money the City has appropriated. Over the duration of the project (normally one year), financial reports are submitted to the funding agency documenting all obligations occurring to the date of the report. The City is then reimbursed for those expenses it has incurred which, according to the grant proposal's budget, are to be supported by grant moneys.

4. During the course of the project, should situations develop which necessitate expenditures for anything not originally specified in the proposed budget, prior approval must be obtained from the funding agency if either reimbursement or credit for a matching expenditure is sought.

   a. This will always entail a realignment of the grants budget, since once the grant project's contract is signed, the overall level of local matching expenditures and grant award will not change.

B. Responsibilities

1. It is the responsibility of the Project Director of a grant to:

    a. Assure that their expenditures conform to their budget and the stated objectives of the project, and

    b. To submit progress reports as required.

2. The Fiscal, Property and Fleet Management Section shall be responsible for:

    a. Documenting the budget activity of the grant project,

    b. The submittal of timely financial reports to the funding agency, and

    c. The retention of those financial records necessary to meet and satisfy audit requirements.

POLICY

Inspections are performed in the name of the Chief of Police to ensure that Department operations are conducted in the prescribed manner. Staff inspections shall not be likened to, or in any manner perform the functions of the Internal Investigations Section. Staff inspections can be compared to quality control in the private sector, and are concerned with the operation and administration of the entire Department, its personnel, procedures, and material resources.

I. Procedures

A. All facets of Department operations shall be subject to inspection. The inspection may be announced or unannounced, a major in-depth analysis or "spot" inspection.

B. Inspections may be conducted by the Ethics, Inspections and Media Response Section, or by command or supervisory officers in the involved command.

C. Inspections shall include, but not be limited to:

1. Care, use and maintenance of vehicles, uniforms, weapons, radios, special use equipment, lockers, offices, furniture, office equipment, storage areas, buildings and grounds, and supplies.

2. Reporting, assignment procedure, workload/productivity, adherence to orders.

3. Planning, organization, budgeting, directing, control and training.

D. All sworn personnel shall be inspected at least once per year. Items to be inspected should include uniforms (including the black utility uniform), gun belts, protective equipment, weapons, portable radios, required equipment and personal appearance. Personnel in uniformed assignments should be inspected more frequently. Commanders will ensure that lost or unserviceable uniforms and equipment be replaced as soon as possible.

II. Follow-Up

A. A key element for the success of a formal inspection system is the certainty of action taken to remedy deficiencies. In order that this will be accomplished, the following procedures shall be initiated after the distribution of each *Internal Inspection Report* (form 1.61).

1. The Chief of Police will send a report listing deficiencies that require remedial action to both the inspected commander and the Ethics, Inspections and Media Response Section.

2. The Ethics, Inspections and Media Response Section shall, within 90 days of staff review, conduct a follow-up inspection to report on the progress of remedial action taken by the inspected

commander in correcting identified deficiencies. Follow-up reporting shall continue until the deficiencies have been corrected.

3. The inspected commander shall, within 30 days of the distribution of the *Internal Inspection Report*, submit a written critique evaluating the inspection process and team. This critique shall be directed to the Chief of Police with a copy to the Commander of the Ethics, Inspections and Media Response Section.

POLICY

The Seattle Police Department believes responsible and effective news media relations are vital to our mission. As an agency practicing the philosophy of community policing and problem oriented policing, we depend on community trust and confidence in carrying out our responsibilities. To this end, we believe a vigorous and professional press is an ally to our policing efforts. The Washington Bench-Bar-Press Guidelines have been taken into account in the development of this policy.

The overriding consideration governing the release of any information allowed by law and permitted by the following guidelines is whether or not it is reasonable to believe that an on-going investigation or pending prosecution might be compromised. If a Department employee believes the release of any information permitted by these guidelines might interfere with the administration of justice, they should contact the Media Relations Unit immediately to ensure that sensitive information is not inadvertently released.

Consistent with the policy and guidelines contained in this Manual section, any employee of this Department is permitted to speak with news media representatives.

I. Definitions

A. Members of the News Media: Reporters, photographers, camera operators, and others who are directly employed by agencies of the electronic or print media and who hold valid news media identification. Freelance reporters and photographers without valid news media identification are to be considered members of the general public.

B. Media Relations Officer: A Department Officer who serves as a central source of information for release by the Department and who responds to requests for information by the news media and the community.

C. Industrial Relations Officer: A Department Officer who assists the Media Relations Officer as a central source of information for release by the Department and who also responds to requests for information by the news media and the community.

Additionally, the Industrial Relations Officer serves as the Department's liaison for labor disputes, as well as the Department's liaison to the film industry and the Mayor's Film Industry Coordinator. For the purposes of this Manual section, the Industrial Relations Officer will be referred to as a Media Relations Officer.

D. Department Supervisor: Any Department employee holding the sworn rank of Sergeant or above, or the civilian equivalent.

E. Staff Duty Officer: A command officer holding the rank of Captain or Assistant Chief who is assigned to respond to significant events.

II. Responsibilities of the Media Relations Officer

A. Promote effective relations between the news media, the Department, and all Department employees.

B. Review news media requests for information and coordinate a Department response.

C. Work in cooperation with the Public Information Officers of other City departments (e.g., Mayor's Office, Fire Department, City Light, etc.).

D. Respond automatically and immediately to the Seattle Police Operations Center (SPOC) upon realizing a major event has occurred. In the event the City Emergency Operations Center is activated, respond to that location.

III. Responsibilities of Department Personnel

A. Cooperate with representatives of the news media courteously and in a manner consistent with the criteria set forth in Department policy.

B. Inform the Media Relations Unit of any news media requests for assistance in preparing stories, articles, or series.

1. The Media Relations Unit may review such requests and assess the overall value of the release of information and coordinate a Department response.

C. Upon receiving a request for information from the news media, Department Personnel shall:

1. Assist the media by referring the requestor to the Media Relations Unit at 684-5520.

2. If the circumstances of the inquiry require an immediate response (e.g. late breaking news, major crime scenes, etc.,) then the media shall be referred to an on-duty Lieutenant or above for comment. Lieutenants and above or Media Relations officers are the only persons authorized to respond (on behalf of the Department) to news media inquiries and/or requests for news related information and comment.

3. Lieutenants and above are expected to be familiar with the applicable laws regarding release of information. Lieutenants and above are expected to provide timely, accurate, and responsible responses to media requests for information.

4. If circumstances require representation by a Lieutenant or above prior to the notification and/or arrival of a Media Relations officer, then that employee is required to notify the Media Relations Unit as soon as practical. In no event shall that notification occur later than the next day. All personnel are reminded that a staff duty officer is available 24 hours per day via SPD communications.

D. Notify a supervisor of any incident of a sensitive nature that may bring public notoriety to a Department employee, the Department, or the City of Seattle.

E. Inform the Media Relations Unit of any incidents that have the potential of generating news media attention.

1. This can be done 24 hours a day by leaving a detailed message on the voice mail of the Media Relations Unit.

F. In situations where the presence of non-police personnel may endanger the safety of others or jeopardize a police operation (e.g., bomb threats, hostage/barricaded person, evidence preservation, etc.), restrict access to the operational area.

G. Admit members of the news media who display valid news media identification through police or fire lines, unless necessary to restrict such access as indicated above.

1. If reasonable to do so, warn members of the news media of any dangers; however, the mere presence of danger to themselves is not sufficient to prevent members of the news media from entering a particular area.

a. Give no assurances or promises of safety to members of the news media who enter dangerous areas.

2. Direct members of the news media who are denied such access to the news media staging area, where a Media Relations Officer or designee will contact them.

H. Allow vehicles displaying valid news media identification through police or fire lines, unless necessary to restrict such access as indicated above.

I. Use good judgment when asked to provide information to the media "off the record."

1. The news media are not under any legal obligation to honor such requests.

2. Department personnel will be held accountable for any "off the record" statement made to the news media.

J. Department personnel will not:

1. Represent themselves as members of the news media.

2. Prevent news media photographers from photographing defendants in public places.

a. Department personnel will not encourage or facilitate such photographs and will not, under any circumstances, pose a defendant.

IV. Responsibilities of the Department Supervisor

A. Ensure that all Department personnel (sworn, civilian, volunteers, etc.), under their authority, understand and comply with the provisions of this Manual section. Department volunteers are permitted to give out information only under the direction of a Department supervisor.

B. When notified of any incident of a sensitive nature:

1. Determine if the incident should be brought to the attention of a Media Relations Officer,

2. Notify those higher in command as appropriate, and

3. Upon learning of a significant incident, ensure that the Mayor's Office and the Chair of the City Council Public Safety Committee are notified of the incident as soon as practical, via the Communications Section.

C. Request that a Media Relations Officer respond, 24 hours a day, to all incidents that involve:

1. The death or serious injury of a Department employee,

2. The death or serious injury of any individual by the actions of a Department employee in the performance of his or her duties,

3. Bombings,

4. Disaster (natural or human-caused) or civil disorder of substantial proportion, and

5. Any other incident likely to attract significant news media attention.

D. In situations where a Media Relations officer is not available:

1. The media representative may call the Communications Section's business number at 684-8640 and explain their need to talk to a department spokesperson, including the nature and details of their inquiry. The following three criteria points must be met before Communications will contact the on-duty Watch Commander:

a. It is during non-business hours, 1600-0800 hours on weekdays, or 24 hours on weekends and holidays; and

b. It is regarding an urgent, in progress incident, or an immediately developing situation (occurring in Seattle); and

c. A Media Relations Officer is not responding to the scene.

2. If these criteria are met, the Shift Sergeant/Supervisor or Chief Dispatcher will then contact the On-Duty Watch Commander in the Precinct of occurrence, or if unavailable, the next available On-Duty Commander, giving them the details and information, as well as the call back number or location of the requesting media representative.

3. The notified Watch Commander will be responsible for contacting the inquiring media representative as soon as practical.

4. If at any time, the Watch Commander or the follow up supervisor determine that the aforementioned three criteria points no longer apply to the situation, it is at their discretion to either respond to the media questions or to refer the media representative to the Media Relations Unit during business hours.

5. Before the end of the shift, the Watch Commander or follow up unit supervisor should call the Media Unit voice mail at 684-5520, and leave a brief message regarding what information they had relayed to the media.

V. Responsibilities of the Watch Commander

A. At on-scene situations where neither the Staff Duty Officer nor a Media Relations Officer is available, fulfill the media relations duties, or designate a supervisor to do so.

B. If a follow up unit (including a unit supervisor) has responded to and assumed responsibility for a scene, and a Media Relations officer is not present, then the Watch Commander may elect to turn the media spokesperson responsibility over to the follow up unit supervisor. If this occurs, a supervisor from the follow up unit will accept the same responsibilities as are outlined above from the Watch Commander.

VI. Responsibilities of the Staff Duty Officer

A. Coordinate the Department's response to the news media when a Media Relations Officer is not available to respond.

B. If a Media Relations Officer is unavailable, advise the Communications Section to direct all news media inquiries directly to him or herself or a designee.

C. Ensure that the Media Relations Unit is later notified or briefed on the event, as appropriate

VII. Release of Incident Information

A. Adult Suspects Who Have Been Charged With a Crime

1. Unless otherwise determined by the prosecutor, the release of information concerning an adult who has been charged by the prosecutor with an offense will generally include the following:

a. The suspect's name, age, gender, and city of residence,

b. The substance or text of the charge or formal information actually filed by the prosecutor,

c. The identity of investigating and arresting units and/or agencies, and the length or anticipated length of the investigation, and

d. The circumstances immediately surrounding the arrest, including the time and place of arrest, resistance, pursuit, whether the suspect was armed, and a non-specific description of items seized at the time of arrest.

B. Adult Suspects Cited or Booked into Jail (Not Charged) with a Crime

1. The release of information about an adult who has been criminally cited or booked into jail (not charged) will generally include the following:
   a. The suspect's name, age, gender, and city of residence,
   b. The offense alleged,
   c. The identity of investigating and arresting units and/or agencies, and the length or anticipated length of the investigation, and
   d. The circumstances immediately surrounding the arrest, including time and place of arrest, resistance, pursuit, whether the suspect was armed, and a non-specific description of items seized at the time of arrest.

C. Adult Suspects Not Cited or Booked for a Specific Crime

1. Only general, non-identifying information (gender, age, city of residence) may be released concerning suspects who have not been criminally cited or booked into jail (including those who have been detained and released).
   a. Exception: The specific identity of a suspect who has not been criminally cited or booked into jail may be disclosed if necessary to assist a victim seeking civil redress under RCW 10.97.070, or a law enforcement necessity exists.

D. Juveniles

1. Unless there is a law enforcement necessity, or an appropriate authorization under law (RCW 13.50), a court order, or authorization from a parent or legal guardian, the names of juveniles (whether suspects, witnesses, victims, missing persons, runaways, or persons of interest) and any other information which would identify them or their families will not be released.
   a. Information regarding juveniles charged by prosecutors as adults may be released in accordance with the above guidelines regarding information release for adults.

E. Victim/Witness Information:

1. Information that reveals the identity of persons who file complaints with the Department may be exempt from disclosure if it is believed a person's life, physical safety, or property would be endangered.

2. Department personnel may advise a victim or witness of their right to non-disclosure of identifying information. If the matter of disclosure or non-disclosure is not discussed or not requested by the victim, complainant or witness, their identity may be disclosed.
   a. However, the fact that disclosure was not discussed will not override reasonable concerns regarding life, physical safety, and property.

F. Medical Condition:

1. General information that can be readily observed regarding medical conditions (e.g., a head wound or an injury to the arm, etc.) may be released. However, diagnosis, prognosis, and more detailed medical information are restricted by State law and will not be released.

VIII. Limitations On The Release Of Information

Generally, the following information is restricted by law from release to the public. Release of any such information requires authorization from either the Office of the Chief or by due process of law.

A. Statements or opinions about a defendant's character, criminal record, or reputation in the community, except to aid in the apprehension of the defendant.

B. Statements or opinions as to the defendant's guilt or innocence.

C. The existence or content of any admissions, confessions, or the contents of a statement or alibi attributable to the defendant.

D. Information or opinion regarding a defendant's willingness or refusal to make a statement.

E. The result of any examination or test, such as fingerprints, polygraph, ballistics, laboratory examinations, blood/breath analysis, etc.

F. The testimony, credibility, or anticipated testimony of any prospective witness.

G. Statements or opinions concerning evidence or arguments of the case, whether or not it is anticipated that such evidence or argument will be presented at trial.

H. Information regarding bombings or bomb threats, unless authorized by the commander of the Special Assignments Unit or designee.

I. Information regarding kidnapping or threats of kidnapping, unless authorized by the commander of the Violent Crimes Section or designee.

J. Copies of arrest records ("rap sheets") or any information obtained from them unless a significant law enforcement or public interest would be served.

K. Information identifying deceased persons, until the next of kin of the decedent has been notified by the Medical Examiner.

L. Any information reasonably believed to have the potential of hampering an investigation or disclosing the identity of a confidential source.

M. The home address, telephone number, or date of birth of any Department employee without the employee's expressed consent.

N. Information identifying individuals listed on traffic or boating accident reports, including license or registration numbers, and factual details included in the reports.

O. Medical information, except as provided above.

IX. Release of Photographs

A. Mug shots or file photographs of adults arrested or wanted for serious crimes may be released to the public and the news media under the following conditions:

1. To aid in the capture or to warn the general public of dangerous wanted persons, for whom a warrant exists, with authorization from the investigating unit responsible for the case, or

2. To assist law enforcement in conducting investigations.

B. When mug shots and file photographs are authorized for release, booking numbers and other identification numbers shall be removed prior to release.

C. Photographs of juveniles will not be released to the news media or public without the consent of parents or guardians, or by court order.

X. Release of Information Involving Department Personnel

A. Information regarding the specific identification of a Department employee involved in a significant incident (such as one in which an employee sustained injury or allegedly caused injury or death to another) will not be released to the news media without such information being screened and approved by the Department employee's bureau commander and the Office of the Chief (Media Relations Unit or Legal Advisors).

B. The approved on-scene release of such information relating to a Department employee will be made by the Staff Duty Officer, Watch Commander, or designee, or a Media Relations Officer.

1. Media Relations Officers should be used as a resource whenever possible.

2. The immediate on-scene information provided to the news media should be limited to that information which serves to identify the Department employee's rank, tenure, and bureau of assignment, as well as the general circumstances of the incident, following coordination with the investigative unit in charge.

a. Failure to release this basic information to the news media may give rise to unwarranted suspicions, causing difficulties later in the investigation.

C. Under normal circumstances, the Media Relations Unit is responsible to screen and release Department employee information or photographs to the news media or public.

1. Following a significant incident, release of Department employee identifying information will usually occur within forty-eight (48) hours, provided the involved employee's family has been notified.

2. This information will not be released without approval of the Office of the Chief and the concerned Department employee's bureau commander.

XI. Statements Regarding Department Policy, Philosophy or Procedures

A. Statements to the news media regarding Department policies, philosophies or enforcement procedures will be made only by the Office of the Chief of Police, or designee; however, a copy of the SPD Manual may be provided for review.

XII. Media Aircraft

A. Occasionally, the use of news media aircraft (fixed wing and helicopter) to obtain either live or taped film of a police event may adversely affect a law enforcement operation. Consideration should be given to requesting restriction of news media aircraft access under the following circumstances:

1. Tactical situations in which the identification of officers' positions or method of operation may be revealed, thus endangering officers, or

2. Incidents in which aircraft significantly distract victims, suspects, witnesses, or police, or where the noise or low level flight may make ground operations difficult or dangerous.

B. The above-described situations are not all inclusive; the on-scene commander shall make the determination to restrict news media aircraft access.

1. Requests for the voluntary restriction of news media aircraft shall be brought to the attention of the Media Relations Unit and should be accompanied by an explanation for the request.

a. The Chief Dispatcher should be contacted if the Media Relations Unit is not immediately available.

2. In the event the news media aircraft does not voluntarily comply, the on-scene commander may contact the Federal Aviation Administration and a request for airspace clearance made. Reasons for making the request shall be conveyed to the FAA at the time of the request.

C. Consideration should be given to requesting or accepting assistance by the news media in the use of their aircraft for:

1. Incident viewing,

2. Ground coordination,

3. Photography, and

4. Transportation of Department members to remote locations.

XIII. News Media Observer Program

A. The Media Relations Unit shall coordinate requests for ride-alongs by members of the news media.

1. Protection of individual rights, confidentiality, and the investigative needs of the Department are crucial. Members of the news media participating in the Observer Program shall comply with applicable laws.

2. During ride-alongs, the use of cameras (any image recording device) or audio recorders is prohibited without prior approval of the Office of the Chief of Police.

B. Upon receipt of a signed waiver, the Media Relations Unit shall conduct a limited background check on the applicant, accessing NCIC, WACIC, SEAKING, DOL, and SPD records.

C. Approval for news media observers will be consistent with Department guidelines for citizen observers.

D. The Media Relations Unit shall maintain two (2) news media observer logs.

1. The Media Rider Log shall indicate the observer's name, date of birth, employing agency, date of ride and the precinct or unit where the ride occurred.

2. The Denied Log shall indicate the observer's name, date of birth, employing agency, and reason for denial.

XIV. Pressroom Authorization

A. The pressroom, located on the 4th floor of the Public Safety Building, is designated for the exclusive use of members of the news media.

XV. Reports

A. Reports provided by the Department for review by members of the news media shall not be removed from the police facility in which the reports are provided.

1. Requests for copies of reports must be submitted to the Media Relations Unit.

a. A fee of $ 0.15 will be charged for each page copied.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.069	I - Administration	069 - Criminal Case Testimony

I. Felony Case Testimony

A. Department employees shall not discuss the testimony they may give in a felony case with anyone outside the Department without the prior approval of the concerned prosecuting attorney. If an employee receives a request to discuss such a case, the employee shall refer the requestor to the prosecutor.

II. Misdemeanor Case Testimony

A. Department employees, while on-duty, may speak with defense attorneys or their investigators about misdemeanor cases (adult or juvenile) without prior approval of the prosecutor.

B. Prior to any conversation with the defense, employees shall:

1. Ensure the person asking the questions is actually representing the defendant as either a defense attorney or defense investigator,

2. Review the report(s) of the incident,

3. Confirm the victim in the case is not a Department employee,

4. Make sure they have information relevant to the case,

5. Check to make sure the case is an active criminal court case. If there is any concern about the line of questioning, or if there appears to be the potential that any other investigation may be compromised by answering the questions, terminate the interview and contact the City Attorney's office.

C. If any of the above conditions are not met, the employee should refer the defense attorney or investigator to the prosecutor. Officers who decline to speak with the defense may be subpoenaed or ordered by the court to give a deposition.

III. Signing Statements or Documents

A. Department employees shall not sign any statement or document concerning a criminal case prepared for anyone outside the Department, except at the direction of the concerned prosecutor.

IV. Department Employees Appearing as Defense Witnesses

A. Whenever an employee receives a request, notice, or subpoena to be a defense witness in any criminal case, either by personal appearance, deposition, or affidavit, the employee shall immediately notify the concerned prosecuting agency.

POLICY

The purpose of the Americans with Disabilities Act (ADA) is to eliminate discrimination against millions of Americans with disabilities. The ADA is civil rights legislation for people with disabilities. It affects all services provided to the public by the City of Seattle.

To help the Department carry out the requirements of the ADA, we have a policy of reasonable accommodation for people with "disabilities" as this term is defined by law. People with disabilities cannot be excluded from participation in or be denied the benefits of services, programs, communications, or activities that we provide. This means that if an individual with a disability requests service, we may need to make special arrangements in order for them to participate in a program or receive the service in a way that is usable to them.

Depending on the type of program or service offered and the nature of an individual's disability, a person with a disability may need special assistance. To ensure that we are operating in a non-discriminatory manner, employees with public contact shall be sensitive to the special needs of people with disabilities. This may include noticing people who appear to need help, asking them if they need any special assistance, and trying to provide the assistance requested to ensure that the person with a disability receives service that is equivalent to that provided to others.

Many employees have dealt with people with disabilities on a regular basis. However, there may be an increase in requests for services since the ADA has become effective and people with disabilities become more informed of their rights under ADA.

I. General Information

A. Deafness

1. If a person who is deaf needs a sign language interpreter, refer to the Section 3.009-Interpreters/Translators. If you need to contact a deaf person by telephone and do not have access to a TDD, contact the Department of Social and Health Services (DSHS). DSHS provides a telephone relay service.

B. Visual Impairments

1. People with visual impairments may request information in large print. This is easily done using a copier that can enlarge a document, or if the material is done using a personal computer it can be printed with a larger font size.
2. If information is requested in Braille, arrangements can be made through the Library of the Blind and Physically Handicapped. This requires at least one week notice.
   a. Employees may also volunteer to read the information to the person with the visual impairment.

C. Special Communication Needs

1. Developmental disability is a broad term that includes many different disabilities which occur at birth or before reaching adult age. Examples are: cerebral palsy, mental retardation, spina bifida, autism, epilepsy, and other conditions.

2. Some persons with developmental disabilities may have special communication needs, while others may not.
    a. Some individuals have limited reading and comprehension skills and may not realize that they can ask for assistance.
    b. Some individuals have limited verbal skills and are difficult to understand or may sound as if they are intoxicated when they speak.
    c. Others may be non verbal and use communication boards or electronic equipment to communicate.
3. Employees may be able to offer assistance by assisting in the completion of forms, giving clear and concise instructions, and providing additional information in a step-by-step format.

II. Accommodations

A. The ADA's impact on public meetings and public information materials
    1. Employees who are responsible for scheduling public meetings, must ensure that the meetings are held in accessible locations.
    2. Public meeting notices must include statements that accommodations for persons with disabilities will be made upon request.

B. Request information
    1. The most critical aspect when interacting with persons with disabilities is to make no assumptions.
        a. Ask what the person with the disability needs.
        b. ADA specifically requires that assistance be offered on a case-by-case basis.
        c. Persons with disabilities are as diversified as any other group and different people experience their disabilities in different ways.
        d. A decision on how to assist a person with a disability must be based on the facts about that individual and not on generalizations about what a class of individuals with a disability can or cannot do.

C. If employees are unsure as to what type of accommodation to make or how to follow through with a request, they shall contact the Department's ADA Representative in the Personnel Section. If employees require assistance during weekends or evenings, they shall contact the Communications Section for assistance in contacting the ADA Representative.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.077	I - Administration	077 - Reasonable Accommodation (ADA)

POLICY

No qualified individual with a disability shall, on the basis of disability alone, be excluded from participation or be denied the benefits of services, programs, activities, or employment. The Department, subject to reasonable fiscal limitations, shall provide reasonable accommodations to the public, on request, for physical access, communications, or other needs in order to allow participation of people with disabilities in services, programs, and activities.

Since the Department is an emergency service organization dedicated to protecting life and property and preserving public order, employees must respond to large scale emergencies, disorders, and major public events. Sworn employees, regardless of their current assignment, must be able to perform full law enforcement duties.

The Department recognizes the requirement prescribed by the Americans with Disabilities Act (ADA) to make reasonable accommodations for the known or perceived physical or mental limitations of otherwise qualified employees with disabilities.

I. Definitions

A. The term "disability" as determined by the U.S. Equal Employment Opportunity Commission, means, with respect to an individual:

1. A physical or mental impairment that substantially limits one or more of the major life activities of such individual,
2. A record of such an impairment, or
3. Being regarded as having such an impairment.

[Ref. ADA Section 3(2)]

II. Accommodation

A. There are four categories of reasonable accommodation:

1. Accommodations required to enable prospective employees and candidates to compete for a position, and provide equal opportunity in the application process,
2. Accommodations that enable the Department's employees with disabilities to perform the essential functions of the position held or desired,
3. Accommodations that enable the Department's employees with disabilities to enjoy equal benefits and privileges of employment as are enjoyed by employees without disabilities, and
4. Accommodations made that enable people with disabilities to participate in or receive the benefits of services, programs, and activities that the Department provides.

III. Responsibilities

A. The Human Resources Bureau shall coordinate reasonable accommodation requests by employees who have incurred disabilities in compliance with the American Disabilities Act.

IV. Accommodation Request Procedures

A. A request for a reasonable accommodation will be made in writing by the affected employee, addressed directly to the Americans with Disabilities Act (ADA) Representative in the Human Resources Bureau. The written request shall include:

1. Identification and a brief history of the employee's disability,
2. A description of the accommodation(s) that the employee is seeking, and
   a. Examples of reasonable accommodation may be provided by the Human Resources Bureau.
3. All relevant documentation, including any attending physician's report describing the disability and the accommodation(s) required.

B. Upon receiving a request for a reasonable accommodation, the ADA Representative shall review the request and all attached documentation. After reviewing the requirements of the Americans with Disabilities Act, the request shall be forwarded with a recommendation to the Director of Human Resources.

C. The Director of Human Resources, after consultation with the concerned Bureau Commander and Department Legal Advisor, shall make a determination on all requests for reasonable accommodation.

NOTE: Implementation of individual accommodations may be subject to negotiation with the City's Personnel Department and the Department of Administrative Services where applicable.

D. The Human Resources Bureau shall notify the affected employee of the determination, if possible within 30 calendar days of submission of the request, and shall coordinate the accommodation process.

E. Discrimination complaints shall be handled as prescribed in Section 1.125 - Complaints of Discrimination in Employment.

Seattle Police Department
Policies and Procedures

Section	
1.085	

Title:	Chapter:
I - Administration	085 - Workplace Safety

POLICY

The Seattle Police Department believes in the dignity and importance of all employees and their right to work in a safe and healthful environment. The prevention of occupational injuries and illnesses shall be given a top priority. In addition, the Department shall establish and maintain an Accident Prevention Program that integrates safety and health principles into every job task. The Department Safety Officer shall be responsible for maintaining and updating this program. A copy of the Accident Prevention Program shall be provided to each precinct and all supervisors shall be familiar with its contents

I. Reporting of Unsafe Working Conditions / Practices

A. It shall be the responsibility of each employee to report any internal conditions or practices which represent a safety hazard to them, other employees, or the public. Upon observation of such condition, the employee shall fill out an *Employee's Report of Unsafe Working Conditions/Practices*, (form 2.25) and forward it to the Department Safety Officer.

B. The Safety Officer shall investigate any unsafe conditions reported and forward their findings and recommendations to the reporting person and the concerned Bureau Commanders.

C. If the unsafe condition or practice represents an immediate safety hazard, the employee shall notify their immediate supervisor. The supervisor shall take action to prevent injury or accidents from occurring because of the condition.

II. Safety and Health Committee

A. The Department's Safety and Health Committee is established in compliance with WAC 296-24-045 (as amended).

B. Committee meetings shall address the following:

1. A review of safety and health inspection reports to assist in correction of identified unsafe conditions or practices,

2. An evaluation of accident investigations conducted since the last meeting to determine if the causes of unsafe acts or unsafe conditions were properly identified and corrected, and

   NOTE: This evaluation of accident investigations shall not include investigations of employee vehicle collisions or the discharge of firearms by employees.

3. An evaluation of accident and illness prevention programs with a discussion of recommendations for improvement where indicated.

C. Committee Membership and Election

1. The Safety Committee shall be comprised of six Seattle Police Department employees. Three members may be appointed from management by the Chief of Police, but the number of appointed members shall not exceed the number of elected members.

2. Elected members may be appointed by the collective bargaining units or elected from the membership. Elected committee members shall serve terms not to exceed one year, but may be re-elected without limit.
3. The Human Resources Section shall coordinate the election of the above employee-elected committee members.

D. Procedures

1. A Chair shall be elected by the committee to serve for one year.
2. The frequency, date, and location of committee meetings shall be determined by the committee, but shall not be less than once per quarter.
3. Subject matter discussed and the members present shall be documented and maintained on file for a period of one year. Such documentation shall be maintained by the Employment Services Lieutenant.
4. The Safety Officer shall be responsible for documenting committee meeting attendance and the subjects discussed and shall also serve as an advisor to the committee.
5. Copies of the meeting minutes shall be provided to the Chief of Police, the Department Safety Officer, and posted on employee bulletin boards.

I. Intoxicating Beverages

A. Employees shall not report for duty with the odor of an alcoholic beverage on their breath or under the influence of an intoxicating beverage.

B. Employees shall not under any circumstances consume intoxicating beverages in any police precinct, Police Department operated facilities, or police vehicles. This prohibition covers those facilities solely operated by or under the control of the Seattle Police Department. It does not extend to facilities operated by police related private organizations, such as the Seattle Police Relief Association, Seattle Police Officers' Guild, the Seattle Police Athletic Association, or the Seattle Police Management Association.

C. When there are indications that an employee has been affected by the use of an intoxicating beverage while on duty, the employee shall be immediately required to submit to visual tests for intoxication. The results of the tests shall be reported on an *Alcohol/Drug Influence Report* (form 8.4b) and will be supplemented by a chemical test administered by a supervisor. The lapse of time, expressed in minutes, between the initial report of observations of the accused employee's condition and the tests shall be accurately recorded.

D. Whether on- or off- duty, employees shall not consume intoxicating beverages while wearing any recognizable part of the police uniform.

1. A recognizable part of the police uniform includes, but is not limited to the uniform hat, blouse, jacket, shirt, badge, leather gear, or any other uniform item which would be recognized as such by members of the general public.

E. On-duty employees working plain-clothes assignments shall not consume intoxicating beverages except when necessary to complete a particular assignment (e.g. officers in plainclothes conducting vice-related investigations). Officers involved in such investigations shall obtain prior approval to consume intoxicating beverages while on-duty from their immediate supervisor, or Section Commander.

1. An on-duty Department member in plainclothes, attending a business meeting, luncheon, or dinner may drink a glass of wine or beer with the food that is served.

2. Officers consuming intoxicating beverages under these circumstances, however, will refrain from drinking alcohol if it would impair their abilities to perform their official duties.

F. Whether on- or off- duty, employees wearing any recognizable part of the police uniform, as defined in paragraph D.1., shall not consume any food or beverage in any tavern, as defined by RCW 66.04.010(30), or the lounge area of any Class H licensed premises where intoxicating liquor is sold or offered for sale to the public for consumption on the premises.

NOTE: This prohibition does not apply to the restaurant portions of Class H licensed premises. This section is not meant to prohibit, curtail, or in any way discourage uniformed officers from entering taverns or lounges in the normal performance of their duties.

II. Narcotics, Dangerous Drugs, and Controlled Substances

A. No employee shall 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. Any employee who is directed by such person 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.

B. Narcotic, dangerous drug or controlled substance: A drug, substance, or immediate precursor in Schedule I through Schedule V of Article II, RCW 69.50, Chapters 204 through 212. It does not include those drugs which can be purchased "over the counter" without a prescription, except those non-prescription drugs for which a signature is required.

C. Non-prescription drugs which require a signature (i.e., cough syrups containing codeine, etc.) shall be reported in the same way as other narcotics, dangerous drugs, and controlled substances by employees who use them while on-duty.

III. Medication On-Duty

A. An employee using any medication which has side effects that might impair their performance while on-duty shall notify their immediate supervisor regarding the use of the medication. Employees who are directed by competent medical authority to use a narcotic, dangerous drug, or controlled substance while on-duty shall submit a *Medical Release for Work* (form 2.15). This form will list the type of medication prescribed and note any probable side effects it may cause, as well as any duty limitations resulting from the use of the drug.

B. The supervisor will determine whether the employee will be allowed to perform their regular duties, be reassigned to limited duty, or relieved of duty for that shift.

C. The Section Commander will, as soon as possible, consult with the Employment Services Lieutenant before determining the officer's assignment while using the medication.

Seattle Police Department
Policies and Procedures

Section	
1.093	
Title: I - Administration	Chapter: 093 - Smoking

POLICY

Seattle Municipal Code (SMC) 4.04.225 sets forth the City's Uniform Smoking Policy. Smoking is prohibited in all City enclosed work and common areas with the exceptions listed below.

I. Under SMC 4.04.225, smoking is permitted under the following circumstances

A. In outdoor areas unless smoke would be drawn into the work or common areas.

B. In City vehicles when:

1. The vehicle is occupied only by persons who smoke, and
2. The employee under whose name the vehicle is assigned agrees to return the vehicle thoroughly aired with all smoking debris removed, and
3. Smoking is not otherwise prohibited for safety reasons.

II. Seattle Police Department employees may smoke in the following situations (with due regard for non-smokers)

A. When not in direct view of the public.

B. When seated in a restaurant.

C. Other appropriate situations or areas as determined by section commanders.

III. Seattle Police Department employees shall not smoke under the following circumstances

A. In a formation.

B. Performing a police investigation or duty in direct view of the public.

C. Driving a Police Department motorcycle or scooter.

D. In direct contact with a citizen, unless given permission to smoke.

IV. Enforcement

A. All provisions of Seattle Municipal Code 4.04.225, as amended, pertaining to the Citywide smoking policy will be enforced as written.

PHILOSOPHY

Information will be gathered and recorded in a manner that does not unreasonably infringe upon: individual rights, liberties, and freedoms guaranteed by the Constitution of the United States and the State of Washington, including freedom of speech, press, association, and assembly; liberty of conscience; the exercise of religion; the right to petition government for redress of grievances; and the right to privacy. Consistent with this policy, Department personnel shall comply with the dictates of the Investigations Ordinances and with the requirements of Department rules and regulations.

The Department will cooperate fully with the Investigations Ordinance auditor. The Auditor will be given total access to any and all files maintained by the Seattle Police Department except in the case of files or investigations which are specifically exempted from inspection by the Investigations Ordinances.

The Investigations Ordinances requires all Department personnel to safeguard the rights of persons involved in lawful political or religious activities and places restrictions on the documenting of certain types of information. While much of the Ordinances pertains to the activities of the Criminal Intelligence Section, the Ordinances is directed at the activities of the Department as a whole. Officers must keep the Ordinances in mind when writing reports. Any documentation of information concerning a person's sexual preferences or practices, or their political or religious activities must be for a relevant reason and serve a legitimate law enforcement purpose. Officers should also be aware of the Ordinances when photographing demonstrations or other lawful political activities. If demonstrators are not acting unlawfully, police can't photograph them. Periodic review of the Ordinances is worthwhile, as violations of the Ordinances could result in civil liability or disciplinary action, including discharge.

Reference: Seattle Municipal Code, Chapter 14.12 - Collection of Information For Law Enforcement Purposes and applicable City Ordinances as therein referenced.

Seattle Police Training Manual

PURPOSE

Information provided by informants is recognized by the courts and can contribute to the success of criminal investigations and prosecutions. The following informant procedures and guidelines have Department-wide application and are intended to provide for the effective use of this information in investigations and prosecutions, and to protect officers and the Department from unwarranted criticism in the use of informants.

I. Definition

A. Informant: A person who provides information or services to the Department:

1. In return for money, other benefit, or consideration from the Department, a prosecutor, court, or other government agency at the request or with the involvement of the Department, or

2. That are used in an investigation or prosecution without receiving money, other benefit, or consideration from the Department, a prosecutor, court, or other government agency where the person's identity is known but intended to be kept confidential in the event of prosecution.

II. Exceptions To This Procedure

A. Exceptions to the following procedures and guidelines may be allowed in special cases, because of the unique or sensitive nature of, or informant's role in, an investigation or prosecution. Exceptions will require the prior approval of the Bureau Commander on a case-by-case basis. The approving Bureau Commander and all detectives/officers involved in the use of the informant will have the responsibility to follow procedures that will provide for the effective use of the informant in the investigation and prosecution, and to maintain information necessary to satisfy a review of the case by the Department, prosecutor, or court.

III. Units and Officers Authorized To Use Informants

A. The Investigations Bureau is authorized to use informants.

B. The use of informants by any other Bureau shall require the authorization of the Assistant Chief of the Investigations Bureau. Such authorization will be on a case by case basis.

IV. Use of Informants - General Responsibilities

A. The use of an informant will require prior supervisory notification and approval as indicated in sub-section V. of this manual section. In addition, it is the officer's responsibility to keep their supervisors informed, on an ongoing basis, of their activities involving the development and use of informants.

B. Supervisors shall be aware of the activities of those officers under their supervision who are involved in the development and use of informants.

C. The identities of informants shall be kept confidential.

D. Unlawful activities by informants shall not be encouraged or condoned.

E. Officers shall not knowingly maintain social relationships with informants or otherwise become personally involved with informants. See sub-section XIV. of this manual section.

F. Whenever possible, an officer shall be accompanied by another officer when meeting with an informant.

G. Detective supervisors will ensure that each person under their supervision is trained in the procedure for handling informants as needed. Patrol officers and detectives who become involved in handling informants will receive training from supervisors whose responsibilities cover the specific area in which the work is being generated.

H. Line supervisors will check all submitted reports that involve the handling of informants for accuracy, consistency of information, and completeness. Special emphasis will be placed on recording of expense funds and amounts and types of contraband or evidence involved.

V. Establishing Informants

A. Prior to using an informant

1. Supervisors will review and approve the use of the informant. This shall include an in-person meeting between the informant and the requesting officer's immediate supervisor.

2. Informants under Department of Corrections supervision or any other court restricted status will require prior written permission from the informant's assigned Community Corrections Supervisor or assigned probation officer prior to use of the informant. The written memo authorizing use will be placed into the individual informant file.

3. Information provided by the informant shall be evaluated and tested, when practical.

4. The informant will be assigned an informant number and an *Informant Name Card* (form 1.1.5) will be forwarded to the Assistant Chief of the Investigations Bureau. The informant number will consist of a letter designating the organizational subdivision using the informant (N-Narcotics Section, V-Vice Section, I-Criminal Intelligence Section, G-Gang, DV-Domestic Violence, SA-Special Assault, J-Juvenile) followed by a sequential number based on the number of informants used by the unit.

5. An *Informant Agreement Form* (form 1.1.2) shall be completed.

6. An individual informant file, as outlined in sub-section XIII. of this manual section, will be opened, and will be reviewed and approved by a supervisor.

B. In cases where an investigation may be jeopardized due to delays caused by the completion of the above procedures, a supervisor may allow the investigation to proceed prior to the final completion of the above procedures. Supervisors will record the informant identification number and name with the Assistant Chief of the Investigations Bureau and ensure completion of the procedures without delay.

VI. Duplicate Use of Informants

A. When an officer registers an informant in the central informant file and another officer is on record as using the same informant, a *Notice of Duplicate Use of Informant* (form 1.1.8) shall be sent to the supervisor of the unit(s) already on record. In the event an officer uses an informant used by another officer they will coordinate with one another to avoid duplication of information, payment, and conflicts in the use of the informant.

VII. Problem Informants

A. The criteria for classifying an informant as a problem informant include, but are not limited to:

1. Acting in a way which endangers the safety of an officer,

2. Revealing the identity of an undercover officer or the existence of an investigation,

3. Engaging in continuous criminal activity while an informant,

4. Intentionally giving false information, or

5. Unreliability in the handling of money or evidence in an investigation.

B. Problem Informant Reporting

1. A problem informant will be reported on a *Problem Informant Card* (form 1.1.7) which will be reviewed by the reporting officer's supervisor. The reporting officer will distribute the *Problem Informant Card* as follows:

   a. Original to the office of the Assistant Chief of the Investigations Bureau for filing in the Central Informant File,

   b. A copy to the informant's individual informant file maintained by the reporting officer, and

   c. A copy to the supervisor of any other unit/officer(s) for whom the reporting officer has received a *Notice of Duplicate Use of Informant* (form 1.1.8).

C. Use of Problem Informants

1. Designation as a problem informant will not necessarily exclude the person from being used as an informant. However, such use will require the prior approval of a command level supervisor (Lieutenant or above). A sergeant may give tentative approval in a case where delay may jeopardize an investigation.

VIII. Use of Informants for Warrants and Investigations in Other Jurisdictions

A. An affidavit or application for a search or arrest warrant where information or services provided by an informant are used or relied upon in the affidavit or application, will be reviewed by a supervisor and a prosecuting attorney. Prosecuting attorneys are available to offer advice on application of arrest/search warrants or ongoing investigations. It is recommended that supervisors and prosecuting attorneys be consulted in any instance where multi-jurisdictional issues are relevant (i.e. any informant-related activity

outside of the city limits or multi-agency city / state / federal investigations where SPD informants are utilized).

B. Officers and Detectives shall not render services or information from SPD informants to other law enforcement agencies without prior approval of their Bureau Commander and the Assistant Chief of the Investigations Bureau. If the information provided by the informant serves an expedient public safety need where time is of the essence, written notification to the appropriate Bureau Commanders shall then be made as soon as practical after such information or services have been provided. Information and or services provided by the SPD informant to other law enforcement agencies with prior command approval shall be noted in the informant's individual file.

IX. Payments to Informants and Informant Development Expenses

A. Payment to Informants

1. Cash payments to informants may be made for: information, evidence, or contraband; introducing officers or other informants; or actual expenses incurred by the informant.

2. All such payments will require:

a. The prior approval of a supervisor. Payments made to informants should be made in the presence of another officer, detective, or supervisor unless definable circumstances do not allow such. In any instance where a witnessing officer will not be present for informant payment, the investigating officer or detective will make additional notification to their immediate supervisor with an explanation of such circumstances for screening prior to any payment of funds to the informant,

b. Satisfactory completion of the informant's services/activities,

c. Completion of a *Justification for Payment of Funds* (form 1.1.6),

d. An explanatory entry in the informant's *C. I. Activity Report* (form 1.1.3), and

e. The completion of any other vouchers, receipts, or payment control reports or logs required by the officer's unit of assignment.

B. Informant Development Expenses

1. Expenses incurred in the development of informants (as opposed to cash payments to informants) will be reported in detail, according to the voucher and expenditure procedures required by the officer's unit of assignment.

X. Consideration Relating to Prosecution

A. An informant who has been charged with a crime will not be offered consideration pertaining to prosecution or penalty for such crime by an officer unless it is discussed and cleared by the concerned Prosecuting Attorney and is approved by the officer's Bureau Commander.

XI. Informant Files - Generally

A. Informant files will consist of two types of files:

1. A central informant file (see Subsection XII. of this manual section), and

2. Individual informant files (see Subsection XIII. of this manual section).

B. An internal review of the Department's informant files will be made twice a year (at least 120 days apart) under the direction of the Assistant Chief of the Investigations Bureau.

C. An informant file may be purged when ten or more years have passed since the last contact with the informant, and then only with the approval of the Assistant Chief of the Investigations Bureau.

XII. Central Informant File

A. The central informant file will be maintained in the offices of the Assistant Chief of the Investigations Bureau in a secure, controlled access location.

B. The central file will contain the following from each informant:

1. An *Informant Name Card* (form 1.1.5), and

2. Any applicable *Problem Informant Card* (form 1.1.7).

XIII. Individual Informant Files

A. Each of the organizational subdivisions of the Department authorized to use informants will:

1. Maintain the individual informant files of the informants, for which they have operational responsibility, in a secure, controlled access location. A log containing the informant number and true name of each informant will be maintained with the files, and

2. Assign a supervisor (sergeant or above) who will be responsible for administrative control of their files.

B. An individual informant file will be maintained for each informant. A file will include, but not be limited to, the following:

1. Copy of the *Informant Name Card* (form 1.1.5),

2. *Informant Information Report* (form 1.1.1),

3. *Informant Agreement* (form 1.1.2),

4. Copy of any applicable *Duplicate Use of Informant* (form 1.1.8) notifications,

5. Copy of any applicable *Problem Informant Card* (form 1.1.7),

6. Dated photograph or mug shot not more than five years old,

7. Criminal record, including an NCIC III query, NCIC, WACIC, and SEAKING system check and other pertinent behavioral history information. If an informant has no criminal record, a memorandum indicating this fact will be included in the file. Information pertaining to a criminal record or lack thereof will be signed and dated by the officer who placed the information in the file, and

8. *CI Activity Report* (form 1.1.3) which will contain entries reporting the activities of the informant and the activities of the officers as they relate to the informant. This includes, but is not limited to:

   a. Informant payments or other considerations,

   b. Use of information provided by the informant to support a search or arrest,

   c. Controlled buys or investigative activities involving the informant. Buys of evidence or contraband will be reported in detail (e.g. type, amount, cost, etc.),

   d. Receipt of information pertaining to illegal activities of the informant, and

   e. Arrest, incident and follow-up reports, officer's statements and other investigative reports relevant to the person's role as an informant.

C. Each officer involved in the use of an informant will be responsible for keeping the informant's individual file current and complete on an on-going basis. Supervisors will be responsible for reviewing and approving files for accuracy and completeness.

XIV. Personal Business Transactions with Confidential Informants

A. Department employees shall not buy, sell, receive, or transfer for personal gain, benefit or advantage, anything of value to or from a person known by the employee at the time of the transaction to be a confidential informant (as defined herein), without prior authorization from the employee's Bureau Commander.

B. Nothing in this section is intended to apply to or affect a legitimate, routine retail or wholesale purchase from a licensed business that a confidential informant owns or is employed by.

Seattle Police Department
Policies and Procedures

Section	
1.105	
Title: I - Administration	Chapter: 105 - Mutual Assistance

POLICY

The Seattle Police Department will assist the Washington State Patrol in the screening, investigating, and processing incidents when requested. When other agencies provide enforcement assistance to the Department, Department personnel will assume primary investigative responsibility.

I. Non-Traffic Felonies

A. In order to ensure uniformity in an investigation and to expedite the processing of a suspect, assigned Seattle Police personnel will complete any required reports.

B. Washington State Patrol personnel will work under the direction of a Seattle Police supervisor (either on the scene or in the police precinct) while a felony arrest is processed.

C. It will be the responsibility of the SPD supervisor to ensure that the processing of the arrest and reports are completed expeditiously, in order to return the State Trooper(s) to their duties without undue delay.

D. The State Trooper will be provided with complete copies of all reports prepared for forwarding to the Washington State Patrol.

II. Other Enforcement Assistance

A. As a result of an interpretation of the State Attorney General, the Washington State Patrol cannot issue citations or make arrests for municipal offenses.

B. Circumstances in the future may again require cooperative enforcement efforts.

1. Whenever the Washington State Patrol, or another outside agency, provides enforcement assistance to the Department, any citations issued for municipal offenses shall be completed by Seattle Police Officers. The outside agency officer shall be listed as a witness.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.109	I - Administration	109 - University of Washington

POLICY

Seattle Police officers will not conduct patrol activities or initiate primary police action on the University of Washington campus except in life threatening and serious felony situations. Officers may respond to the University of Washington campus in cases of emergency, such as a crime in progress, help the officer, or injured person.

I. Definitions

A. UW: University of Washington.

B. UWPD: University of Washington Police Department.

C. Serious Injury: Any injury that could produce death if not treated, or any injury which actually results in hospitalization of the person injured.

II. Procedure

A. Officers responding to the campus for an emergency situation, shall notify Radio immediately.

B. Radio will send a Department supervisor to the scene of the incident to oversee the activities of Department personnel.

III. Arrests by University of Washington Police

A. Arrests made by UW Police officers are screened and processed within their own department. They also conduct their own follow-up investigations.

B. The UWPD uses SPD forms along with pre-assigned SPD Single Incident Numbers.

IV. Follow-up Investigations

A. The Department role, except in those instances where primary police action is allowed, will be limited to that of support and assistance to the UWPD.

B. Seattle Police detectives may respond to investigate major crime scenes on campus if requested to do so by the Chief of the UWPD (or, in the UWPD Chief's absence, the senior on-duty UWPD supervisor).

C. When Seattle Police detectives respond to a major crime scene on the UW campus, the detective unit supervisor will direct the activities of UWPD officers present to provide crime scene security during the investigation after consulting with the UWPD supervisor at the scene.

V. Use of Force by UWPD

A. Whenever a UWPD officer uses force which results in death or serious injury to any person, jurisdiction will be decided according to the particular circumstances involved.

1. When initial contact and the use of force occur on campus, the UWPD will have primary jurisdiction; SPD will assume a secondary role, lending the UWPD investigative support as requested.

2. Initial contact occurring off campus which results in the use of force on campus falls under the jurisdiction of the UWPD. The SPD will have a secondary role in this circumstance.
3. If initial contact is on campus but the use of force occurs off campus, the SPD will have primary jurisdiction.
4. When the initial contact and the use of force occur off campus, the SPD will have jurisdiction.

VI. Civil Disturbances

A. The UWPD has primary responsibility for handling civil disturbances on the UW campus.

B. Permission must first be obtained from the Seattle Chief of Police or Duty Captain when the Seattle Police Department is requested to assist the UWPD regarding a civil disturbance.

C. The Seattle Chief of Police or Duty Captain must determine that the proper authorization procedure has been followed by the UWPD, and that the person asking the Seattle Police Department for assistance has the authority to make the request.

D. In all cases of civil disturbance, the Department's role will be limited to that of support and assistance to the UWPD. Radio will be notified immediately and a supervisor will be dispatched to the incident to assure that our secondary role is maintained.

VII. The University of Washington's Chain of Command

A. University of Washington Administrative Order #2 (July 1992) spells out who in the University's chain of command is authorized to make decisions regarding civil disturbances on the UW campus.

B. The chain of command, in order of availability, is as follows:

1. President of the University,
2. Provost,
3. Executive Vice President,
4. Vice President for Student Affairs,
5. Assistant Vice President for Business and Personnel Services.

VIII. Exceptions to Call Out Procedure

A. Under the following circumstances, the Chief of the UWPD (or, in the chief's absence, the senior on-call police supervisor) has authority to request SPD assistance in cases of civil disorder on the UW campus on behalf of the University President.

1. Neither the President nor any University officer listed above can be contacted within a reasonable period of time, given the immediacy and other circumstances of the threatened or actual civil disorder.
2. An actual civil disorder is in progress, and immediate action is necessary to protect persons or property from further injury or damage.
3. When the Seattle Chief of Police or Duty Captain cannot be reached to obtain permission as noted above, and the situation requires the Chief of the UWPD to act for the President, the North Precinct Commander or Watch Commander may authorize such assistance after being satisfied that the UWPD Chief has followed the proper authorization procedure.

B. The Chief's office and the Duty Captain will be notified as soon as possible in all cases where permission did not precede activity by Seattle Police officers on the University of Washington campus.

I. Use of Non-SPD Canine Resources

A. No dog belonging to an individual, agency, or group other than the SPD Canine Squad will be used for the purpose of assisting the Department except when:

1. The handler and dog:

   a. Have approval of the Canine Unit Supervisor, the Commander of the Metropolitan Section and the Assistant Chief of the Operations Bureau, or

   b. Are approved by the Commander or Assistant Commander of the Seattle Police Operations Center (SPOC) during an activation of the SPOC, and

2. A member of the SPD Canine Squad is at the scene and decides the use of that team is appropriate, and

3. The handler and dog are members of a law enforcement agency which has a reciprocal agreement with the Department, or

4. The handler and dog are members of the Federal Emergency Management Agency Urban Search and Rescue Team being used during a disaster.

B. Under no circumstances will use of a dog and handler be approved when the SPD Canine officer at the scene decides the use of the dog is inappropriate or too dangerous.

C. Final authority for continued use, different application, or termination of the activity shall be made by the ranking or senior member of the Metropolitan Section, or, during a SPOC activation, by the Commander or Assistant Commander of the Seattle Police Operations Center.

POLICY

A relationship of trust and confidence between employees of the Department and people in the community is essential to effective law enforcement. In addition, Department employees have a primary obligation to meticulously respect the rights of all people. To ensure and maintain this relationship of trust, it is necessary to have a system of performance review. Complaints may be initiated by Department employees, members of the public, or government officials. Policies, procedures, and individual actions that fail to meet the test of fairness, equity, and justice shall be subject to prompt corrective action.

Police officers must also be free to exercise their best judgment and to initiate law enforcement action in a reasonable, lawful and impartial manner without fear of reprisal. The Department shall protect and exonerate employees when employees properly discharge their duties.

Other sources contain provisions that may also apply to the complaint process and the discipline of employees. Examples include: City ordinances (e.g., SMC 4.04 and SMC 4.08); administrative rules (e.g., Public Safety Civil Service Commission Rules and City Personnel Rules); and collective bargaining agreements. If a conflict is found, the applicable ordinance, rule, or collective bargaining agreement will be determinative.

I. Purpose

A. To maintain the discipline, morale, and effectiveness of the Department.

B. To preserve and promote employee compliance with the Department's policies, procedures, rules, and regulations.

C. To foster public trust and confidence in the Department and its employees.

D. To protect Department employees from unwarranted criticism when they properly discharge their duties.

II. Definitions

A. Citizen Complaint: an allegation of employee misconduct from any source outside the Department. Types of misconduct include, but are not limited to, the following:

1. Violations of Department policies, procedures, rules or regulations,
2. Violations of City, State or Federal laws,
3. Conduct which reflects poorly on an employee, the Department, or the City, and
4. Other conduct which may subject an employee, the Department, or the City to civil liability.

B. Internal Complaint: an allegation of misconduct against an employee from any source within the Department.

III. Individual Employee Responsibilities

A. All employees observing instances of serious misconduct or abuse shall intervene to stop the misconduct or abuse.

B. Employees have a duty to assist any person who wishes to file a complaint by:

1. Taking the complaint,
2. Providing specific information to the complainant on where and how to file the complaint, or
3. Immediately putting the complainant in contact with a supervisor or other individual who can assist them with filing their complaint.

C. An employee who witnesses or becomes aware of misconduct or a complaint of misconduct, shall, in all cases, take appropriate action to prevent aggravation of the incident or the loss of evidence that could prove or disprove misconduct.

D. No employee shall interfere with, hinder, or obstruct a person from making a citizen complaint or an internal complaint.

E. Each employee shall assume the obligations of their position in the reporting of complaints or allegations of misconduct against Department employees.

F. Employees shall cooperate in a Department internal investigation of an allegation of misconduct when so directed by the Department, and shall truthfully answer questions and render complete, material and relevant statements, including all facts and circumstances surrounding the subject matter of the investigation which may be known by the employee. Omissions of material fact shall be classified as failure to cooperate in an internal investigation.

1. Whenever an employee submits a verbal or written statement as required by this manual, they should preface the statement with the following sentence:

   "This is a true and involuntary statement given by me in accordance with Section 1.117 of the Seattle Police Department Manual."

IV. Supervisory and Command Responsibilities

A. Supervisory employees (sergeants and above or civilian equivalents) shall themselves take corrective action within the scope of their authority when they witness or become aware of employee minor misconduct. Examples of minor misconduct include, but are not limited to:

1. Lateness,
2. Uniform and equipment violations,
3. Personal appearance violations,
4. Minor omissions in assigned duties, or
5. Minor violations of Department regulations concerned with job performance, efficiency, or employee safety.

B. If misconduct or an internal complaint of misconduct is of a more serious nature or is repeated minor misconduct, the supervisor shall report the matter by completing a *Complaint Report* (form 2.7). The *Complaint Report* and other related reports and documents shall be forwarded to the Office of Professional Accountability. (A copy of the *Complaint Report* and related documents shall also be forwarded to the accused employee's Precinct or Section Commander or civilian equivalent.

C. A supervisor (sergeant or above, or civilian equivalent) may relieve a subordinate employee from duty for up to twenty-four (24) hours (excluding weekends and holidays) when it appears from an allegation of misconduct that immediate relief from duty appears necessary to protect the Department, the employee, or the public. A copy of the *Complaint Report* (form 2.7), regarding the alleged misconduct that caused the relief from duty shall be immediately forwarded to the involved employee's Precinct or Section Commander or civilian equivalent, as well as to the Office of Professional Accountability.

1. Time sheets shall be marked "AM" to indicate Administrative Mandatory Leave.

V. Reporting Complaints

A. The Department will accept complaints from any source including witnesses or other third parties, outside agencies, and anonymous sources. Complaints may be made in person, or by writing or phoning the Department or the Office of Professional Accountability.

B. When a non-supervisory employee becomes aware of a complaint by a member of the public, they shall notify a supervisor (sergeant or civilian equivalent) and refer the complainant to the supervisor. When a supervisor is not immediately available, the employee shall be responsible for receiving and documenting complaint(s) and providing the information to a supervisor before going off-duty. The following pertinent facts and information shall be recorded whenever a complaint is received:

1. Nature of the alleged incident,
2. Date of the alleged incident,
3. Place where the alleged incident occurred,
4. Name of employee involved or their badge number and other description,
5. Name, address, and telephone number of the complainant, aggrieved party, and all known witnesses,
6. A detailed summary of the complaint.

C. Supervisors shall document the complaint by completing a *Complaint Report* (form 2.7). If the supervisor is the subject of the complaint, the complaint shall be referred to another supervisor.

D. Supervisors shall notify a command level officer (lieutenant or above, or civilian equivalent) in cases where immediate investigative action by the Office of Professional Accountability may be necessary. If warranted, the command level officer shall notify IIS.

E. When alleged misconduct involves unnecessary or excessive use of force, a supervisor shall photograph (if possible) any alleged injuries and areas where injuries are alleged but are not visible. The supervisor shall also report their observations regarding the presence, absence, nature, and extent of any injuries, and whether medical attention was received or sought.

F. The reporting supervisor shall forward the *Complaint Report* with any related reports and documents directly to the Office of Professional Accountability before going off-duty. A copy of the *Complaint Report* and any related reports shall be forwarded to the accused employee's Precinct or Section Commander, or civilian equivalent. If the subject of the complaint is assigned to the Office of Professional Accountability, the report shall be forwarded to the Chief of Police or his designee.

G The Chief of Police or his designee shall appoint an investigator from another Department Section or entity within the Department for complaints directed against members of the Office of Professional Accountability.

VI. Public Inquiries

A. A dispute regarding the factual support for an arrest, citation, or the appropriateness of an established Department policy or procedure will not ordinarily be considered a public complaint. Further, it will not be subject to the public complaint reporting requirements of this section. However, people with inquiries of this nature should be given an explanation of the Department policy, procedure, or issues involved. If further explanation appears necessary, the person should be referred to a supervisor or the Department unit generally responsible for the subject matter of the inquiry. Employees are encouraged to document constructive public inquiries and suggestions and forward them through their chain of command.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.125	I - Administration	125 - EEO Complaints & Investigations

POLICY

All complaints of discriminatory misconduct from Seattle Police Department employees as they pertain to workplace harassment will be thoroughly investigated and resolved in accordance with applicable laws or regulations, whether initiated from within or from outside the Department. Complaints may be formal or informal, oral or written.

I. General

A. An Equal Employment Opportunity (EEO) complaint is an accusation of misconduct based on race, creed, color, national origin, age, gender, sexual orientation, marital status, political ideology, parental status, religion, ancestry, or mental, physical, or sensory handicap.

B. Workplace harassment is prohibited by law, when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of employment,
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

II. Responsibilities

A. Human Resources Director

1. Shall monitor all Department procedures regarding fair employment and labor practices. The Director will mediate issues arising from these complaints, when substantiated.

B. EEO Investigator

1. The EEO Investigator shall investigate all complaints of workplace harassment and discriminatory misconduct by Seattle Police Department employees. The EEO Investigator shall report to the Commander of the Office of Professional Accountability Investigations Section.

C. Office of Professional Accountability- Investigations Section Commander

1. The OPA-IS Commander is responsible for the administration and maintenance of all procedures involving complaints of discriminatory misconduct by employees of the Seattle Police Department.

III. Procedures

A. All complaints of employee misconduct based on the above descriptors will be directed to the Department EEO Investigator. Complaints of personnel employment practices will be directed to the Human Resources Director.

1. Each of these people respectively will serve as contact persons for all agencies, such as the Equal Employment Opportunity Commission, the Washington State Human Rights Commission, or the Seattle Human Rights Department.

B. All respective misconduct records or complaints and their resolutions will be maintained by the Department EEO Investigator in the unit files of the Office of Professional Accountability-Investigations Section.

C. Complaints emanating from sources not related to Title VI or VII of the Civil Rights Act of 1964 and related legislation will be referred through appropriate channels within the Department other than the Department EEO Investigator.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.129	I - Administration	129 - Harassment in the Workplace

POLICY

The Seattle Police Department shall provide a work environment for its employees that respects the diversity of our community, which is free from discrimination and harassment, and promotes equal employment opportunity and equitable treatment for all department employees.

Harassment because of a person's race, color, religion, creed, sex, sexual orientation, national origin, ancestry, age, disability, marital status, or political ideology, or that of their relatives, friends, or associates is employment discrimination. Such harassment violates either City, State, or Federal laws. The Department will not tolerate any form of harassment.

The Department's intent is to take positive action to prevent the occurrence of harassment in the workplace. The Department encourages employees to come forward with their concerns and complaints about prohibited workplace harassment. The Department will take immediate action to resolve complaints about prohibited harassment. Retaliation against any individual for making a complaint of harassment or cooperating in a harassment investigation shall not be permitted. Any person engaging in prohibited harassment or retaliation will be subject to appropriate disciplinary action up to and including discharge.

I. Definitions

A. Harassment: Verbal or physical conduct toward an individual because of their race, color, religion, creed, sex, sexual orientation, national origin, ancestry, age, disability, marital status, or political ideology, or that of their relatives, friends, or associates, that:

1. Has the purpose or effect of creating a hostile, intimidating, or offensive work environment,
2. Has the purpose or effect of unreasonably interfering with an individual's work performance, or
3. Otherwise adversely affects an individual's employment opportunities.

B. Harassment also includes sexual harassment, which is defined as unwelcome advances, requests for sexual favors, and other verbal, or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
2. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or of creating an intimidating, hostile, or offensive work environment.

C. Harassing conduct includes, but is not limited to:

1. Epithets, slurs, negative stereotyping including that of language or accents; threatening, intimidating, or hostile acts that relate to race, color, religion, creed, sex, sexual orientation, national origin, ancestry, age, disability, marital status, or political ideology, and
2. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, creed, color, religion, sex, ancestry, sexual orientation, national origin, age, disability, marital status, or political ideology, and that is placed on walls, bulletin boards, electronic bulletin boards, e-mail or elsewhere on the employer's premises, or circulated in the workplace.

D. Sexual harassment also includes but is not limited to: sexual comments, innuendoes, displays or jokes; unwelcome invitations to sexual activity; unwelcome touches, pinches, or hugs; pressure to engage in sexual activity as a condition of employment or promotion; and sexual assault.

E. Sexual Harassment Complaint: An oral or written complaint alleging an incident or a set or series of actions as defined above, made by an employee to a supervisor or a management representative, or information obtained by any supervisor or management representative indicating the possible existence of harassment in the workplace.

F. Management Employee: Sworn employees from the rank of sergeant or above, and civilian employees who are responsible for managing, directing, or administering the affairs of a unit. This includes employees assigned on a temporary, acting, or out-of-class basis to any management position.

G. Retaliation: Punitive actions taken against an employee because they have complained about harassment, given a statement about harassment, or otherwise supported a harassment complaint. Retaliation may potentially include: transfers or discharges; changes in job duties, assignments, privileges, or performance evaluations; laughing at, ignoring, or failing to take seriously an employee who experiences harassment; acting in ways that blame the victim of harassment for causing the problem; continuing or escalating harassing behavior after a coworker has objected to that behavior.

II. Responsibilities

A. EEO Officer

1. Monitor all Department procedures regarding harassment, to investigate all complaints of sexual harassment within the Department, including those complaints of sexual harassment which involve possible criminal behavior by the accused employee, and to furnish written recommendations for resolving sexual harassment complaints.

2. The EEO Officer reports to the Commander of the Internal Investigations Section. The Commander of Internal Investigations is responsible for the administration and maintenance of all procedures and deciding which recommended course of action to take in resolving a harassment complaint.

B Supervisors and Managers

1. Immediately initiate an inquiry when there is indication that harassment may be occurring. Any action taken in resolving an incident shall be reported immediately to the Department EEO Officer or the Commander of the Internal Investigations Section. The Department has an affirmative obligation to investigate the existence of harassment in the workplace whenever it becomes aware of the possibility that harassment might be occurring. Because of this obligation, if a management representative, including an EEO Officer, becomes aware of the possibility of harassment in the workplace, they are obligated to initiate a formal investigation of the situation.

2. The chain of command of the employee who has been accused of harassment shall be responsible for providing assistance and cooperation to the EEO Officer whenever necessary during the course of an investigation. In addition, the chain of command shall be responsible for reviewing alleged incident(s) of harassment and for submitting recommendations for personnel action, including disciplinary action.

III. Complaint Procedures

A. The employee should promptly file a complaint with their immediate supervisor or management representative. If the employee has a complaint against their supervisor, or if the employee is uncomfortable discussing the complaint with their supervisor, the employee may contact the supervisor's supervisor, Department EEO Officer, Commander of the Internal Investigations Section, or other management employee, who shall immediately notify the Department EEO Officer of the complaint.

B. The employee's complaint of harassment may be oral or written and should include, when available, the following information: date(s) incident(s) occurred, names of individuals involved, names of witnesses, and a description of the incident(s). It may also include a statement of the desired remedy.

C. Employees may, at any time, seek redress from an enforcement agency (Seattle Human Rights Commission or the Equal Employment Opportunity Commission) or through a court of law. Administrative agencies have established a time limit of 180 days from the date of the last harassment incident for filing complaints.

D. The EEO Officer shall immediately initiate an investigation of the complaint and, where applicable, assess the need to recommend removal of the parties from the same work environment. The alleged harasser shall be notified by the EEO Officer that a harassment complaint has been filed naming them and that it will be investigated. During the investigation process, the EEO Officer will ensure compliance with any right to union representation of individuals, including the alleged harasser, who may be disciplined based upon their statements in the investigation. All parties to an investigation shall be advised by the EEO Officer that retaliation by anyone for filing a harassment complaint, or for testifying or assisting in an investigation violates City, State, and Federal laws and shall not be tolerated.

E. The investigation shall be completed no later than ninety (90) days from the receipt of the complaint or from the time that responsible supervisors / EEO Officer became aware that harassment may be occurring. The time limit for completing an investigation may be extended upon making a determination that additional time is necessary for a full and complete investigation of the complaint. Should the time limit be extended, the accused will be immediately notified in writing with a courtesy copy sent to the complaining employee. Accurate and detailed records of the investigation shall be maintained by the EEO Officer. A written summary of the allegations, and findings of the investigation shall be provided to the complainant and to the alleged harasser.

F. The imposition of discipline for harassment shall be in accordance with applicable personnel ordinances and rules, labor agreements, and Department policy. Before making a final decision regarding disciplinary action, the Commander of the Internal Investigations Section or the Chief of Police shall ensure that the alleged harasser has been given the opportunity to review the results of the investigation, has been told of the evidence obtained, and has had an opportunity to provide their response to the allegations. The Commander of the Internal Investigations Section and the Chief of Police shall take into consideration the response given by the alleged harasser.

G. Confidentiality of a harassment complaint shall be maintained by supervisors/ managers to the extent that it does not hinder the investigation or resolution of the complaint and is permitted under law.

H. Nothing in this procedure shall prevent any employee from informally discussing issues of harassment with non-supervisory staff in the Office of Women's Rights or the Affirmative Action Unit of City Personnel.

I. All external complaints of harassment shall be directed to the Department EEO Officer, who shall serve as the contact point for all agencies, such as the Equal Employment Opportunity Commission, the City Department of Human Rights, or the Washington State Human Rights Commission.

J. All records of complaints and their resolution shall be maintained by the Department EEO Officer in the Internal Investigations Section. If the complaint is determined to be unfounded, exonerated, or not sustained, the record of the complaint shall be expunged after three (3) years plus the year of the complaint.

Seattle Police Department
Policies and Procedures

Section 1.132

Title: I - Administration

Chapter: 132 – Collective Bargaining and Contract Management

I. Collective Bargaining

A. The Department shall abide by applicable laws and rules governing the collective bargaining process as set forth in RCW Chapter 41.56, Seattle City Charter Article XVI, Sec. 9, and SMC 4.04.120.

B. The Department will negotiate in good faith with the representatives of public employee bargaining units and abide by the ground rules for collective bargaining that arise out of the collective bargaining process or labor arbitration.

C. The Department commits to abide, in both letter and spirit, by the negotiated labor agreement that has been signed by the authorized representatives of the City and the bargaining units, and ratified by the City Council.

II. Contract Management

A. The Chief of Police or designee will:

1. Obtain a written, signed copy of the labor agreement.
2. Review and amend, if necessary, all written directives and procedures to coincide with the terms of the labor agreements.
3. Disseminate information relative to a new labor agreement, including modifications to existing agreements, to managers and supervisors of bargaining unit employees.

III. Seattle Police Department Bargaining Units

Union Name	Classifications Covered
Seattle Police Officers' Guild	Police Officer Police Sergeant
Seattle Police Management Association	Police Lieutenant Police Captain Police Communications Director
IFPTE, Local 17 - Technical Unit	Identification Technician Photographer, Senior
IFPTE, Local 17 - Professional Unit	Info Tech Systems Analyst Photographic Services Supervisor Crime Prevention Coordinator
IFPTE, Local 17 - Admin. Support Unit	Accounting Technician II Accounting Technician III Administrative Specialist I Administrative Specialist II Administrative Specialist III Administrative Support Supervisor Police Data Technician Police Data Technician, Senior Police Data Technician Supervisor

IFPTE, Local 17 - Info Tech Professional Unit	Info Tech Professional B
JCC - Teamsters, Local 117, Appendix “H”	Equipment Servicer
JCC - PS&IE, Local 1239, Appendix “J”	Laborer
	Utility Laborer
	Maintenance Laborer
JCC - Teamsters, Local 763, Appendix “G”	Warrant Officer
	Warrant Officer, Senior
	Warrant Officer Supervisor
Washington State Council of County & City Employees	Parking Enforcement Officer
Seattle Police Dispatchers' Guild	Police Communications Dispatcher I
	Police Communications Dispatcher II
	Police Communications Dispatcher III
	Police Communications Dispatcher, Chief
	Police Communications Analyst
	Systems Analyst – Police
Teamsters, Local 117	Community Service Officer
	Community Service Officer Supervisor
Teamsters, Local 117	Evidence Warehouser
	Evidence Warehouser, Senior

Seattle Police Department
Policies and Procedures

Section	
1.133	

Title:	Chapter:
I - Administration	133 - Grievances

POLICY

All employees shall be treated fairly in matters arising from their employment, and they shall have the opportunity to be heard fully any time they believe they have been treated unfairly. Formal grievance procedures usually evolve from informal attempts to resolve differences between employees and the Department. The grievance procedures shall be defined in collective bargaining agreements, Civil Service Rules, and City of Seattle Personnel Rules.

I. Represented Employees

A. Employees who are members of a bargaining unit having a labor agreement with the City shall process their grievances according to the applicable grievance procedure provided by their agreement or Civil Service Rules.

II. Non-Represented Employees

A. Non-represented Department employees shall process their grievances according to the grievance procedure provided by City of Seattle Personnel Rules, Chapter V, section 8.

III. Maintenance, Control, and Analysis of Grievance Records

A. The Director of Human Resources shall be responsible for the maintenance and control of grievance records.

B. The Legal Advisor, with assistance from the bargaining unit liaisons, shall make an annual analysis of grievances. The Legal Advisor shall forward the report to the Chief of Police.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.137	I - Administration	137 - Civil Actions

I. Definition

A. Civil action: Any civil lawsuit, civil claim, or insurance claim (including judicial proceedings, depositions, interviews, or other associated activities) related to an incident officially investigated by an employee or an incident about which an employee has knowledge gained through the performance of official duties.

II. Citizen Claims for Reimbursement

A. Although citizens may file a claim with the City for reimbursement for any damages or expenses that result from police action, officers cannot obligate, and should not suggest, that the City or the Department will pay such claims. Legally, the City is usually not obligated to reimburse citizens for all damages or expenses that result from police action (e.g. the service of a search warrant where force is used to gain entry).

1. Officers shall not promise citizens that they will be reimbursed if they file a claim.

B. If a citizen requests information regarding reimbursement for damages, officers should inform them that they may apply for reimbursement by filing a claim with the Claims Division of the City's Law Department. Citizens may pick up a claim form at the Seattle Municipal Building, Clerk's Office, 600 Fourth Avenue - Room #104, or they may call 684-8213 and a form will be mailed to them.

III. Involvement / Participation in Civil Actions - Generally

A. No employee shall volunteer to aid any private party in any manner in a civil action, and no employee shall participate in any manner in a civil action except as provided by Department policy and due process of law.

B. No employee, except the Chief of Police as the custodian of Department records or an employee specifically designated by the Chief of Police (e.g., Records, Evidence and Identification Section Director, Department Legal Advisors), shall provide to any person or authority outside the Department, related to a civil action, any Department records, reports, documents, or other materials, or copies thereof, completed by an employee in the performance of official duties.

C. No employee shall confer or consult with any person outside the Department or participate in any activity or proceeding related to a civil action, except in response to a subpoena or at the request of a Department Legal Advisor, City Attorney, or private attorney representing the City.

IV. Compensation for Appearances in Civil Actions

A. An employee who makes an authorized appearance (e.g., interview, conference, deposition, judicial proceeding) related to a civil action shall be compensated by the Department in accordance with applicable compensation provisions for duty-related activities.

B. No employee shall solicit or receive, directly or indirectly, any other fees or compensation (e.g., witness fees, expert witness fees, consultation fees) for any appearance, participation, or other activity related to a civil action.

V. Supervisory Notification and Scheduling

A. Whenever an employee receives a subpoena or request from a Department Legal Advisor, City Attorney, or private attorney representing the City to appear or participate in an activity related to a civil action, the

employee shall inform their immediate supervisor of the subpoena or request, the nature of the employee's involvement (e.g., appearance at trial, deposition), and the anticipated date and time of the appearance.

B. Whenever possible, consideration should be given to scheduling appearances and activities related to private civil actions (a civil action where the City, State, or some other government agency is not a party to the action) outside the employee's normal duty hours if an on-duty appearance would affect the operation of the employee's unit of assignment.

VI. Overtime Requests

A. An employee who makes an off-duty appearance related to a civil action shall submit an *Overtime Request* (form 1.33) in order to receive compensation for the appearance. Employees shall indicate on the request:

1. That the appearance or activity was related to a civil action,
2. Names of the parties involved in the civil action and who requested the employee's appearance,
3. The nature of the appearance (e.g., trial, deposition, interview).

B. The *Overtime Request* shall be routed and reviewed according to standard court time/*Overtime Request* routing and review procedures.

VII. Fiscal Unit Notification

A. In all cases where an employee makes a civil action related appearance (e.g., interview, conference, deposition, judicial proceeding), on-duty or off-duty, at the request of a private party (a party other than the City, Department, or other government agency), the Fiscal, Property and Fleet Management Section will collect fees from the private party. In order to facilitate billing by the Fiscal Unit, such employee appearances shall be reported as follows:

1. The employee who makes an appearance, on- or off-duty related, shall complete a *Memorandum* (form 1.11) addressed to the Fiscal, Property and Fleet Management Section, indicating the following:
   a. Name, address, and business phone number of the attorney(s) representing the party who requested the employee's appearance,
   b. The date, hours, location, nature of the appearance (e.g., conference, deposition, trial), any time spent in preparation for the appearance, and whether the appearance occurred during the employee's on-duty or off-duty hours, and a brief description of the nature of the civil action (e.g., civil lawsuit, insurance claim) and the incident and employee activity related to the civil action (e.g., vehicle accident investigation, incident number),
   c. The employee shall attach to the *Memorandum* a copy of any subpoena the employee received and in the case of off-duty appearances, a copy of the *Overtime Request* completed by the employee,
2. In the event an employee receives any fees or compensation for a civil appearance, the employee shall forward the fees or compensation to the Fiscal, Property and Fleet Management Section with the *Memorandum*, and
   a. Any checks received by an employee shall be endorsed "payable to the City of Seattle" and shall be signed by the employee.
3. The *Memorandum* with attachments shall be forwarded for review through the employee's chain of command. Each supervisor shall initial and date the *Memorandum* to acknowledge review. The Section/Precinct Commander shall then forward the *Memorandum*, with attachments, to the Director of the Fiscal, Property and Fleet Management Section.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.141	I - Administration	141 - Vehicle Pursuits

I. Definitions

A. Pursuit driving: Occurs when a driver is aware of an officer's presence, operates the vehicle in a manner indicating the driver is attempting to elude the officer, and the officer proceeds with emergency equipment activated in an effort to apprehend the driver.

II. General

A. Vehicles containing victims, witnesses, suspects, complainants, citizen riders, or other non-sworn personnel should not become engaged in pursuit driving situations.

B. Before engaging in a pursuit, officers should consider the seriousness of the offense committed, and the potential danger to themselves and others.

C. Only police vehicles equipped with blue lights and sirens will engage in pursuits. CSO and PEO are specifically prohibited from entering into pursuits.

D. Although attempting to elude a pursuing police vehicle is a class C felony (RCW 46.61.024), the decision to pursue and to continue pursuit is to be evaluated in terms of the seriousness of the original offense, the risks created by the pursuit, and the potential consequences of allowing the violator to escape.

E. Officers intending to stop vehicles should attempt to be as close as practical to the violator before activating their emergency equipment. To do otherwise may encourage some violators to flee, increasing the danger to the public.

F. Officers should consider such factors as the nature of the offense, time of day, weather conditions, location and population density, familiarity with the area, and the capability and reliability of the police vehicle before instituting a police pursuit.

III. Responsibilities

A. Officer

1. Shall notify Radio as soon as practicable at the start of the pursuit and furnish all pertinent details, (i.e., description of the vehicle being pursued, and its occupants, location and direction of travel, the nature of the original offense and any other information that could aid in identification or apprehension of the suspect).

2. If the reason for the flight of the suspect is not readily apparent, pursuing officers should attempt to obtain further information on the vehicle and the occupants via Radio.

3. Radio contact with the dispatcher should be maintained, but the push-to-talk key should not be depressed unnecessarily.

4. Radio transmissions should be kept brief and made in normal voice tones.

5. The dispatcher should be informed if a vehicle changes directions. If a pursuit is discontinued, the violator's last known location, speed and direction of travel should be reported.

B. Radio Dispatcher

1. Will advise other units regarding the status of the pursuit.
2. Radio personnel will attempt to obtain any available information concerning the identity of the fleeing driver and occupants.
3. Other frequencies and other police agencies will be notified as necessary.

C. Supervisor

1. Determine the reason for the pursuit,
2. Monitor the pursuit over Radio,
3. Weigh the risk to the public and, if necessary, order the pursuit terminated,
4. Ensure a *Use of Force* packet is completed if the fleeing vehicle is rammed by the police.

IV. Number of Police Vehicles in Pursuit

A. The initial pursuing vehicle (primary unit) and one back-up vehicle (secondary unit) should be the only vehicles to pursue a fleeing vehicle from the rear. There will be no "caravaning" of police vehicles. Units attempting to "parallel" the police pursuit route will operate under normal patrol conditions without blue lights and siren.

B. The primary unit may specifically request an exception to the two unit limit via the radio dispatcher. Additional vehicles should join the pursuit from the rear if it appears that the primary and secondary units may not be sufficient to safely effect the arrest of the suspect(s).

C. Units responding shall immediately notify the radio dispatcher. If more than one unit notifies radio, the dispatcher shall select one of the responding units to be the secondary unit.

D. If for any reason the primary unit cannot continue the pursuit, Radio will be notified, and the secondary unit will assume the role of primary unit. Another unit in the area will then be assigned as secondary unit by the radio dispatcher.

V. Terminating Pursuits

A. Officers may terminate a pursuit whenever the risk to their personal safety or the safety of others appears to be excessive.

B. A pursuit may be terminated by any of the following persons:

1. The driver of the primary pursuit vehicle,
2. The passenger officer in the primary pursuit vehicle, or
3. A sworn supervisor or commanding officer.

C. Officers shall not be censured because of the escape of any suspect when, in that officer's opinion, the lives or property of others would have been in undue jeopardy if the pursuit had continued.

VI. Motorcycles

A. Special consideration shall be given to the particular hazards of extended pursuit driving by police motorcycle units. Motorcycle units shall participate in pursuits only until relieved by an emergency-equipped, four-wheeled unit, unless circumstances dictate that the motorcycle unit is the more effective pursuit vehicle.

VII. Unmarked Vehicles

A. Officers in unmarked vehicles who have probable cause to believe that a criminal offense has taken place may attempt to follow a fleeing vehicle until a marked police vehicle (equipped with blue lights and siren) arrives to assist.

B. Police vehicles are not exempted from adherence to traffic laws unless they have blue lights and sirens operating.

VIII. Emergency Vehicle Statutory Exemptions

A. Statutory exemptions granted to an emergency vehicle apply only when such vehicle is making use of visual signals meeting the requirements of RCW 46.37.190, and when authorized emergency vehicles use audible signals as necessary, in traffic, to warn others of the emergency nature of the situation.

1. Police vehicles involved in a pursuit shall have emergency lights and siren activated.

IX. Ramming

A. Officers involved in pursuit driving situations shall make all reasonable efforts to apprehend the suspect vehicle.

B. Ramming the vehicle as a means of stopping it will not be condoned except when the officer has knowledge that the suspect has committed an inherently dangerous felony (as defined by Department policy) and then only as a last resort.

1. This act constitutes a use of force. Personnel will comply with use of force policy and procedure outlined in Section 1.145 and Section 1.149.

C. This exception does not allow the officer the privilege of indiscriminate use of ramming. In each such instance, an officer must show that every other reasonable and available means of apprehension was used.

D. Police officers pursuing a motorcycle will not ram the motorcycle, even if all other criteria for ramming are met, unless the suspect's escape presents such an immediate danger to the public safety that the danger of escape outweighs the risk of injury to the suspect.

X. Roadblocks

A. The use of a roadblock must be authorized by a police supervisor and may be used only in order to terminate a pursuit quickly. Supervisors should only authorize roadblocks when the necessity for capture outweighs the potential for damage to vehicles or injury to the suspect(s).

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.145	I - Administration	145 - Use of Force

POLICY

The Department's use of force policy implements state law. To the extent that Department policy may contain additional provisions not addressed in state law, such provisions are not intended, nor may they be construed or applied, to create a higher standard of care or a duty toward any person or to provide a basis for criminal or civil liability against the City, its officials or individual police officers. However, violation of such additional provisions may form the basis for Department disciplinary or other action.

Personnel shall use only the minimal amount of force necessary to overcome physical aggression or resistance to compliance with a lawful process.

I. Definitions

A. Force: Compulsion or restraint exerted upon a person to overcome that person's physical aggression or their resistance to compliance with lawful process.

B. The following definitions when used in sub-sections III and IV of this manual section.

1. Deadly force: The intentional application of force through the use of firearms or any other means reasonably likely to cause death or serious physical injury.

2. Necessary: means that no reasonably effective alternative to the use of force appeared to exist and that the amount of force used was reasonable to effect the lawful purpose intended. (RCW 9A.16.010)

C. Neck hold: As used in sub-section V of this manual section, is a general term for two different types of holds - the carotid restraint hold and the arm-bar control hold:

1. Carotid restraint hold: A hold that inhibits blood flow through the carotid arteries of the neck.

2. Arm-bar control hold: A hold that inhibits breathing by compression of the airway in the neck.

II. Use of Force

A. Officers shall have used force whenever they:

1. Use force against another person in self-defense or the defense of another person from assault or the threat of assault,

2. Overcome a person's physical aggression or resistance to lawful process,

3. Use any object to strike another person,

4. Use force against another person which causes an injury, could reasonably be expected to cause an injury, or results in a complaint of an injury,

5. Use any chemical substance or any other device to subdue a person, or

6. Use containment straps or other devices to place a suspect into the full restraint position.

B. The use of force (other than deadly force) by an officer in the performance of official duties is justifiable when necessarily used:

1. In self-defense or defense of another,
2. In the performance of a legal duty (e.g., protecting persons and property, providing for the public safety, enforcing the law and otherwise performing the duties and statutory obligations of a police officer),
3. To prevent a mentally ill, mentally incompetent, or mentally disabled person from committing an act dangerous to any person, or in enforcing necessary restraint for the protection or restoration to health of the person, and
4. To effect the custody of a person who appears to be incapacitated by alcohol for the purpose of delivering the person to an approved alcohol treatment facility (Reference RCW 9A.16.020, 70.96A.120)

III. Use of Deadly Force

A. In using deadly force to arrest or apprehend any person for the commission of any crime, an officer **must** have probable cause to believe that the suspect, if not apprehended, poses a threat of serious physical harm to the officer or a threat of serious physical harm to others. Among the circumstances which may be considered by an officer as a "threat of serious physical harm" are the following:

1. The suspect threatens an officer with a weapon or displays a weapon in a manner that could reasonably be construed as threatening,
2. There is probable cause to believe that the suspect has committed any crime involving the infliction or threatened infliction of serious physical harm, and
3. Under these circumstances deadly force may also be used if necessary to prevent escape from the officer, where, if feasible, some warning is given.

B. The use of deadly force by an officer in the performance of official duties is justifiable when **necessarily** used:

1. To arrest or apprehend a person who the officer reasonably believes has committed or is committing, has attempted or is attempting to commit a felony,
2. To prevent the escape of a person from a Federal or State correctional facility or in retaking a person who escapes from such a facility,
3. To prevent the escape of a person from a County or City jail or holding facility if the person has been arrested for, charged with, or convicted of a felony, and
4. To lawfully suppress a riot if the actor or another participant is armed with a deadly weapon.

Note: A dual standard exists with respect to the use of deadly force by police officers and private citizens. A private citizen's permissible use of deadly force under the authority of state law is broader than that of a police officer. (See RCW 9A.16.040.)

IV. Discharge of Firearms

A. An officer shall not discharge a firearm on-duty or off-duty for other than lawful purposes.

B. While engaged in the performance of their official duties, officers may discharge a firearm at a person when the use of deadly force is justifiable.

C. An officer will not be censured or disciplined by the Department for a decision not to employ the use of a firearm to arrest, apprehend or prevent the escape of a suspect even though the use of a firearm is justifiable.

D. Firing At or From a Vehicle

1. An officer shall not fire at or from a moving vehicle except when the use of deadly force is justifiable and, under the circumstances and conditions, the use of a firearm to arrest, apprehend, or prevent the escape of the suspect outweighs the danger to innocent bystanders that may result from the officer discharging a firearm.

E. An officer shall not discharge a firearm as a warning.

F. An officer may discharge a firearm at an animal:

1. When necessary in self-defense, defense of another, or to provide for the safety of the general public,

2. When an animal is so critically injured that humanity requires relieving it from further suffering, and an Animal Control officer is not immediately available. When practical, an officer should obtain approval from a supervisor before destroying it under these circumstances.

V. Use Of Neck Holds

A. Neck holds are considered potentially lethal to the extent documented in research / reports by the King County Medical Examiner. Therefore, the use of neck holds shall be limited to those circumstances where the use of deadly force is justifiable.

B. Supervisory Notification and Medical Examination Required

1. Whenever an officer uses a neck hold, they will notify a supervisor and have the person on whom the hold was applied examined by medical personnel.

2. Whenever a neck hold is applied, a Use of Force packet will be completed. (Refer to Section 1.149 - Reporting the Use of Force)

I. Qualification

A. Officers may only carry a Department authorized chemical restraint device.

B. Officers must successfully complete a training class approved by the Commander of the Training Section before they may carry a chemical restraint device, and are responsible for attending any Department sponsored refresher training.

II. OC Spray Device for Multiple Suspects

A. Patrol sergeants must carry the Department issued device that is designed for multiple suspects in their patrol cars. This device may only be used by personnel specifically trained in its use.

III. Deployment

A. Chemical restraints are to be used in accordance with the Department use of force policy (SPD Manual Section 1.145) and with Revised Code of Washington.

B. Chemical restraints shall not be used on non-violent or peaceful demonstrators.

IV. Post-application Procedures

A. The effect of Oleoresin Capsicum (OC spray) on people varies from slight irritation to incapacitation. In some people, OC spray can restrict breathing, and cause nausea and vomiting. Suspects who have been sprayed with OC should be handled as follows:

1. Use handcuffs or other restraints to maintain control of the suspect.
2. Do not re-apply OC to someone who is already in adequate restraints.
3. Keep the suspect in a ventilated area and, if the suspect is unable to stand, allow them to lie on their stomach or side.
   a. Do not allow the suspect to lie on their back.
4. Monitor the suspect's breathing.
5. Rinse the suspect's eyes with cool water to help relieve irritation to the eyes and skin. (Each patrol vehicle is equipped with a gallon of water for this purpose.) Cool air also helps relieve the eyes.
6. If a suspect begins vomiting, or if their breathing is restricted:
   a. Keep the suspect on their side (not on back).
   b. Keep the airway clear.
   c. Immediately request medical aid. From that point, Emergency Medical Services personnel will determine the need for further medical treatment of the suspect(s).
6. Transport vans are best for taking suspects who have been sprayed with OC from the scene to the precinct. Whether moved in a van or in a patrol car, a second officer may be needed to monitor the suspect.

7. Allow the suspect to use the holding cell washroom and non-deodorant soap to wash their face and other affected areas.
8. Officers who may have been exposed to OC should wash their hands and faces thoroughly.
9. Officers who are booking a suspect should tell the pre-book officer if the suspect has been sprayed with OC.

V. Reporting an Application of OC Spray

A. When OC spray is applied to a suspect, the use of force reporting procedures must be followed (See Section 1.149-Reporting the Use of Force).

VI. Replacement Devices

A. Officers are responsible for replacing an empty or defective OC spray canister.

VII. Disposal of OC Spray Canisters

A. Empty Canisters

1. Precinct Equipment & Facilities Coordinators must make sure all canisters are empty by spraying any remaining OC into a bucket of water.
2. Precinct Equipment & Facilities Coordinators must wear protective glasses and gloves when disposing of OC canisters. Read and follow the directions on the canister and the Material Safety Data Sheet (MSDS). The Department Safety Officer has copies of the MSDS.

B. Defective Canisters

1. Label the canister as defective with a copy of an *Incident Report* or a *Memorandum.*
2. Return the labeled canister to the precinct Equipment & Facilities Coordinator.
3. The precinct Equipment & Facilities Coordinator shall forward the canister and the *Incident Report* or *Memorandum* to the West Precinct Equipment & Facilities Coordinator for handling.

I. Reporting the Use of Force

A. Whenever an officer performing any law enforcement related activity uses force as defined in Section 1.145 - Use of Force, (on- or off duty, inside or outside the City) they shall be required to complete a Use of Force *Statement.*

II. Responsibilities

A. Officers

1. Complete a Use of Force *Statement* on a Department *Statement* (form 9.28), with the following preface:

   "This is a true and involuntary statement given by me in compliance with Section 1.149 of the Seattle Police Department Manual."

   NOTE: No other language will be acceptable.

2. Include the following information in the statement:

   a. A detailed description of the words and actions of the suspect warranting the use of force,

   b. A detailed description of the force used,

   c. A description of any apparent injury to the suspect, any complaint of injury, or the absence of injury, and

   d. Documentation of the in-person supervisory screening.

3. Complete a *Hazard Report* (form 5.38) if the suspect combatively resists or is physically aggressive toward an officer and the officer is reasonably certain the suspect is attempting to overpower, disable, or injure them.

4. Submit the Use of Force *Statement*, *Incident Report*, *Hazard Report*, *Supervisor's Report of Employee's Injury* and Polaroid photographs to a supervisor.

5. When force is used by an officer and a Use of Force *Statement* is required, an in-person screening of the incident by a supervisor must occur prior to the release of the suspect and must be documented in the *Incident Report (form 5.37)*.

B. Supervisors

1. Review and approve all documentation submitted by the officer(s) prior to them going off-duty.

2. Take a Polaroid photograph of each suspect involved in a Use of Force reporting, including those juveniles arrested for gross misdemeanors or felonies. A photograph will be taken in each incident regardless of the presence or absence of visible injury.

   a. Take frontal view pictures of the suspect.

      (1) Minor wounds on the head and face tend to bleed a great deal. Be sure to take a picture before and after any aid is given.

(2) If any disrobing is required, have an officer of the same sex as the suspect take the pictures.

b. Take the photograph(s) of the suspect only by voluntary, non-coercive means.

3. Label the Use of Force Polaroid photographs with the Single Incident Number, suspect's name, date and initials of the person who took the photos.

4. Do not copy or retain any of the photos. Place all original photos in the confidential Use of Force packet.

5. Photograph and document any injury sustained by any officer, however minor. Complete the *Investigating Supervisor's Report of Employee Industrial Injury* (form 2.22) if an officer is injured. (See Section 1.145 - Use of Force.)

6. Complete the *Use of Force Routing Transmittal Slip* (form 1.40) for every use of force incident. The "Supervisor's Summary of Incident" section of the form shall include the following:

   a. A brief description of the incident and arrest,

   b. A list of all known witnesses to the incident,

   c. A detailed description of all incident related injuries sustained by the officer or suspect,

   d. A detailed description of the use of force by the officer and any resistance by the suspect, and

   e. If a photograph is not possible, a statement indicating that no photograph(s) were taken and the reason why.

7. Prepare a Use of Force packet. Include the following:

   a. The original Use of Force *Statement;*

   b. The *Use of Force Routing Transmittal* slip,

   c. Photographs, and

   d. Copies of all related reports.

8. Forward the completed packet through the involved officer's chain of command.

9. For those incidents where serious injury has occurred, or are of a sensitive nature, immediately forward a copy of the Use of Force *Statement*, together with copies of all related reports, to your Captain, using an *Alert* tag.

10. The Use of Force packet shall then be forwarded to the Assistant Chief, of the Professional Responsibility Bureau.

POLICY

Unless otherwise prohibited, all on duty police officers shall be armed with a fully loaded Department approved firearm. The firearm carried while on duty shall conform to the specifications and approval procedures herein described. No police officer shall be required to work without a firearm except as provided by their collective bargaining agreement.

This policy shall apply to all full-time employed commissioned Police Officers, Reserve Police Officers, extended authority Retired Police Officer Commission holders, and individuals with Special Police Officer Commission who are authorized by the Chief of Police to carry a firearm.

I. Definitions - General Information

A. Firearm: Any authorized revolver or semi-automatic pistol.

B. Pistol: A semi-automatic handgun.

C. Reload: A speed loader or speedstrip for revolvers, or a magazine for pistols.

D. Semi-automatic pistol magazines that contain one round less than maximum capacity shall be considered fully loaded.

II. On Duty Firearms

A. Uniformed officers shall carry at least two reloads for their firearm. Plainclothes officers shall carry at least one reload for their firearm. Reloads will conform to the authorized ammunition standards prescribed in this manual section.

B. While on-duty, officers shall carry no more than two firearms, one primary and one secondary (back-up).

1. While in uniform, officers shall have no more than one firearm visible. Any firearm carried as a second weapon, in uniform or plainclothes, shall conform to the specifications and approval procedure directed in subsection IV of this manual section.

2. Other Department provided or approved weapons shall not be considered a secondary (back-up) firearm.

C. Bureau Commanders may authorize the use of special weapons for selected specialty assignments. The weapon shall be inspected by Range Staff and the officer carrying the weapon must be appropriately trained in its use. Department issued special weapon(s) shall be returned to the issuing Unit immediately upon completion of the assignment for which the weapon was issued.

D. The firearms policy for on-duty officers shall apply to off-duty officers when working at any employment where police authority is required.

E. The Department may issue to all active Reserve Officers the standard firearm issued to full time officers. All personal firearms carried by Reserve and Special Police Officers while on or off duty within the limits of the City, or when acting as an agent of the City outside the territorial limits of the City, must have the prior approval of the Commander of the Training Section, or a designee.

III. On-Duty Weapon Specifications

A. Firearms authorized for on duty use may be either Department issued or privately owned, and shall conform to the criteria listed below.

B. All officers hired after January 1, 1995, shall carry a .40 caliber Glock, Model 22 or Model 23, as their primary on-duty firearm. Exceptions may be made for special circumstances.

C. Officers hired prior to January 1, 1995, who carry a personally owned or Department issued revolver who chose not to make the transition to the Glock will be allowed to continue to carry the revolver as their primary on-duty firearm. Should an officer later decide to transition to a semi-automatic pistol, the only firearm authorized will be a .40 caliber Glock.

D. Officers who were authorized to carry a personally owned semi-automatic pistol prior to January 1, 1995 may continue to carry it as their primary on-duty firearm. Should officers desire another handgun, the only authorized semi-automatic pistol will be a .40 caliber Glock. Once an officer has transitioned to the .40 caliber Glock, they will not be allowed to go back to their previously authorized semi-automatic firearm without first obtaining written permission from the Assistant Chief of the Training and Technical Services Bureau.

   1. The controlling factor for returning to the previously authorized semi-automatic pistol will be personal and public safety.

E. Special Exceptions

   1. Officers assigned to plainclothes duty and who are authorized to carry a .40 caliber Glock, may carry the .40 caliber Glock Model 27 as their primary on-duty firearm. Officers electing to carry the Glock Model 27 shall qualify with that firearm during the regular Department qualification shoots.

   2. Officers in plainclothes shall be armed with a Department approved firearm. Plainclothes officers, with approval of their Bureau Commander, may carry a Department issued, or an approved personal, two inch revolver as their primary on-duty firearm.

   3. Officers will cease carrying a two inch revolver upon completion of the authorized assignment or when the specific need no longer exists. The Department issued two inch revolver shall be cleaned, lubricated, and returned to the Evidence Unit immediately upon being transferred to another assignment.

   4. Exceptions may be made for specialty assignments with prior written permission of the individual's Bureau Commander. Special exemptions end when the assignment requiring the exception is completed.

F. Officers hired prior to January 1, 1995, who successfully transition from revolvers to the Glock or other semi-automatic firearms, who later desire to go back to carrying revolvers will be allowed to do so if they:

   1. Apply in writing to the Commander of the Training Section for permission to return to the revolver. The request shall explain the reason(s) for wanting to return to carrying a revolver,

   2. Turn in their Department issued Glock, and

   3. Maintain an acceptable level of proficiency with the revolver.

G. Officers previously authorized to carry a specific model or type of revolver shall contact the Range Unit and obtain approval for each firearm prior to changing models.

H. Approval to carry a particular firearm is not transferable to another officer. Each officer desiring to carry a particular firearm must present the firearm to the Range Unit for inspection. The officer will then be required to test fire fifty (50) rounds of ammunition with the firearm. The test firing shall include demonstration of loading and unloading skills, and shooting at a static target. Once proficiency with the firearm, as required in this manual section, has been demonstrated, the firearm shall be re-inspected by the Range Unit. Once approval has been obtained, the Range Unit shall record the:

1. Officer's name,
2. Date of authorization, and
3. Manufacturer name, model, caliber, and serial number of the firearm.

I. All firearms, Department issued or privately owned, shall be maintained in factory stock condition if carried as a duty firearm. Only the Commander of the Training Section may grant an exception. The Range Unit will maintain an up-to-date list of approved firearms and accessories authorized for on-duty use. Any firearm or weapon used for law enforcement purposes shall not be modified unless approved in writing by the Commander of the Training Section.

J. Authorized Revolvers

Double Action	
Make	Smith and Wesson Ruger Colt
Caliber	.38 Special .357 Magnum .45 ACP (Smith and Wesson only)
Barrel length	2 inch - special assignment use only 4 inch 6 inch
Appearance	Frame, barrel and cylinder will be a dark or stainless steel color with non-reflective finish. Stocks will be of wood or synthetic material with a dark color.

1. Officers electing to carry .357 Magnum ammunition in firearms chambered for the cartridge must receive authorization from the Commander of the Training Section following the procedure described in subsection IV of this manual section.

K. Authorized Pistols

Pistols	
Make	Smith and Wesson Sig Sauer Beretta Ruger Glock
Caliber	9 mm .40 S & W .45 ACP
Appearance	Frame, barrel and cylinder will be a dark or stainless steel color with non-reflective finish. Stocks will be of wood or synthetic material with a dark color.
(The Glock shall have a consistent trigger pull of 7 or more pounds. Officers assigned to the Special Patrol Unit are authorized to have a consistent trigger pull of 5 or more pounds.)	

1. Prior to an officer carrying a personally owned firearm on-duty as a primary or secondary firearm, written authorization must first be received from the Commander of the Training Section.
2. The officer must also successfully complete the semi-automatic transition training. Training and authorization to carry a Glock pistol does not authorize the officer to carry any other make of pistol.

IV. On-Duty Weapon Authorization Procedure

NOTE: Subsection A below applies only to officers carrying the Department issued revolver and .38 special ammunition.

A. Officers qualifying as Sharpshooter or higher in the latest round of qualifications shall have the immediate option to carry .357 Magnum ammunition in revolvers chambered for the cartridge. Failure to qualify as a Sharpshooter or above in subsequent qualification shoots will result in removal of ammunition authorization until it is re-earned. An officer may not re-earn authorization by shooting a Sharpshooter qualification score during the same testing period. Refer to subsection X of this manual section for authorized ammunition types.

B. Qualification

1. Officers shall qualify with the duty firearm carried as their primary firearm.
   a. Those officers who are authorized to carry a two inch revolver as their primary firearm shall qualify with that firearm.
2. All officers are required to qualify twice a year with their primary duty firearm and attend any mandated proficiency training.
3. The qualification standards and proficiency training curriculum shall be established by the Commander of the Training Section. Qualification standards are minimum scores established by the Commander of the Training Section, and are published in Department Directives prior to a scheduled qualification shoot.
4. Those who fail to meet the minimum score will be given one additional opportunity to qualify during that testing period.
5. Those who fail a second time during the testing period will be required to schedule themselves to attend the next remedial firearms training session.

C. Qualification Waivers

1. Any officer who is unable to participate in a Department shoot due to a current medical condition, shall submit in writing justification for requesting a waiver. The request shall be forwarded to their immediate supervisor and then through the officer's chain of command to their Bureau Commander. Only the Bureau Commander shall approve Department shoot waiver requests.
   a. When an officer is unable to initiate a request due to injury or absence, the waiver request will be initiated by the officer's immediate supervisor. The waiver request shall contain medically verifiable information justifying the waiver request.
   b. Vacations, furloughs, sick days, work schedules, court time, and other conflicting routines are not grounds for requesting waivers. Therefore, officers are encouraged to participate early in the scheduled Department shoot period.
2. Once approval of the waiver has been granted, the original waiver request shall be forwarded to the Commander of the Training Section. Copies of the approved waiver request shall be sent to the officer and to the Range Unit.

3. An approved waiver request is only valid for the current Department shoot. Additional waiver request(s) must be submitted for each subsequent Department shoot as necessary. The waiver request must be submitted within the first week of the Department shoot period.

4. Unexcused failure to shoot, or failure to appear for remedial training as directed, will cause the Commander of the Training Section to forward a memorandum to the officer's Bureau Commander, and may result in disciplinary action.

D. Failure to Qualify - Officers

1. Officers are required to qualify with their primary duty firearm at the police range as a condition of employment.

   a. Following the handgun portion of the qualification course, officers are required to initial next to their score on the sign-in sheet. This is to ensure that officers know, and agree with, their score as documented.

2. If an officer fails to qualify, it is the officer's responsibility to contact Range Unit staff and sign-up for individualized remedial training. The remedial training period is the time between the failure and the next two scheduled qualifications, except as noted in 2.c.

   a. A certified firearms instructor will be assigned to the officer.

   b. It is the officer's responsibility to meet with their assigned instructor as often as needed during the remedial training period of approximately 60 days to acquire the skills required to successfully qualify with their firearm.

      (1) The officer will be provided with a reasonable amount of additional target ammunition to assist the officer in attaining minimum firearms proficiency.

      (2) Officers hired prior to January 1, 1995, will be allowed to use a Department issued revolver to attempt to qualify.

      (3) If the officer does qualify with the revolver, it shall thereafter be the officer's primary firearm until the officer is re-certified with the semi-automatic pistol.

   c. The officer shall demonstrate their ability to qualify during one of the next two scheduled qualifications. The officer's first attempt to qualify will conclude the remedial training period.

3. If an officer attempts to qualify and fails after individualized remedial training, the officer shall be reassigned to an administrative position. The City shall notify the appropriate collective bargaining unit when an officer fails to qualify after remedial training.

4. The officer may appeal the reassignment to the Firearms Qualification Review Board (FQRB).

5. Officers who fail to qualify following the remedial training period shall be allowed an additional sixty (60) days to demonstrate their ability to qualify. If at the conclusion of the 60 day period the officer still has not qualified, the Department will initiate further appropriate measures.

6 Should the officer be disabled or on sick leave during any portion of the sixty (60) day period, the sixty (60) day period shall be lengthened by the amount of time the officer was disabled or on sick leave.

7. The Department may not institute disciplinary measures against the officer for at least ten (10) days following the expiration of the sixty (60) day period. If at any time when disciplinary action is pending the officer qualifies, the disciplinary action shall immediately be terminated with no discipline issued to the officer based upon the failure to qualify. The officer shall then be returned to the assignment held prior to the remedial training.

E. Failure to Qualify - Reserve Officers

1. Reserve Officers are required to qualify with their primary duty firearm at the police range as a condition of their police commission.
2. If an officer fails to qualify at the range, the Department shall provide remedial firearms training to the officer. If the officer still fails to qualify during the remedial training, the officer shall be allowed sixty (60) days from the conclusion of remedial training to demonstrate their ability to qualify.
3. During this 60-day period, the officer shall not be permitted to perform any duties associated with the reserve officer commission. The officer will be provided with a reasonable amount of additional target ammunition to assist the officer in attaining minimum firearms proficiency.
   a. Upon request, the Department may provide coaching from a member of the range staff.
   b. Officers who transitioned to the semi-automatic pistol prior to January 1, 1995 will be allowed to use the Department issued revolver to attempt to qualify.

4 If the officer does qualify with the revolver, it shall thereafter be the officer's primary firearm until the officer is re-certified with the semi-automatic pistol.

5. If at the conclusion of the 60 day period the officer still has not qualified, the Department will initiate further appropriate measures.

NOTE: If a conflict is found, the applicable ordinance, rule, or collective bargaining agreement will be determinative.

E. Failure to Qualify - Retired Police Officers and Special Police Officer Commissions

1. Retired officers granted Retired Police Officer Commissions (Extended Authority) and Special Police Officer Commission holders authorized to carry a firearm are required to qualify with their primary duty firearm at the police range as a condition of maintaining their commission.
2. If an officer fails to qualify, the Department shall provide remedial firearms training to the officer.
   a. Retired Police Officers shall provide their own ammunition.
3. If the officer still fails to qualify during the remedial training, the officer shall be allowed sixty (60) days from the conclusion of remedial training to demonstrate their ability to qualify.
4. During this 60-day period, the officer shall not be permitted to perform any duties associated with their Retired Police Officer Commission.
5. Officers who transitioned to the semi-automatic pistol prior to January 1, 1995 will be allowed to use the Department issued revolver to attempt to qualify.
6. If the officer does qualify with the revolver, it shall thereafter be the officer's primary firearm until the officer is re-certified with the semi-automatic pistol.
7. If at the conclusion of the 60 day period the officer still has not qualified, the Department will initiate further appropriate measures.

F. Ammunition Authorization

1. Revolver
   a. For officers electing to carry a department issued or personally owned revolver, the department will issue .38 special ammunition. Officers carrying a .357 Magnum revolver and who received a Sharpshooter rating at the last Department qualification shall have the immediate option to carry .357 Magnum ammunition.
   b. Only ammunition described in subsection IX of this manual section shall be carried.

c. Failure to qualify as a Sharpshooter or above in subsequent qualification shoots will result in removal of ammunition authorization until it is re-earned. The highest possible score for officers participating in the additional shoot will be 146 for 5 shot firearms or 172 for 6 shot firearms, regardless of the actual score the second time.

2. Pistol

a. Ammunition for pistols shall comply with subsection X of this manual section.

V. Off-Duty Firearms

A. Officers are expected at all times to take appropriate action to protect people and property. When within the City, or when acting as an agent of the City outside the territorial limits of the City of Seattle, officers shall be armed with a Department approved firearm. Officers participating in activities that make it impractical, unsafe, or unwise to be armed, are exempt from this policy. Examples are: sporting events, family activities or social events where alcohol is being consumed, etc.

B. Any firearm approved for the individual officer for on-duty use may be used by that officer for off-duty use.

VI. Off Duty Weapons - General Specifications

A. Police officers shall be responsible for contacting the Range Unit and obtaining approval to carry any non-issued Department weapon. Every firearm, other than a Department issued firearm, carried on- or off-duty, or as a secondary firearm, must be approved by the Range Unit.

B. No firearm smaller than .380 caliber semi-automatic pistol or .38 caliber revolver shall be authorized for use as a primary or secondary firearm without written authorization from a Bureau Commander. All other provisions of this manual section shall apply to any such authorized firearm.

VII. Off-Duty Weapons Authorization Procedure

A. The Range Sergeant, Range Unit, or their representative, shall conduct a safety inspection of each firearm submitted. The same authorization procedures identified in subsection III of this manual section shall apply for off-duty authorization.

VIII. Department Authorized Firearms Purchases

A. The Department shall issue a "Letter of Authorization" for the purchase of personal firearms by sworn members whenever the desired firearm(s) meets the required conditions.

B. "Letters of Authorization" will be limited to handguns or extended capacity magazines purchased for the purpose of: on-duty or off-duty use, or competition shooting as permitted by law.

C. Officers requesting a "Letter Of Authorization" shall submit a *Request for Letter of Authorization for Firearm/Magazine* (form 1.10) to the Assistant Chief of the Training and Technical Services Bureau, via the chain of command. Only the Training and Technical Services Bureau Commander, or the Chief of Police may authorize the purchase of a personal firearm or extended capacity magazine.

D. Officers who are granted "Letters of Authorization" should not consider them exemptions from applicable Federal excise taxes. Excise tax exemptions apply only to firearms purchased by government entities for their exclusive ownership and use.

E. Only one (1) Letter of Authorization shall be provided by the Department. In the event the Department changes the primary duty firearm from the .40 caliber Glock, a second Letter of Authorization may be provided.

F. Upon service retirement from the Seattle Police Department, an officer may purchase from the Department, at market value, the primary duty firearm they carried for 10 years or more.

IX. Ammunition

A. Officers shall be provided with duty ammunition appropriate for their firearm and consistent with Department policy.

B. The duty ammunition will be of the best possible quality available for police purposes. Officers covered by a collective bargaining agreement shall be provided with fifty (50) rounds of practice ammunition each month.

C. Upon request, an officer shall be issued two (2) months of their twelve-month allotment of practice ammunition during any sixty-day period. Officers shall use all the practice ammunition at the Range and return the expended casings to the Range office at the conclusion of the practice.

D. The Commander of the Training Section has the discretion to issue officers additional practice ammunition.

E. Only unaltered factory manufactured ammunition that conforms to the specifications listed in subsection X of this manual section shall be authorized for firearms carried within the City of Seattle. This applies to all officers on-duty, off-duty, or engaged in secondary employment.

F. The Range Unit shall authorize and issue ammunition for firearms carried on-duty, except for .357 Magnum ammunition.

1. Officers carrying a .357 Magnum revolver will be issued .38 Special ammunition. Officers electing to carry .357 Magnum ammunition in firearms chambered for the cartridge shall be required to purchase their own .357 Magnum ammunition, and it must comply with subsection X of this manual section.

2. Ammunition authorized for special weapons, as provided for in subsection II of this manual section, will be unaltered factory manufactured ammunition as approved by the Bureau Commander authorizing the use of the weapon.

G. The Range Unit shall not issue reloaded ammunition for any Department sanctioned shoot or training. The use of reloaded ammunition is restricted to personal target practice only.

H. Officers will expend the duty ammunition loaded in their primary duty firearm during the last Department wide firearms qualification for the year. The Range Unit will then issue fresh duty ammunition at the completion of the last qualification of the year. Those authorized to carry .357 magnum ammunition will be required to purchase new ammunition.

X. Ammunition Specifications

A. Only unaltered factory manufactured cartridges with a conventional expanding bullet of the following types is authorized:

.38 Special +P	Speer 125gr.	GDHP
.380 Auto	Speer 90gr.	GDHP
.357 Magnum	Speer 125gr.	GDHP
9mm	Speer 115gr.	GDHP
.40 S & W	Speer 180gr.	GDHP
.45 ACP	Speer 185gr.	GDHP

B. Notification of any changes to the ammunition specifications shall be made no less than 60 days prior to implementation.

XI. Cleaning and Care of Firearms

A. Individual Responsibility

1. Each member of the Seattle Police Department shall maintain their primary (and secondary firearm if applicable), in a fully operational condition. Firearms will be clean and lubricated as required by the Range Unit.

   a. When on duty or when using Department facilities, firearms shall only be cleaned at an approved weapon cleaning station. Approved cleaning stations are located at each of the precincts and at the two police ranges.

   b. Prior to cleaning firearms, all firearms shall be cleared and rendered safe.

   c. When clearing a firearm for any reason at a Department facility, a clearing (sand) barrel shall be used.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.157	I - Administration	157 – Firearms in the King County Courthouse

POLICY

Carrying firearms into the King County Courthouse is prohibited by order of King County Superior Court, except when conducting official Department business.

I. Entry

A. Entry to the King County Courthouse will be made through the Third Avenue entrance. Upon entry, advise the security agent that you are carrying a firearm. The agent will summon a King County Police officer to the security check point. The King County Police officer will ask the nature of your business and to see your commission card and badge.

1. This procedure applies to both officers in plainclothes and *in uniform*.

B. Officers on Department business will be permitted to proceed with their firearm.

C. Officers on personal business will not be permitted to proceed with their firearm.

D. Officers on jury duty will not be permitted to proceed with their firearm.

II. Securing of Weapons

A. The King County officer will escort you to the weapons storage room. You will then place your weapon into an assigned gun storage locker. The King County officer will secure the gun storage locker and retain the key. You will be given a receipt for your weapon(s).

B. When leaving the King County Courthouse, give the receipt for your weapon(s) to a King County officer at the Third Avenue entrance. The King County officer will then escort you to the weapons storage room, where you may retrieve your weapon. The King County officer will then escort you out of the building.

III. Compliance

A. Personnel failing to comply with the King County Courthouse firearms policy are subject to sanctions by King County Superior Court, King County Police Department, and the Seattle Police Department. Any questions concerning the firearms policy should be directed to the King County Courthouse or the Deputy Chief of Administration.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.161	I - Administration	161 - Reporting Officer Discharge of Firearms

POLICY

This policy applies whenever an officer discharges a firearm, except at an approved range, legal hunting or target shooting area, or other authorized area. The following procedures apply regardless of whether the incident occurred while the officer was: on-duty or off-duty, inside or outside the city limits of Seattle, or acting in a law enforcement capacity.

I. Involved Officer Responsibilities

A. Off-Duty

1. If you discharge a firearm, except as noted above, you shall:

   a. Notify an on-duty lieutenant immediately, and

   b. At the lieutenant's discretion, submit written reports of the incident.

B. On-Duty

1. If you discharge a firearm while on duty:

   a. Notify your supervisor and on-duty lieutenant immediately. The supervisor and lieutenant shall respond to the scene.

   b. Before going off duty, submit all required written reports.

II. Procedure

A. Officers shall comply with the policy and procedure set forth in Section 3.040 - Officer Discharge of Firearms of this manual.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.165	I - Administration	165 - Shotgun Safety

I. Definitions

A. As used in this section, employee means any Department employee authorized and qualified to handle shotguns.

II. Shotgun Loading and Handling

A. The shotgun safety will be on at all times when the weapon is not being used.

B. When in a police vehicle, the shotgun will not have a round loaded in the chamber, and will be locked in its holder when not in use.

C. A round will only be loaded into the chamber of the weapon outside the police vehicle in anticipation of the weapon's imminent use.

D. The round will be removed from the chamber immediately after the situation which necessitated the shotgun being loaded is resolved.

E. Except when anticipating the imminent use of the shotgun, employees will inspect the weapon to ensure that the safety is on and there is no round loaded in the chamber when:

1. Checking out a shotgun from the Evidence Unit,
2. Checking out a shotgun from a precinct Equipment & Facilities Coordinator,
3. Taking the shotgun out of its locked holder, or
4. Receiving a shotgun from another person.

F. If the shotgun is found to have a round in the chamber, the employee will move to a safe location and unload the weapon.

1. In a precinct or other facility where a firearms unloading barrel is present, the shotgun will be unloaded in the barrel.

G. All rounds will be removed from the shotgun and the weapon's action left open when it is turned in.

III. Shotgun Use

A. Whenever use of the shotgun is anticipated, officers will ensure that they have a clear field of fire. Officers must be especially mindful of the potential danger to innocent bystanders, occupants of nearby buildings, and traffic if the weapon is employed in congested areas.

B. In addition to the above directives, employees who are issued shotguns will routinely carry them in the trunk of their vehicle if the vehicle is not equipped with a locking shotgun holder, unless imminent use of the shotgun is anticipated.

IV. Shotgun Security

A. Shotguns will be removed from any vehicle that is taken out of service, i.e., preventative maintenance, repair, etc.

B. Vehicles with electronic locks shall not be left unattended without first removing the ignition key.

C. Vehicles with manual locks shall not be left unattended with first removing the shotgun lock key.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.173	I - Administration	173 - Full Restraint Position

I. Definitions

A. Containment straps: Any type of cord, chain, or strap used to temporarily restrict a prisoner's movement.

B. Full Restraint Position: Placing a person with hands secured behind the back, legs secured together, and the legs and hands connected together behind the back of the subject with the subject's legs flexed at the knees. The length of the containment strap used to secure the hands to the feet will be such that the lower legs are at an approximate 90º angle in relation to the person's torso.

II. Use of Containment Straps

A. Containment straps may be applied to temporarily restrict the movement of a prisoner's legs while in custody. Consider this application when transporting prisoners who present a risk of injury, property damage, or escape.

B. Consider containment straps when handcuffing would be inappropriate or impossible due to the physical limitations of the prisoner.

C. Containment straps may also be used in the Full Restraint Position.

III. Use of the Full Restraint Position

A. In the course of their law enforcement duties, officers may be required to take violently combative subjects into custody and place them into a fully restrained position.

1. A Full Restraint Position is the temporary technique used to control violently combative subjects. The use of the containment straps to restrain a subject in this position will be restricted to situations where the officer believes the continued violent resistance of the person in custody may lead to the injury of that person, further endanger the safety of officers, or result in significant property damage, and no other reasonably effective alternative appears to exist.

2. Any subject who is restrained in this manner should remain under constant observation while so restrained. Officers should be prepared to adjust or remove the containment straps or other devices as circumstances require. Officers will monitor for signs of respiratory distress or other serious medical conditions and provide for immediate medical treatment when indicated.

3. If the prisoner is transported in a police vehicle, an SPD prisoner transport van can best accommodate a person restrained in this manner. Whenever a prisoner restrained in this configuration is transported, the restrained person should be monitored by a second officer riding in the same police vehicle. These subjects will generally be placed on their side if possible (and not face down) to facilitate monitoring their medical status.

4. Officers may consider transporting subjects who appear to require medical or mental health treatment to Harborview Medical Center in an ambulance.

   a. Ambulances are equipped with hospital-type restraints, which may be more appropriate for a person in need of mental health treatment.

IV. Reporting the Use of the Full Restraint Position

A Notify your supervisor as early as possible when a suspect is placed in the Full Restraint Position.

B. A Use of Force packet shall be completed whenever an individual is placed in the Full Restraint Position.

Seattle Police Department
Policies and Procedures

Section	
1.177	

Title:	Chapter:
I - Administration	177 - Employee Dress Standards

PURPOSE

The purpose of this policy is to create a dress standard that provides for the safety and comfort of employees and conveys a professional image. The safety and comfort of our employees are inherently important. Underlying this policy is the recognition that dress and demeanor, in formal and informal environments, greatly influences our ability to communicate with other human beings and thereby gain respect, trust, and cooperation which is essential to successfully perform our duties.

POLICY

Employees shall wear clothing and accessories that are appropriate for their work setting. All clothing must be restrained in style, color, and design; of appropriate fit; clean; and should have no visible wear or repairs.

In judging the appropriateness of particular clothing, employees and supervisors should strive to present a business like image, encourage "esprit de corps," and facilitate the duties being performed. Employees should ensure that clothing does not create a distraction, or cause a safety hazard.

I. Dress Standard 1

A. Standard 1 shall apply to all employees who:

1. Have regular face to face contact with the general public,
2. Participate in meetings or hearings with public or private agencies as a Department liaison or representative, or
3. Appear in judicial or administrative proceedings.

B. The Department duty uniform shall fulfill the requirements of this standard.

C. This dress standard shall not apply to officers who are assigned to undercover assignments.

D. Male employees may only wear the following attire:

1. A business suit, or
2. A sport coat and dress slacks.

E. Male employees shall wear the above attire with:

1. A dress shirt,
2. A neck tie, and
3. Dress shoes.

F. Female employees may only wear the following attire:

1. A business suit,
2. An office Dress,
3. A skirt or "skort" and blouse, or

4. A pair of dress slacks or pants and a dress blouse or shirt.

G. Female employees shall wear the above attire with:

1. Dress shoes.

H. Employees may wear a sweater with the above noted attire.

II. Dress Standard 2

A. A Commander of the permanent rank of Captain or above, or a civilian Director / Manager (Section Commander equivalent), may authorize employees to wear less formal clothing which is appropriate for their work environment, provided the subordinates are not assigned to the duties described in Dress Standard 1 in subsection I of this manual section, and are not in view of the general public.

B. Employees who do not meet the criteria of Dress Standard 1 and who work within view of the general public, may wear appropriate casual business attire, protective clothing, or approved specialty clothing. Recreational clothing such as jeans, non-dress shorts, halter tops, tank-tops, sweat suits, muumuus, and similar items are not allowed without specific written approval of the Commander of the permanent rank of Captain or above, or a civilian Director / Manager (Section Commander equivalent).

III. Short Term Variance Due To Weather Conditions

A. A Commander of the permanent rank of Captain or above, or a civilian Director/Manager (Section Commander equivalent), may authorize a temporary variance from the above dress standards. Temporary variances shall be based on weather conditions (extreme heat or cold) that create a health hazard for employees.

IV. Personal Appearance Regulations

A. Male Hair Standards

1. The bulk or length of the hair will not interfere with the normal wearing of the standard police uniform cap or helmet.

2. The maximum extension of the hair outward from the top of the head will not exceed two inches (2”), tapering to a maximum extension above the ear of one and one-half inches (1-1/2”), and no more than one-half (1/2”) from the side of the face at the base of the sideburn.

3. Sides and back of the hair may be either tapered or blocked. In no event will the hair cover more than one-half inch (1/2”) of the ear, nor extend over the uniform shirt collar, when the officer assumes the military position of attention.

4. Sideburns shall extend no further than one-half (1/2”) below the ear, and will be no more than one and one-half inches (1-1/2”) in width, and will be cut horizontally.

5. The face will be clean shaven, except that mustaches will be permitted. If a mustache is worn, it shall be kept neatly trimmed and tidy. Mustaches may extend laterally not more than one-half inch (1/2”) from the corner of the mouth, nor more than one-quarter inch (1/4”) below the corner of the mouth, nor more than one-quarter inch (1/4”) down over the upper lip.

B. Female Hair Standards

1. For uniformed female officers, hair styles shall be worn so that no part of the hair extends over the uniform shirt collar. The bulk or length of the hair must not interfere with the wearing of the uniform hat or helmet.

C. Assignments Requiring Non-regulation Hair Standards

1. Written authorization for individuals working assignments that necessitate non-standard hair-styles shall be obtained from their respective Bureau Commander.
2. Those officers obtaining this special permission shall not be permitted to be employed off-duty where the wearing of the police uniform is required.

D. Wearing of the 8 point uniform hat is required:

1. At parades, ceremonies, and public gatherings,
2. During inspections, and
3. When directed by a supervisor.

Under all other conditions, the wearing of the cap shall be at the discretion of the individual officer.

(Exceptions to the above order may be made by a ranking officer during certain public gatherings, i.e., crowd control at rock festivals, youth activities at Seattle Center, etc., as long as uniformity is maintained.)

E. Jewelry

1. When in uniform, sworn and civilian employees shall limit the visible jewelry they wear to a wristwatch, medical bracelet worn on the wrist, and up to two rings worn on the fingers.
2. Female employees may wear one earring on each ear. Earrings shall be post or clip-on types which are no larger than one-quarter inch (1/4”) in diameter.

APPROVAL AUTHORITY

The Chief of Police shall be the final approval authority in all matters relating to uniforms and equipment.

I. The Uniform Advisory Committee

A. Shall be appointed by the Chief of Police and be responsible for making recommendations concerning the style and functional suitability of uniform apparel.

B. The Committee shall meet on a regular basis and research issues related to uniforms and equipment and make recommendations to the Chief of Police.

C. The Inspections and Procedures Unit shall coordinate all information on uniform items and maintain the minutes of the meetings.

II. Technical Specifications

A. The Inspections and Procedures Unit shall determine and set all technical specifications for uniform items. Final acceptance, in all cases, is reserved for command staff approval

III. Duty Uniforms

A. There is a summer uniform and a winter uniform. The summer uniform will be worn during daylight savings time (April-October); The winter uniform will be worn during standard time (October-April). The Chief of Police, or designee, may adjust the dates depending on the weather conditions.

B. The standard uniform of the day shall consist of the regulation uniform trousers, black shoes or boots, and black or dark blue socks, and one of the following combinations of uniform shirt / sweaters / turtlenecks.

1. Standard Summer Uniform: Shall be the regulation short-sleeved uniform shirt with a white crew neck T-shirt. Officers may wear the uniform sweater or uniform jacket over the uniform shirt.

2. Class A Summer Uniform: Shall be the regulation short-sleeve uniform shirt with a white crew neck T-shirt. No sweaters will be worn with the Class A Summer Uniform.

   (a) The Class A uniform will be worn at all special ceremonies or other functions where a large contingent of Seattle Police Officers will be present. The regulation 8-point cap may be included, depending on the occasion.

3. Standard Winter Uniform: Shall be the regulation long-sleeved uniform shirt with either the authorized turtleneck or necktie and Department authorized tie-bar. Officers may wear the uniform

sweater or uniform jacket over the shirt. The uniform sweater shall not be worn over the turtleneck alone.

4. Class A Winter Uniform: Shall be the regulation long-sleeve uniform shirt with the necktie and Department authorized tie-bar. Turtlenecks or the uniform sweater shall not be worn with the Class A Uniform.

   a. This uniform shall be worn at all special ceremonies or other functions where a large contingent of Seattle Police Officers will be present. The regulation 8-point cap may be included, depending on the occasion.

5. Any of the above combinations may be worn with the uniform jacket or raincoat.

C. The Department issued metal badge, cloth nametag, and shoulder patches shall be worn on the uniform shirt.

D. Officers working a two-officer unit shall wear the same outer garments (shirt/blouse) in order to present a uniform professional appearance.

IV. Dress Uniform

A. The dress uniform for lieutenants and above, including the Department chaplain(s), shall consist of:

1. Uniform blouse (shoulder patches, metal badge, and plastic nametag),

2. White dress shirt (plain),

3. Uniform tie, and

4. Uniform trousers.

   a. Female lieutenants and above have the option of wearing the uniform skirt instead of trousers.

B. The dress uniform for sergeants and officers shall consist of the standard duty uniform. Sergeants and officers may elect to wear the dress uniform prescribed for lieutenants and above as an option.

C. The uniform blouse fabric shall match that of the trousers or skirt.

V. Special Uniforms / Equipment

A. Bureau Commanders may authorize special uniforms for officers assigned to specialized units (Harbor, Range, Motorcycle, etc.), where the standard regulation uniform is not practical.

NOTE: Bureau Commanders shall establish written specifications for specialized uniforms/equipment and publish the information in the respective Bureau Manual.

B. Section Commanders may require officers on special assignments to carry other items of equipment in addition to what is normally required.

C. Police Reserve Uniform

1. The uniform for police reserve personnel shall be identical to the regulation police uniform with the exception of the police (reserve) badge.

D. Chaplain's Uniform

1. Department chaplains may wear the Department dress uniform on those occasions where appropriate (e.g., funerals, academy graduation exercises, special ceremonies).

2. Chaplains shall not be armed when wearing the dress uniform.

E. Historical 1910 Uniform

1. The historical regulation Seattle Police uniform, circa 1910, is essentially an old style, "Military Keystone" high-top hat and long dress blouse.

2. This uniform may be worn by selected officers on foot beats in the Pioneer Square, Waterfront, and Pike Place Market areas.

3. Historical uniforms may be worn generally from May 1 to September 30, but also available upon special request at the discretion of the Operations Bureau Commander.

VI. Prohibited Uniforms / Exceptions

A. The SPD ballcap is eliminated as an accessory with the Class A Uniform. Certain specialty units (e.g., Canine, Harbor, etc.) may still wear ballcaps while in their regular duty uniforms. The ballcaps may also be worn by motorcycle officers on long-term fixed posts in lieu of the motorcycle helmet and by bicycle officers on long-term fixed posts (as the 8-point cap does not fit with the bicycle uniform and the ballcap fits more easily into the bicycle bag). The 8-point cap may be required wear by uniformed personnel at parades and special events (e.g., Bumbershoot, Bite of Seattle, Hydroplane races, etc.).

B. The leather jacket is no longer authorized for purchase and use by uniformed personnel, except for motorcycle officers while in their duty uniforms. Officers who currently own the leather jacket may continue to wear it until no longer serviceable.

C. The Sportcaster, Northslope, and the Blauer 260-S nylon winter uniform jackets will be unauthorized for duty effective January 1, 2002.

D. Black suspenders for the gunbelts will no longer be authorized unless a signed **medical exemption** from a qualified physician exists on record with the Wellness and Accountability Administrator.

VII. Available for Emergencies

A. All officers of the Department shall be prepared to report for duty attired in a complete and proper uniform.

B. Plainclothes officers shall maintain a complete uniform, however, it need not be stored in their Department locker.

C. All officers, wherever assigned, shall maintain their riot helmet, jumpsuit, baton, and gun belt equipment in their Department lockers.

VIII. Insignia of Rank

A. Insignia of rank shall be worn on all uniforms. The placement of insignia on the uniform is shown in Section 1.85a - Uniform Illustrations. Sleeve cuff stripes shall be worn only on the dress uniform blouse.

1. Chief of Police - Shall wear three metal gold-colored stars on each shoulder of the uniform blouse, jacket, or sweater; and three one-inch cloth gold-colored stripes on each sleeve cuff of the uniform blouse. Three miniature metal gold-colored stars matching the standard size insignia of rank shall be worn on each side of the uniform shirt or jumpsuit collar.

2. Deputy Chief and Assistant Chief of Police - Shall wear two metal gold-colored stars on each shoulder of the uniform blouse, jacket, or sweater; and two one-inch cloth gold-colored stripes on each sleeve cuff of the uniform blouse. Two miniature metal gold-colored stars matching the standard size insignia of rank shall be worn on each side of the uniform shirt or jumpsuit collar.

3. Captain, Administrative Assistant to the Chief of Police or sworn Director - Shall wear two metal gold-colored bars on each shoulder of the uniform blouse, jacket, or sweater; and two half-inch cloth gold-colored stripes on each sleeve cuff of the uniform blouse. Two miniature metal gold-colored bars matching the standard size insignia of rank shall be worn on each side of the uniform shirt or jumpsuit collar.

4. Lieutenant - Shall wear one metal gold-colored bar on each shoulder of the uniform blouse, jacket, or sweater; and one half-inch cloth gold-colored stripe on each sleeve cuff of the uniform blouse. One miniature metal gold-colored bar matching the standard size insignia of rank shall be worn on each side of the uniform shirt or jumpsuit collar.

5. Sergeants - Shall wear three white cloth chevrons on each sleeve of uniform shirts, blouses, and jackets. A one-half inch cloth white stripe shall be worn on the sleeve cuffs of the uniform blouse.

B. Insignia on Dress Shirts - No miniature insignia of rank shall be worn on the collar of white dress shirts when wearing the dress uniform.

C. Prohibited Insignia - Cloth insignia of rank for lieutenants and above shall not be worn on the collars of shirts, nor on the shoulders of blouses.

IX. Off-Duty Uniform Standard

A. All on-duty uniform standards shall apply to officers working in an off-duty capacity. It is the responsibility of supervisors and commanders to ensure that employees working for them comply with the off-duty uniform and appearance standards. If officers working off-duty are found to be out of compliance with uniform regulations, they could be released from their off-duty assignment until their uniform is in compliance with Department uniform regulations.

I. Required Uniform Items

A. Belt. Shall be black (leather or Velcro) and of sufficient width to adequately support a leather or nylon gunbelt.

B. Blouse. Required for lieutenants and above. Shall be single breasted, navy blue in color, matching that of the trousers/skirt, 45% Wool/55% Dacron polyester, 16-20 oz. elastique with optional liner.

C. Cap. Shall be navy blue in color, eight point, closed or ventilated band.

D. Dress Shirt. Shall be a plain white dress shirt (required for lieutenants and above).

E. Jacket. Shall be the Blauer Model 9010Zand the Gerber 301J, Gore Tex material, waist length, single-breasted with silver (gold for lieutenants and above) colored buttons on shoulder and sleeve epaulets, black zipper, with optional reflector tabs. Officers may wear the jacket liner of their choice. Under no circumstances shall the liner be worn as a separate garment.

NOTE: The Sportcaster, the Northslope, and the Blauer 260S jackets will be unauthorized for use effective January 1, 2002.

F. Utility Uniform. Shall be black, issued with top and bottom. This uniform replaces the blue UO/Riot jumpsuit (coverall). The utility uniform shall be accessorized with a cloth nametag. ID numbers are no longer issued. Utilities shall be worn on those occasions where it is impractical to wear the regular uniform (prisoner transport, riot situations, training, etc.).

NOTE: Sergeants and higher will wear "subdued" military-style sew-on rank insignia on the collars of the utility uniform.

G. Necktie. Shall be the four-in-hand or cravat style and navy blue in color.

H. Shirt. Shall be French blue in color, of 100% wool or 45% wool/55% Dacron polyester blend, with removable buttons, navy blue shoulder straps, pocket flaps and cuffs (on winter shirts). Winter shirts shall be 11-12 oz. gabardine, summer shirts 8-9 oz. tropical worsted.

I. Shoes or Boots. Shall be black leather/simulated leather with black laces and plain round toes. Boots may be constructed of a combination of "Gore-Tex" and leather. Shoes and boots shall present a business like appearance.

NOTE: Cloth running, athletic, and cross-training style shoes are not authorized. Western, Wellington, and "engineer" style pull-on boots are not authorized. Boots or shoes with buckles, straps, and buttons are not authorized.

J. Socks. Black or dark blue socks shall be worn with low-cut shoes.

K. Trousers. Shall be the same for all officers, navy blue in color, 100% wool or 45% wool/55% Dacron polyester blend (elastique).

II. Optional Uniform Items

A. Baseball Caps are eliminated as an accessory with the Class A Uniform. Certain specialty units (e.g., Canine, Harbor, etc.) may still wear ballcaps while in their regular duty uniforms. The ballcaps may also be worn by motorcycle officers on long-term fixed posts in lieu of the motorcycle helmet and by bicycle officers on long-term fixed posts (as the 8-point cap does not fit with the bicycle uniform and the ballcap fits more easily into the bicycle bag.) The 8-point cap may be required wear by uniformed personnel at parades and special events (e.g., Bumbershoot, Bite of Seattle, Hydroplane races, etc.). The ballcap shall be navy blue in color, 15% wool/85% polyester, and have "pro-style" six-panel construction with an adjustable plastic sizing band. A 2.75" X 3" SPD patch similar in design to the shoulder patch shall be centered one-half inch above the bill. These ball caps shall be worn with the bill forward and parallel to the ground.

B. Gloves. Shall be black in color unless engaged in another activity requiring a different color (i.e. traffic control). Exceptions shall be approved by Section/Precinct Commanders.

NOTE: Shot-filled or "loaded" gloves are prohibited.

C. Overcoat. Shall be the Navy Officer's topcoat with or without the heavy inner liner and worn only with a half-belt.

D. Rainwear. Shall be worn without patches or cloth badges.

1. The uniform raincoat for patrol and traffic officers shall be the standard yellow rain slicker.
2. The uniform raincoat for foot-beat officers shall be the Chicago-style police raincoat, black, full length, cape front, and black with navy blue collar.
3. Department-approved reversible navy blue and international orange raincoats may be worn upon approval of the respective Bureau Commander.

E. Sweaters. Shall be long sleeve, "military type" v-neck sweaters with shoulder patches and epaulets. Authorized sweaters: Blauer or Fechheimer cable-knit.

F. Turtlenecks. Shall be long sleeve, dark navy blue in color, constructed of 100% cotton or 50% cotton blends, and have no visible monogrammed insignia. Turtlenecks are to be worn under the long sleeve uniform shirt in lieu of neckties, or with the black utility uniform. Mock turtlenecks are not authorized.

G. Uniform Skirt. Optional for all sworn female personnel. Shall be navy blue, "straight style" with zipper in back, 100% wool or 45% wool/55% Dacron polyester blend (16-20 oz. elastique); or 45% wool/55% Dacron polyester blend (14-15 oz. serge). The skirt shall range in length from mid knee to two inches below the knee.

H. Winter Cap. Shall be the navy blue, mouton fur trooper cap with deluxe quilted interior. This cap shall only be worn when the temperature is 32 degrees Fahrenheit or less.

III. Uniform Accessories

A. Service stars, "SP" emblems, insignia of rank, sleeve stripes, tie clasps, badges of office, cap shields, belt buckles, buttons, and other accessories shall designate rank by their colors; gold for lieutenants and above, including the Department Chaplains; silver for sergeants and police officers.

B All uniformed officers shall wear the following described uniform accessories, as directed:

1. American Flag Medal. A ½ "(onehalf inch) metallic flag may be worn at the option of the employee. If worn, it shall be centered one-quarter inch above the top of the right breast pocket in the absence of any other medals.

2. Badges, Cap Shields, and ID cards. Badges of authority and cap shields for the ranks of lieutenant and above, issued by and in the name of the Department are to be under the control of the Fiscal, Property and Fleet Management (FPFM) Section. Badges of authority and cap shields for officers and sergeants shall be under the control of the Evidence Unit. Both the FPFM Section and the Evidence Unit shall maintain adequate records of the respective badges and cap shields retained and issued by them.

    a. No one shall have a badge or cap shield in their possession bearing a number other than the one issued to them.

    b. Upon transfer, detective badges shall be returned to the Evidence Unit.

    c. Upon promotion in Civil Service classification, badges and cap shields issued under the lower classification shall be returned to the FPFM Section (lieutenants and above) or Evidence Unit (officers and sergeants) and replaced accordingly by those of higher classification.

    d. Uniformed officers shall wear the metal police badge on the outside of their uniform shirt and uniform blouse over the left breast pocket. The cloth police badge shall be sewn on the outside of the uniform sweater and uniform jacket. (Refer to Section 1.185a - Uniform Illustrations for proper placement).

    e. Plainclothes officers shall carry the metal badge with their Department identification card. The ID card shall be carried where it is readily accessible for use by the officer.

    f. All officers shall carry the Police ID card bearing a recent likeness. The Personnel Section shall review the employee photograph every three (3) years and replace as required.

3. Cap Braid. Shall be black for police officer, silver for sergeant, and gold for all ranks above sergeant including the Department Chaplains. The cap of the Chief of Police shall have gold bullion on the bill.

4. Marksmanship Medals. Authorized marksmanship medals may be worn and positioned 1/4 inch above the top edge of the right pocket of the shirt and blouse, centered in a vertical line with the pocket button.

5. Name Tags. Department issued (block print) cloth nametags shall be worn by each on-duty uniformed officer on the uniform shirt and optional sweater. Plastic nametags shall be worn with the uniform blouse. Officers shall also wear Department issued (larger with script writing) cloth name tags on the uniform jacket and utility uniform. (See Section 1.185a - Uniform Illustrations for proper name tag placement.) The following requirements shall apply to all sworn Seattle Police Department personnel when wearing their uniform:

    a. The required nametag or identification device shall be worn on the outermost layer of the uniform, in the upper front torso area, and shall be clearly visible to the public.

    b. In situations where the officer may remove the outermost layer of their uniform, that officer shall wear such nametag or identification device in the required location on any underlying layer of his/her uniform.

    c. The outermost layer of the uniform must also clearly identify the name of the officer's law enforcement agency (in most instances, this is fulfilled by the Department shoulder patch).

    d. Officers shall not obscure or alter the nametag or identification device.

    e. The nametag or identification device shall be in legible block print of at least 24-point typeface and will include the officer's first initial and last name. Complete first names may be included as an option to the first initial.

f. For purpose of this section, "uniform" is defined to include, in addition to its normal meaning, any law enforcement agency issued or approved coat, jacket, sweater, rainwear, utility uniform or Demonstration Management protective gear that may be worn as an outer layer of clothing or in conjunction with that uniform. It shall not include civilian attire worn by plainclothes or undercover officers.

g. This nametag requirement applies to officers working on-duty or in an off-duty capacity while in the regulation Seattle Police Department uniform. Nametags must be affixed to all traffic control vests, yellow rain jackets, the Department overcoat and leather motorcycle jackets. For those garments which do not have shoulder patches affixed, there are "Seattle Police" name tag sized department identifiers available, which will be provided to unit coordinators.

6. Shoulder Patches. Department issued shoulder patches shall be centered on each arm of the uniform shirt, blouse, jacket, sweater, jumpsuit, and overcoat. The patch shall be sewn on by machine or stitched by hand, using thread matching the color of the uniform item. (See Section 1.185a - Uniform Illustrations for the proper placement.)

7. Service Stars or Stripes. Service stars denoting each five years of service shall be worn on the uniform blouse one half inch above the braid that indicates rank on both sleeves by all sworn members of the Department. Service stripes, each denoting three years of service, shall be worn by sergeants and police officers on the left sleeve of the long sleeve winter shirt one-inch above the top of the cuff. Service stripes shall not be worn by lieutenants and above. (Refer to Section 1.185a - Uniform Illustrations for proper placement.)

8. "SP" Emblem. Sergeants and officers shall wear the 5/8" high emblem on the dress uniform blouse. Officers assigned to the Harbor Unit and Police Range Unit shall wear the "SP" emblem centered on their utility caps. (Refer to Section 1.185a - Uniform Illustrations for proper placement.)

9. Tie Clasp. The tie clasp shall be a straight bar type clasp with the seal of the State of Washington or the seal of the City of Seattle positioned in the center of the clasp with the words "SEATTLE POLICE" engraved across the bar. Officers are allowed the option of wearing the "City awarded" tie bars denoting length of service. No other tie bars or tie pins shall be worn with the uniform. The tie clasp shall be worn in a horizontal line with the buttons of the shirt pocket.

10. Miscellaneous Items. Nothing shall be worn on the uniform or as a part of the uniform, except regulation Department insignias as specified, or as may be directed from time to time. These shall be centered 1/4" above the marksmanship medal, or 1/4" above the top of the right breast pocket, in the absence of any other medals.

11. Chaplain Insignia. The Department Chaplains shall wear the following items on the dress uniform:

    a. Sleeve Insignia. A one-half inch wide black mohair stripe on each sleeve with a gold Navy Officers Chaplain Corps insignia appropriate to the religious faith of the Chaplain, and

    b. Lapel Insignia. A full-size metal Navy Officers Chaplain Corps insignia on each lapel.

IV. Duplicate Badges

A. Officers wishing to acquire spare badges may do so by presenting a completed *Purchase and Supply Request* (form 1.5), approved by their Bureau Commander, to the Fiscal, Property, and Fleet Management Section. The following conditions shall also apply:

1. The badge must be for the ordering officer's use and shall have their "assigned badge number" on it.

2. The Fiscal, Property, and Fleet Management (FPFM) Section shall notify the officer when the badge arrives.
3. The officer shall present their Department identification, pay for the badge, and sign a receipt for the badge before receiving it.
4 The FPFM Section shall deposit the purchase price for each badge, but shall return the full price to the officer when the badge is returned.
5. The badge shall be listed on the officer's issued equipment list and shall be returned to the Department upon resignation, retirement, or termination.
6. All Department policies relating to badges (lost property, damaged equipment, etc.) apply to duplicate badges.
7. Duplicate badge policies apply to all officers regardless of rank.

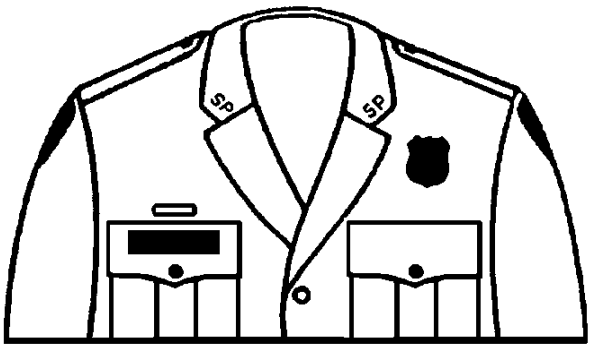


Figure 1 - Uniform Blouse
Cloth Name Tag Placement
(1/4” below top edge of pocket)

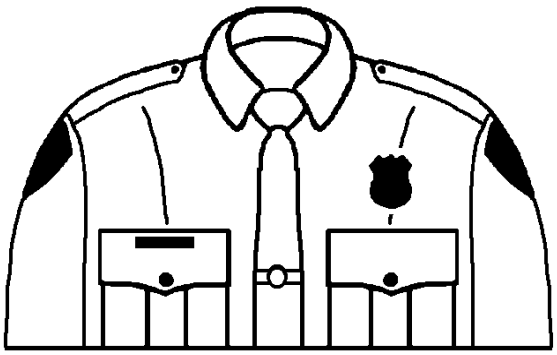


Figure 3 - Uniform Shirt
Cloth Name Tag Placement
(1/4” below top edge of pocket)

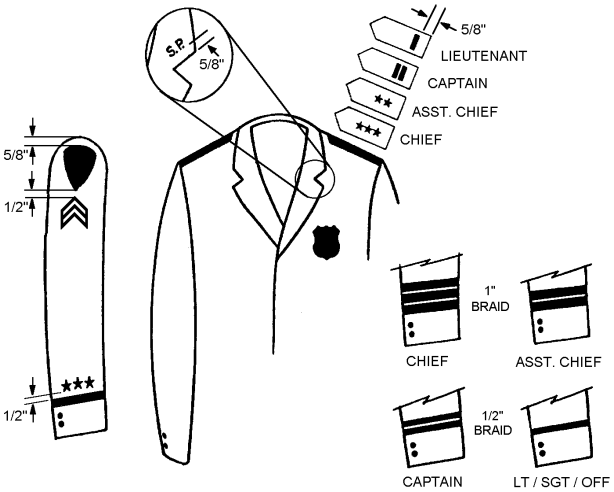


Figure 2 - Uniform Blouse
Shoulder Patch, Rank Insignia, Sleeve
Braid, and Service Stars Placement

Figure 4 - Uniform Shirt
Shoulder Patch, Chevron and
Service Stripes Placement

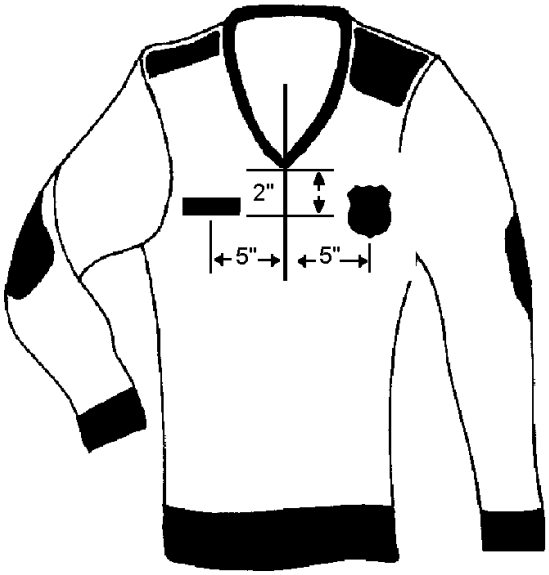


Figure 5 - Uniform Sweater
Cloth Badge and Name Tag Placement

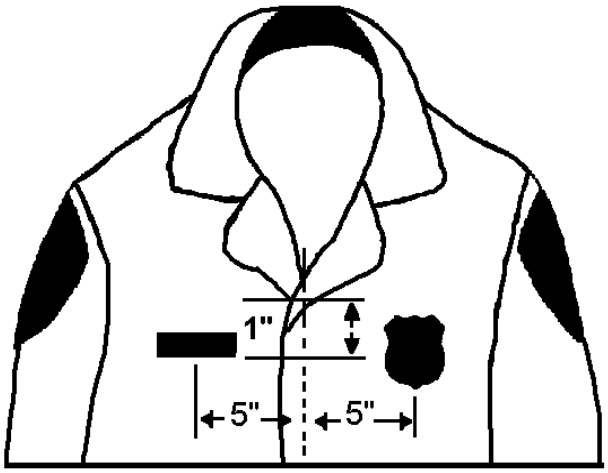


Figure 7 - Department Jumpsuit
Cloth Badge and Name Tag Placement

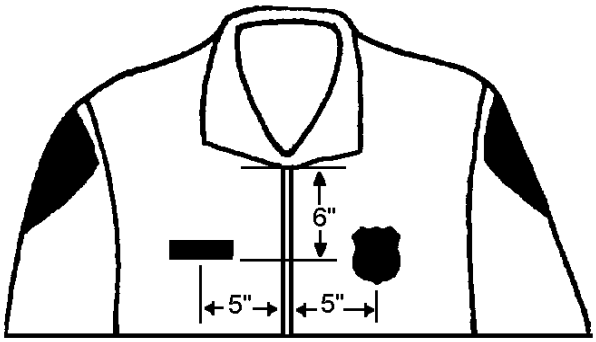


Figure 6 - Uniform Jacket
Cloth Badge and Name Tag Placement

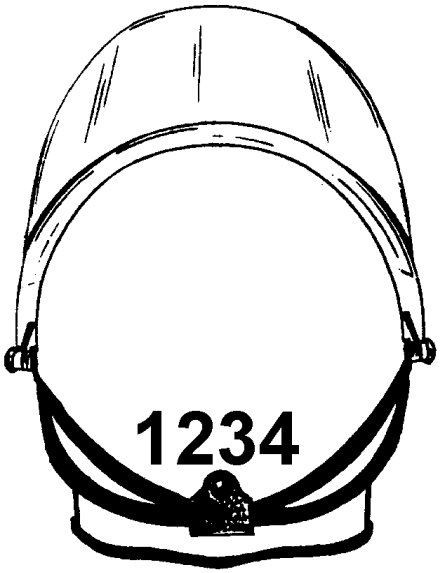


Figure 8 - Riot Helmet
Serial # centered on rear of helmet,
no rank insignia on helmet

I. Protective Vests (Body Armor)

A. Protective vests shall be worn:

1. In uniformed assignments routinely engaged in field contacts and duties,
2. If involved in a pre-planned operation where it has been determined that an involved individual may use a firearm, and
3. When directed by a supervisor.

B. Exceptions

1. Medical. A person requesting an exemption for medical reasons shall obtain a detailed written justification from their physician describing the condition and stating why the condition prohibits the wearing of the vest. That justification shall be forwarded through the officer's chain of command to the Deputy Chief of Operations for approval.
2. Specific Units. The Commander of any Unit desiring an exemption from the mandatory vest requirement shall direct a *Memorandum* through the chain of command, to the Deputy Chief of Operations for approval. The *Memorandum* must state in detail the reason for the exemption.
3. Alternative Vest Procedures. Officers who desire to wear a vest other than the Department issued vest shall forward a *Memorandum* through their chain of command to the Commander of the Training Section for approval. The *Memorandum* shall identify the vest by make and model. If the *Memorandum* is approved, they will be issued a voucher for the amount of the Department's cost of the current issued body armor to apply towards their selected vest.

C. The Department will provide the employee with body armor of threat level II or IIIA.

D. Vests shall be replaced whenever they are defective; however, regardless of condition, vests shall be replaced every (8) years.

1. In replacing a vest, officers shall submit a *Memorandum* to the Evidence Unit. Upon approval, the officer will be provided a voucher to present to the vendor for a replacement vest.

II. Leather Gear

A. All leather gear shall be black in color and of the finest quality basketweave pattern leather. All metal shall be heavy plated and the leather shall be kept polished at all times.

1. Gun Belt. Shall be the Sam Browne type without the shoulder strap or shoulder strap metal loops. It shall be not less than two inches wide or more than two and one-quarter inches wide, and must be a basketweave leather heavy enough to carry equipment without sagging. A separate belt may be worn to support the trousers. Plain leather is prohibited.
2. Cartridge Case. Shall be fashioned into two compartments and capable of holding twelve cartridges of revolver ammunition or two magazines of semi-automatic ammunition.

III. Nylon Gear

A. Not all nylon duty holsters afford the same threat level weapon retention as leather holsters. Officers electing to wear nylon duty gear must first assess their weapon proficiency and weapon retention / protection abilities.

B. Uniformity. Officers have the option of electing to use nylon gear as an alternative to leather duty gear. However, leather and nylon gear shall not be interchanged. If the gun belt is leather, the holster, cartridge case, and optional equipment holders shall also be leather. If the gun belt is nylon, the holster, cartridge case, and optional equipment holders shall also be nylon. There will be no exceptions.

C. All nylon gear shall be black in color and constructed of ballistic weave nylon "divers web", or water-repellent Cordura® nylon. Metal parts shall be black in color.

1. Gun Belt. Shall be 2-inches wide with buckle, and must be rigid enough to carry equipment without sagging. A separate belt shall be worn to support the trousers. A minimum of four (4) snap type (black) belt keepers shall be worn to secure the gun belt to the separate trouser belt.

2. Cartridge Case. Shall be fashioned into two compartments and capable of holding twelve cartridges of revolver ammunition or two magazines of semi-automatic ammunition.

   NOTE: Velcro or snaps may be utilized to secure flaps on the cartridge case and optional equipment.

3. Optional Equipment. Shall be limited to the items and styles contained in the chart on the subsequent pages of this section.

IV. Additional Required Items

A. The following items shall be carried on-duty

1. Flashlight. Uniformed officers-at least a two-cell spotlight type.

2. Handcuffs and Keys. Shall be carried by all police officers.

3. Police Whistles. All on-duty police officers, except those assigned to follow-up units or administrative duties.

4. Timepiece.

5. Traffic Safety Vest. Officers shall wear a reflective traffic safety vest:

   a. When assigned traffic control responsibilities at a designated location,

   b. When employed off-duty with traffic control responsibilities, and

   c. When directed to do so by a supervisor or event commander.

Officers are encouraged to wear the safety vest in other hazardous situations (accidents, spills, etc.) where they feel at risk. Officers have the option of wearing the blue reflective Department issued vest, a fluorescent orange vest approved by the Department of Labor & Industries, or the reversible raincoat with the international orange side out.

V. Optional Equipment

A. Chemical Restraints

1. Chemical restraint devices may only be issued or carried after an officer has successfully completed a training class approved by the Commander of the Training Section. Individual officers shall have the responsibility of obtaining a replacement device when the contents are depleted.

2. Uniformed officers who carry a chemical restraint device shall use an appropriate carrier on their gun belt.
3. Officers may only carry Department issued or privately purchased products that meet the following general criteria:
   a. Unaltered dispensers containing not more than 4 oz. of the chemical formulation currently issued by the Department.
   b. For non-uniformed use, officers may purchase a restraint device of the same or smaller size which is made by the same manufacturer and contains the same formulation as the issued product.

B. Batons or Nightsticks. Shall be unaltered Department issued or meet the following specifications:

1. Straight Batons

   Length - not more than 26”

   Weight - not to exceed 20 oz.

   Material - wood or monpac plastic

   Color - natural and/or dark in color

2. Side Handle Batons

   Length - 24”

   Weight - 27 oz.

   Material - monpac plastic

   Color - black

3. Expandable Batons

   Length - not more than 26” expanded

   Weight - not to exceed 20 oz.

   Material - light weight alloy tubing

   Color - black

NOTE: All officers shall complete a course which has been specifically designed to train them in the proper use of the baton that they have chosen to use in the course of their duties. Such a course shall be approved by the Training Section.

VI. Riot Gear

A. Officers shall be issued:

1. Riot baton (long);
2. Riot baton (short);
3. Kevlar helmet w/face shield;
4. Helmet cover;
5. Helmet bag;
6. Department fitted gas mask w/carrier;
7. Gas mask voice amplifier/earpiece and adapter (supervisors only);

8. Chest, knee, shin, foot, and forearm protectors (hard gear);
9. Black padded gloves (1) pair;
10. Black fanny pack;
11. Black poncho (nametag required);
12. Black utility uniform (nametag required). Replaces the blue UO/Riot jumpsuit coverall;
13. Safety glasses.

VII. Prohibited Equipment

A. Officers are prohibited from carrying any special equipment not specifically authorized in writing.

1. The black suspenders for the gun belts will no longer be authorized unless a signed **medical exemption** from a qualified physician exists on record with the Wellness and Accountability Administrator.

B. Officers working in uniform shall not wear mirrored sunglasses while engaged in the performance of their duties.

EXCEPTION: Officers engaged in plainclothes assignments, such as dignitary protection, may wear mirrored sunglasses upon approval of their unit supervisors.

Authorized Nylon Duty Gear		
Item	**Manufacturer**	**Model**
Duty Belt	KW SP	Standard w/buckle Ultra Duty Belt, Deluxe Duty Belt
Aerosol Restraint Device Pouches	BI KW SP	7307, 7307S 0900CS, 0900CV 8869-1
Ammunition Holders	BI, KW, SP	Double holder
ASP Holder	BI GG KW SP	7313S G-NP108 or G-NP109 0920EB, 0921EB, 0922EB 8881-1, 8882-1, 8883-1
Baton Holder	BI KW SP	6404 0925LA, 0926SS 8863-1, 8861-1
Belt Keepers (A minimum of four (4) keepers are required to be worn)	BI KW SP	6404 0300BK, 0310BK 8865-5, 8865-6, 8865-1
Flashlight Holder	BI GG KW SP	6409, 7310S, 7311S G-NP104, 105, 106 All Models 8863-1, 8862-1, 8818-1,2,3
Handcuff Holders	BI KW SP	7300, 7300S 050SH, 0515SH, 0550DH, 0565DH, 0565SG* 8857-1, 8878-1
Holster	BI KW SP	7115 Vanguard (AccuMold) (Semi-auto and Revolver) 7100 Ballistic Grabber (Semi-auto and Revolver) 7105 Cruiser (Revolver only) 7001 Sportsman (Revolver only) Untouchable (Semi-auto and Revolver) Pro 3 (Semi-auto and Revolver)

Authorized Nylon Duty Gear		
Item	**Manufacturer**	**Model**
Key Ring	GG KW SP	G-NP103 0950KR 8858-1, 8860-1
Knife Pouch	BI KW SP	7303S 0970GP, 0971GP 8891-1
Laerdal Pocket Mask Pouch	KW	7201WS
Latex Glove Pouch	BI KW SP	7312, 7315S 7202WS 8887-1, 8896-1
Leatherman Tool Pouch	KW SP	0960LT, 0961LT 8893-1
Pager Case	SP	8852-1, 8853-1
Radio Holder	BI KW SP	7314, 7314S 0948PR Fitted, Swivel or Fixed
Discontinued items	In the event an item identified above is no longer produced, a comparable replacement item may be substituted so long as it conforms to the same item design and composition.	

* - Bicycle Officers only.

KW - K & W Enterprises, Inc., 2826 NE Sunset Lane, Renton, WA 98056
(206) 255-4316, 1-800-846-9262

SP - Uncle Mike's SIDEKICK PROFESSIONAL, P.O. Box 13010, Portland, OR 97213
(503) 255-6890

BI - Bianchi International, 100 Calle Cortez, Temecula, CA 92590
(909) 676-5621

SA - Safariland Ltd., Inc., 3120 E. Mission Blvd., Ontario, CA 91761
1-800-347-1200

GG - Gould & Goodrich, c/o Gall's Inc., P.O. Box 54308, Lexington, KY 40555-4308
1-800-477-7766

I. Definitions

A. Anniversary: That date twelve calendar months following the date of hire.

B. Date of Hire: The date employment begins as a Police Officer, Parking Enforcement Officer, or Police Recruit.

C. Month: Fifteen (15) or more calendar days which shall constitute one month for purposes of prorating time of service.

D. Parking Enforcement Officer: A civilian employee enforcing parking regulations.

E. Police Officer: A person who, having taken the oath of office, is charged with the obligation to maintain peace and order.

F. Recruit: A civilian employee of the Department who, upon successful completion of the Police Academy, may become a sworn police officer.

II. Annual Uniform Allowance

A. All the employees described above are entitled to an annual clothing allowance for the maintenance and purchase of uniform clothing as established by collective bargaining agreements or policy.

B. All entitled employees terminating employment shall be paid a prorated share of their annual clothing allowance. Prorating may be used by payroll, as necessary to alter the anniversary, when an employee changes status.

C. Unpaid absence from the Department for one to twelve months shall alter the anniversary by the amount of time absent. The allowance shall be prorated if the absence exceeds one year.

D. Former Seattle police officers who have been separated from the Department for more that 24 consecutive months shall be eligible for an initial clothing allowance in the amount required by City ordinance, collective bargaining agreement or Department policy upon being sworn as a police officer. Under no circumstances shall an individual be eligible for additional clothing allowance by further separation and re-hire.

III. Initial Uniform Allowance

A. The Training Section shall conduct an equipment inspection during Department orientation training for the following:

1. Newly commissioned officers,
2. Lateral transfers from other police departments, and
3. Former Seattle police officers who have been re-hired.

B. Upon satisfactory completion of the inspection, the Training Section shall conduct an “Initial Clothing Inventory” and forward the results to the Fiscal, Property, and Fleet Management Section.

C. The Fiscal, Property, and Fleet Management Section shall authorize payment of an initial uniform allowance upon receipt of the clothing inventory in the amount authorized by City ordinance, collective bargaining agreement, or Department policy.

IV. Claims for Damaged, Destroyed, Stolen, or Lost Uniforms or Equipment (Personal Property)

A. Policy

1. The City maintains a fund for the purpose of paying, in vouchers approved by the Chief of Police, costs of repair or replacement of Police Officers' and Parking Enforcement Officers' clothes or personal equipment damaged, destroyed, stolen, or lost in the line of duty.

2. An item is considered damaged if, as a result of some action, its usefulness is substantially reduced.

3. The City shall not pay repair or replacement costs for those uniform or equipment items which are damaged, destroyed, stolen, or lost through officer negligence.

   NOTE: Department personnel are responsible for the cleaning costs of their uniforms and personal clothing items which become dirty or soiled during the course of duty. Payment for repair or replacement of equipment shall only be made for items which are damaged, destroyed, stolen, or lost in the line of duty.

B. Procedures

1. Damaged items shall be inspected by the concerned officer's immediate supervisor during the shift when the damage occurred.

2. Requests for reimbursement shall be submitted to the concerned officer's immediate supervisor and must include:

   a. *Personal Property Request for Reimbursement - Damaged, Destroyed, Stolen, or Lost, Uniforms or Equipment* (form 13.18, Side B),

      (1) Personal equipment not specifically required or authorized by Department policy:

         (a) Indicate in the "Explain the Circumstances" section of the form if a letter of authorization from a Bureau Commander was obtained for the item before it was damaged, destroyed, stolen, or lost, and

         (b) Attach a copy of the letter.

   b. Receipt(s) for repairs or replacement costs,

   c. Receipts or other proof which would indicate the date and price of the original purchase. In the event that the officer is unable to obtain the original receipt, a memorandum indicating the date of purchase, item(s) purchased, and cost of each item(s) shall be submitted with the claim form,

   d. Where appropriate, a copy of the police *Incident Report*.

3. The immediate supervisor shall indicate their recommendations for approval or disapproval of the reimbursement request and forward it through the employee's chain of command to their Section or Precinct Commander for recommendations.

4. Approved requests shall then be forwarded to the Director of the Fiscal, Property, and Fleet Management Section where the amount of reimbursement is determined. A check is then issued by the Fiscal Management Unit for the approved amount.

C. Conditions of Reimbursement

1. Reimbursement for damaged, destroyed, stolen, or lost uniform items, or other equipment required by the Manual shall be made upon proof of purchase of the replacement item (See B2c. of this section).
2. Items of personal property which officers elect to use on-duty, but which are not required by the Manual, shall be used at the officer's own risk and may not be subject to reimbursement.
3. Uniform and equipment items that may be considered for reimbursement:
   a. All non-issue uniform and equipment items required by the Manual,
   b. Prescription and safety eyeglasses,
   c. Timepieces,
   d. Personal equipment such as cameras and binoculars which are used with prior approval of Section/Precinct Commanders, and
   e. Any electronic device used to aid an employee in their performance duties.
   f. Other equipment or clothing may be considered, such as items worn by plainclothes personnel, and shall be approved on an individual basis by the concerned officer's Section/Precinct Commander.
4. Uniform and clothing items shall be prorated on the following basis:
   a. For the first year--100% of original price,
   b. For the second year--75% of original price,
   c. For the third year--50% of original price, and
   d. For the fourth year--25% of original price.
5. Reimbursement for any non-uniform item shall be as follows:
   a. Prescription eyeglasses shall be repaired or replaced at a cost not to exceed $125,
   b. Safety eyeglasses and non-prescription sunglasses shall be repaired or replaced at a cost not to exceed $25,
   c. Timepieces shall be repaired or replaced at a cost not to exceed $70,
   d. Flashlights damaged, destroyed, or lost in the line of duty shall be replaced at 100% of original purchase value, and
   e. Electronic devices shall be repaired or replaced at a cost not to exceed $100.00.
   f. Reimbursement requests for non-uniform items other than the above shall be approved on an individual basis.

V. Specialized Clothing / Equipment (One-Time Reimbursement)

A. Police officers and sergeants who are assigned to the Motorcycle Unit, Mounted Patrol Squad, or the Harbor Unit as divers are eligible (after one year of service in said assignment) for a one-time reimbursement of $500.00 for the purchase of required items of clothing or equipment unique to those assignments.

B. Requests shall include:
   1. A copy of the personnel order assigning the employee to one of the above units,
   2. A *Memorandum* requesting reimbursement, and

3. Copies of purchase receipts for equipment / clothing.

C. Requests shall be forwarded through the employee's chain of command to Deputy Chief of Operations for approval.

D. Approved requests shall be forwarded to the Fiscal, Property, and Fleet Management Section for reimbursement of funds.

VI. Conflicts With Collective Bargaining Agreements and City Ordinances

A. In the event of a conflict between the provisions of this manual section and those of a properly authorized collective bargaining agreement, the provisions of the agreement shall prevail insofar as members of the bargaining unit are concerned, and for the duration of the time covered by the agreement.

POLICY

All employees having or using any equipment or property belonging to the City of Seattle shall be charged with proper care and handling of that equipment or property. City equipment shall not be used for other than assigned purposes without prior permission of the concerned section commander. Equipment or property which is lost, wasted, or damaged through negligence, carelessness, or improper use may be charged against the employee responsible.

All equipment which is damaged or malfunctioning shall be turned in before new equipment is issued (cloth name tags, plastic name tags, shoulder patches, and buttons are exempt from this entire procedure). Immediate reissue of essential equipment shall be accomplished through the responsible Unit (e.g., Evidence Unit, Property Unit (Quartermaster), etc.).

Depending on the circumstances, officers may be required to pay for issued equipment which has been damaged, lost or stolen. Final determination of officer liability shall be the responsibility of the Deputy Chief of Administration.

I. Reporting Defective Equipment

A. A *Report of Defective Equipment* (form 5.15) shall be completed when reporting needed repairs for all types of equipment (except vehicles), including building repairs.

II. Reporting Damaged, Destroyed, Lost, or Stolen Equipment

A. In the event of damage or loss to Department property or equipment, the person responsible shall report the damage or loss to their supervisor, who in turn, shall thoroughly investigate the situation. The employee may be required to replace the item or pay a portion of the replacement cost as determined by the Department.

B. When requesting replacement of issued equipment, for any reason, officers shall:

1. Complete a *Request for Replacement of Issued Equipment* (form 13.18, Side A),

   a. Employees may refer to the *Incident Report* in the "Explain the Circumstances" section, provided that the report gives a detailed account of how the equipment was damaged, destroyed, lost, or stolen and a copy of the *Incident Report* is attached to the request form.

2. Complete an *Incident Report* (form 5.37) as required,

3. Forward both forms through the chain of command to the Section or Precinct Commander for recommendations. The Director of Fiscal, Property, and Fleet Management determines the value of the equipment to be replaced. The Deputy Chief of Administration reviews the circumstances, and determines the employee's liability, and

4. The Evidence Unit issues replacement equipment once the *Request for Replacement of Issued Equipment* form has been received from the Deputy Chief of Administration.

C. Lost or stolen guns and badges shall be reported as described above within 72 hours of discovering the loss. The officer shall notify a supervisor immediately.

III. Safeguarding Equipment

A. The Department has consistently provided reimbursement for issued and non-issued equipment that has been damaged, destroyed, lost, or stolen in the performance of duty. However, officers have occasionally requested reimbursement for items that have been taken from their homes, personal vehicles, or unsecured areas of the workplace. The Department cannot cover the cost of items lost under these circumstances. Additionally, items damaged, destroyed, lost, or stolen during the employee's shift cannot be reimbursed if proper care was not taken to safeguard the property. Other than assigned lockers, most areas of the workplace should be considered unsecured.

I. Rules of Operation

A. Employees are prohibited from taking a City vehicle outside the corporate limits of the City of Seattle, except as required by their duty or as authorized by a supervisor.

B. Employees shall not permit unauthorized persons to ride in police vehicles.

C. Certain employees are assigned a "take home car" due to specific rank or command responsibilities. The use of these cars shall be in accordance with guidelines established and disseminated by the Chief of Police.

II. Motor Pool Procedures

A. Requests

1. Police Department pool vehicles shall be issued only upon the completion of a *Vehicle Requisition* (form 1.35.5) approved and signed by a supervisor. The authorizing signature of a supervisor shall not be stamped or duplicated in any way.

2. Supervisors shall screen all requests and limit approval to those instances where vehicles are necessary to the performance of an assigned function.

3. Vehicles shall not be checked out prior to the time needed.

B. Check Out Procedures

1. From 0700 hours to 1530 hours weekdays, pool vehicles shall be signed out and in at the Fleet Control Office located on the seventh floor of SeaPark.

2. From 1530 hours to 0700 hours on weekdays, and all day Saturdays, Sundays, and holidays, pool vehicles shall be signed out and in per Section policy.

C. Return Procedures

1. Vehicles returned between 0700 and 1530 hours weekdays shall be parked as directed by Fleet Control; and the keys, stall number, and mileage given to Fleet Control.

2. Vehicles returned at other times or on holidays shall be parked in the same general area as originally parked and the keys, stall number, and mileage given to the Evidence Unit.

3. Vehicles returned to the motor pool shall be clean and have a minimum of one-half tank of gas.

D. Assigned Unit Vehicles

1. Vehicles assigned to specific units shall be governed by the same use restrictions as outlined in this section; however, the *Vehicle Requisition* form, checkout procedure and return procedure shall not apply.

2. Supervisors in units having assigned vehicles shall maintain a log, recording both vehicle usage and operating personnel information.

E. "Spare" Patrol Vehicles

1. Sworn employees using a patrol car for any reason shall log that vehicle into service with Communications via either radio or MDC.
2. Non-sworn employees shall not operate marked patrol units without the prior approval of a sergeant or above. This requirement does not apply to Equipment and Facilities Coordinators. A marked patrol vehicle operated by any civilian must have a light bar hood that clearly indicates the patrol vehicle is "Out of Service".
3. Department vehicles are not authorized for use relative to secondary employment.

III. Trip Vehicles

A. Overnight Use

1. Bureau Commanders may authorize the overnight use of a Department vehicle. This authorization can only be given for temporary use (up to 30 days). Requests for extended use (more than 30 days) of a Department vehicle must be submitted through the Chain of Command and forwarded to the Deputy Chief of Administration for final approval.
2. Employees requesting the overnight use of a vehicle shall submit a *Vehicle Special Assignment* request (City of Seattle form) approved by their Bureau Commander.
3. When a Bureau Commander is unavailable and exigent or unusual circumstances exist, a Section/Precinct Commander may authorize overnight use of a Department vehicle, provided a Bureau Commander is notified as soon as practical.

B. Out-of-State Use

1. Employees requesting the use of a vehicle for a trip out-of-state shall submit a *Vehicle Special Assignment* approved by their Bureau Commander to the Fleet Control Office.

IV. Reporting Damage to Department Vehicles

A. All Department vehicles shall be inspected for damage prior to being driven. When damage is discovered, the following steps shall be taken:

1. Any new body damage discovered or caused by an officer shall be reported to their on-duty sergeant. In the case of motor pool vehicles, this information shall be reported to the Fleet Control Office. A *Defective Equipment Report* (City of Seattle form) shall be completed and an entry made on the *Vehicle Damage Report* (form 1.35) indicating new damage. When it is unknown if the damage is new or has already been reported, report it as new,

   See Section 1.205 - Collisions Involving City Vehicles.

2. If the vehicle is not driveable or major damage exists, standard procedures shall be followed to obtain appropriate care or repair, and
3. When unreported damage is discovered, the sergeant/supervisor notified shall check the logs to determine who the damaged vehicle was previously assigned to; and, when possible, who caused the damage or who failed to report it. The sergeant/supervisor shall submit a *Memorandum* of their findings through their chain of command to the commander of the section to which the vehicle is normally assigned.

V. Parking Citations on City Vehicles

A. Employees receiving parking citations, during the normal course of official investigations, shall obtain authorization for cancellation from their supervisor. The employee shall then prepare and submit a *Cancellation Request* (form 1.51) through their chain of command to their Section or Precinct

Commander. Employees failing to submit cancellation within 48 hours shall accept the responsibility of making personal payment of the citation.

I. Definitions/Collision Classifications

A. Collision: That occurrence in a sequence of events which usually produces **unintended** injury, death, or property damage.

NOTE: If the event produces intended injury, death, or property damage, it is not a collision. The event must be investigated and reported as an incident (i.e. Malicious Mischief, Assault with a Deadly Weapon, Reckless Endangerment, etc.).

B. Reportable: A collision which State law requires to be reported to the Washington State Patrol.

C. Non-reportable: A collision which State law does not require to be reported to the Washington State Patrol.

1. A collision resulting in damage to a police vehicle occurring on City of Seattle property where no private property was involved, shall be considered non-reportable regardless of the dollar amount of damage. Examples:

   a. A police vehicle strikes a support pillar in the Public Safety Building, or

   b. A police vehicle backs into another police vehicle at the South Precinct, etc.

D. Department vehicle collision: A collision involving only Department vehicles, or a Department vehicle and City property.

E. City vehicle collision: A collision involving vehicles belonging to another City department, or a vehicle belonging to another City department and City property.

F. Traffic Incident: Physical contact between a City vehicle and the property of another which does not result in any apparent damage or injury.

II. Department Vehicle Collision and Traffic Incident Investigations

A. All Department vehicle collisions and traffic incidents, herein defined, shall be investigated regardless of injury, death, or degree of resulting damage.

1. In addition to a Traffic or Patrol supervisor, an on-duty Lieutenant or Acting Lieutenant shall respond to the scene of all Department vehicle collisions and traffic incidents in order to review the circumstances, regardless of the degree of damage or injury.

2. In the event that an on-duty Lieutenant or Acting Lieutenant is not available, the Duty Commander shall be notified in order to review the circumstances of the collision, and if necessary, will respond to the scene.

3. The Investigating Officer's report and the Supervisor's report shall include the name of the Lieutenant or Acting Lieutenant who responded to the scene, or that the Duty Commander was notified.

4 The collision shall be investigated by a Traffic or Patrol Unit, and the Traffic Collision Investigation Squad (TCIS), if applicable.

5. Under no circumstances shall the employee(s) involved in the collision investigate the collision.

B. Involved Employee Responsibilities

1. Check for injuries and render first aid.

2. Notify your supervisor immediately. If your supervisor is not able to respond, request another supervisor respond to the scene.

3. Remain at the scene until relieved by an on-scene supervisor.

4. Complete an officer's statement and a diagram.

5. Complete a *State of Washington Motor Vehicle Collision Report*.

   a. Keep all copies of the State of Washington *Motor Vehicle Collision Report* together and forward via your chain of command.

C. Investigating Traffic or Patrol Unit Responsibilities

1. For <u>reportable</u> collisions, complete a standard *State of Washington Police Traffic Collision Report*, along with a diagram of the scene on a *Sketch Sheet* (form 5.7.1).

2. <u>Non-reportable Department vehicle collisions</u> will be handled by a police supervisor utilizing the *Supervisor's Investigation of Vehicle Collision* (form 2.24).

   a. Only if the collision involves a police vehicle or other City property and nothing else.

      NOTE: A *State of Washington Police Traffic Collision Report* is not required as part of the investigation process. It is required, however, that the involved employee complete a *State of Washington Motor Vehicle Collision Report*.

3. <u>Traffic incidents</u> shall be investigated and will be handled by the investigating officer utilizing an *Incident Report* titled "Traffic Incident".

   a. Under no circumstances shall the employee(s) involved in the traffic incident investigate the incident.

F. Investigating Supervisor's Responsibilities

1. Supervisors shall respond to all <u>Department vehicle collisions</u> and <u>traffic incidents</u>. Response to <u>City vehicle collisions</u> is required only if the collision is <u>reportable</u>.

2. Upon arrival, ensure that any injured persons have been cared for.

3. Determine if the Traffic Collision Investigation Squad (TCIS) should be called.

   a. The Traffic Collision Investigation Squad shall be called for collisions involving City equipment whenever any person injured in the collision is admitted to a hospital, or if extensive property damage has occurred.

   b. In all other situations, the responding supervisor has the discretion to request a response by TCIS.

4. When the Traffic Collision Investigation Squad does not respond, ensure that:

   a. The collision scene is photographed with a minimum of four photos to include:

      (1) The Police/City vehicle,

      (2) The other vehicle(s) or property involved, and

      (3) Two different views of the scene,

      NOTE: Film shall be processed immediately. Have the photo lab forward prints directly to the Safety Officer in the Personnel Section. Do not use a Polaroid camera to photograph the collision.

   b. The area of impact and skid marks are measured, and

   c. A *Sketch Sheet* (form 5.7.1) of the collision scene is completed.

5. Department Vehicle Collisions

   a. Examine the damage and obtain a statement from the involved officer. The officer must include a diagram of the collision scene in conjunction with their statement.

   b. Complete the top half of the *Supervisor's Investigation of Vehicle Collision* (form 2.24) report. This report shall include the involved employee's driver's license information (or City permit number) and a complete description of the circumstances surrounding the collision.

   c. Ensure that a State of Washington *Motor Vehicle Collision Report* is completed, and if applicable, a *State of Washington Police Traffic Collision Report*.

   d. Forward all paperwork to the involved employee's supervisor.

III. City Vehicle Collision Investigations

A. Officers shall investigate <u>City vehicle collisions</u> in the same manner as any other traffic collision.

1. Exception

   a. <u>Non-reportable City vehicle collisions</u> may either be investigated as a reportable collision or be handled internally by the involved City employee's supervisor.

      (1) In order for the collision to be handled internally:

(a) The supervisor must respond to the scene of the collision, and

(b) The involved employee must have a valid drivers license.

b. If a traffic crime was committed, the collision will be investigated as a reportable collision.

c. If the non-reportable City vehicle collision is investigated by the involved employee's supervisor, no further action is required. The primary officer will document on their *Patrol Unit Log Sheet* (form 7.19) or daily activity report:

(1) The name, date of birth, and Department of the involved City employee,

(2) The make, model, VIN, unit number, and license number of the vehicle involved, and

(3) The name, unit, and telephone number of the supervisor that responded to the scene and assumed responsibility of the investigation.

IV. Involved Employee's Chain of Command

A. Supervisor's Responsibilities

1. The individual's supervisor shall receive a copy of the *Supervisor's Investigation of Vehicle Collision* (form 2.24), officer(s) statements, *State of Washington Motor Vehicle Collision Report* (all copies), and for reportable collisions, a copy of the *State of Washington Police Traffic Collision Report*.

2. The supervisor shall then complete the bottom portion of the *Supervisor's Investigation of Vehicle Collision*, and make recommendations concerning whether the collision:

a. Was preventable or non-preventable, and

b. Should be excluded from the employee's driving record.

NOTE: See subsection VI of this manual section for more information.

3. All recommendations shall be supported in writing.

4. Forward all completed paperwork to the involved individual's lieutenant or civilian equivalent for review.

B. Lieutenant or Civilian Manager Responsibilities

1. Shall review the reports and make recommendations concerning whether the collision:

a. Was preventable or non-preventable, and

b. Should be excluded from the employee's driving record.

2. All recommendations shall be supported in writing.

3. Forward all completed paperwork to the involved individual's Section/Precinct Commander or civilian equivalent.

C. Section/Precinct Commander Responsibilities

1. Shall review the reports and make recommendations concerning whether the collision:

   a. Was preventable or non-preventable, and

   b. Should be excluded from the employee's driving record.

2. All recommendations shall be supported in writing.

3. All completed paperwork shall be forwarded to the Bureau Commander of the involved employee.

D. Bureau Commander

1. The Bureau Commander has the option of commenting or making recommendations regarding the collision. All completed paperwork shall be forwarded by the Bureau Commander to the Department Safety Officer.

V. Safety Officer

A. Shall initiate a review of the collision by the Collision Review Board.

VI. Collisions Excluded from an Employee's Driving Record

A. RCW 46.52.130 provides that the abstracts provided to insurance companies shall exclude any information (except information related to the commission of misdemeanors and felonies by the individual) pertaining to law enforcement officers while driving official vehicles in the performance of occupational duty.

VII. Driver Training Collisions

A. Collisions occurring during authorized driver training are exempt from the provisions of this manual section. (Refer to Section 1.209 - Driver Training Collisions - for guidelines.)

PURPOSE

Seattle Police Department driver training is designed to simulate conditions an officer might face on the job. Whether it is the emergency vehicle operation course (EVOC), motorcycle or parking enforcement vehicle training, etc., the courses are meant to force an officer into situations that may exceed their skills in order to teach collision avoidance and vehicle control.

I. Collision Reporting

A. Collisions occurring during Department authorized training are exempt from the normal accident reporting procedures.

B. The reporting exemption is only valid on closed, non-public courses. The collision must have happened during instruction. State law requires that collisions occurring on a public street be reported.

C. All collisions occurring during training shall be reported as outlined in subsection II. for internal damage audits and training evaluation purposes.

D. The Chief of Police does have the discretion of ordering a collision investigation and report for driver training collisions.

E. Collisions during authorized training are also exempted from Department sanctions if they happen during instruction and are not the result of misconduct or gross negligence.

II. Collision Investigation

A. The training supervisor present at the scene will investigate the collision and complete the *Supervisor's Investigation of Vehicle Collision* (form 2.24), and a *State of Washington Motor Vehicle Collision Report*.

B. The Training Section staff will review the collision for evaluating training needs and the training curriculum. The involved officer's chain of command will also review the collision.

C. Reports of the collision will be forwarded to and retained by the Inspections and Procedures Unit.

D. Any needed vehicle repairs will be reported to the Fleet Control Unit. Fleet Control will then get a copy of the collision reports from the Training Section.

E. Driver training collisions will be reviewed by the Department Safety Officer and forwarded to the Collision Review Board when appropriate.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.213	I - Administration	213 - Use of Private Vehicles for City Business

POLICY

Employees should always attempt to use City vehicles in the performance of their duties for the Police Department. Whenever possible, permission shall be obtained from an employee's Bureau Commander prior to using their private vehicle on City business.

I. Definitions

A. For purposes of reimbursement, vehicles shall be defined as any motor driven conveyance licensed to operate on the public roads and highways.

II. Procedures

A. Employees shall obtain prior authorization from their Section Commander before using a private vehicle on City business. Use a *Seattle Police Department Memorandum* (form 1.11).

B. Employees shall notify their Section Commander immediately following the use of a private vehicle for City business in instances where obtaining prior permission is not possible.

C. Requests for reimbursement shall be completed on *Purchase and Supply Request* (form 1.5) with a copy of the approval attached. Both documents will then be forwarded to the Director of the Fiscal, Property and Fleet Management Section.

D. Reimbursement for authorized private vehicle travel within the Puget Sound area shall be at the current City rate.

E. Reimbursement for authorized private vehicle travel outside the Puget Sound area shall not exceed the lowest round trip air fare to and from that location, regardless of the amount of mileage.

I. Parking in the Public Safety Building

A. The following rules shall be adhered to when operating any vehicle in the Public Safety Building.

1. Headlights must be on at all times.
2. Vehicles must make a complete stop prior to crossing the sidewalk when leaving the building.
3. Left turns at the entrance or exit of the building will not be made, except in emergency situations.
4. When possible, use the James Street exit when leaving the building from any level below "G" deck.
5. Keep engine idling time to a minimum.

B. Restrictions

1. Only the following vehicles shall be authorized to park on "G" deck:
   a. SWAT and PEO vehicles only. All other spaces are assigned parking only.
   b. Patrol vehicles assigned to other precincts, while transporting evidence, may temporarily park in the space in front of the south doors.
2. Unauthorized private vehicles parked on "G" deck will be cited or impounded.
3. Officers driving patrol cars to the Public Safety Building during business hours (0700-1630 Monday-Friday) shall report to the Fleet Control Office on "C" deck, where a parking stall will be assigned if one is available. If there are no spaces available, officers shall park on the street.
4. No vehicle shall be parked in a reserved stall unless registered to that stall. Reserved stalls shall be marked with a sign specifying the designated occupant. Unauthorized vehicles may be cited, impounded, and have their parking permits revoked.

C. Private Vehicle Permits

1. Parking in City owned parking garages is administered by the Department Of Administrative Services (DAS) Core Parking Coordinator. To obtain a permit, persons with private or City vehicles must complete a *Parking Permit Application* (City of Seattle form).
2. The possession of a valid permit does not guarantee the holder a parking stall.
3. Night permits are issued to employees for parking in non-reserved stalls between the hours of 1630 to 0730 on "A", "B", and "D" decks only.

II. Court Parking

A. Patrol Vehicles

1. Anyone driving into the PSB from an outside unit must first check in with the Motor Pool for an assigned space before parking. There is no unassigned parking including in the aisles, even if a space is temporarily open.

B. Private Vehicles

1. Court parking will be accommodated in the parking garage between Cherry and James Street. Officers coming to court will take a parking ticket when they enter the garage.
2. Take the parking ticket to the Crime Records Request Counter the 4th floor of the Public Safety Building, for validation. Officers will be required to show their court subpoena or an overtime slip signed by the prosecutor, and sign in prior to the ticket being validated.
3. Give the validated ticket to the parking attendant.

III. Parking Vehicles at the Outdoor Range

A. In order to ensure the availability of parking for individuals conducting training activities, individuals assigned to the range, and to individuals having contracts for the use of the Seattle Police Athletic Association (SPAA) property, restrictions must be placed on the use of the property.

B. No Department employee shall park a City vehicle overnight at the outdoor range without the prior written authorization of their Bureau Commander, or the Training, Procedures, and Audit Section Commander, and the Seattle Police Athletic Association's Board of Directors.

C. No employee shall be allowed to park a private vehicle at the outdoor range at any time, other than when they are on site, without prior written approval from the Seattle Police Athletic Association's Board of Directors.

1. Vehicles parked contrary to the above policy shall be subject to impoundment. The cost for the impoundment of any City vehicle shall be the responsibility of the authorized driver of the vehicle.

D. Requesting Authorization for City Vehicles.

1. Submit a *Memorandum* through the chain of command.
2. If approved by the respective Bureau Commander, the *Memorandum* shall be forwarded to the SPAA Board of Directors in care of the Range Manager.

E. Requesting Authorization for Personal Vehicles.

1. Submit a *Memorandum* directly to the SPAA Board of Directors. Requests shall include
   a. Name of the vehicle owner/driver,
   b. Unit of assignment,
   c. Description of the vehicle and its license number, and
   d. Duration for which permission is being requested.

F. All authorizations shall be maintained in a file by the Range Manager (Sergeant).

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.221	I - Administration	221 - Physical Security of Police Facilities

I. Restricted Areas

A. Non-public areas in the Department shall be identified with a sign at the entrance stating, "Restricted Non-Public Area - Visible Identification Required."

II. Identification within Restricted Areas

A. Employees, who are not in uniform, shall exhibit their photo identification card, Department badge, or blue pocket identification badge whenever they are in restricted areas of a Department facility.

B. Identification shall be conspicuously visible at all times and displayed on an outer garment.

C. The Department shall supply three types of identification card holders. Only one of the following types shall be issued:

1. Magnetic Pocket Holder.

   a. Designed to be worn in a shirt or coat pocket. Horizontal and vertical holders are available for either sworn or civilian ID cards.

2. Alligator Clip Holder, or

   a. Used with the photo ID Card for clipping it to an outside garment.

3. Neck Strap Holder.

   A. A soft strap with a clip for those who prefer not to use the alligator clip or pocket holder.

D. Precinct Facilities & Equipment Coordinators shall maintain a supply of each type of ID holder. Other units shall pick up their supply from the Property Unit.

E. Personnel who wish to display their badges shall provide their own external badge holders.

III. Visitors

A. Visitors must be able to articulate a specific need to enter a restricted area. Department employees are authorized to courteously inquire as to that need. If access is granted by a Department employee, visitors shall:

1. Be accompanied by a personal escort, and

2. Display on their outer clothing a Department visitor pass issued by the applicable Unit/Command, or, a badge or photo identification card issued by the visitor's respective government agency.

B. Department visitor passes shall be collected by the issuing Unit at the conclusion of the visit.

C. Section Commanders with a "Restricted - Non-Public Area" shall be responsible for implementing the visitor policy described above.

IV. Service and Delivery People

A. Individuals doing business with the Department, such as, postal workers, building maintenance, etc., who are wearing their company uniform, need not display visible ID cards.

B. Such personnel shall still be required to seek the permission of an appropriate Department member before entry.

V. Unauthorized Personnel

A. Employees shall contact individuals in a restricted area who do not have proper identification and make a determination as to the nature of their business, or bring the matter to the attention of a supervisor or sworn member of the Department.

B. Individuals not having any legitimate business in a restricted area shall be courteously escorted to a public area of the facility.

C. If resistance or behavior of a threatening or suspicious nature is encountered, sworn personnel shall be notified or a call to 911 initiated.

I. Seattle Police Department Trusty Guidelines

A. All King County Jail inmates selected to participate as Seattle Police Department Trusties are subject to background checks, screening and approval by Seattle Police Department personnel. In most cases, those individuals incarcerated for specific crimes, including but not limited to theft, narcotics violations, assault or escape will not be considered. Selection of personnel will be at the discretion of the Precinct Commander.

B. Trusties will be under the direct supervision of the Precinct Stationmasters, Department Quartermaster or other designated Seattle Police Department supervisors. No trusty will be permitted to work without supervision. All newly assigned trusties will receive a briefing on the responsibilities and requirements of their assignment. Full compliance with all requirements is mandatory for continuing participation in the Trusty Program.

C. The trusty's primary function will be those tasks assigned by the Stationmaster, Quartermaster or designated supervisor. These normally include, but are not limited to, building and grounds maintenance, handling supplies, and minor maintenance/cleaning of police vehicles.

1. The trusties will be subject to all relevant King County Jail rules and regulations.
2. Trusties will normally work Monday through Friday unless there is a specific need to work outside this schedule and appropriate supervision is provided for the trusty.
3. The trusties will at all times remain on the Precinct grounds unless accompanied by an individual approved by the Stationmaster or a supervisor.4. Trusty use of the telephone and visitor privileges will be at the discretion of the Precinct Commander and Stationmaster and then only when appropriately monitored.
5. Trusties will not be allowed to drive vehicles under any circumstances.
6. Trusties will not be allowed to clean or handle any weapons.
7. Trusties are prohibited from being exposed to hazardous or dangerous conditions. They shall not be used in situations where they could come in contact with bloodborne pathogens or infectious materials.
8. A trusty may not enter a patrol vehicle if the officer's equipment is inside the vehicle. Trusties are banned from entering a patrol car's trunk without supervision. If a trusty comes in contact with contraband, found during the cleaning of police vehicles, he will not touch the item. The trusty shall immediately notify the Stationmaster or a supervisor.
9. Trusties will not be used to perform tasks of a personal or private nature, including washing private vehicles.
10. If a trusty has responsibilities to perform in the holding cell areas they are prohibited from communicating with prisoners.

D. All requests for trusty assignments other than routine and normal daily assignments will be directed to the Stationmaster.

E. Trusties required to enter sensitive areas such as locker rooms, holding cells, write up areas, office space or any other area likely to contain personnel information or criminal case records must be accompanied by appropriate supervision at all times.

F. Each precinct will be able to develop policies for trusties that are more comprehensive, but no less comprehensive than this current policy and procedure outline.

POLICY

The City's Code of Ethics prohibits the use of City property for personal benefit and anything other than minimal personal use. Therefore, employees should be aware of the Department's policy on the use of telephones and facsimile machine use. Long distance and cellular telephone calls shall be made in compliance with the procedures indicated below.

I. Telephone Etiquette

A. Answering The Telephone

1. Telephone calls should be answered as soon as possible.

   a. In the case of multiple calls, answer the call(s) and ask the caller(s) to wait on hold while handling other calls.

2. The proper salutation when answering the telephone will include:

   a. The Section or Unit of the assigned telephone number,

   b. The name of the person answering the telephone, and

   c. An offer of assistance.

II. Desk Telephones

A. Acquisition

1. Desk phones will be provided as necessary by the Department. If an additional phone or phone line is needed, requests should be submitted to the Department's Telephone Coordinator (the Evidence Unit Sergeant). Approval of the Section Commander (defined as a Captain or civilian equivalent) is required.

B. Local Calls

1. Desk telephones provided by the Department are for official City business communications.

2. Personal calls on City telephones should be kept to a minimum.

C. Long Distance Calls

1. From City Telephones

   a. Employees needing to make long distance business calls from City telephones will be provided with a "SHAR Account Code." If such an account is needed, requests should be submitted to the Fiscal Management Unit. Approval of the requesting employee's Section Commander is required.

   b. The City will not pay for any personal long distance telephone calls. All personal long distance calls shall be the responsibility of the employee making the call. Personal long distance calls made

from City telephones should be charged to the employee's personal credit card, their home account, or billed collect to the party called. If no other option is available and the employee must use the City's long distance service, the employee shall:

(1) Verify the exact cost of the call on the next bill, and

(2) Reimburse the City for all charges incurred.

c. Supervisors shall monitor long distance calling records. Excessive personal calls will result in the loss of long distance phone privileges.

2. From Non-City Telephones

a. Employees regularly needing to make long distance business calls from non-City telephones will be provided with a "Frontier" phone travel card. If such a card is needed, requests should be submitted to the Fiscal Management Unit. Approval of the employee's Section Commander is required.

b. Frontier phone travel cards shall not be used for personal calls except in an emergency. If an employee does use a Frontier card for a personal call, the employee shall:

(1) Verify the exact cost of the call on the next bill, and

(2) Reimburse the City for all charges incurred.

c. Employees needing to make long distance business calls from non-City phones who do not have Frontier travel cards should maintain a record of the calls made and request reimbursement through the normal expense voucher process.

D. International Calls

1. Employees needing to make international business calls from City telephones will be provided with appropriate access. If access is needed, requests should be submitted to the Fiscal Management Unit. Approval of the employee's Section Commander is required.

2. No personal international calls shall be made on City accounts.

III. Cellular Phones

A. Acquisition

1. Cellular telephones will be provided to appropriate staff by the Department. If an additional cellular telephone is needed, requests should be submitted to the Finance, Strategic Policy, and Planning Section as part of the normal budgetary process. Approval of the employee's Bureau Chief is required. Once approval is obtained, the cellular phones will be ordered and issued by the Communications Section.

2. If use of a seized, confiscated, or unclaimed cellular phone is desired, an employee must:

a. Initiate property conversion procedures,

b. Obtain approval from the requesting employee's Bureau Chief,

c. Request cellular service through the Finance, Strategic Policy, and Planning Section as part of the normal budgetary process, and

d. Once approval is obtained and the phone has been released from evidence, the user must arrange for activation with the Communications Section.

B. Local Calls

1. Cellular telephones are significantly more expensive than other methods of communication and should not be used if a more cost effective alternative is available. The number of cellular phone calls should be kept to a minimum. Calls should be brief as charges occur by the minute.

2. The City will not pay for any personal cellular telephone calls. All personal cellular calls shall be the responsibility of the employee making the call. If no other option is available and the employee must use the City's cellular telephone service, the employee shall:

a. Verify the exact cost of the call on the next bill, and

b. Reimburse the City for all charges incurred.

3. Supervisors will monitor cellular phone usage. Excessive personal calls will result in the loss of cellular phone use.

C. Long Distance Calls

1. Long distance calls shall not be made on cellular telephones except for an occasional business call that cannot reasonably be made through another option.

2. Personal long distance calls shall not be made on cellular telephones except in the case of an emergency. All personal long distance cellular calls shall be the responsibility of the employee making the call. If no other option is available and the employee must use the City's cellular telephone service, the employee shall:

a. Verify the exact cost of the call on the next bill, and

b. Reimburse the City for all charges incurred.

D. Personal Phones

1. Given the large number of personal cellular phone lines contracted for SPD employees (over 1,400 through the SPOG program alone), SPD will not generally reimburse employees for use of their personal cellular phones for business purposes. Any extenuating circumstances will be considered on an individual basis through the employee's chain of command. Individuals making extensive use of personal cellular phones for business purposes should request a Department-owned phone.

IV. Facsimile Machine Use

A. Acquisition

1. Facsimile (fax) machines will be provided by the Department as necessary.

B. Official City Business

1. Fax machines provided by the Department are for official City business communications.

C. Personal Business

1. Personal faxes should be kept to a minimum.

2. Employees receiving personal faxes on City facsimile machines shall reimburse the City 0.35¢ for the first page received, and .15¢ for each additional page.

a. Payment will be made to the Fiscal Management Unit.

3. There will be no charge for local fax transmission.

4. Long distance fax machine transmissions will conform with long distance telephone call policies.

V. Records Processing

A. Fiscal, Property and Fleet Management Section

1. Each month, the Fiscal Management Unit shall provide Section Commanders with copies of the City of Seattle Telephone Management System Detail Reports. The Detail Reports list all long distance and cellular telephone calls made by individuals under their command.

B. Section Commanders

1. Section Commanders are responsible for distributing the Detail Report(s) to the appropriate individuals.

C. Employees

1. Each employee receiving a Telephone System Management Detail Report shall verify the authenticity of each call listed. All telephone calls of a personal nature must be identified and the City appropriately reimbursed.

a. After verifying each call, write on the Detail Report that "all calls are business related" or identify the personal calls and write the amount you are reimbursing the City.

b. Sign your name, print your serial number and current date on the Detail Report.

c. Forward the verified Detail Report (with reimbursement if appropriate) to your Section Commander for further processing.

VI. Reimbursement

A. Employees

1. Employees are responsible for repaying the City for all personal telephone charges. Repayment should be made in cash or by check that is made payable to the "City of Seattle."

B. Section Commanders

1. Are responsible for processing all Detail Reports and any remitted funds.

a. The funds remitted by employees shall be logged on the *Funds Remitted for Personal Telephone Charges* (form 1.4). The *Funds Remitted for Personal Telephone Charges* form, the moneys collected, and all Telephone Management System Detail Reports must then be packaged together and submitted within fourteen (14) days to the Fiscal, Property and Fleet Management Section.

C. Fiscal, Property and Fleet Management Section

1. The Fiscal Management Unit will monitor long distance and cellular bills for reasonable usage levels. Bills that reflect high usage levels will be forwarded to the individual, their immediate supervisor, and the Section Commander for review. Supervisors must complete the review sheet and return it to the Fiscal, Property and Fleet Management Section within fourteen (14) days of the time the reports are received.

POLICY

The earning and use of time by all employees of the Department shall be done in the manner prescribed by State law, City ordinance, labor contracts, or any other lawful agreements.

I. Definitions and Work Schedule Requirements

A. Work period: The recurring unit of time in days in which work hours are counted for the purpose of calculating overtime.

B. Work week:

1. For civilian employees who are not represented by a bargaining unit, shall begin at 0000 hours Wednesday and end at 2359 hours Tuesday.

   a. This shall be the "work period" used to calculate overtime.

2. For represented employees, shall be determined by the appropriate collective bargaining agreement.

C. Hours worked: Includes all the time an employee is required to be on-duty or at a prescribed workplace.

1. For non-represented employees, eight hours shall constitute a day's work, and five days shall constitute a week's work. For officers assigned to Patrol (including CPT, ACT, and clerks) and for officers in the Canine and Mounted units, nine hours shall constitute a day's work, and four days shall constitute a week's work.

2. Non-patrol officers will work the normal workday of eight hours a day, five days a week, unless an alternative work shift has been implemented.

3. Alternative shifts: Parties may, by mutual agreement, establish alternative shifts for work units within the department.

   a. All requests for alternative shifts must be proposed through a Labor Management Committee process that may include an Employee Involvement Committee.

D. Sworn employees are allowed a 1/2 hour meal break away from their work station during their 8 hour tour of duty where they shall not be "on-call."

   a. Meal breaks taken while "on call" by sworn personnel are considered work time

2. Civilian employees are allowed a 1/2 hour meal break away from their work station during their 8-1/2 hour tour of duty where they shall not be "on call."

   a. Employees are allowed a 1/2 hour meal break away from their work station during their tour of duty, and during which they shall not be "on call". Meal breaks are not considered as work time; however, "coffee breaks" are. Exceptions to the above should be made only in emergencies.

3. Employees shall end their tour of duty at a time so as not to exceed a standard 8 hour work time requirement.

4. Tours of duty for all personnel should be scheduled to best meet both the standard for "maximum hours" allowed within the "work period" and the appropriate collective bargaining agreements requiring overtime pay.

5. Employees arriving at their work stations early shall not perform compensable work prior to their regular starting time.

E. Paid overtime: Time earned in excess of regular shift work and court time. The terms "ordinary" or "extraordinary" overtime are defined by ordinance.

F. Standby duty: The formal assignment, of an employee by the Department, for the purpose of responding to emergencies and other problems during the employee's non-working hours. The act of carrying a pager or similar device does not, in itself, constitute standby duty.

G. Standby pay: The monetary compensation paid to an employee who is assigned to standby duty. The normal standby pay rate (unless covered by a collective bargaining agreement) shall be ten percent of the employee's regular straight-time hourly rate of pay for each hour served on standby duty.

II. Responsibilities

A. The Department shall administer the laws and rules pertaining to the earning and use of time for their employees in a judicious manner. Section Commanders, as approved by the Bureau Commanders or the Chief of Police, shall regulate the earning and use of time for employees under their command and ensure compliance with collective bargaining agreements.

III. Time Categories

A. General

1. Abbreviations used to account for time on Unit time sheets and Department Attendance Records are indicated in parentheses next to the time categories listed below.

B. Furlough Days (F): Regularly scheduled days off following a work week.

1. Defined as that period of time off which falls between the end of the last regularly scheduled shift of one regular work week and the beginning of the first shift of the next regularly scheduled work week.

2. May be taken in advance by sworn personnel for a maximum of four (4) days.

3. Furlough days shall not be worked unless prior approval of the concerned immediate supervisor is granted.

4. Officers working a 5 and 2 schedule who voluntarily work a regularly scheduled furlough shall take that day off within the seven (7) day work week.

5. Unless scheduled prior to receipt of a subpoena, employees shall not be furloughed on the day of trial.

C. Delayed Furloughs (DF): Days off granted in lieu of scheduled furlough days which have been voluntarily worked by the employee and furlough days accumulated by employees by working a 6 and 2 schedule.

1. Delayed furloughs shall be used in the calendar year earned and not redefined if unused.

D. Sick Leave (S) & (SB): An employee's request for paid sick leave may be granted when the employee is required to be absent from work because of:

1. A personal illness, injury or medical disability incapacitating the employee's performance of duty, or personal medical or dental appointment, or

   a. Indicated by an "S" on Unit time sheets.

2. (SB) An illness, injury, or medical or dental appointment of an employee's spouse or domestic partner, or the parent or dependent child of an employee, or the parent or dependent child of the employee's spouse or domestic partner.

   a. Indicated by an "SB" on Unit time sheets.

E. Vacation Days (V): Constitute a prescribed number of work days off, earned per each full month of employment at a rate of accrual specified by a collective bargaining agreement or an applicable City ordinance depending on length of service.

1. Employees sick or injured while on vacation shall be counted as "sick leave" on Unit time sheets after presenting acceptable proof of illness or disability.

F. Holidays (H): Comprised of 12 paid work days off per calendar year.

1. When an employee (except a LEOFF 1 officer) is on disability leave or sick leave and a holiday occurs, they shall be marked "H" on the time sheet.

G. Compensatory overtime (CO): Time earned in lieu of paid overtime.

1. Subject to the constraints of each bureau and collective bargaining agreements, employees may earn and accumulate compensatory overtime for use as time off from work.

2. Each bureau may set standards allowing employees to accumulate compensatory overtime (CO), depending on the staffing needs and scheduling constraints of its individual sections and units.

3. Whenever the limit of earned CO is exceeded, a sufficient amount must be scheduled for use within the following thirty calendar days. Supervisors shall be responsible for monitoring the accumulation and use of all compensatory overtime.

4. City Ordinance 96350 as amended by 97109 requires that each hour of CO "shall be taken off within 12 months from the date earned."

5. An employee, subject to administrative approval, may have any compensatory overtime earned paid on the basis of the employee's current rate of pay.

H. Special Duty Days (SD) and Training (T) Days: Designated for timekeeping purposes to describe instances when personnel perform police oriented functions away from their normal duty station. Attendance at business meetings, training or conference events will only be authorized if the event or meeting offers a substantial benefit to the Department in terms of conducting Department business or enhancing the professional development of the employee. Attendance at board meetings of professional organizations will only be allowed for those organizations representing specifically job-related associations in the employee's professional field.

1. Training days shall include attendance at Department sponsored training, seminars, conferences, boards, and conventions.

2. Special duty days shall include extraditions and testifying in court.

3. Special duty days and training days described in 1 and 2 above, which do not involve the expenditure of Department funds, require the approval of the respective Section Commander. Units independent of Section authority shall submit requests directly to their Bureau Commander.

4. All other special duty and training assignments require authorization from the respective Bureau Commander. Supervisors shall ensure that requests are approved appropriately.

5. Such authorizations for special duty days and training days may be subject to review by the Command Staff in order to ensure this policy is applied consistently and fairly.

6. "SD" and "T" days shall be recorded on unit time sheets, or other specialized timekeeping documents, with a brief description of the assignment and location of the employee while absent from regular duty.

I. Release Time (RT): Sworn employees may use release time at the discretion of an immediate supervisor for a period of up to two days. Release time shall be used as is reasonably necessary to stabilize a sudden and unexpected disabling illness, injury, or condition to a member of the employee's immediate family.

1. Written documentation of the nature and duration of the emergency shall be forwarded to the Section/Unit Commander.

2. Additional release time may be obtained upon prior approval of the Bureau Commander.

3. Supervisors shall verify that sworn employees requesting release time have a valid reason to be absent from work.

J. Guild Day (GD): A special leave of absence granted to Guild or union officers for attending official labor conventions or conferences.

1. Guild day absences shall not exceed 10 consecutive days per meeting, and the sum total of all such absences shall not exceed 120 work-days in any contract year.

2. This leave of absence must be approved by the Seattle Police Officers Guild president. All Guild officers that request Guild days shall complete the *Guild Day Authorization and Voucher* (form 2.23.1).

K. Funeral Leave (FL):

1. Definitions

a. "Close relative" means spouse, domestic partner, child, mother, father, brother, sister, grandfather, grandmother, or grandchild of the employee, employee's spouse, or domestic partner.

b. "Relative other than close relative" means aunt, uncle, cousin, niece, nephew, or the spouse of the brother, sister, child, or grandchild of the employee, employee's spouse or domestic partner.

2. Sworn employees are allowed up to five (5) days off without salary reduction for the purpose of attendance at the funeral of any "close relative" or any "relative other than a close relative." These days off shall be recorded as "funeral leave" "FL".

3. Civilian employees are allowed:

a. One (1) day off with pay for the purpose of attending the funeral of any "close relative". When such attendance requires total travel of two hundred (200) miles or more, one (1) additional day with pay shall be granted,

b. Up to four (4) additional days chargeable to sick leave are allowed, provided no combination of paid absence shall exceed five (5) days for any one period of absence, and

c. Up to five (5) days chargeable to sick leave for the purpose of attending the funeral of a "relative other than a close relative."

4. Employees requesting funeral leave shall submit an *Application for Funeral Leave* (form 2.26) to their Unit Commander for approval. The form shall be submitted immediately upon return from verbally approved funeral leave. Upon approval, the Unit Commander shall forward the form to the Timekeeping Squad. Timekeeping shall not authorize pay for funeral leave days until the approved form is received.

L. Military Leave (ML): Employees who are members of the United States Armed Forces reserve shall be granted 15 days paid leave annually to satisfy active duty and drill requirements.

M. Emergency Days (ESL): For civilian employees as per current collective bargaining agreements.

N. Jury Duty (JD): Any full-time employee who receives a summons to report for jury duty, shall immediately notify their supervisor in writing, attach a copy of the summons, and forward this information through the appropriate chain of command. A copy of the summons and written notification shall also be sent to the Timekeeping Squad.

1. The employee's Section Commander has the discretion to request that the appropriate jury coordinator excuse the employee from jury duty:

   a. If minimum manpower requirements would be adversely affected, or

   b. At the employee's request, for good cause.

2. The following guidelines shall apply to individual employees who must report for jury duty:

   a. All employees summoned for jury duty will be placed on a 5-2 schedule at their regular duty assignment. The work shift will be altered to be compatible with jury duty hours (i.e., 0800 to 1600 for day court and 1600 to 2400 for night court).

   b. Employees summoned to jury duty during their shift shall be excused from their routine duties and shall report to the location noted on the Jury Duty Tour Notice.

   c. Any employee not selected from the jury pool, and who is released by the Court as not needed on a particular day, or portion thereof, shall immediately report at their assigned work place for the balance of the shift.

      Exception: Department employees who are actually impaneled on a jury, but who are then released early by the Court, for whatever reason, shall not be required to return to work at the time they are released by the Court.

3. Compensation

   a. Employees shall have no pay deducted for the time spent on jury duty.

   b. Compensation received by an employee for jury duty (excluding mileage fees) shall be forwarded to the Department's Payroll Office as soon as it is received by the employee.

O. Limited Duty (LD): Temporary assignment to a position which may not require the employee to perform all of the duties normally required by the Department for the employee's particular rank or job classification. (See Section 1.269 - Limited Duty Assignments.)

P. Military Leave (ML): Time off for employees to meet their obligations as members of a military reserve unit. (See Section 1.281 - Military Leave.)

Q. Leave of Absence - Without Pay (LOA): Pre-approved time off without pay as requested by an employee. See Section 1.285 - Leave of Absence.)

R. Absent Without Leave (AWOL): Employees who are not present and who are not officially excused from duty shall be marked "AWOL" on Unit time sheets and Attendance Records and shall forfeit pay for the time of the absence. (See Section 1.237 - Absence From Duty.)

IV. Fair Labor Standards Act (FLSA) Regulations

A. The Fair Labor Standards Act was set up by the Federal Government to protect those employees that were not being paid overtime by their employer.

B. Sworn officers are required to take a certain amount of furloughs off per FLSA work period. This work period is negotiated between the City and the Federal Government, and is subject to change.

C. Budget problems arise when a normally scheduled furlough is worked (circled) and not taken off during the same FLSA work period. This results in the unnecessary payment of overtime. Supervisors shall monitor this practice and be responsible for ensuring assigned personnel take the required number of furloughs off.

D. Paid time (vacation, sick leave, holiday, compensatory overtime, etc.) is not considered time off under the FLSA regulations.

E. The Personnel Section shall periodically publish the current FLSA guidelines via Department Notice.

V. Time Balances

A. Employees submitting requests for changes in the "time balance" section of the semi-monthly Seattle Police Department Attendance Record, shall do so within 45 days of the day in question. Later changes may be made if the employee was on an extended absence and then only upon approval of the Bureau Commander.

B. Employees shall ensure that they have sufficient time accumulated for sick leave, vacation, and compensatory overtime taken off with pay. First line supervisors shall verify compliance when they sign off the time sheets. Timekeeping shall not look at other available time balances to compensate for unavailable time taken.

EXAMPLE: If an employee is marked 16 hours vacation, and has available only six hours, the result would be 6 hours vacation and 10 hours without pay.

C. The only consideration given to adjusting "without pay" situations shall be through the employee's Bureau Chief utilizing the appropriate chain of command.

D. Employees having a holiday or furlough "minus time balance" at the end of the calendar year may resolve the situation by:

1. Deduction of vacation days in sufficient number to "pay back" owed time by January 31 of the following year, or

2. In the absence of enough vacation time or at the employee's request, payroll deduction for the days not worked by their last payroll check of the year for furloughs and first payroll check of the following year for holidays.

It shall be the employee's responsibility to notify the Timekeeping Unit of their choice. Failure to do so shall result in the automatic reduction of vacation days.

E. The Timekeeping Unit shall check the furlough balances quarterly and forward a list of those employees in non-compliance (+32 hours or -32 hours) to the respective Section Commander and Bureau Commander.

Seattle Police Department
Policies and Procedures

Section 1.233

Title:	Chapter:
I - Administration	233 - Holiday Schedule & Vacation Time Accrual

POLICY

Police officers and other personnel whose compensation is set by a collective bargaining agreement shall refer to their current contract for matters relating to vacations and holidays.

I. Holidays

A. The City observes the following legal holidays.

1. New Year's Day
   January 1st
2. Martin Luther King Jr.'s Birthday
   Third Monday in January
3. President's Day
   Third Monday in February
4. Memorial Day
   Last Monday in May
5. Independence Day
   July 4th
6. Labor Day
   First Monday in September
7. Veteran's Day
   November 11
8. Thanksgiving Day
   Fourth Thursday in November
9. The day immediately following Thanksgiving Day
10. Christmas Day
    December 25th

B. The actual dates of observance shall be announced by Department Directive at the beginning of each year.

C. All units requiring holiday staffing should do so at a minimum level.

D. In addition to the above, employees hired for a period in excess of thirty days shall receive two personal holidays each year without salary deduction, provided that they are hired in time to take both.

II. Vacations

A. The vacation accrual rate shall be determined in accordance with the rates set forth in column 1 of the subsequent chart. Column 2 depicts the corresponding equivalent annual vacation for a regular full-time employee. Column 3 depicts the maximum number of vacation hours that can be accrued and accumulated by an employee at any time.

Equivalent Annual Vacation For Full-Time Employees

Hours on Regular Pay status	Vacation earned per hour	Years of Service	Vacation per year Days	(Hours)	Maximum Vacation Balance (hours)
0 - 08320	.0460	0 - 4	12	(096)	192
08321 - 18720	.0577	5 - 9	15	(120)	240
18721 - 29120	.0615	10 - 14	16	(128)	256
29121 - 39520	.0692	15 - 19	18	(144)	288
39521 - 41600	.0769	20	20	(160)	320
41601 - 43680	.0807	21	21	(168)	336
43681 - 45760	.0846	22	22	(176)	352
45761 - 47840	.0885	23	23	(184)	368
47841 - 49920	.0923	24	24	(192)	384
49921 - 52000	.0961	25	25	(200)	400
52001 - 54080	.1000	26	26	(208)	416
54081 - 56160	.1038	27	27	(216)	432
56161 - 58240	.1076	28	28	(224)	448
58241 - 60320	.1115	29	29	(232)	464
60321 and over	.1153	30 and over	30	(240)	480

1. Earned vacation time can be used in increments of one (1) hour.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.237	I - Administration	237 - Absence From Duty

I. Authorized Absences

A. Approved days off (vacation, holidays, compensatory time)

B. Authorized leaves (military leave, family and medical leave, leave of absence)

C. Sickness

D. Injury

E. Disability

II. Absence From Duty Authorization

A. When Department personnel wish to be absent from duty for more than four consecutive days, they shall submit a *Request for Authorized Absence* (form 2.23), via their supervisor to their Section Commander. This form shall be approved or disapproved as soon as possible. The employee will be sent their copy of the *Request for Authorized Absence* indicating approval or disapproval of the request.

III. Emergency Conditions - Time Off

A. Emergency Condition: Occurs when the Mayor announces curtailment of certain City operations for the safety and welfare of the City's employees. This policy governs the administration of compensation for those employees who are not able to report for work when the Mayor declares an emergency condition.

B. All Bureaus shall be open and in operation during established working hours. Employees shall make every effort to report for duty. The following criteria shall apply to employees who are not able to report for work because of an emergency condition.

1. If an employee cannot report for work, it shall be the employee's responsibility to notify their supervisor by telephone.
2. The time lost shall be covered by either delayed furloughs, vacation, holidays, compensatory overtime, or by time off without pay, as determined by the employee's supervisor.
3. If approved by the employee's supervisor, an employee may also make up lost time through an adjusted work schedule as long as the time can be made up without the employee becoming eligible for overtime.
4. Sick leave shall not be used to cover time lost.
5. These provisions do not apply to employees on scheduled time off or on sick leave status during the emergency condition.

IV. Unauthorized Absences

A. Employees shall not be absent from duty except for sickness, injury, disability, approved days off, or authorized leaves. Absence from duty without leave shall be followed by forfeiture of pay for the time of the absence. Disciplinary action may be initiated by the Department, unless the employee can show good cause for the absence.

B. Employees, who are not present and who are not officially excused from duty, shall be marked "AWOL" (Absent Without Leave) on the time records for that day.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.239	I - Administration	239 – Restricted Time Off

POLICY

The Department annually staffs the Fourth of July, Torchlight Parade, and Seafair events. Time off for sworn employees and Parking Enforcement Officers is restricted during these events. Staffing assignments for these events will be made by the Special Deployment Unit in accordance with any applicable collective bargaining agreements. A directive containing specific personnel assignments shall be published a minimum of thirty days before the events.

I. Exemptions From Duty

A. Position Exemptions

1. Except for general emergencies, detectives assigned to the following units are exempt from duty at special events:
   a. Homicide and Assault Unit.
   b. Arson/Bomb Unit.
   c. Traffic Collision Section detectives designated as "standby" at the time of the event.
   d. In addition, detectives assigned to the Vice and Narcotics Sections who regularly and consistently work in an undercover capacity are exempt from duty at special events.
2. Exemptions by position shall be reviewed and recommended annually by the respective Bureau Commanders.
3. Final approval shall rest with the respective Deputy Chief.
4. Approved lists of exempted positions shall be forwarded by the Deputy Chief to the Special Deployment Unit.

B. Personal Exemptions

1. Exemptions from duty due to circumstances of a serious personal nature.
2. These requests, with any supporting documentation, shall be submitted 45 days prior to the event.
3. Employees requesting to be excused shall forward a *Request for Authorized Absence (form 2.23)* via the chain of command to their respective Bureau Commander and Deputy Chief.
4. If the request is disapproved at any supervisory level, the form will be returned to the requesting officer.
5. Approved requests shall be forwarded by the Deputy Chief to the Special Deployment Unit.

C. Changes in Exemption Status

1. The employee's supervisor shall immediately contact the Special Deployment Section Lieutenant in the event of any transfer or change in exemption status that occurs within 45 days of an event.
2. The employee's supervisor shall also ensure that a *Request for Authorized Absence (form 2.23)* is submitted.

Seattle Police Department
Policies and Procedures

Section	
1.241	

Title:	Chapter:
I - Administration	241 - Overtime

I. Definitions

A. Overtime work: Work performed in excess of the time regularly required or scheduled for the performance of the duties of a particular position.

1. Extraordinary overtime: Work necessitated by emergency caused by fire, flood, or danger to life or property; or work so urgently necessary that its nonperformance will cause serious loss or damage to the City.

2. Ordinary overtime: Work not covered under the definition of extraordinary overtime.

B. Paid time (holidays, sick leave, vacation, and compensatory time) shall be considered as hours worked for overtime calculations.

II. Authorization

A. No employee shall be ordered to perform overtime work unless such work is authorized by the Chief of Police or a person designated to authorize overtime, or

B. An emergency exists.

III. Collective Bargaining Agreements

A. In the event of a conflict between the provisions of this manual section and those of a properly authorized collective bargaining agreement, the provisions of the bargaining agreement shall prevail insofar as members of the bargaining unit covered by the agreement are concerned.

IV. Rates of Pay

A. Extraordinary overtime (except police officers) shall be paid at the rate of double time.

1. Police officers ordered to work extraordinary overtime shall be paid at the rate of time-and-one-half for all such overtime worked.

B. Ordinary overtime shall be paid at the rate of time-and-one-half; provided, however, that part-time employees and temporary workers shall be paid at their straight-time rate for all hours worked up to and including forty hours per week.

1. For non-represented employees:

a. Overtime that is an extension of shift shall be computed to the nearest quarter hour, and

b. When overtime is not an extension of a normal shift, the minimum credit shall be for two hours.

V. Overtime Restrictions

A. Paid overtime shall not be approved for employees on sick leave, military leave, or on suspension for disciplinary reasons.

B. Employees shall not submit an overtime request for a block of time for which the City is already paying them. An employee cannot use paid time, e.g., vacation, compensatory overtime, sick leave, holiday, delayed furlough, or advanced furlough, to work a Department event for City paid overtime.

C. Employees shall not alter their shift hours to be eligible for an overtime event without prior approval of their Bureau Commander.

VI. Overtime Requests

A. Overtime shall be documented using an *Overtime Request* (form 1.33). The appropriate overtime activity code, obtained from the *Overtime Activity Codes* reference, (form 1.32) shall be recorded for data collection and timekeeping purposes.

B. Employees shall forward *Overtime Requests* via their supervisors for approval by the respective Section/Precinct Commander.

C. Overtime for Lieutenants and above shall be subject to prior approval by a Bureau Commander. Bureau Commanders shall review such requests for overtime before they are forwarded to the Timekeeping Squad.

D. Employees are directed to submit all overtime request forms and any overtime-related paperwork to their supervisors without delay. This requirement will be considered the same as that which requires all personnel to complete necessary "arrest, case, and other" paperwork before going off his/her daily work shift. Personnel unable to complete overtime request forms within the specific pay period when the overtime was earned shall complete and attach to each overtime form a memorandum explaining to their chain of command the reason for the delay in the submittal of that overtime form, for that particular pay period.

E. Sergeants, Lieutenants, and Captains shall review and forward overtime forms of their employees in a similar timely fashion within the same pay period. Those supervisors employed in an "acting" capacity should ensure that overtime slips are submitted within the pay period worked and should not wait for the permanently assigned supervisor to return. Those Sergeants, Lieutenants, and Captains not processing overtime forms of their employees within the pay period earned are also directed to submit a written explanation to their chain of command.

VII. Event Overtime

A. Special Event Overtime. A special event is a City approved, pre-planned event that requires police services, which go beyond normal daily assignment duties. These include sporting events, parades, fun runs, dignitary protection details, and community or neighborhood events, such as, fairs, exhibits, and celebrations.

1. These events may have a straight time, or overtime component, or both.

2. All time worked at a special event, even if only one employee is involved, shall be documented on an *Event Overtime Summary* (form 15.6).

   a. Supervisors shall ensure that all fields describing the event and the individual hours worked are accurately recorded.

   b. Supervisors shall record the correct activity code from the *Overtime Activity Codes* reference, and the correct Special Event Number, obtained from the Deployment and Precinct Project Support Unit, in the labeled fields.

   c. Traffic events usually have pre-assigned Special Event Numbers.

B. Extra-Duty Events. An extra-duty event is work performed on a day off, holiday, when called in off-duty, or an extension of a regular work shift to handle normal police duties. Examples of these events include, but are not limited to: unusual occurrences, demonstrations, protest marches, search warrants, buy-bust operations, completing other arrests, special emphasis patrols, administrative duties, court, training, testing, community relations activities, and attendance at meetings.

1. Extra-duty events may have a straight time factor, but typically have both straight time and overtime components.
2. Extra-duty events may be documented on the *Event Overtime Summary* as a convenience when more than one employee is involved.

VIII. Overtime for Civil Actions

A. "Civil Action" is any civil lawsuit, civil claim, or insurance claim (including judicial proceedings, depositions, interviews, or other associated activities) related to an incident officially investigated by an employee or an incident about which an employee has knowledge gained through the performance of official duties.

B. An employee who makes an off-duty appearance related to a civil action shall submit an Overtime Request in accordance with SPD manual section 1.137.

IX. Overtime By Police Officers Off-Duty

A. Off-duty police officers involved in incidents requiring immediate police action on their behalf shall be granted paid overtime.

1. An on-duty supervisor shall review the circumstances prior to authorizing such overtime pay.
2. Off-duty officers are not eligible for Department paid overtime for work performed for a private employer, except when the normal hours for which that employer has agreed to pay the officer has expired. Upon approval by an on-duty supervisor that there is an immediate need for the concerned officer to perform further duties for the Department, such overtime shall be paid on a shift-extension basis.

   a. Example: Officer DOE is off duty and is working a four (4) hour shift at Metro. Halfway through his shift, Officer DOE becomes involved in an incident requiring police action. Officer DOE investigates the incident, and makes an arrest. Officer DOE is required to handle the incident as Primary Officer and complete all of the appropriate paperwork, i.e., *Incident Report, Superform*, etc. If Officer DOE is unable to complete the incident prior to the end of the Metro shift, Officer DOE must contact an on-duty SPD supervisor. After briefing the SPD supervisor a decision will be made concerning further action. If Officer DOE continues handling the incident, overtime compensation shall be paid on a shift-extension basis.

   b. Officers shall not delay the handling of incidents until the end of their off-duty work shift. Handling of incidents shall be commensurate with the event.

   c. Officers completing incidents on a shift-extension basis shall submit, in person, all related documents to an on-duty SPD supervisor. Related documents include, *Incident Reports, Superforms, Overtime Requests*, etc.

B. Employees required to appear at any Department hearing, panel, board, medical examination, retraining, interview, or conference as either a designated representative, or to give information, shall be eligible for overtime per the rate applicable to their off-duty status.

X. Compensatory Time Off in Lieu of Overtime Pay

A. When mutually agreed upon by the employee and the Department, compensatory time off, equivalent to the amount of overtime earned, may be taken off in lieu of overtime pay. EXAMPLE: One hour of overtime worked would equal 1.5 hours of compensatory time off.

XI. Standby Pay

A. Off-duty standby time shall be defined and compensated according to the terms of collective bargaining agreements or City ordinances in effect at the time standby is approved. Off-duty standby time shall be:

1. Approved in advance by a Bureau Commander or in their absence by a Section Commander,

2. Reported on an *Overtime Request*, and
3. Computed to the nearest quarter hour, and shall include the actual number of hours spent on authorized standby time.

B. When called back to duty from standby status, the regular overtime rules shall apply.

C. Off-duty standby assignments which are requested by official agencies other than the Police Department, i.e., Superior Court judges, or the Prosecutor's Office, shall be reported immediately to the employee's Section Commanders for authorization of the standby time.

XII. Overtime for Eligible Professional, Administrative, and Executive Employees

A. Regular professional, administrative and executive officers and employees with a top salary step of less than 36.5 on the City of Seattle's pay scale who are ordered to work more than forty (40) hours in one workweek shall be compensated at the rate of time-and-one-half for all hours worked in excess of forty, except for:

1. Employees exempt from or not covered by the Fair Labor Standards Act, and
2. Employees who are working pursuant to a collective bargaining agreement.

B. Employees with a top salary step of 36.5 on the City of Seattle's pay scale, who are exempt from the Fair Labor Standards Act, and are not entitled to receive overtime or compensatory time shall be covered by the Executive Leave program (SMC 4.20.300).

I. Subpoenas and Court Appearances

A. Police officers and Parking Enforcement Officers shall respond to all subpoenas and summons received from any court, or other formal hearings resulting from actions related to their City employment.

1. Only the primary officer (listed first on the subpoena) involved shall attend Seattle Municipal Court cases and License Revocation Hearings, unless prior approval for additional officers is granted by a supervisor or requested by the City Attorney's office.

2. Officers shall be prepared and present at the required place, date, and time specified on the subpoena or summons.

3. Supervisors will personally deliver subpoenas, summons, etc. directly to the involved employee. In addition, the supervisor will maintain a written record of such delivery. It will be the responsibility of the section/precinct commander to maintain a record of all such service occurring in their respective sections/precincts. In cases where in-person delivery is not practical (e.g. change of court date/time and the employee is at home), supervisors must still document their delivery efforts.

4. Immediate supervisors have the responsibility of notifying officers who are on extended sick leave of incoming subpoenas. Supervisors shall mail subpoenas to the officer's home address and make phone notification in those instances where a mailed notification would not provide sufficient warning of a pending court date.

5. Officers responding to subpoenas or summons outside of the City shall contact the Patrol Operations Bureau Administrative Section for transportation instructions.

6. Officers shall obtain approval of their supervisor prior to testifying in any court or hearing not directly related to their duties as police officers or City employees, except in those cases when it is clear that the officer is acting as a private citizen and party in a non-police court action.

B. Failure to Appear

1. If for any reason the primary officer cannot appear, the officer shall attempt to arrange for the secondary officer to answer the subpoena or summons.

2. In the event that neither officer can attend, it shall be the responsibility of the primary officer to notify the witness coordinator for Municipal Court cases or the prosecuting attorney's office for Superior Court cases. Officers who cannot make satisfactory arrangements with the court shall notify their supervisor(s).

   a. The supervisor shall take the necessary steps to resolve the conflict.

3. Officers on extended sick leave who are able to appear and testify shall make every effort to comply with any subpoena or summons received. At a minimum, they shall comply with paragraphs 1 & 2 above.

4. Notification of "failure to appear" for a scheduled trial by an officer shall be forwarded to the Operations Bureau Administrative Unit. The "failure to appear" notification will then be forwarded to the employee's Section or Precinct Commander. In the event the employee is not within the Patrol Operations Bureau, the notification shall be forwarded to the employee's Bureau Commander. Each officer involved shall be contacted and required to explain their absence. The result of the inquiry, along with recommended personnel actions if appropriate, will be forwarded up the employee's chain of command to the respective Bureau Commander. Once the recommendation has been approved and implemented by the Bureau Commander, a copy will be forwarded to the Operations Bureau Administrative Unit.

II. Meetings With Attorneys

A. Interviews and meetings with attorneys shall be scheduled, if possible, during the officer's normal working hours to avoid unnecessary overtime.

B. Meetings scheduled during off duty hours shall first be approved by the officer's supervisor. The supervisor shall justify why overtime was authorized.

C. Overtime shall not be approved for meetings which could have been scheduled during the officer's normal shift.

III. Overtime Pay for Court Appearances

A. For specific information regarding court overtime pay, employees shall refer to their current collective bargaining agreement. In the event of a conflict between the agreement and this manual, the provisions of the bargaining agreement shall apply.

B. Employees shall document court overtime on the *Overtime Request* (form 1.33).

1. A bailiff's or prosecutor's signature is required by the Timekeeping Squad when an *Overtime Request* is submitted as a result of a court appearance.

   a. Both signature blocks must be signed when the secondary, non-subpoena officer appears for court in place of the subpoenaed primary officer.

C. Employees shall not receive overtime pay for any court appearances while on a regular-duty status. This includes any judicial or quasi-judicial hearing in Federal, Superior, Justice, and Municipal Courts.

D. Employees, whether officially on- or off-duty, who are being compensated at the time by City salary or overtime pay, shall not receive witness fees, either directly or indirectly, for appearances at any judicial or quasi-judicial hearing.

E. Compensation for mileage or travel expenditures via private vehicle shall be allowed, but any officer or employee receiving witness fees over and above travel allowances shall immediately report the amount received to the Fiscal, Property, and Fleet Management Section for payroll adjustment.

F. Employees shall not be allowed overtime compensation by the Department for appearances in any court or hearing not directly related to their official duties as police officers or City employees.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.249	I - Administration	249 - Out of Classification

POLICY

Department employees assigned by proper authority to perform the duties of a higher paid classification shall receive payment as governed by current collective bargaining agreements or the Seattle Municipal Code (SMC 4.20.300). When a provision of this section is found to directly conflict with a provision of a labor agreement or City Ordinance, the collective bargaining agreement or City ordinance shall be determinative to the extent of the conflict.

PURPOSE

Out-of-classification is a management tool, the purpose of which is to ensure continued performance or completion of essential public services. Managers and supervisors are responsible for ensuring that out-of-classification assignments are made only for the purpose of avoiding a significant interruption of work and services, and to avoid making more out-of-classification assignments than are necessary to accomplish crucial work.

I. Eligibility

A. An employee who is assigned to work out-of-classification must meet the minimum qualification for the higher classification, and must have demonstrated or be able to demonstrate that they are qualified to perform the duties of the higher-paid position with normal supervision.

II. Sworn Employees

A. Sworn employees, represented by the Seattle Police Officers Guild, shall receive out-of-classification pay when assigned to perform all of the duties of a higher paying classification for a continuous period of one day, or any portion thereof, or longer.

B. Sworn employees, represented by the Seattle Police Management Association, shall receive out-of-classification pay when assigned for a period of two consecutive weeks or more to perform all of the duties and accept all of the responsibility of a higher position while continuously performing that work.

III. Civilian Employees

A. Civilian employees, (except eligible employees or as otherwise provided in authorized collective bargaining agreements), assigned by proper authority to perform substantially the full duties of a higher-paid classification for a period of four (4) consecutive hours or longer shall be paid at the rate established for such classification as in promotion while performing such duties.

B. Eligible employees assigned by proper authority to perform substantially the full duties of a higher-paid classification for a period of two (2) weeks or more as determined in accordance with policy and procedure promulgated by the Budget Director shall be paid at the rate established for such higher-paid position.

1. "Eligible employee" is any regular, salaried, professional, administrative, or executive employee who is exempt from the Fair Labor Standards Act, and not otherwise excluded by this section.

C. Civilian employees represented by collective bargaining agreement shall be governed by the terms of that agreement.

IV. Assignments

A. An employee may be temporarily assigned to duties of a higher-paid position, and compensated as in promotion while performing those duties, in order to continue or complete essential public services. Reasons for out-of-classification include:

1. The absence of the employee who would normally perform those duties,
2. A position vacancy,
3. Peak workload periods, and
4. Special projects.

B. Out-of-classification assignments are limited to six (6) months, unless extended by the appointing authority. Out-of-classification assignments of non-represented employees to positions represented under the terms of a collective bargaining agreement are subject to any out-of-classification assignment limitation and extension provisions of the agreement.

V. Reporting Out-of-Classification Work

A. Employees shall submit a completed *Overtime Request* (form 1.33), with the Out-Of-Classification portion completed, to their immediate supervisor for approval upon completion of the assignment. If the immediate supervisor is not available within twenty-four hours from the time the work is completed, the employee shall present the request form to the next in command.

B. The approving Unit supervisor, after checking the request for correctness and thoroughness, shall either:

1. Return it to the requesting employee for correction, or
2. Approve the request and forward it to the Section Commander or Executive.

C. The approving Section Commander or Executive, after checking the request, shall either:

1. Approve the request and forward it to the Personnel Section for compilation and recording,
2. Return it to the requesting employee for needed corrections, or
3. If the request is not valid, return it to the requesting employee with a *Memorandum* of cancellation.

NOTE: Out-of-Classification pay requests for overtime at the higher pay rate shall also be forwarded to the Personnel Section.

C. Out-of-classification assignments shall be reported each payroll period. Out-of-Classification pay requests must be received in the Personnel Section no later than the Thursday following the close of each payroll period.

I. Physical Fitness

A. The Department encourages employees to maintain a satisfactory level of general health and physical fitness for their own well being. The functions of a law enforcement officer can frequently require a level of fitness not demanded by many other occupations. Proper physical fitness allows employees to perform more effectively and reduces the need for sick leave.

I. Confidentiality of Medical Information

A. Employee illness and injury reports and related information are personnel records and as such are afforded protection from unwarranted disclosure, under R.C.W. 42.17.310. It is the responsibility of Department supervisors and administrators to ensure that employees' personal privacy is respected. It is necessary to regard an employee's medical condition as confidential information, and should not be disseminated without their permission. This includes notification about employee illness issues sent via radio, e-mail, groupwise, or MDT/MDC. In any instance of a Department-wide notification being made, do not disclose medical information about an employee without their permission.

II. Definitions

A. Dependent child: A child under the age of eighteen (18) who is:

1. The natural offspring of,
2. An adopted or stepchild of,
3. Under the legal guardianship, legal custody, or foster care of,
4. Financially dependent on, or
5. A resident in the dwelling unit of an employee, or an employee's spouse or domestic partner.

B. Domestic partner: An individual designated as such by an employee in an *Affidavit Of Marriage / Domestic Partnership*, (City of Seattle form).

C. Eligibility - Family and Medical Leave

1. If you are currently married, or participating in a domestic partnership and wish to use your accumulated sick leave as authorized by the Family and Medical Leave Ordinance you must establish eligibility as follows:

   a. For currently married LEOFF II and civilian employees, your medical application / enrollment cards completed before July 1, 1991 will be used as documentation of marriage.

   b. If you are currently participating in a domestic partnership, you must file an *Affidavit Of Marriage / Domestic Partnership* with the Human Resources Section during the regularly scheduled open enrollment for medical coverage.

   c. If you marry, or establish a new domestic partnership, you must file an *Affidavit Of Marriage / Domestic Partnership* with the Human Resources Section within 30 days of the commencement date of your marriage or domestic partnership if you wish to use the benefits of the Family and Medical Leave Ordinance.

   d. If you divorce or terminate a domestic partnership, you must file a *Statement Of Termination Of Marriage / Domestic Partnership* (City of Seattle form) with the Human Resources Section within 30 days of the divorce or termination. You may not file a new *Affidavit Of Marriage / Domestic Partnership* until 90 days have elapsed from the termination of the prior partnership.

D. Place of recovery:

1. The residence at which the employee resides when commuting daily to work,
2. The hospital at which the employee is admitted, or

3. Any other address specifically identified by the employee as their residence during the recovery period.

III. Accumulation/Use of Sick Time - LEOFF II and Civilian Employees

NOTE: This manual subsection is meant to be a guide and is not meant to confer any rights independent of labor agreements, ordinances, civil service regulations or state statutes relating to sick leave. Sworn employees (Police Officers) appointed after September 30, 1977, "and who are represented by the Police Officers' Guild will receive whatever benefits of the City's sick leave program as are established in the labor contract between the City and such organization." (Reference: SMC 4.24.010)

A. All classified Civil Service employees are eligible for cumulative sick leave per Civil Service regulations.

   1. Exempt employees are eligible for cumulative sick leave per SMC Chapter 4.24.

B. Employees shall accumulate sick leave credits from the date of entering City service and shall be entitled to such leave with pay after thirty calendar days of employment.

C. Officers appointed after September 30, 1977 (LEOFF II) and civilian employees who accumulate sick leave may use accumulated sick leave to care for their spouse, domestic partner, parent, or dependent child of such employee, their spouse, or domestic partner when the employee has established their eligibility for non-personal sick leave use as provided by the Family and Medical Leave Ordinance (SMC Chapter 4.30), and the absence of the employee from work is required, or when such absence is recommended by a health care professional. This ordinance imposes no limitation on the amount of accumulated sick leave that may be used for the care of dependent children and other authorized persons. (See also Section 1.273 - Family and Medical Leave.)

D. Conditions Not Covered:

   1. When suspended or on leave without pay and when laid off or on other non-pay status,
   2. If sickness occurs when off work, on weekends (furloughs), holidays, or at any other time outside the regular work schedule,
   3. Slight illness or indisposition which does not prevent the employee from performing their regular duties,
   4. When the disability is self-inflicted through deliberate or negligent actions by the employee, and
   5. If an employee is injured or disabled while working for an employer other than the City of Seattle and the illness or disability arises there from.

IV. Sick Leave for LEOFF I Employees

A. LEOFF I employees are entitled to take up to six months of sick leave per malady.

B. Officers appointed prior to October 1, 1977, (LEOFF I) are not eligible for the benefits of the Family and Medical Leave Ordinance as to the use of accumulated sick leave.

V. Disability and Ordinary Illness (Sworn and Civilian)

A. All sick time will be assumed to be ordinary illness or off-duty incurred injury; and income tax will be withheld, unless:

   1. The sick time involves an injury incurred during on-duty time, or
   2. The illness or injury can be clearly shown to be service connected.

   NOTE: Both 1 and 2 above must be properly documented.

B. Utilization of Long Term Disability for LEOFF II and Civilian Employees

1. If the employee is utilizing the long term disability insurance provided by City Ordinance 115797 or current collective bargaining agreements, the employee will (after a 30 day elimination period for LEOFF II officers or a 90 day elimination period for civilians) have the option whether to utilize sick leave, compensatory time, or vacation time prior to being placed on an unpaid leave of absence.
2. Where an employee has exhausted their sick leave balance, the employee may use vacation time for medical reasons only with prior approval of the Chief of Police or his designee.

C. Endorse any checks from the State of Washington, or any insurance companies (received as disability compensation for periods wherein City pay is received), as payable to the "City of Seattle Treasurer's Office." Submit these checks to the Department's Fiscal, Property, and Fleet Management Section.

D. As soon as notification is received that an employee is sick or injured, the supervisor shall prepare the *Illness and Injury Report*, (form 2.11) and immediately forward the appropriate copy to the Recruiting, Wellness, and Safety Administrator.

1. An *Illness and Injury Report* is to be completed for all authorized use of sick leave that results in time loss.
2. The *Illness and Injury Report* is a confidential document that becomes part of the employee's personnel file. Therefore, the original and all copies shall be forwarded in a sealed envelope.
3. The original form shall be retained by the commanding officer of the absentee. When the employee returns to duty, the first line supervisor shall enter the date and time of return and sign it, obtain the employee's signature on the form, and forward it in a sealed envelope to the Recruiting, Wellness, and Safety Administrator.
4. A supervisor from the sick or injured person's unit of assignment shall contact the employee at least once every three days during the first two weeks of absence. Supervisors shall immediately notify their commanding officer of any suspected violation of sick leave regulations. After the first two weeks, future contacts shall be made by the Recruiting, Wellness, and Safety Administrator. Supervisors are encouraged to maintain contact with employees during lengthy absences.
5. During long term absences due to sickness or injury, the Recruiting, Wellness, and Safety Administrator (or designated representative) is required to contact the employee periodically throughout the absence and shall report any unusual circumstances to the employee's Bureau Commander. The Recruiting, Wellness, and Safety Administrator shall keep records of contacts made with employees.

NOTE: Timekeeping - When an employee working other than a 5 and 2 schedule begins an anticipated or obvious extended sick leave (15 or more calendar days), they shall be placed on a 5 and 2 schedule. Employees and supervisors are reminded that should a LEOFF II or civilian employee use all of their accumulated sick leave, they must use any other accumulated time (vacation, comp, holidays, etc.) before they go to a no-pay status.

VI. Sick Leave Reporting Responsibility

A. Personnel who are sick or injured and are unable to appear for duty shall notify or have notification sent to their supervisors or commanding officers at the beginning of or prior to the start of their regularly assigned shift on the first day of their request to be absent from duty.

1. Notification of the employee's supervisor shall be as soon as possible when an illness (or, for LEOFF II and civilian employees, care for a dependent child, spouse, or domestic partner's illness) occurs while on vacation or compensatory time off and will extend into the period in which the employee is to return to duty.

B Place of Recovery

1. While on sick leave, an employee shall not leave their place of recovery without prior permission from the Director of Human Resources or the Recruiting, Wellness, and Safety Administrator. Permission shall not be denied if the employee has a signed doctor's statement advising that the employee is unable to work and that recovery from the illness or injury will not be impeded by allowing the employee to leave their place of recovery.
    a. Exceptions to the requirement for prior permission are visits for medical treatment, sudden unexpected personal emergencies, attendance at religious services, and voting.
2. Employees who change their place of recovery shall promptly notify the Recruiting, Wellness, and Safety Administrator. In any event, notification must be made within 48 hours.

NOTE: Employees who wish to recover at an address outside the Puget Sound Basin shall make a written request to the Director of Human Resources justifying the need to recover outside the immediate area. LEOFF I officers will be governed by the rules of the Seattle Police Pension Board when requesting out of state travel during sick leave.

VII. Return To Duty

A. LEOFF I Employees

1. Sworn personnel (hired prior to October 1, 1977), before returning to duty from an absence due to illness or injury of more than five (5) consecutive days, shall submit a doctor's statement on a *Medical Release for Work* (form 2.15) to their supervisor and to the Recruiting, Wellness, and Safety Administrator attesting to their fitness for duty.
    a. A separate examination may be required by the Seattle Police Pension Board. This examination shall be conducted by a Board Doctor.
    b. The Director of Human Resources (or designee) shall then inform the employee via the chain of command, whether their return is to remain conditional or their return is to a full duty status.

B. LEOFF II and Civilian Employees

1. All uses of sick leave, except for funeral leave, which exceed four (4) consecutive days and any illness or injury in which the attending physician approves return to work with medical or physical restrictions must be reported on a *Medical Release for Work* (form 2.15). Forward the completed form to the Recruiting, Wellness, and Safety Administrator.

VIII. Procedure for Reporting On-Duty Injury

A. All employees shall promptly report each occupational illness or injury to their immediate supervisor, regardless of the degree of severity.

B. An *Investigating Supervisor's Report of Employee's Industrial Injury* (form 2.22) must be completed by a supervisor for each incident of an employee injury (including verifiable occupational exposure or illness) not previously reported.

1. It shall include specific information that describes how and why the illness or injury is “service connected.” The completed form shall be distributed with the original and one photocopy to the Safety Officer and one photocopy each to the Recruiting, Wellness, and Safety Administrator, Personnel Records Squad, and the employee’s unit of assignment (4 copies).

C. If the illness or injury results in any work time loss, an *Illness and Injury Report* (form 2.11), must be filled out for the injured employee by a supervisor. The supervisor shall note on the form, the single incident number or other pertinent information to establish the injury or illness as duty related.

D. A *Medical Release for Work* (form 2.15) must be completed whenever an employee receives medical attention from a healthcare professional for an on-duty injury, prior to their return to duty.

1. This form requires a signature from the attending physician.

E. Copies of accident reports, *Incident Reports*, officer's statements, and supervisor's reports pertaining to the employee's injury or illness shall be sent to the Safety Officer at the earliest date.

F. LEOFF II Officers and Civilian Personnel - Report of Injury, Labor and Industries *Self Insurer Accident Report* (SIF-2)

1. Under State law an employee must file a claim within one year from the date of the accident or within two years from the date the employee has been advised by a physician that they have contracted an occupational disease.

2. Prompt reporting assures each worker that their injury will receive adequate medical attention and that other applicable benefits will be provided on a timely basis.

3. The first line supervisor must be notified of any industrial incident and shall be responsible for following through on further reporting requirements.

4. When to Report:

   a. Where there has been a sudden unexpected and tangible event which results in injury to an employee, the employee is required to report the incident immediately to their supervisor. In no event shall the injury be reported by the employee later than the scheduled end of the current work shift.

   b. Where an employee is uncertain as to any particular event but has reason to believe the symptoms are related to on-the-job exposure, the employee shall report the symptoms and suspicion of industrial causation to their supervisor immediately. In no event shall the injury be reported by the employee later than after the start of the employee's next scheduled shift.

5. Reporting Procedures

   a. The Supervisor upon receipt of such report shall always complete an *Investigating Supervisor's Report of Employee Industrial Injury* (form 2.22). A *Self Insurer Accident Report* (SIF-2) should be filled out by LEOFF II or civilian employees (or supervisor) if any medical treatment is required.

      (1) Medical treatment is defined as care provided by a non-departmental medical clinic or personnel. For example, if the only medical treatment is by Medic I under a doctor's direction, a SIF-2 would not be necessary.

      (2) If there is no medical treatment documented by a SIF-2 form, any time loss will be charged to the sick leave of the employee.

   b. The top portion of the *Self Insurer Accident Report* (SIF-2) must be completed by the injured employee, or their representative if the injury is severe and the employee cannot personally complete the form.

   c. The employee shall retain their copy of the form. Special attention should be directed to the reverse of this copy which contains a statement of the worker's rights and obligations. The supervisor shall review this with the worker at the time the form is distributed.

   d. The immediate supervisor shall complete the lower portion of the form (entitled "employer") and may make a photocopy of the completed form for Unit records purposes.

   e. The completed form shall be delivered to the Industrial Insurance Unit, mail stop 13-04-30, in the City Personnel Department within 24 hours.

      (1) If mailing or transportation of the report will exceed 24 hours, the supervisor shall call the Industrial Insurance Office and provide a telephone report of the accident.

      (2) If the accident notification occurs on a weekend or holiday, the report shall be delivered by the next working day to the Industrial Insurance Office.

   f. A photocopy of the completed form will be sent to the Recruiting, Wellness, and Safety Administrator.

g. The supervisor should also obtain from the employee the details of the incident including, but not limited to:

(1) The date, time, and place where the incident occurred; names of witnesses and co-workers present,

(2) Identification of the vehicle(s) or equipment involved in the incident,

(3) History of prior similar incidents at this location or with this employee (if any),

(4) Immediate symptoms/signs of injury perceptible by the supervisor,

(5) Symptoms/signs reported by the injured employee, and

(6) The name and address of the physician who will be providing initial treatment.

h. The supervisor should review with the employee, all portions of the claim form and assist the employee with any questions on the manner of completing the form.

i. Whenever possible, the employee and the supervisor should complete the form at the initial meeting.

G. Additional Procedures for Processing On-Duty Injury/Return to Work for LEOFF II Officers (hired after September 30, 1977) and All Civilian Employees

1. When an employee receives medical treatment or suffers time loss from work as the result of an occupational injury or illness, a *Return to Work/Time Loss Certification* (City of Seattle form CS 32.35) must be completed, in addition to a *Medical Release for Work.* This form is initially completed by the employee and the treating physician. Signatures of the employee, treating physician, and a supervisor are required prior to forwarding the form to the Recruiting, Wellness, and Safety Administrator.

IX. Sick Leave Abuse Investigations

A. The Recruiting, Wellness, and Safety Administrator shall report sick leave abuse cases in writing to the Director of Human Resources, who shall have the responsibility to forward this report to the employee's Bureau Commander for resolution.

1. The Recruiting, Wellness, and Safety Administrator is authorized to act as an agent of the Seattle Police Disability Board for the purpose of investigating and administering disability leave rules and regulations of the Disability Board.

2. The employee's supervisor and the Recruiting, Wellness, and Safety Administrator shall be alert for indications of sick leave abuse/violation. The employee's commanding officer shall be notified of any suspected abuse or violation of the sick leave rules.

a. Inquiries into an employee's status on sick leave shall normally be conducted via telephone.

b. The employee's supervisor or the Recruiting, Wellness, and Safety Administrator or their designee may visit an employee's place of recovery when an abuse or violation of sick leave rules is suspected or when attempts at telephone contact have been unsuccessful.

X. Mandatory Reporting Program

A. Employees who have been determined to have used an excessive amount of sick time or indicate some pattern of sick time abuse, may at the discretion of the Director of Human Resources, be assigned to the Mandatory Reporting Program.

B. Employees assigned to the Mandatory Reporting Program shall be required to submit a *Medical Release for Work* (form 2.15), signed by their attending physician, before returning to work. This procedure must be followed for any absence that resulted in the use of sick time.

C. Sworn LEOFF I employees assigned to the Mandatory Reporting Program who return to work after more than five (5) consecutive days of sick leave shall be considered to have returned to duty on a conditional basis. The Director of Human Resources (or designee), after reviewing the employee's *Medical Release for Work*, will determine if a return to duty shall be granted.

XI. Referring Employees for Psychological Evaluation by a Consulting Psychiatrist/ Psychologist

A. An employee's Bureau Commander may make a request for referral to a psychologist by contacting the Director of Human Resources and providing documentation of the behavior affecting an employee's ability to perform their duty. The Director of Human Resources shall make any referrals to an outside consultant, if deemed necessary. Psychological evaluations are to be conducted in accordance with the Americans with Disabilities Act.

B. If an outside consultant is used, a written evaluation of the employee shall be required from the consultant. The evaluation shall include the following:

1. An assessment of the employee's ability to perform full duties or a recommendation to place the employee on limited duty.

   a. If the recommendation is for limited duty, an estimate of how long it will be necessary to keep the employee on limited duty and what limitations will apply. Normally limited duty shall not last longer than sixteen weeks, except for pregnant employees per SMC 4.10. See Section 1.269 - Limited Duty Assignments.

   b. If limited duty is recommended, the consultant shall specify what support services or follow-up visits may be needed.

C. The consulting psychologist, the employee's Bureau Commander, and the Director of Human Resources (or designee) shall review the evaluation and decide on a recommended course of action, which shall be forwarded to the Chief of Police for concurrence.

D. If limited duty is the selected course of action, the necessary paperwork shall be completed by the Recruiting, Wellness, and Safety Administrator and handled in accordance with the Department's limited duty policy.

XII. Surrendering Firearms While on Sick Leave

A. Officers commencing sick leave for mental or emotional stress shall immediately surrender all Department-issued firearms in their possession to their immediate supervisor. The firearm(s) shall be turned over to the officer's immediate supervisor for safekeeping until the employee is released back to duty.

B. Throughout the duration of a sick leave for mental or emotional stress, an officer is relieved from the obligation to take the proper police action that would ordinarily fall to a police officer in an off-duty status. Nothing in this statement is meant to relieve an officer from proper actions short of direct involvement or intervention, such as reporting emergencies to 911 and recording their observations of criminal conduct.

XIII. Restrictions on Employment Activities While on Sick Leave

A. No Department employee shall engage in any profession, trade, or occupation, for pay or as a volunteer, including any type of military service or duty, while on sick leave, extended disability leave, or on release time. (See Section 1.289 - Secondary Employment.)

NOTE: Upon written request, permission to engage in secondary employment while on extended sick leave may be granted upon a doctor's medical recommendation to the Director of Human Resources and upon approval from the Chief of Police. Permission must be granted in writing prior to engaging in each such employment activity.

POLICY

The Department will promote safe work practices against communicable diseases for all employees. These policies and procedures conform to the requirements of OSHA 29 CFR Part 1910.1030, Occupational Exposure to Bloodborne Pathogens: Final Rule, published December 6, 1991, WAC 296-62-08001, and Washington Regional Directives as published by the Department of Labor and Industries (WISHA).

The Department will promote compliance with these policies and procedures with emphasis on the training of employees in the reasonable and practical application of exposure control practices. Preventive and protective measures required by these policies and procedures will be made to available to all employees in order to minimize the risk of occupational exposure.

SPD has adopted universal precautions as a method of minimizing contact with blood or other potentially infectious materials. Training of employees shall include the application of universal precautions in the work place. Supervisory staff shall work with employees to reinforce the importance of universal precautions and ensure compliance. In the event of an exposure incident, a supervisor is responsible for responding to the hospital and assisting the employee with completing the required paperwork.

The Department shall also review these policies and procedures annually and update, whenever necessary, to assure applicability and timeliness of information.

I. General

A. Law enforcement personnel, in the normal course of their duties, may come into contact with blood or other body fluids raising their chances of contracting potentially harmful or fatal diseases. In accordance with the Occupational Exposure to Blood Borne Pathogens Standard (WAC 296-62-08001), employees shall observe universal precautions against exposure to HIV (AIDS), HBV (Hepatitis B), and other communicable diseases. The Department shall also provide appropriate information and follow-up care if exposure should occur, educate all employees on the modes of transmission and causes of diseases, and provide, at no cost to identified employees, the Hepatitis B vaccination series. The Surface Antibody Test (SAB), which determines whether HBV immunized individuals have developed the necessary antibodies, is optional for employees, at Department expense.

II. Employees at Risk

A. The following job classifications can reasonably anticipate that an exposure to blood, or other bodily fluids, or other potentially infectious materials may occur. These listings are not intended to exclude personnel who, due to unexpected circumstances on-duty, come into contact with blood or other body fluids.

1. Police Officers
2. Property and Fleet Management Section
3. Detectives
4. Identification Section Employees
5. Sergeants
6. Community Service Officers

7. Lieutenants
8. Reserve Police Officers
9. Captains
10. Parking Enforcement Officers
11. Assistant Chiefs
12. Deputy Chiefs
12. Identification Technicians
13. Chief of Police
14. Evidence Personnel
15. Equipment & Facilities Coordinators

B. Employees not listed above, who would like to be considered for the Hepatitis B vaccination series, should submit a *memorandum* through their chain of command explaining the circumstances by which they may have potential for occupational exposure. If approved by the employee's Bureau Commander, the Hepatitis B vaccination series shall be provided at no cost to the identified employee.

III. Employee Responsibilities

A. Employees must recognize that they have responsibility for their own health and safety and encourage other employees to work in a safe manner. Consistent with the circumstances presenting themselves, employees shall always use appropriate personal protective equipment.

B. All Department personnel shall be responsible for recording any immunization they receive on the SPD *Health History/Immunization Record* (form 2.12.1), which shall be maintained by the Wellness and Safety Administrator in confidential files.

C. Employees in "at risk" (see I above) job classifications must complete an *HBV Vaccine Acceptance / Declination* (form 2.12.2) and forward it to the Department Wellness and Safety Administrator.

NOTE: Employees declining to receive the Hepatitis B vaccination initially may choose to have the vaccination at a later date. A new *HBV Vaccine Acceptance/Declination* form must be completed at the time the vaccination(s) are received.

I. Definitions

A. Assistant Secretary: The U.S. Assistant Secretary of Labor for Occupational Safety and Health, or designated representative.

B. Blood: Human blood, human blood components, and products made from human blood.

C. Bloodborne pathogens: Pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, Hepatitis B (HBV) and human immunodeficiency virus (HIV).

D. Body fluids: Fluids that have been recognized by the Centers for Disease Control (CDC) as directly linked to the transmission of HIV or HBV to which universal precautions apply: blood, semen, blood products, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, peritoneal fluid, pericardial fluid, amniotic fluid, and concentrated HIV or HBV viruses.

E. Contaminated: The presence or reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.

F. Contaminated sharps: Any contaminated object that can penetrate the skin including, but not limited to, needles, scalpels, and broken glass.

G. Decontamination: The use of physical or chemical means to remove, inactivate, or destroy bodily fluid and blood borne pathogens on a surface or item to the point where the item is no longer capable of transmitting infectious particles and it is rendered safe for handling, use, or disposal.

H. Director: The Director of the National Institute for Occupational Safety and Health, U. S. Department of Health and Human Resources, or designated representative.

I. Engineering controls: Controls (e.g., sharps disposal containers, self sheathing needles) that isolate or remove the blood borne pathogens hazard from the workplace.

J. Exposure incident: Reasonably anticipated skin, eye mucous membrane, or parenteral contact with blood or other potentially infectious bodily fluids and materials that may result from performance of an employee's duties.

1. Reportable exposure incident: A Department reportable exposure is the direct exchange of a potentially infectious agent from a carrier to a Department employee in the course of employment. The following are definitions and examples of reportable exposure incidents.

   a. Percutaneous: When blood or other bodily fluids are introduced through the skin. Examples: needle stick with a bloody needle; sustaining a cut by a sharp object contaminated with blood; entrance of blood or body fluids through an open wound, abrasion, broken cuticle, or chapped skin.

   b. Mucosocutaneous: (eye, mouth, or nose): A Mucosocutaneous event occurs when blood or body fluids come in contact with a mucous membrane. Example: blood or body fluid is splashed or sprayed into the eyes, nose or mouth.

c. Respiratory transmission: An unexpected respiratory exposure occurs when a Department employee comes in direct contact with an infected person who is later diagnosed as having a serious communicable disease, such as tuberculosis and meningococcal meningitis.

2. Non-reportable exposures: The following examples are exposures which do not require formal reporting procedures.

a. Exposure to blood on intact skin; however, washing the exposed area as soon as possible is recommended.

b. Blood on clothing or equipment. It is recommended to change clothing and wash down equipment as soon as possible.

c. Being present in the same room as the infected person.

d. Touching the infected person.

e. Talking to an infected person.

K. HBV: Hepatitis B Virus.

L. HIV: Human Immunodeficiency Virus.

M. Licensed Healthcare Professional: A person whose legally permitted scope of practice allows them to independently perform the activities required in Hepatitis B vaccination and post-exposure follow-up.

N. Other potentially infectious materials (OPIM):

1. Semen, vaginal secretion, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva and body fluid that is contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids.

2. Any unfixed tissue or organ (other than intact skin) from a human (living or dead).

3. HIV-containing cell or tissue culture medium or other solutions; and blood, organs, or other tissues from experimental animals infected with HIV or HBV.

O. Parenteral: Piercing mucous membranes or skin barrier through such events as needle sticks, human bites, cuts, and abrasions.

P. Personal protective equipment: Specialized clothing or equipment worn by an employee for protection against a hazard. General work clothes (e.g., uniforms, pants, shirts, or blouses) are not intended to function as protective equipment.

Q. Regulated waste: Liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharps; and pathological and micro biological wastes containing blood or other potentially infectious materials.

R. Source individual: Any individual, living or dead, whose blood or other potentially infectious materials may be a source of occupational exposure to the employee.

S. Sterilize: The use of a physical or chemical procedure to destroy all microbial life including highly resistant bacterial endospores.

T. Universal precautions: An approach to infection control in which all human blood and certain human body fluids are treated as if known to be infectious for HIV, HBV, and other bodily fluid and blood borne pathogens.

U. Work practice controls: Controls that reduce the likelihood of exposure by altering the manner in which a task is performed.

II. Immunization and History

A. All Department personnel shall record any immunization they receive on the *Health History/Immunization Report* (form 2.12.1) which shall be maintained in confidential files by the Recruiting, Wellness, and Safety Administrator and the Department Safety Officer.

B. The Department shall make available, at no cost, the Hepatitis B vaccine series to all employees who may be at risk for occupational exposure. Requests for immunization shall be handled by the Recruiting, Wellness, and Safety Administrator. Post-exposure evaluations and follow-up will be provided to all employees who have had an occupational exposure incident. Exposures occurring in the line of duty shall be considered on-duty injuries and processed according to current Department regulations.

C. Hepatitis B vaccinations shall be made available within 10 working days of initial assignment and to all employees who have occupational exposure unless the employee has previously received the complete Hepatitis B vaccination series, antibody testing has revealed that the employee is immune, or the vaccine is inadvisable for medical reasons.

D. The Department shall not make participation in a prescreening program a prerequisite for receiving Hepatitis B vaccination.

E. If the employee initially declines Hepatitis B vaccination but at a later date, while still covered under the OSHA/WISHA standard, decides to accept the vaccination, the Department shall make available Hepatitis B vaccination at that time.

F. If routine booster doses of Hepatitis B vaccine are recommended by the U.S. Public Health Service at a future date, such booster doses shall be made available under the same provisions as described in this section for initial vaccination.

G. HBV/Surface Anti-Body Test

1. Employees who have completed the three part Hepatitis B vaccination series can, at their option, request and receive a “surface anti-body test” to determine if necessary HBV anti-bodies have developed.

2. If employees are found to be deficient, the Department shall then continue to provide additional HBV booster vaccinations, until such time that sufficient anti-bodies are developed.

3. For an information packet concerning this test, employees shall contact the Recruiting, Wellness, and Safety Administrator’s office via *Memorandum* or telephone.

III. Work Practice Controls

A. To prevent and minimize the risk of exposure, all employees shall adhere to the following work practice controls:

1. No eating, drinking, smoking, application of cosmetics or lip balm or handling of contact lenses shall be allowed in areas where there is a risk of occupational exposure,

2. No food/beverages shall be kept in refrigerators or other locations where blood or other potentially infectious materials (OPIM) are present,

3. If contact with blood or OPIM is expected, employees are to examine themselves for cuts, sores, hangnails, or abrasions, and cover them with a sterile bandage,

4. After the removal of gloves or other personal protective equipment, employees shall wash their hands immediately, or as soon as possible,

5. Employees shall wash exposed skin with soap and hot water immediately after any contact with blood or OPIM. If water is not readily available, use a germicidal hand cleaner and paper towel, then soap and hot water as soon as possible. Should any blood or OPIM enter the eyes, nose or mouth, these areas should be flushed with water immediately,
6. Contaminated needles and other sharps shall not be bent, recapped, or removed. Shearing or breaking of sharps is prohibited,
7. Sharps containers or sharps/needle keepers are located at the precincts and in the patrol sergeants vehicles. These are puncture-resistant, labeled and color-coded as "Biohazard", and leak proof,
8. Evidence or impounded items which are contaminated with blood or OPIM shall be packaged in appropriate leak proof containers and labeled "Biohazard". Any item collected which may puncture the first bag shall be double-bagged so as to prevent puncturing/leaking,
9. Biohazard waste (gloves, masks, boxes, etc.) that is contaminated with blood or OPIM shall be appropriately packaged and disposed of in the red and white boxes containing red plastic biohazard bags, and
10. Reusable items/equipment (handcuffs, pens, etc.) which are contaminated with blood or OPIM shall be decontaminated as soon as possible.

IV. Personal Protective Equipment

A. The Department shall make available appropriate personal protective equipment such as, but not limited to, gloves, gowns, laboratory coats, face shields or masks and eye protection, and mouthpieces, resuscitation bags, pocket masks, or other emergency resuscitation devices. Personal protective equipment will be considered "appropriate" when it is designed to deter blood or other potentially infectious materials from passing through or reaching the employee's work clothes, street clothes, undergarments, skin, eyes, mouth, or other mucous membranes under normal conditions of use and for the duration of time which the protective equipment will be used.

B. Supervisors are responsible for the employee's use of appropriate personal protective equipment unless the supervisor is aware that the employee temporarily and briefly declined to use personal protective equipment due to emergency or exigent circumstances, or it was the employee's professional judgment that in the specific instance its use would have prevented the delivery of essential service or would have posed an increased hazard to the safety of the worker or coworker. An example of such an instance would be Officers' response to a reported shooting in progress. While time would not permit putting on most personal protective equipment, such equipment shall be utilized as needed as soon as the situation is stabilized.

C. When an employee decides not to use protective equipment, the circumstances should be investigated and documented by a supervisor in order to determine whether changes can be instituted to prevent such occurrences in the future. The information shall be forwarded through the chain of command to the Safety Officer.

D. Equipment & Facilities Coordinators or supervisors are responsible for the appropriate personal protective equipment in varying sizes being readily accessible at the work site or being issued to the employees.

E. All personal protective equipment shall be removed prior to leaving the work area. Equipment shall be placed in an appropriately designated area or container for storage, washing, decontamination, or disposal.

V. Precautions Dictated By Risk Level

A. Incident scenes shall be categorized according to the level of risk, with Level I being the lowest risk, and Level IV being the highest risk. As the level of risk increases, additional safety precautions are required.

1. Level I. An incident scene where individual pieces of evidence or property suspected of being contaminated must be collected:

   a. The ten (10) work practice controls shall be followed, (refer to subsection III of this manual section for Work Practice Controls), and

   b. Latex gloves should be worn.

2. Level II. Interior or exterior scene, with little or no blood or other body fluids.

   a. The ten (10) work practice controls shall be followed, and

   b. Latex gloves should be worn.

3. Level III. An incident scene where small amounts of suspected blood or other body fluids are collected, using swabs or scalpel for scrapings or anytime aerosolization or splashing of blood or body fluids is likely to occur:

   a. The ten (10) work practice controls shall be followed,

   b. Latex gloves shall be worn,

   c. Eye protection shall be worn. Non-disposable eye protection shall be sanitized following scene processing, and

   d. Disposable surgical face masks shall be worn.

4. Level IV. Interior or exterior incident scenes with a considerable amount of blood or other body fluids or any scene containing decomposing bodies or anytime aerosolization or splashing of blood or body fluids is likely to occur plus incidents where these fluids may be stepped upon:

   a. The ten (10) work practice controls shall be followed,

   b. Latex gloves shall be worn,

   c. Disposable surgical face masks shall be worn,

   d. Protective disposable clothing shall be worn,

   e. Eye protection shall be worn. Non-disposable eye protection devices shall be sanitized following scene processing, and

   f. Disposable foot coverings or rubber boots, along with disposable body covering shall be worn. Rubber boots, if worn, shall be disinfected following scene processing.

B. In the event of an emergency or exigent circumstances, the prevention measures outlined above shall be adhered to as soon as reasonably possible after the situation has settled. In similar fashion, supervisors or commanders who make a brief appearance on a scene (but do not actually take part in evidence gathering, etc.) shall take those precautionary measures appropriate to their degree of involvement.

VI. Communication Of Hazard

A. Red bags or labels meeting OSHA/WISHA standards for biohazard material notification shall be used to indicate the presence of blood or other potentially infectious materials. The biohazard labels are fluorescent orange/red in color with the universal “Biohazard” symbol in black. Also located in each facility is the red and white “Biohazard” box with red plastic bag liner for regulated waste.

VII. Handling Of Evidence

A. No item of evidence suspected of being contaminated, no matter how large or small, is to be handled without latex gloves. Certain items or situations may require additional protection, such as Tyvek suits, shoe covers, masks, or eye protection. Evidentiary items which require laboratory processing shall be handled in accordance with standard operating procedures of the Evidence Unit. Bags and containers with such materials should be marked with tags or otherwise identified as containing infectious waste in accordance with the Occupational Exposure to Bloodborne Pathogens Standards (WAC 296-62-08001).

B. No contaminated evidence, regardless of size, should be placed in direct contact with table tops or other non-contaminated surfaces. Wrapping paper, paper bags, drop cloths, or other coverings shall be used as surface coverings. When air-drying, wrapping paper should be draped around the item and then marked with biohazard stickers/labels. Gloves, eye protection, and masks should be worn when air-drying and packaging the evidence.

C. Evidence contaminated with blood or other potentially infectious materials shall be placed in paper bags (double bagged if necessary to prevent leakage or further contamination) or specialized evidence bags designed for this purpose during collection, handling, processing, storage, transport, or shipping.

D. Containers for storage or shipping shall be labeled or color coded with the universally recognized biohazard label provided by the Department.

E. Syringes

1. Arrest. If a suspect is in custody, recovered syringes shall be placed in plastic evidence tubes (sharps containers). The arrest shall be screened by a supervisor to ensure probable cause for arrest and sufficient liquid in the syringe for transfer to an evidence vial. If both conditions are met, the officer(s) shall transport the syringe in the plastic evidence tube (sharps container) to the Evidence Unit. The officer placing the liquid in evidence shall obtain a glass evidence vial with a flat bottom. The fluid in the syringe shall be placed in the container using a one hand procedure, one hand holding the plunger end of the syringe, without holding to the evidence vial. The syringe shall then be placed back into the plastic tube (sharps container) with the needle attached. A *WSP Crime Laboratory Division Drug Analysis Request* (form WSP-CL-442) lab request shall be completed for the evidence vial. The tube and vial shall be packaged separately. If there is insufficient liquid in the syringe, the suspect shall be released and the syringe disposed of in an approved sharps container.

   NOTE: At no time will needles be clipped, cut-off, bent, or removed from a syringe. Needles shall not be disposed of in the regular waste or “red bag” controlled waste.

2. Non-arrest. If an officer or a supervisor feels a syringe is required for evidentiary purposes, the officer shall transport the syringe to the Evidence Unit in a plastic evidence tube (sharps container). The tube shall be placed into evidence and a *WSP Crime Laboratory Division Drug Analysis Request* shall not be completed. The proper follow-up unit shall have the responsibility for any other action concerning the syringe.

F. Test Tubes

1. Blood contained in test tubes, such as in DUI/Blood cases or "blood runs" for the Seattle Fire Department, shall be handled only by employees wearing gloves.

2. Test tubes may be placed into the ‘fingers’ of an empty latex glove for safety in transport/handling.

3. Whenever possible, employees shall transport test tubes containing blood in the trunk of their car.

   NOTE: Test tubes can explode.

VIII. Cleaning Of Contaminated Areas

A. Community items, such as vehicle steering wheels, radios, Mobile Data Terminals, pens, typewriters, telephones, portable radios, etc. shall not be touched with contaminated gloves. Gloves should be changed each time before one of these items is used unless extreme care is taken to decontaminate the community items when the processing / packaging is completed.

B. Once evidence is removed from the preparation area, the work area and holding cell is to be promptly and properly cleaned and disinfected according to the procedures outlined in this plan.

C. Disposal of contaminated cleaning materials (i.e., bloody towels, cloths, dressings, wrapping paper, wound wipes, etc.) or other waste material not for evidence must be disposed of in the red and white medical waste boxes.

NOTE: Regular plastic or paper garbage bags shall not be used for this purpose.

D. All areas of police vehicles contaminated with biological hazards shall be thoroughly cleaned as soon as possible with an EPA-approved decontaminate (e.g., bleach/water solution, disinfectant, virucide) before continuation of or return to service. Each operational unit shall make the appropriate arrangements for thorough cleaning. Police vehicles so contaminated should be considered out of service until this cleaning is accomplished.

IX. Regulated Waste

A. Disposable sharps containers shall be easily accessible to personnel and located as close as feasible to the immediate area where sharps are collected or can be reasonably anticipated to be found. Disposable sharps containers shall be placed nearby the prisoner holding cell areas of all Department facilities. In addition, Patrol Sergeants shall carry a sharps container provided by the Property Unit (which meets OSHA/WISHA standards) in the trunk of their assigned vehicles for access to officers in the field. Individual plastic evidence (sharps) containers shall be made available to officers by the Evidence Unit.

B. Equipment & Facilities Coordinators or supervisors shall ensure that the containers do not overfill and are routinely replaced. Containers of contaminated sharps shall be closed immediately prior to removal or replacement to prevent spillage or protrusion of contents during handling, storage, transport, or shipping. If leakage is possible, containers shall be placed in a secondary container which is closeable and constructed to contain all contents of the primary container during storage, transport, or shipping. Containers shall be color coded and labeled in accordance with OSHA/WISHA standards. Containers shall be disposed of in the red and white regulated waste boxes located nearby the holding cell area of all Department facilities. The regulated waste boxes shall then be sealed and transported to the Property Unit's warehouse as appropriate. A private disposal company will then collect the boxes for disposal.

C. Contaminated clothing shall be labeled with a biohazard label to alert cleaning agencies of the potential contamination. Contaminated clothing must not be cleaned at home. Contaminated laundry shall be handled as little as possible with a minimum of agitation. Contaminated laundry that is wet or presents a likelihood of soak-through shall be bagged and labeled at the location where it was used and shall not be sorted or rinsed in the location of use.

D. Regulated waste shall be placed in containers provided by the Department and meet OSHA/WISHA standards. Containers shall be labeled or color coded in accordance with these standards. Containers of regulated waste shall be closed immediately prior to removal or replacement to prevent spillage or protrusion of contents during handling, storage, transport, or shipping. If leakage is possible, containers shall be placed in a secondary container which is closeable and constructed to contain all contents of the primary container.

X. Information And Training

A. The Safety Officer shall ensure that all employees with occupational exposure participate in a training program. Training shall be provided by the Special Training Unit at the time of initial assignment and annually thereafter.

B. The Special Training Unit shall provide additional training when changes such as modification of tasks or procedures affect the employee's occupational exposure. This training must be scheduled no later than 30 days from the effective date of change. The new training may be limited to addressing the new exposure risk.

C. The training program content and conduct shall be consistent with the requirements of the OSHA/WISHA standards.

D. Each employee's training record shall include:

1. Dates of training sessions,
2. Contents or summary of the training session,
3. Names and qualifications of persons conducting the training, and
4. Names and job classifications of all persons attending training sessions.

E. Training records shall be maintained for 3 years from the date on which the training occurred.

F. The Special Training Unit shall provide, upon request, employee training records to employees, to employee representatives, to the Director of the National Institute for Occupational Safety and Health, and to the Assistant Secretary of Labor for Occupational Safety and Health for examination and copying.

G. A copy of the Exposure Control Plan and all supporting documents shall be on file in each work facility. The Safety Officer shall provide a copy of these policies and procedures to an employee within 7 days of a written request.

H. A review of these policies and procedures shall be conducted annually by the Safety Officer. This review shall be completed no later that June 26 of each year. Any changes shall be incorporated in annual training to be completed no later than July 27 of each year. The Safety Officer shall examine engineering controls and shall cause them to be maintained or replaced, as needed, in order to comply with OSHA/WISHA standards.

XI. Record keeping

A. The Recruiting, Wellness, and Safety Administrator and the Safety Officer shall establish and maintain an accurate record for each employee with potential for occupational exposure, and shall ensure that employee medical records are kept confidential and are not disclosed or reported without the employee's expressed written consent to any person within or outside the workplace, except as required by law.

B. The medical record of each employee identified in Section 1.265 - Exposure Control - General Information shall include:

1. The name and social security number,
2. A completed *Health History/ Immunization Record* (form 2.12.1),
3. A copy of the *HBV Vaccine Acceptance/Declination* (form 2.12.2) and vaccination status including dates of vaccination(s) and any medical records relative to the employee's ability to receive the vaccination;

4. A copy of all results of examinations, medical testing, and follow-up procedures as provided by the employee, and
5. The Department's copy of the *Healthcare Professional's Opinion* (form 2.12.6) for post exposure evaluation and follow-up.

C. The Safety Officer shall provide, upon request, employee medical records to the subject employee, to anyone having written consent of the subject employee, and upon appropriate request, to the Director of the National Institute for Occupational Safety and Health, and to the Assistant Secretary of Labor for Occupational Safety and Health for examination and copying.

D. The Safety Officer shall maintain the records for at least the duration of employment plus 30 years, in accordance with OSHA 29 CFR 1910.20. No part of this file may be transferred to any other City agency or department without the employee's expressed written consent.

PURPOSE

Tuberculosis (TB) continues to be a public health problem in the United States. Tuberculosis is transmitted by airborne aerosolized droplets, 1 to 5 microns in size, produced by persons with active, infectious pulmonary or laryngeal disease. Transmission usually requires prolonged or repeated exposure. Persons with impaired immune systems, however, are more susceptible to infection if exposure occurs.

The purpose of this written control plan is to provide employees of the Seattle Police Department with standard guidelines to reduce or prevent the occupational transmission of tuberculosis. These guidelines are based on the current 1994 Centers for Disease Control recommendations that use a hierarchy of interventions as the strategy for control of tuberculosis in occupational settings. This hierarchy encompasses administrative controls as the primary foundation, supplemented with risk appropriate engineering controls, and lastly, the use of personal respiratory protection in extremely high risk settings.

I. Risk Assessment

A. Due to the incidence of tuberculosis in Seattle and King County, emergency first responders may be at increased risk for occupational exposure. Even though SPD personnel regularly encounter persons from populations with increased risk of TB, a careful assessment by the Seattle-King County Department of Public Health TB Program has determined that Department employees are in a very low risk occupational setting for the transmission of tuberculosis. However, since even a very low risk is greater than the risk of the general population, these guidelines reflect the essential elements of an airborne infection control plan to ensure continued protection from occupational transmission of tuberculosis. The risk status of the Seattle Police Department will be reviewed annually by the Seattle Police Department and the Seattle-King County Department of Public Health.

B. Administrative controls have been established to reduce the risk for exposure of uninfected persons to persons with infectious tuberculosis. The components of administrative controls are effective protocols to ensure prompt identification, isolation, evaluation, and treatment of persons suspect for having TB, risk appropriate employee surveillance and screening programs, and TB education and training of personnel.

II. Guidelines for the Prevention of Occupational Transmission of Tuberculosis

A. Employees will be alert to persons with a noticeable cough, and will instruct them to cover their mouth with hand or Kleenex during all encounters.

1. If the person is under arrest and handcuffed, officers should place a disposable surgical face mask on the suspect to limit exposure.

   Exception: Persons experiencing respiratory difficulty, who are at risk for vomiting, or who are intoxicated and may vomit should **not** be fitted with a surgical face mask.

B. The "Protocol for Management of Persons Suspect for Tuberculosis", Section 1.265c, - Post Exposure Procedures - Bodily Fluid/Airborne (subsection II.C) shall be adhered to when encountering

1. A person with <u>a persistent, unrelenting cough</u> will be evaluated by SPD personnel for other signs/symptoms consistent with tuberculosis,

2. If a person states that they are currently under treatment for TB, this person will be evaluated by SPD personnel for presence of a persistent cough and disposed as designated by the SPD Protocol for Management of Persons Suspect for Tuberculosis, and

3. If a person states that they "have TB" but denies current treatment or is uncooperative in stating current medical treatment status, they will be evaluated by SPD personnel for the presence of a persistent cough and disposed as designated by the SPD Protocol for Management of Persons Suspect for Tuberculosis.

4. Treatment for tuberculosis, although lengthy in duration, usually renders the person non-infectious soon after treatment has started. If, however, the person has been lost to follow-up for tuberculosis treatment, the SPD encounter is valuable information for the Seattle/King County Department of Public Health (SKCDPH) to find the person and resume treatment.

III. Employee Screening and Surveillance

A. PPD Skin Testing

1. SPD personnel will not be offered baseline or routine periodic PPD skin testing.

2. If as a result of an on-duty TB exposure, a positive PPD skin test reading is seen by the SKCDPH/TB Clinic, SPD personnel will be referred to their private medical provider for a chest radiograph and evaluation for isoniazid (INH) preventive therapy.

B. Chest X-Ray

1. A chest x-ray is required within 10 working days for asymptomatic SPD personnel with a positive PPD skin test.

2. Asymptomatic persons with documentation of a prior positive PPD skin test but no documentation of a previous normal chest x-ray related to that skin test are required to have a chest x-ray within 10 days of assignment to a position with the SPD.

3. Routine annual or periodic screening chest x-rays for persons with documentation of prior TB infection is not recommended or required.

C. TB Infection

1. Employees with TB infection only should be evaluated for isoniazid preventive therapy according to standard medical practice.

2. Employees with a positive PPD skin test and a normal chest x-ray, classified as TB infection only, should not be excluded from work.

D. Evaluation and Management of Employees with Symptoms Suggestive of Tuberculosis

1. Employees with symptoms suggestive of tuberculosis (See Section 1.265c, - Post Exposure Procedures-Bodily Fluid/Airborne.) must be referred for chest x-ray and medical evaluation regardless of PPD skin test results.

2. If an employee is diagnosed as highly suspect for tuberculosis, with or without culture confirmation of the disease, the employee shall be excluded from work until after appropriate therapy is instituted and the employee is determined to no longer be infectious by their own physician or the TB Clinic physician.

IV. Post-Exposure / Contact Management

A. All suspected exposures to an infectious case of tuberculosis will be immediately reported to the employee's supervisor and the SPD Safety Officer using the *Tuberculosis/Airborne Post-Exposure*

Report (form 2.12.7) in accordance with the SPD Protocol for Management of Persons Suspect for Tuberculosis (Section 1.265c - Post Exposure Procedures - Bodily Fluid).

B. All post-exposure, contact management will be determined by the SKCDPH/TB Control Program and carried out at their direction only.

C. All exposure incidents within SPD settings will be evaluated by the SPD Safety Officer and the TB Control Program for recommendations to reduce future exposure risk if indicated.

V. Record keeping

A. All PPD skin test results and chest x-ray results will be maintained by the Recruiting, Wellness, and Safety Administrator.

B. A record of skin test and chest x-ray results shall be given to the employee for addition to their permanent medical record.

C. All positive skin tests shall be recorded on the facility OSHA 200 log. Maintenance of the OSHA 200 log is the responsibility of the SPD Safety Officer.

VI. Employee Training and Education

A. All employees will be provided with basic written information about tuberculosis and exposure control guidelines upon employment.

B. Annual interactive TB training updates for staff by designated SPD trainers will include the following TB education: epidemiology, transmission, pathogenesis, diagnostic standards, treatment regimens, general infection control guidelines, SPD risk-specific protocols and guidelines for management of tuberculosis, and a review of this plan.

VII. Engineering Controls

A. Purpose

1. To decrease the concentration of infectious particles in surrounding air and prevent the spread of contaminated air to uncontaminated areas.

B. Ventilation/UV Lighting

1. Staff will limit the time spent with persons suspect for TB in enclosed, confined spaces.

   a. Open air encounters are no-risk situations related to the rapid dispersion of bacteria into large volumes of air and the lethal effect of UV rays on the TB bacillus.

2. If safe and reasonable, SPD personnel will roll down windows of vehicles and turn the ventilation system on high to circulate <u>fresh</u> air in the vehicle during transport of persons suspect for tuberculosis.

C. Duration of Time

1. SPD personnel will limit overall time spent with the person suspect for TB. Transmission requires repeated, continual contact with persons with infectious TB.

2. Encounters of under 1 hour, in enclosed spaces, rarely result in transmission. For greatest occupational protection, SPD will consider encounters with persons who exhibit significant symptoms of greater than 20 minutes to be reported as a potential exposure.

D. Respiratory Isolation of Suspect Persons

1. SPD personnel will fit persons with a persistent, unrelenting cough with a surgical mask to cover nose and mouth when transporting, interviewing, or holding (in a single cell) for twenty (20) minutes or more.

   Exception: Persons experiencing respiratory difficulty, who are at risk for vomiting, or who are intoxicated and may vomit should **not** be fitted with a surgical face mask.

E. Personal Respiratory Protection

1. The use of personal respiratory protection is the final safeguard for employees in the few areas where exposure to TB may still occur even after the appropriate implementation of administrative and engineering controls in the occupational setting. Current standards require use of a high efficiency particulate air (HEPA) filtration mask when risk warrants the third level of protection. This circumstance would exist in settings where administrative and engineering controls are not likely to protect persons from inhaling infectious airborne droplet nuclei such as when performing / assisting with cough inducing procedures on a suspect / confirmed TB patient and in the clinical management of persons isolated for suspect/ confirmed infectious tuberculosis.

2. The Seattle Police Department does not engage in high risk activities that would necessitate the fitting and use of personal respiratory protection at this time. This recommendation will be evaluated annually by the Department and the SKCDPH/TB Control Officer.

VIII. Evaluation

A. Evaluation of the SPD policies and protocols for the prevention of transmission of tuberculosis in the occupational setting will occur in June of each year.

B. Evaluation will include updated risk assessment, evaluation of exposure incidents, and evaluation of the overall effectiveness of the current plan.

C. Annual evaluation is the responsibility of the SPD Safety Officer and the Exposure Control Training Officer Specialist. The evaluation will include review with the SKCDPH TB Control Program as needed.

IX. References

A. Guidelines for Preventing the Transmission of *mycobacterium tuberculosis* in Health-Care Facilities, 1994. Morbidity and Mortality Weekly Report, October 28, 1994\Vol. 43\No. RR-13.

B. Seattle-King County Department of Public Health Tuberculosis Clinic Infection Control Policy, 1995.

C. Washington Administrative Code (WAC) 296-24-073 Safeplace Standard Washington Industrial Safety and Health Administration (WISHA) Compliance Directive, Dec. 8, 1993.

D. Enforcement Policy and Procedures for Occupational Exposure to TB. U.S. Department of Labor Memorandum, October 8, 1993.

E. OSHA Instruction CPL 2.016, “Enforcement Procedures and Scheduling for Occupational Exposure to TB”, Washington Department of Labor and Industries, February 2, 1996.

POLICY

The Washington State Department of Labor and Industries (WAC 296-62-08001) requires an employer to provide employees, who receive an occupational exposure to bloodborne pathogens, post-exposure medical evaluations, and follow-up treatment. This care must be made available at a reasonable time and place, at no cost to the employee, and be performed by a licensed healthcare professional.

Information identifying an individual as having tested positive for HIV is confidential under RCW 70.24.105. Unauthorized dissemination of such information is a violation and may be punished by criminal charges. In all instances of possible exposure, the issue of confidentiality is critical. Employees shall ensure that the identity of both the exposed employee and the source individual is maintained, except as specifically authorized below. All exposure control forms shall be routed as confidential according to instructions at the bottom of each form.

I. Exposure Control Forms

A. *Health History/Immunization Record* (form 2.12.1) (one-sided)

B. *HBV Vaccine Acceptance/Declination* (form 2.12.2) (one-sided)

C. *Communicable Disease Report (For Bodily Fluid/Bloodborne Exposures)* (form 2.12.3) (two-sided)

D. *Post Exposure Follow-Up* (form 2.12.4) (one-sided)

E. *Request For Mandatory Testing* (form 2.12.5) (one-sided)

1. This form must be accompanied by a copy of the *Communicable Disease Report*

F. *Healthcare Professional's Opinion* (form 2.12.6) (one-sided)

G. *Tuberculosis/Airborne Post Exposure Report* (form 2.12.7) (one-sided)

H. *Test Results For Exposed Employee* (form 2.12.8) (one-sided)

II. Exposure Incident Types

A. Non-reportable exposure incidents, as defined in section 1.265a - Exposure Control - Bodily Fluids, are not subject to the reporting procedures contained in this manual section.

B. The following procedures shall be followed for an employee involved in a reportable exposure incident, as defined in section 1.265a of this manual.

III. SPD Protocol for Management of Persons Suspect for Tuberculosis

A. If the person states that they have been or are being treated for TB, **or** has a persistent, unrelenting cough:

1. There is no risk and no follow-up is necessary if the encounter was outdoors, or lasted less than 20 minutes, and

2. There is potential risk to the employee if the encounter lasted more than 20 minutes, during transport, interview, or holding in an enclosed space.

B. If the person states that they have been or are being treated for TB, **and** does not have a persistent, unrelenting cough:

1. If there is no known treatment / diagnosis of TB, there is no current risk and no follow-up necessary, and
2. If there is a known treatment / diagnosis of TB, there is no current risk.
   a. Employees shall, however, follow the reporting procedure listed in subsection IV.B, of this manual section and report a possible Tuberculosis exposure.

C. If there is a potential risk of TB, the employee shall notify the holding facility prior to disposition.

D. Employees shall report potential risks of TB to their supervisor and follow the reporting procedure listed in subsection IV.B of this manual section.

IV. Exposed Employee Responsibilities

A. Percutaneous / Mucosocutaneous Exposures

1. Initiate immediate self care:
   a. Wash the wound with disinfectant, soap, and hot water. Scrub fingernails and nail beds for at least 15 seconds, but not to the extent that the skin's integrity is broken,
   b. Flush eyes, nose, or mouth exposures with water or a sterile solution, and
   c. "Milk" any needle sticks, then wash and disinfect.
2. Make an immediate verbal report of the exposure to your immediate on duty supervisor.
3. Go to the hospital emergency room for post-exposure treatment and evaluation. Harborview Medical Center is preferred.

   NOTE: For mandatory source patient testing to be accomplished, notification of exposures shall be made no later than seven (7) days after the exposure occurs.
4. Comply with procedures outlined on the *Post Exposure Follow-Up* (form 2.12.4).

B. Tuberculosis / Airborne Exposures

1. Determine if potential exposure has occurred, as defined in subsection III of this manual section.
2. Notify your supervisor immediately.
3. With the supervisor, complete the *Tuberculosis/Airborne Post Exposure Report* (form 2.12.7).
4. The Safety Officer will notify the Seattle/King County Department of Public Health/TB Clinic (SKCDPH) immediately for consultation and further guidance related to each specific exposure.
5. Follow-up evaluations and testing will be completed, if necessary, as per SKCDPH/TB Clinic direction.

V. Supervisor's Responsibilities

A. Percutaneous/Mucosocutaneous Exposures

1. Obtain a *Bodily Fluid Exposure Instruction, Forms, And Routing Packet*. This packet contains the following Exposure Control forms:
   a. *Communicable Disease Report (For Bodily Fluid/Bloodborne Exposures* (form 2.12.3),
   b. *Post Exposure Follow-Up* (form 2.12.4),
   c. *Request For Mandatory Testing* (form 2.12.5),

d. *Healthcare Professional's Opinion* (form 2.12.6), and

e. *Test Results For Exposed Employee* (form 2.12.8).

2. Arrange for the immediate medical care of the employee at a hospital (Harborview Medical Center is preferred) and act as the Department liaison during initial treatment. It is recommended that supervisors accompany the exposed employee to the hospital.

3. Notify an on-duty Lieutenant or above as soon as possible.

4. Complete necessary forms with assistance from the exposed employee.

   a. Give the attending physician the original *Healthcare Professional's Opinion*, accompanied by a copy of the *Communicable Disease Report (For Bodily Fluid/Bloodborne Exposures)*, and the original *Test Results For Exposed Employee* forms once they have been completed.

      (1) Request that the physician complete the:

         (a) *Healthcare Professional's Opinion*, to be forwarded to the Department, and

         (b) *Test Results For Exposed Employee*, to be forwarded to the <u>exposed employee only</u>.

   b. Complete the top portion of the *Request For Mandatory Testing* (form 2.12.5), including the exposed employee information and source individual information.

   c. Review the *Post Exposure Follow-Up* (form 2.12.4) with the exposed employee.

   d. Distribute forms as per the instructions at the bottom of each page.

5. Determine the status of the source individual.

   a. <u>If the source individual is hospitalized</u>, ensure that a copy of the *Communicable Disease Report (For Bodily Fluid/Bloodborne Exposures)* (form 2.12.3), along with the original *Request for Mandatory Testing* (form 2.12.5) are taken to the healthcare facility. Ensure that the healthcare provider understands that there was a substantial exposure and that you are requesting that the source individual consent to blood testing.

      (1) If hospital personnel are not familiar with the State testing requirements, they may be referred to the King County Aids Prevention Project at 296-4649. After hours, two physicians are on-call at 682-7321 to provide assistance.

      (2) Request that the attending physician complete the *Request for Mandatory Testing* form, noting whether the source consented or refused testing. Have the physician forward the form to the Recruiting, Wellness, and Safety Administrator for follow-up.

   b. <u>If the source individual is being booked into the King County Jail</u> (KCJ), ensure that a copy of the *Communicable Disease Report (For Bodily Fluid/Bloodborne Exposures)* (form 2.12.3), along with the original *Request For Mandatory Testing* (form 2.12.5) is forwarded to the Jail Health HIV Program Coordinator as soon as possible. These forms may be hand carried or faxed to the KCJ.

   c. <u>If the source individual is not hospitalized and is not booked into the KCJ</u>, forward the *Request For Mandatory Testing* form to the Recruiting, Wellness, and Safety Administrator for follow-up.

6. Initiate the following Illness and Injury Forms (also included in the *Bodily Fluid Exposure-Instruction, Forms, And Routing Packet*):

a. *Investigating Supervisor's Report of Employee Industrial Injury* (form 2.22) for all employees,

b. *Self Insurer Accident Report* (SIF-2) for LEOFF II and civilians,

NOTE: Document the route(s) of exposure and the circumstances under which the exposure occurred. If possible, include identification and documentation for the source individual.

c. *Illness and Injury Report* (form 2.11) for all employees if time is lost from work,

d. *Medical Release For Work* (form 2.15) for all employees, and

e. *City of Seattle Return to Work/Time Loss Certification* (form CS 32.35) for LEOFF II and Civilians.

NOTE: The *Medical Release For Work* must be completed by the exposed employee's attending physician prior to their return to duty, regardless of time out-of-service.

B. Tuberculosis / Airborne Exposures

1. Determine if the exposure meets the reporting standards (see subsection III of this manual section).
2. If the exposure meets the reporting standards, obtain an *Airborne Exposure - Instruction, Forms, And Routing Packet*.
3. Provide the exposed employee with the *Tuberculosis/Airborne Post-Exposure Report* (form 2.12.7) from the packet.
4. Complete the *Investigating Supervisor's Report of Employee Industrial Injury* (provided in the packet) and forward through normal channels.
5. Forward the completed *Tuberculosis Post-Exposure Report* to the Safety Officer.

VI. Recruiting, Wellness, and Safety Administrator's Responsibilities

A. Assist any employee who experiences an accidental occupational exposure in obtaining treatment and evaluation, as necessary.

B. Act as the designated contact person for emergency notification of exposed personnel as required by the Ryan White Comprehensive AIDS Resources Emergency Act, Part V, Federal Register, March 21, 1994.

C. Arrange for initiation of follow-up treatment, as prescribed by standard medical practices.

D. Ensure that required medical evaluations and procedures including the Hepatitis B vaccine and vaccination series and post-exposure evaluation and follow-up, including prophylaxis, are made available to the employee.

1. Required laboratory tests shall be conducted by an accredited laboratory.

E. Provide for the confidentiality of all reports and for the screening of any release of related information.

F. Provide the healthcare professional evaluating an exposed employee the following:

1. A copy of WAC 296-62-08001 (Biological Agents),
2. A description of the exposed employee's duties as they relate to the exposure incident,
3. The exposed employee's *Health History/Immunization Record* (form 2.12.1), and
4. *Investigating Supervisor's Report of Employee Industrial Injury* and all medical records relevant to the appropriate treatment of the employee.

G. Obtain and provide the employee with a copy of the evaluating *Healthcare Professional's Opinion* (form 2.12.6) within 15 days of the completion of the evaluation. Confidentiality limits the physician's written opinion provided an employer to:

1. Recommendations concerning Hepatitis B vaccination,
2 Whether or not the vaccination was received,
3. A statement attesting that the exposed employee has been informed of the evaluation results, and
4. A statement attesting that the exposed employee has been advised about potential medical conditions.

H. Retain on file all *Hepatitis B Vaccine Acceptance/Declinations* (form 2.12.2).

I. Create replacement exposure packets (either Bodily Fluid or Airborne) and send to supervisor reporting an exposure case.

VII. Risk of Infection Following Exposure

A. According to the King County AIDS Prevention Project, the odds of developing AIDS from a "needle stick" are one in 300 if the needle has been previously used by an infected individual. Other types of exposure, such as blood to a mucous membrane, are reported to present even less risk.

B. The risk of Hepatitis B infection from a "needle stick" is substantially higher at 1 in 3, if the exposed employee <u>has not</u> received the Hepatitis B vaccine.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.269	I - Administration	269 - Limited-Duty Assignments

PURPOSE

The Department recognizes the occasional need for temporarily assigning an employee who is experiencing a short-term disability to a "limited-duty" assignment. During the period of the temporary assignment, the employee so assigned will be expected to perform all of the duties of the limited-duty assignment.

I. Definitions

A. Limited-duty assignment: An assignment which may not require the employee to perform all of the duties normally required by the Department for the employee's particular rank or job classification. Such assignments are not specifically reserved for temporarily disabled employees and may be filled by employees as regular assignments, based on the needs of the Department.

1. Employees who are working in a limited-duty assignment are not allowed to work for secondary employers.

B. Short-term disability: A physical or mental disability which a qualified physician or psychologist has determined will temporarily prevent the employee from performing all of the duties of the position to which they are normally assigned. Such disability, however, may not prevent the employee from temporarily performing in an appropriate limited-duty assignment.

C. Temporary assignment: For the purpose of this manual section, the assignment of an employee with a short-term disability to a limited-duty assignment for a period not to exceed sixteen (16) weeks (per SMC 4.10 the sixteen week limit does not apply to pregnant employees).

II. Responsibilities

A. The employee who has incurred a short-term disability shall be responsible for:

1. Requesting a limited-duty assignment in writing to their Bureau Commander.

2. Providing all forms and statements necessary to justify such an assignment.

3. If so assigned, providing progress reports, as requested by the Employment Services Lieutenant.

B. The Bureau Commander of the employee requesting a limited-duty assignment shall be responsible for providing to the Director of Human Resources:

1. A written request verifying the need for such an assignment.

2. All required forms and statements furnished by the employee.

C. The Employment Services Lieutenant shall be responsible for the monitoring, coordinating, and processing of all limited-duty assignments.

D. The Director of the Human Resources Bureau and the employee's Bureau Commander shall be responsible for the approval of limited-duty assignments.

III. Limited Duty Requests

A. Requests for a limited-duty assignment may be made by any employee who has incurred a short-term disability.

1. Requests shall be in written form, addressed to the employee's Bureau Commander, and sent through the chain of command. The written request shall include:

   a. Identification and brief history of the employee's disability.

   b. A statement explaining why the disability justifies assignment to a limited-duty assignment.

   c. An attached *Medical Release for Work* (form 2.15) from the employee's attending physician describing the disability, the limitations it causes, a prognosis stating an approximate date of recovery, and a statement indicating the employee is medically qualified to perform in a limited-duty capacity.

2. Upon receiving a request for a limited-duty assignment, the employee's Bureau Commander shall forward the employee's request and their *Medical Release for Work* to the Director of Human Resources and include a brief *Memorandum* verifying the need for the assignment.

3. If a Bureau Commander requests that an employee with a short-term disability be assigned to a limited-duty assignment, such request shall be in writing. This request should state the purpose and duties of the assignment.

4. Upon receiving the three required documents, the Director of Human Resources shall have the Employment Services Lieutenant evaluate the request for an assignment and identify suitable limited-duty assignments. In evaluating the request, the Employment Services Lieutenant shall:

   a. Evaluate the disabled employee's ability to perform the duties of the limited-duty assignments available.

   b. Determine whether the proposed work is a productive function and the Bureau Commander of the unit of assignment has clearly justified the need for such work.

   c. Ensure the period of assignment will not require the employee to exceed the maximum time allowable for a limited-duty assignment.

5. Upon completion of the evaluation, the Employment Services Lieutenant shall make a written recommendation to the Director of Human Resources supporting or rejecting the request.

6. The Director of Human Resources and the employee's Bureau Commander shall review the recommendation along with the supporting documents and approve or disapprove of the limited-duty request.

IV. Reporting

A. The Employment Services Lieutenant shall monitor the condition of the disabled employee during the limited-duty assignment. To facilitate the monitoring activity, the employee shall be responsible for submitting a physician's report on their progress every two weeks, or as otherwise required by the Employment Services Lieutenant.

B. For timekeeping purposes, limited-duty assignments shall be recorded on the daily time sheet as "LD".

C. When the employee is ready to return to their regular assignment, they must obtain a *Medical Release for Work*, signed by their attending physician, stating that the employee may return to full duty without restrictions. The *Medical Release for Work* form should be sent to the Employment Services Lieutenant.

V. Review

A. If it appears that the disability of an employee assigned to a limited-duty assignment will persist beyond the estimated date of recovery, the Employment Services Lieutenant shall review the employee's case and determine what other alternatives should be pursued. The Employment Services Lieutenant's recommendation shall be approved by the Director of Human Resources.

PURPOSE

In compliance with the Family and Medical Leave Act of 1993 (SMC Chapter 4.26, and City Ordinance 116761), eligible employees shall be entitled to ninety (90) calendar days of unpaid leave during any 12 month period for certain family and medical reasons.

I. Definitions

A. Eligible employee: Person employed in a permanent position on a full-time basis or part-time basis for a period of at least six months. Eligible employees do not include part-time workers employed less than twenty (20) hours per week, intermittent, seasonal, or temporary workers.

1. Officers appointed prior to October 1, 1977 (LEOFF I) are not eligible for the benefits of the Family Leave Ordinance as to the use of accumulated sick leave. (See Section 1.165 - Illness and Injury.)

B. Group health plan: Health insurance coverage for medical and dental care provided as an incident of employment and on existing terms and conditions as provided to employees similarly situated.

II. Leave Usage

The following is a list of acceptable reasons for requesting Family and Medical Leave. The entitlement to take leave under paragraphs A and B shall expire at the end of the twelve month period beginning on the date of such birth or placement.

A. The birth of a son or daughter of the employee and in order to care for such infant.

B. To care for the employee's newly placed foster or adopted child.

C. To care for the spouse or domestic partner, the child, or parent of the employee, or the child, or parent of the spouse or domestic partner, if the person has a serious health condition.

D. To care for a serious health condition which makes the employee unable to perform their job.

III. Advance Notice and Request Forms

A. The employee shall provide 30 days advance notice when the need for leave is foreseen, otherwise, the employee shall provide such notice as is practicable under the circumstances.

B. Employees shall utilize the *Leave of Absence* (City of Seattle form) to request Family and Medical leave.

C. The *Certification of Health Care Provider* (City of Seattle form) shall be used for leave related to serious health conditions.

D. Both forms may be obtained from the Department Personnel Services Section.

IV. Intermittent or Reduced Leave

A. Leave for the birth or placement of a child shall not be taken by an employee intermittently or on a reduced schedule, unless the employee and the City agree otherwise.

B. Leave taken for a serious health condition may be taken intermittently or on a reduced leave schedule when medically necessary. The City may require such employee to transfer temporarily to an available alternative position for which the employee is qualified and that:

1. Has equivalent base pay and benefits, and
2. Better accommodates recurring periods of leave than the regular employment position of the employee.

V. Medical Certification

A. A *Certification of Health Care Provider* is required for leave because of a serious health condition. Certification must be issued by the health care provider and include:

1. The date on which the serious health condition commenced,
2. The probable duration of the condition,
3. Appropriate medical facts within the knowledge of the health care provider regarding the condition,
4. A statement that the eligible employee is needed to care for the child, spouse/domestic partner, or parent, or a statement that the employee is unable to perform the functions of their position,
5. In the case of certification for intermittent leave, or leave on a reduced leave schedule:
   a. For planned medical treatment, the dates on which such treatment is expected to be given and the duration of such treatment, and
   b. Involving the care of the child, parent, or spouse / domestic partner who has a serious health condition; a statement of the medical necessity or that the employee will assist in the recovery and the duration of recovery.

B. Second and Third Opinions

1. The City may require, at their expense, that the eligible employee obtain the opinion of a second health care provider designated or approved by the City.
2. When the second opinion differs from the opinion in the original certification, the City may require, at their expense, that the employee obtain the opinion of a third health care provider designated or approved jointly by the City and the employee. This third opinion shall be considered final and binding.

VI. Employment and Benefit Protection

A. Upon return from Family and Medical Leave, employees shall be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

B. Family and Medical Leave shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced.

C. The City shall maintain coverage under any group health plan for the duration of an approved leave at the level, and under the conditions, that coverage would have been provided if the employee had continued in employment continuously for the duration of such leave.

NOTE: If the employee fails to return from leave, the City may recover the premium paid for maintaining the coverage.

D. Employees need not exhaust their accrued sick leave, compensatory time, or vacation leave prior to requesting or taking Family and Medical leave.

E. There are conditions, obligations, and stipulations which may affect health coverage or tax liability. All employees should obtain full information regarding their particular situation from the SPD Personnel Section.

VII. Unlawful Acts By the Employer

A. The Family and Medical Leave Act makes it unlawful for the City to:

1. Interfere with, restrain, or deny the exercise of any right provided under the Family and Medical Leave Act, and

2. Discharge or discriminate against any person for opposing any practice made unlawful by the Family and Medical Leave Act or for involvement in any proceeding under or relating to the Family and Medical Leave Act.

VIII. Complaints Related to Unlawful Acts by the Employer

A. Contact the United States Department of Labor, Wage and Hour Division for complaints related to the Family and Medical Leave Act.

POLICY

Pregnancy is recognized as a normal occurrence in a woman's life. The Department will provide pregnant employees an opportunity to continue to participate in the work force during a normal pregnancy.

I. Definitions

A. Temporary incapacity: The period during which the employee cannot perform all of her regular duties but is capable of performing a temporary limited-duty assignment.

II. Notification

A. Employees who are pregnant shall notify their supervisors and the Director of Human Resources at the earliest possible date.

B. In no event shall notification be later than the conclusion of the fifth month of pregnancy.

C. Such notification shall be in the form of a signed statement to the Director of Human Resources.

D. Upon written notification, the Employment Services Section shall send the employee a *Physician's Report Certifying Pregnancy* (form 2.14) for completion by her physician.

E. The employee shall be notified that continued employment shall require the submission of a medical status report at least once every six weeks, indicating that the employee is medically capable of performing the duties of her position.

F. The Director of Human Resources shall notify the employee's supervisor of any changes in the employee's condition.

III. Limited-Duty Assignments

A. Sworn Employees

1. When the pregnant employee's physician determines that she may not safely perform all of the normal duties of her job, the pregnant employee shall provide the Department with a medical status report from her physician detailing what restrictions apply to the employee's continued active employment.

2. Upon receipt of the medical status report, the Department will reasonably accommodate the employee's desire for medically approved continued employment during pregnancy, as long as such accommodation can be reasonably made, as stated below.

   a. Temporary reassignment to limited duties within the employee's job classification, as prescribed by SMC 4.10.

3. Limitations

   a. Temporary reassignments made pursuant to paragraph 2 above, shall be limited to the period of temporary incapacity caused by normal pregnancy, both before childbirth and upon return to work, but prior to the time when released by the employee's physician or a consulting physician retained by the City, to return to full duty.

B. Civilian Employees

1. When the pregnant employee's physician determines that she may not safely perform all of the normal duties of her job, the pregnant employee shall provide the Department with a medical status report from her physician detailing what restrictions apply to the employee's continued active employment.

2. Upon receipt of the medical status report, the Department will reasonably accommodate such employee's desire for medically approved continued employment during pregnancy via one or more of the alternatives listed below, with the first alternative having preference, as long as such accommodation can be reasonably made.

   a. Temporary reassignment to limited duties within the employee's job classification.

   b. Temporary reassignment of the employee to a similar classification with equal pay for which the employee is qualified.

   c. Temporary reassignment of the employee to another classification for which the employee is qualified, but with lesser pay, to be assigned at the pay step closest to that which the employee was receiving in her normal job classification.

3. Limitations

   a. Temporary reassignments made pursuant to paragraph 2 above, shall be limited to the period of temporary incapacity caused by normal pregnancy, both before childbirth and upon return to work, but prior to the time when released by the employee's physician or a consulting physician retained by the City, to return to full duty.

IV. Maternity Leave

A. The employee shall notify the Director of Personnel at the earliest possible date of the need for maternity leave.

1. Such requests shall be initiated by completing a *Leave of Absence Request* (City of Seattle form).

2. A written statement from the employee's physician outlining the medical necessity and the estimated duration of the leave shall accompany the request form.

B. Limitations

1. Where a LEOFF II and civilian female employee have exhausted sick leave balances, the employee may use vacation for further leave for medical reasons only with prior approval of the Chief of Police or their designee.

2. If the employee is utilizing the long term disability insurance provided by City Ordinance 115797, the employee shall (after a 30 day elimination period for LEOFF II employees / 90 day elimination period for civilian employees) have the option to utilize sick leave, compensatory time, or vacation time prior to being placed on an unpaid (maternity) leave of absence.

3. Within 30 days after the childbirth or miscarriage, the employee shall notify the Director of Human Resources of the approximate day that she will return to work.

4. Every employee using maternity leave shall return to work at the earliest possible date. The employee is required to provide a *Medical Release for Work* (form 2.15) from her physician and her return shall be coordinated through the Employment Services Section.

5. An employee's request for additional unpaid leave of absence extending beyond the duration originally estimated by the attending physician shall be supported by a written statement from the attending physician explaining the medical necessity and expected duration.

a. Such additional time may be taken as Family and Medical Leave. (See section 1.273 - Family and Medical Leave.)

6. While still working, LEOFF II and civilian employees shall exhaust their available paid leave (vacation, holiday, furloughs etc.) for prenatal check-ups before taking leave without pay.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.281	I - Administration	281 - Military Leave

POLICY

The Seattle Police Department recognizes the importance of allowing its employees time off to meet their obligations as members of a military reserve unit. Supervisors are reminded that Federal law requires an employer to grant time off to a reserve member ordered to active duty.

I. Military Leave for Public Employees

A. Washington State law (RCW 38.40.060) provides that every employee of the State or of any County or City, who is a member of the Washington National Guard or of any organized reserve or armed forces of the United States shall be entitled to and shall be granted paid military leave of absence from such employment for a period not exceeding fifteen working days during each calendar year.

1. Such leave shall be granted in order that the person may report for active duty or take part in active training duty.
2. Such military leave of absence shall be in addition to any vacation or sick leave to which the officer or employee might otherwise be entitled, and shall not involve any loss of efficiency rating, privileges, or pay.
3. During the period of military leave, the officer or employee shall receive their normal pay.
4. For timekeeping purposes, use of military leave (with orders submitted to the Personnel Services Section) shall be recorded on unit time sheets as "ML".

II. Requests for Military Leave

A. Military leave requests must be approved through the chain of command to the Bureau Chief, and the Director of Human Resources.

B. Requests shall include:

1. A *Request for Authorized Absence* (form 2.23) documenting military leave days and other days used during the period of absence,
2. A copy of the military orders or written verification of assigned drill days, and
3. For unpaid military leave exceeding the fifteen days of paid leave, a *Leave of Absence Request* (City of Seattle form).

III. Department Requirements

A. Any military leave exceeding fifteen work days per year shall require Departmental approval before the employee requests any publication of military orders.

B. Military leaves of absence and the opportunity to obtain retirement service credits for periods of active military service (by making normal contributions to the Retirement System) are authorized to be granted to employees of the City of Seattle under Ordinance 69816 as amended.

POLICY

The Department may grant leave of absence without pay, consistent with available staffing levels.

I. Sworn Employees

A. Duration of Leave

1. A leave of absence without pay for a period not exceeding sixty consecutive days may be granted by the Chief of Police.
2. In some instances, a request for a leave of absence longer than sixty days bearing the favorable recommendation of the Chief of Police may be granted (for non-exempt employees) by the Secretary of the Public Safety Civil Service Commission.
3. No employee shall be given leave to take a position outside the City service for more than sixty days in any calendar year, except where it appears to be in the best interests of the City (Public Safety Civil Service Laws and Rules, Rule 16.01).

B. Leave of Absence Requests

1. A *Leave of Absence Request* (City of Seattle form) shall be submitted to the respective supervisor.
   a. One (1) copy for an application of sixty (60) days or less.
   b. Two (2) copies for an application of more than sixty (60) days.
2. The supervisor shall then forward the request to the Personnel Services Section for administrative review and comment.
3. The Director of Human Resources shall forward the forms to the Chief of Police for approval.
4. The Personnel Services Section shall forward requests in excess of sixty days to the Public Safety Civil Service Commission for approval, with the recommendation of the Chief of Police.
5. Once the applicant has been notified that their request for a leave of absence has been approved, they shall submit a *Request for Authorized Absence* (form 2.23), to their Bureau Commander.
6. All of an applicant's unused vacation and compensatory time must be expended before an unpaid leave of absence in excess of twelve months is granted, with the exception of unpaid military leave, and family/medical leave.

   NOTE: For timekeeping purposes, pre-approved leave of absence days shall be recorded on the unit time sheets as "LOA".

C. Returning From a Leave of Absence

1. In cases where a leave of absence is 90 days in duration or less, returning personnel shall review all Training Bulletins, Department Directives, Special Orders, and Manual updates which have been issued since the date they commenced their leave of absence.

2. When the absence is over 90 days, but of less than two years duration, police officers shall be directed, by *Memorandum*, to report to the Training Section for evaluation as to training needs. The Training Unit shall provide copies of Training Bulletins, Department Directives, and any other information to cover the period of absence.

3. In those cases where the absence has been two years or longer, returning police officers shall be required to attend a Washington State Criminal Justice Training Commission accredited Police Academy.

4. Training will be documented by the Training Section upon completion. This documentation shall be placed in the officer's personnel records.

II. Civilian Employees

A. Duration of Leave

1. An unpaid leave of absence for reasons other than maternity and parenting, may be granted at the discretion of the Chief of Police.

2. City of Seattle Personnel Rule 7.1.100:

   a. Stipulates the general provisions of an unpaid leave of absence for personal reasons and provides for a conditional or unconditional unpaid leave for up to 12 months,

   b. Stipulates that a leave of absence will not be granted for work outside the City unless it is in the public interest, and

   c. Requires leaves in excess of 15 days to be reported to the Human Resources Director.

3. In some instances, unpaid leave may be extended beyond twelve months upon approval of Chief of Police and the Director of Human Resources for:

   a. Leaves in the public interest, or

   b. For medical reasons when an employee has an open claim for an industrial injury or illness arising out of the course of employment and while acting within the course of employment for the City.

C. Leave of Absence Requests

1. All requests for unpaid leaves of absence in excess of fifteen (15) days duration shall be made on a *Leave of Absence Request* (City of Seattle form) and shall be submitted to the employee's supervisor.

2. The supervisor shall then forward the request to the Personnel Services Section for administrative review and comment.

3. The Director of Human Resources shall forward the forms to the Chief of Police for approval.

4. Once the applicant has been notified that their request for a leave of absence has been approved, they shall submit a *Request for Authorized Absence* (form 2.23), to their Bureau Commander or Director.

5. All of an applicant's unused vacation and compensatory time must be expended before an unpaid leave of absence in excess of twelve months is granted, with the exception of unpaid military leave, and family/medical leave.

   NOTE: For timekeeping purposes, pre-approved leave of absence days shall be recorded on the unit time sheets as "LOA".

C. Returning from a Leave of Absence (City of Seattle Personnel Rule 7.1.200)

1. At the expiration of authorized leave of absence employees shall return to their former job classification or job title within the Department, unless other conditions were stipulated in writing by the Chief of Police upon granting the leave.
2. Employees returning from leaves of absence for medical reasons must provide to the Chief of Police, with a copy to the Director of Human Resources, a *Medical Release for Work* (form 2.15) written statement signed by their treating physician stating that the employee is physically and mentally able to resume their normal duties.
3. Failure of an employee to return from leave of absence upon the specified date shall normally constitute a "quit".
4. When a leave of absence has been granted with conditions, and no vacancy exists upon the employees return, the employee shall be considered as having "resigned".

POLICY

An employee's primary employment obligation is with the Seattle Police Department. All secondary employment and business activities shall conform with the provisions established within this manual section.

Officers working off duty in uniform, or who exercise police authority while off duty for a private employer, are to be compensated at a minimum rate of pay equal to the top step of Police Officer or the top step of Police Sergeant. The total compensation in meeting these rates may be comprised of pay and other benefits, such as food.

Compensation for officers who are working off duty for a private employer in a non-law enforcement capacity or are self-employed is not regulated, however it shall comply with all applicable laws governing such employment.

I. Responsibilities

A. Each employee is responsible for accurately reporting all off duty and secondary employment including business activities, through their immediate chain of command to their Precinct / Section Commander.

B. The Personnel Services Section shall maintain a file of all *Secondary Employment Permits* (form 1.30).

C. The Seattle Center Unit supervisor shall be responsible for scheduling off-duty employment of police officers at Seattle Center, including record keeping, in compliance with current Department policy. Positions shall be filled from an approved eligibility roster.

NOTE: Seattle Police Reserve Officers may work secondary employment only at the Seattle Center under prescribed conditions, as detailed in sub-section III.B. below.

D. Each employee working in a traffic control capacity shall be responsible for wearing the following safety equipment:

1. A Department approved safety vest, or the reversible raincoat described in Section 1.185 - Uniform Clothing and Accessories, worn with the international orange side out.

2. Hard hats while working any off-duty job where overhead hazards exist. Hard hats shall conform to standards of the Washington Industrial Safety and Health Act.

E. Officers who initiate police action while engaged in off-duty employment shall be responsible for the completion of all investigatory paperwork and prisoner processing. In general, the role of on-duty resources shall be limited to prisoner transport and assistance in the role of secondary investigators.

If an off-duty officer engages in a self-initiated law enforcement activity arising out of and related to his or her secondary employment, the officer will be paid by the off-duty employer until the end of the off-duty shift and will not be paid by the City.

Under the following circumstances, an officer working off-duty will be paid hour-for-hour overtime by the City for the actual time spent performing a necessary law enforcement action upon approval by an on-duty supervisor prior to or as soon as practical after the law enforcement action is initiated:

1. The officer is required by Department policy to take law enforcement action and doing so will prevent the officer from performing their off-duty job; or

2. The officer is continuing to perform law enforcement activity that was self-initiated, as provided at paragraph 1 above, after the end of their off-duty shift.

An officer working off-duty will be entitled to call back pay if the officer is required by an on-duty supervisor to address a public safety emergency or to process an arrest, book a suspect, etc., and the duty will not permit the officer to return to his or her secondary employment before the off-duty shift has ended. If the officer is called to duty by the Department and able to return to his or her secondary employment, the officer shall be compensated by the City at the rate of time and a half for the actual time worked performing the Department duty.

With the exception of court overtime, an officer will not accept payment from an off-duty employer for the same time that is paid for by the City.

II. Secondary Employment Permits

A. Prior to engaging in any off-duty employment or business activity, employees shall submit, through their immediate chain of command, a completed *Secondary Employment Permit* (form 1.30) for tentative approval.

Exception: In cases where insufficient time exists to totally process a *Secondary Employment Permit*, a supervisor from the employee's Section or Bureau may authorize employment for less than 4 days.

1. The employee shall complete a *Secondary Employment Permit* and:

   a. Under "Hours of Employment" indicate the hours and the inclusive employment dates, and

   b. Mark the box at the top of the *Secondary Employment Permit* specifying "Permit for Under 4 days."

   c. Contact a supervisor (directly or by phone) and request approval.

2. The Sergeant or supervisor shall then approve or deny the permit. If approved, the Sergeant or supervisor shall give the employee a copy of the permit which they signed (for employment of under 4 days only); and forward the original through the chain of command to the Personnel Services Section.

   a. If approval was by phone, the employee will print the name of the approving supervisor in the signature block and mail the entire form to that supervisor. Upon receipt of the work permit, the supervisor will sign near their printed name and forward to employee's chain of command.

B. Completed *Secondary Employment Permit* requests which have been approved by the employee's chain of command shall be forwarded to section or precinct commander for final review.

1. If circumstances necessitate an additional review, the *Secondary Employment Permit* shall then be forwarded to the Bureau Commander for final approval or disapproval.

C. Upon final approval, copies of the permit shall be forwarded to the affected Precinct Commander(s) and the employee.

D. The issuance of a permit authorizes only the work, location, and conditions specifically shown on the permit.

E. All *Secondary Employment Permits* shall automatically expire on the employee's date of hire, each year. If a continuation of employment is desired, the employee shall be required to submit a new *Secondary Employment Permit*.

1. Under no circumstances shall a *Secondary Employment Permit* be valid for more than 365 days.

2. Employees are responsible for ensuring that their permit is renewed annually and is current.

3. Permit renewal requests may be submitted 60 days prior to the employee's date of hire, to be valid from the current year's date of hire through the following year's date of hire.

F. All *Secondary Employment Permits* shall be automatically suspended when an employee commences sick leave, long term disability, military leave, limited duty, family medical leave (including maternity leave), release time for any reason, while on suspension, while on mandatory administrative reassignment due to an on-going IIS investigation, or is placed on the Mandatory Reporting Program for sick leave use.

NOTE: Upon written request, permission to engage in off-duty employment while on extended Sick Leave may be granted upon a doctor's medical recommendation to the Director of Human Resources and upon approval from the Chief of Police. Permission shall be granted, in writing, prior to an employee engaging in each such employment activity.

III. Prohibited Employment

A. Employees who have not completed their civil service probationary period or have been placed on probation are prohibited to work secondary employment.

B. Seattle Police Reserve officers are not permitted to work secondary employment except under the following conditions:

1. Only in these excepted locations with the approval of their chain of command (Patrol Operations Bureau) :

a. Seattle Center, or

b. Safeco Field, or

c. Kingdome (or specific replacement structure).

2. And under the following conditions:

a. Paired with a regular sworn officer, and

b. Working under the supervision of a sworn supervisor.

C. Employment which, when added to regular Department work periods, totals more than sixty-four (64) hours per week.

1. Employees working a Department approved full-time alternative schedule are considered to be on a 40 hour week.

D. Employees are prohibited from:

1. Working in occupations of a nature which would tend to lower the dignity of the police service in any manner,

2. Performing tasks other than those of a police nature while in police uniform,

3. Participating in professional sporting events where there is a substantial risk of serious injury, without prior written approval of the employee's Bureau Commander,

4. Repossessing vehicles, acting as a process server or bill collector, or in any other employment in which police authority might tend to be used to collect money, merchandise, etc., for private purposes of a civil nature,

5. Employment which requires access to police information (files, records, or services) as a condition for employment; except where specific approval for such use has been authorized by the Bureau Commander having control over such information,

6. Employment which results in other qualified persons being deprived of "rightful" employment and which results in a justified complaint. The Department will be the sole judge in these matters,

7. Employment which assists in the case preparation for the defense in any criminal action or proceeding,

8. Working at establishments that sell or dispense intoxicating beverages, regardless of where the work is actually performed for such an employer. This includes parking lot or perimeter security,

   a. This order does not prohibit employment:

      (1) By the State of Washington at State operated facilities where the consumption of liquor is not permitted, or

      (2) Where the sale and consumption of liquor is secondary to the main activity; for example, athletic events or hotel security.

9. Owning, operating, managing, or having a financial interest in:

   a. A business providing security services; where the employee utilizes their color of office, position of employment, or access to Department information, files, records, or services for private or business gain, or

   b. A private investigation business,

10. Performing police functions in uniform for a private employer beyond the jurisdiction of the corporate limits of the City, without prior written approval of the outside police agency having jurisdiction,

    a. A copy of written approval from the outside police agency shall be attached to the *Secondary Employment Permit* (form 1.30).

b. In the event an officer cannot meet the requirements above, police officers may be employed by a private employer outside the City, provided they do not wear the Seattle Police uniform or any part of the uniform that would identify the employee as a Seattle Police Officer.

11. Performing police functions or security with the University of Washington in an off-duty status without first:

a. Being commissioned or deputized as a University of Washington Campus Police Officer, and

b. Securing the proper University of Washington Campus Police Officer's uniform, and

Exception: Police officers may be employed by the University of Washington to work in Seattle Police Department uniforms to direct traffic in street areas or intersections adjacent to the University property or facilities without complying with the above requirements (football and basketball games, commencement exercises, etc.).

12. Ownership of a private security business unless the employee engaged in such business prior to September 1, 1984.

13. Officers will not work off-duty at underground rave parties. In order for these events to qualify as legitimate parties that may be worked by officers, the promoters must accomplish the following:

a. Obtain an annual Public Assembly Permit for the venue, or a Public Assembly Permit issued for a specific event. These permits are issued by the Seattle Fire Department.

b. Obtain a current liability insurance policy with $1,000,000 limit of coverage.

c. Obtain a Seattle Business License with an Admission Tax Registration Permit,

d. Staff the event with an off-duty sergeant and three officers. Meet with the supervisor before the event to tour the facility and determine if the security staffing is adequate.

e. Coordinate efforts with the sergeant to insure that drug and alcohol possession and use is not tolerated and that the provisions of the Teen Dance Ordinance are enforced, specifically the provisions covering the re-entry fee and the after 0200 hours elimination of juveniles less than age 18.

14. The approval for off-duty work by officers at these events ultimately rests with the precinct commander.

IV. Participation in Regulated Activities

A. To maintain the integrity of the Department and its employees, the Department prohibits its employees from participating in those activities having a high potential for conflicts of interest arising from statutory requirements for supervision of that activity by any law enforcement agency.

B. Activities Prohibited Within the City

1. Employment as a "bouncer" in any establishment dispensing alcoholic beverages, inside or outside the corporate limits of the City of Seattle.

2. The towing of vehicles.

3. Conducting of any form of gambling, including, but not limited to, cards, bingo, raffles, "Reno nights", etc.

4. Any other activity not herein defined where there is a law enforcement obligation for close police scrutiny.

C. Charitable or Nonprofit Organizations

1. Even though the Department would discourage such participation, employees may participate as volunteers (not in uniform) in legal gambling activities sponsored by a "Bona Fide Charitable or Nonprofit Organization" as defined in RCW 9.46.020(3).

2. Nothing contained herein shall prohibit an employee from holding an office in "Bona Fide Charitable or Nonprofit Organizations" (i.e., churches, fraternal societies, etc.), wherein one of the statutory mandates of such an office requires their participation in the application process for or signing of City, County or State licenses authorizing the dispensing of alcoholic beverages or the conducting of legal gambling activities. However, this exemption shall not be construed as an authorization for any other employee activity elsewhere prohibited within this manual.

D. The Chief of Police may waive any or all provisions of this order in instances where an employee wishes to invest in such businesses prior to leaving City service and has indicated, in writing, a commitment to retire within eighteen (18) months.

V. Disability Benefits (Off-Duty Employment)

A. The following is an excerpt from RCW 41.20.060, covering the Police Retirement Pension:

"Disability benefits provided for by this chapter shall not be paid when the policeman [police officer] is disabled while he [she] is engaged for compensation in outside work not of a police or special police nature."

B. LEOFF II officers are not covered by Washington State Industrial Insurance for injuries resulting from secondary employment.

VI. Approval or Denial of Secondary Employment Permits

A. Any record of above average days off for sickness, poor work record, or misconduct may result in denial or revocation of a *Secondary Employment Permit*.

B. Applications which contain only vague, general descriptions such as "various security" will be denied.

1. Specific Employer or business firm name(s) must be identified on the *Secondary Employment Permit* application. The street address where you will be working must also be included on the application.

I. Washington State Criminal Justice Training Commission (WSCJTC) Training

A. All employees wanting to attend a WSCJTC class should do the following:

1. Submit a WSCJTC application along with a memo of authorization through their chain of command to the Commander of the Training Section at least six weeks prior to the course date.

2. Have their application approved by at least a Captain or Civilian Manager equivalent.

B. All approved requests from the Training Commander are faxed to the WSCJTC within 24 hours. When there are duplicate requests, an assignment of priority will be made by the Training Commander. Selection of applicants will be completed by WSCJTC two weeks prior to the class. Students will be notified of their selection by the Training Section. If an applicant is accepted and, prior to the class, it is determined that they did not obtain the Training Commander's approval, they will be removed from the class. Section or Precinct commanders will be consulted when needed.

II. Approving Authority - Outside Agency Seminars / Conventions / Schools

A. Attendance at outside agency seminars, conventions, or schools not requiring the encumbrance of Department funds while on-duty, require the approval in advance of the respective Section / Precinct Commander.

B. Seminars, conventions, or schools requiring the encumbrance of Department funds while on- or off-duty, shall require prior approval of the attendee's chain of command.

III. Training Requirements

A. Employees returning from any seminar, convention, or school that required the encumbrance of Department funds shall submit to the Training Section, a completed *Individual Course Attendance Record* (form 31.0). In addition, an employee may be required to forward a written summary of the training acquired, including any written materials, to the Training Section for review and duplicating. The Training Section shall return the original material to the employee in a timely manner.

B. Employees wishing to instruct or teach courses for outside police agencies on an off-duty basis shall first submit a *Secondary Employment Permit* (form 1.30) for approval. (See Section 1.289 - Secondary Employment.)

C. Whenever any employee, acting as a representative of the Seattle Police Department, teaches any course of instruction for an outside agency, a lesson plan of the text to be taught must first be submitted to and approved by the Training Commander.

IV. Convention, Education, and Travel Expenditures

A. Whenever an employee requests education or travel funds, the following procedures shall be completed:

1. All education and travel shall require prior written approval of the employee's chain of command.

2. The employee shall complete *Travel Request, Approval & Expense Form,* attach a completed registration form and an itinerary of the training, and then forward it to their supervisor.

Note: The *Travel Request, Approval & Expense Form* replaces the Travel Education Authorization form, and the Cash/Advance/Expenses/Certification Form. A copy of this form and instructions for completing it are available on-line from the City's In-Web page. The Performance Resource Group (PRG) offers centralized training services for City employees. A PRG form is also required for City workshops through the Personnel Department. This form is available on-line through the City's In-Web.

a. Cash advance requests require at least two weeks for processing.

b. A printed copy of the form will need to be signed by the applicant and the appropriate supervisor before a cash advance will be issued.

c. The applicant is responsible for knowing which expenses are allowable and which expenses require a receipt.

3. The applicant's supervisor shall complete the justification portion of the *Travel Request, Approval & Expense Form.* The supervisor shall determine that funding is available and then forward the form to the applicant's Section / Precinct Commander,

4. The Section / Precinct Commander shall review the request for content and completeness. If approved, the form shall be forwarded to the commander designated by the Bureau Commander for final review,

5. If approved by the appropriate commander, the Fiscal Unit shall register the employee for the training, process any payments or advances and notify the applicant when a cash advance is ready for release,

   a. <u>The applicant should ensure that they have all the necessary documents such as an airline ticket or meal allowance prior to the trip.</u>

   b. <u>The ticket should be mailed to the Fiscal Unit and the meal allowance will be issued in an advance check.</u>

6. When returning from a Department funded convention, education, or travel activity, the employee shall:

   a. Complete the expense claim portion of the *Travel Request, Approval and Expense Form*.

   b. Sign the form, certifying the accuracy of the costs and verifying the costs were incurred while on Department business.

   b. Return any unexpended portion of the advanced funds on or before the tenth calendar day following the close of the authorized event period, in conformance with the provisions of RCW 42.24.150.

7. The employee's supervisor shall then review the claim and ensure that the claim receipts and any unexpended funds are submitted to the Fiscal Unit.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.297	I - Administration	297 - Accident Review Board

I. Purpose

A. To review all accidents involving Department vehicles and determine if the accident was preventable or non-preventable, when:

1. There are injuries,
2. Anyone in the individual's chain of command, or the Department Safety Officer finds that the accident was non-preventable, or
3. Anyone in the individual's chain of command or the Department Safety Officer believes that the accident should be included in the officer's employment driving record in Olympia per RCW 46.52.130.

II. Membership

A. The Commander of the Metropolitan Section shall Chair the Accident Review Board. In the absence of the Commander of the Metropolitan Section, the Special Enforcement Lieutenant shall assume the position.

B. The Chair of the Accident Review Board shall coordinate the appointment of the remaining Board members and advisors, as outlined below, with the appropriate Bureau Commanders, according to need. Voting members of the board, with the exception of the Chair, shall be rotated annually (4 in March and 4 in September).

1. Voting Members:
   a. The Chair,
   b. Three Sergeants;
      (1) One from Patrol (West Precinct).
      (2) One from the Metropolitan Section.
      (3) One from the Criminal Investigations Bureau.
   c. Three Police Officers;
      (1) Two from the Patrol Operations Bureau (one each from the North and South Precincts).
      (2) One from the Metropolitan Section.
   d. One Parking Enforcement Officer (civilian member).
2. Non-Voting Advisors:
   a. Safety Officer (serves as the Board Secretary),
   b. Three standing advisors;
      (1) One each from:
         (a) Accident Investigations Squad,
         (b) Fiscal, Property, and Fleet Management Section; and
         (c) Training Section.
   c. Other advisors, as required.

C. A quorum of at least five voting members, including the Chair, shall be required before agenda business may be conducted.

III. Findings

A. Preventable Accidents

1. The board shall include with their findings the number of previous preventable accidents involving the employee.
2. The Safety Officer shall:
   a. Notify the individual involved of the results,
      (1) The notification form shall be dated and shall contain written notification of the officer's right to appeal the classification within 15 days of the board's findings.
   b. Notify the individual's Section / Precinct Commander or civilian equivalent and the individual's Bureau Commander, and
   c. Notify the Department of Licensing only in cases of injury or where damage to either vehicle exceeds $500.00, for exclusion or non-exclusion of the accident from the individual's driving record.
3. Discipline
   a. The Accident Review Board shall not make recommendations concerning retraining or discipline.
   b. The individual's Bureau Commander shall have the responsibility for recommending retraining or discipline.

B. Non-Preventable Accidents

1. The Safety Officer shall:
   a. Notify the individual,
   b. Notify the individual's Section / Precinct Commander or civilian equivalent,
   c. Ensure the forms for exclusion of the accident from the individual's driving record are accurate and complete, and
   d. Forward the forms to DOL only in cases where injury occurs or damage to either vehicle exceeds $500.

IV. Appeals

A. Any employee wishing to appeal the classification of their case must file a written request with the Department Safety Officer within 15 days of the Board's findings.

1. The Safety Officer shall then arrange for the case to be completely reviewed at the next Board meeting.
2. The driver involved may attend this review if they so desire, or they may submit a complete statement as to the facts of the accident. If the driver desires to attend the review, and in view of the fact that the identity of the driver is withheld during review, the driver shall waive their right to anonymity and shall have no appeal of prejudice against any member of the Board.
3. Reclassification may result from the appeal review. If so, the Department Safety Officer shall notify the concerned driver in writing and the reclassification shall be noted in the minutes of that meeting.

PHILOSOPHY

All discharges of firearms, with the exception of training at an approved facility by on/off duty employees of the Department shall be investigated thoroughly consistent with current law, court decisions and Department Use of Force policies and procedures.

PURPOSE

The Firearms Review Board shall investigate and review the circumstances attending each intentional discharge of a firearm by an officer at a person and the accidental discharge of a firearm by an officer resulting in injury or death. The purpose of the review will be to determine the circumstances that brought about the discharge of the firearm. All intentional discharges resulting in injury/death or at an animal and all accidental firearm discharges not resulting in injury or death shall be investigated and reviewed by the affected officer's chain of command, except as provided below.

I. Membership

A. Incidents involving intentional discharges by an officer resulting in a fatality will be chaired by the Deputy Chief of Administration. Those intentional discharges involving injury or that do not strike a person may be chaired by a representative of the Deputy Chief of Administration.

B. The Board shall consist of:

1. The Deputy Chief of Administration, designated as Chair of the Board, or a representative appointed by the Deputy Chief of Administration to act as Chair,
2. An appointee of the rank of captain selected by the Deputy Chief of Administration,
3. The Commander of the Training Section, or a representative from that section, and
4. A lieutenant, appointed by the Deputy Chief of Administration, from a unit not involved in the investigation of the firearms discharge, and from a precinct or section other than that of the involved officer.
5. A bargaining unit representative shall be permitted to attend the Firearms Review Board, if requested by the subject employee, to provide representation in accordance with RCW 41.56

II. Meetings and Findings

A. The Chair shall schedule a meeting of the Firearms Review Board within 14 calendar days after each intentional discharge at a person of a firearm by an officer and the accidental discharge of a firearm by an officer resulting in injury or death, unless prevented by unusual circumstances, or if the injury/death is sustained to an animal.

B. If facts indicate that an inquest will be held or criminal charges may be filed against an officer as a result of a firearm discharge, the Firearms Review Board shall delay final recommendations until after such court actions are concluded.

C. In all other cases, the Firearms Review Board shall make findings of fact and conclusions as to the circumstances surrounding any shooting incident involving death or bodily injury. These findings, along with a determination by the Chief as to whether or not the shooting was justified, shall be made available to the public through the Office of the Chief of Police.

D. At the Board's option, it may file with the Chief of Police a separate report which would include comments, opinions, and general recommendations which would be intended to assist the Chief in making a final decision on the matter. At the Chief's discretion, this report may be treated as confidential.

E. Upon approval by the Chief of Police, one of the following steps shall be taken if the findings indicate that a firearm discharge was not justified:

1. If a violation of law or a serious violation of Department rules or regulations is indicated, the matter shall be referred to the Office of Professional Accountability and processed in accordance with the Department's disciplinary procedures,

2. If an incident is clearly due to inadequate training, or a failure to follow training procedures regarding the handling, use or care of a firearm, the matter shall be referred to the Commander of the Training Section so that additional training may be afforded to the officer. Discharges resulting from violation(s) of training procedures may result in discipline.

3. If the discharge was accidental and resulted in injury or death, a recommendation shall be made as to whether or not discipline or corrective training is necessary. A completed report shall be forwarded to the Deputy Chief of Administration.

III. Responsibilities

A. The Chair of the Firearms Review Board shall:

1. Notify the Commander of the Training Section of the results and dispositions of all intentional firearm discharges and all accidental firearm discharges resulting in injury or death.

B. The Bureau Commander of the affected officer shall:

1. Notify the Commander of the Training Section of the results and dispositions of all accidental firearm discharges not resulting in injury or death, and intentional discharges applied to an animal.

C. The Deputy Chief of Administration shall:

1. Maintain a file for all firearm discharge cases

2. Be responsible for preparing and forwarding all written reports required by the Mayor or City Council to the Chief of Police for approval and signature.

IV. Return To Duty

A. The Bureau Commander of an officer who has been placed on administrative duty or leave, may return the officer to regular duty prior to the convening of the Firearms Review Board, provided approval of the Deputy Chief of Administration has been obtained and the Chief of Police has been notified.

V. Non Injury Accidental

A. If the discharge was accidental and did not result in injury or death, a Firearms Review Board will not normally be held. The Deputy Chief of Administration shall have the discretion to convene a Firearms Review Board when appropriate.

B. An accidental discharge of a firearm that does not result in injury or death shall be investigated and reviewed by the affected officer's chain of command. In those instances where a Firearms Review Board is not convened, the affected officer's Bureau Commander shall make a recommendation to the Chief of Police as to whether or not discipline or corrective training is necessary. A completed report shall be forwarded to the Deputy Chief of Administration.

VI Citizen Observer

A. The Mayor shall appoint a Citizen Observer to the Firearms Review Board to observe and report on the proceedings of the Board.

1. In addition to possessing the qualifications set forth in Section 3E of Ordinance Number 118482, the Citizen Observer shall possess the following qualifications and characteristics:
   a. Demonstrated professional experience in criminal justice and/or constitutional law, and,
   b. Some experience in fact-finding.
2. The Citizen Observer shall be a non-voting observer and shall comply with all of the provisions of Ordinance 118482.
   a. The Citizen Observer shall be excused during the deliberations and voting of the Firearms Review Board.

B. The Mayor shall appoint an alternate Citizen Observer who will serve in place of the Citizen Observer where the Citizen Observer is unavailable and/or is unable to serve.
   1. The alternate Citizen Observer shall be selected in the same manner as the primary Citizen Observer.

C. The subject employee or the subject employee's bargaining representative may request that the Citizen Observer not attend and/or observe the proceedings of the Firearms Review Board in a particular case if there are concerns related to an appearance of fairness, or if the Citizen Observer is demonstrated to have violated the confidentiality provisions of the Ordinance, or if there are other concerns of similar gravity.
   1. Such a request shall be made within five days after receiving notification of the hearing.
   2. When such a request is timely made, the alternate Citizen Observer shall be used for the hearing.

VII Bargaining Representative Observer

A. A representative of the subject employee's bargaining unit shall serve as a non-voting member of the Firearms Review Board, in the same capacity, and subject to the same limitations, as the Citizen Observer.
   1. The representative of the subject employee's bargaining unit will be excused during the deliberations and voting of the Firearms Review Board.

B. The representative of the subject employee's bargaining unit who serves as the non-voting member of the Firearms Review Board shall not be the same representative who represents the subject employee before the Firearms Review Board in accordance with RCW 41.56.

PURPOSE

To give effect to the Department policy that all officers must meet minimum firearms qualification standards as a condition of employment. Therefore, the Firearms Qualification Review Board (FQRB) shall, upon request, review the circumstances of officers who are reassigned to administrative positions for failing to meet minimum firearms qualification standards after remedial training. After this review, the Board shall make a recommendation to the Chief of Police.

I. Board Membership

A. The Board shall consist of the following members:

1. One member appointed by the Chief of Police, who shall be designated as Chair of the Board,

2. A bargaining unit representative from the Seattle Police Officer's Guild or the Seattle Police Management Association, and

3. The Commander of the Training Section, or a representative from that section.

II. Procedures

A. After an officer fails to qualify during remedial training, the officer shall immediately be reassigned to an administrative position.

B. After placing an officer on administrative assignment, the City shall notify the appropriate bargaining unit of the officer's failure to qualify.

C. The officer may request review of the reassignment for failure to qualify by submitting a *Memorandum* to the Chief of Police, requesting that a Firearms Qualification Review Board be convened.

1. The *Memorandum* must be submitted no later than two (2) business days after the conclusion of the remedial training.

2. Officers who fail to submit the *Memorandum* on time shall be deemed to have waived the right to seek review.

3. Whether or not there is an appeal, the FQRB may review the circumstances of any officer's failure to qualify following remedial training.

D. The Firearms Qualification Review Board will meet within (14) days of receiving a request for a review.

1. The officer filing a request for review shall be notified of the meeting and afforded the opportunity to attend.

2. The Board shall consider any written or oral information presented by the officer.

III. Recommendations

A. The Firearms Qualification Review Board shall make a recommendation to the Chief of Police within seven (7) days of the conclusion of the Board's review.

1. The recommendation shall address:

   a. Reassignment of the officer, and

   b. Other reasonably available training options to assist the officer in meeting minimum qualification standards.

PURPOSE

The Seattle Police Department Employee Recognition Awards Program will formally recognize and reward exceptional performance and outstanding contributions made by the sworn and civilian employees of this Department during each calendar year, and the process will be guided by our Mission, Vision and Core Values.

I. Eligibility

A. All permanent, full time or part time Seattle Police Department employees or temporary employees having at least 3 years with the Department are eligible to participate in the Awards Program.

II. Awards Process

A. Employee Recognition Committee (ERC)

1. An Employee Recognition Committee (ERC) shall be established to oversee the Employee Recognition Awards Program.
2. The Human Resources Bureau will select the ERC members and have lead responsibility for the Committee. The ERC should have representatives from each of the bureaus which may include civilian, sworn, management and support staff members of the ERC will serve 3 year terms.
3. The ERC will meet as needed and as determined by the Human Resources Bureau to initiate the nomination process, review nominations, select the award recipients, and coordinate the awards ceremony.

B. Award Categories

1. Medal of Valor
   a. Awarded to sworn employees who knowingly perform conspicuous acts of courage under life threatening circumstances so that others might live.
2. Medal of Courage
   a. Awarded to civilian employees who take action during an emergency with the intent to save a life, help the injured, or assist law enforcement.
3. Outstanding Public Service
   a. An individual recognized for going above and beyond the expectations of their position which impacted a problem, issue or event.
4. Excellence
   a. Consistently demonstrated exceptional work performance which made positive contributions to the Department.
5. Community Ambassador

a. Cultivated a productive working relationship between community members and the Seattle Police Department.

6. Inspirational

a. Consistently promoted a can-do approach which inspired others to achieve performance excellence.

7. Innovation

a. Developed a creative solution to a long standing problem which embodied the characteristics of courage, risk-taking and/or perseverance.

Note: The ERC may add, delete, or change categories or definitions as necessary.

C. Nomination Process

1. This is an employee generated awards program in which any Department employee may nominate another eligible Department employee or work group based on the seven award categories. A work group may consist of a team, work unit, squad or combination of individuals working together.

2. The ERC will publicize the Awards Program and nomination process and distribute the nomination packets throughout the Department.

3. The nominator must complete the nomination form and return it to the ERC by the specified deadline. In addition, the nomination form should include a detailed description of why the nominee qualifies for the award. The nominator is responsible for identifying two additional references. The nominator must give each reference a Nomination Reference Form to be completed by the reference and submitted to the ERC by the specified deadline.

4. At the conclusion of the nomination period, the ERC will review the nominations and select the award recipients.

D. Selection Process

1. Award nominations will be reviewed by the Nomination and Selection sub-committee of the ERC. The sub-committee will evaluate and select the finalists through a “blind selection process” in which the nominations reviewed will be absent the nominee’s identity. This will provide a consistent, unbiased and credible selection of the award recipients. The recipients will be selected based on the merits of their achievements.

2. The sub-committee will present the finalists to the full ERC who will approve the final selection for each of the categories. The award recipients will be notified, and the selections will be publicized Department-wide.

E. Awards Package

1. The Chief of Police will present the awards package to each award recipient at the annual Employee Recognition Awards ceremony. The awards package may include an engraved memento, gift certificate, paid day off and/or a certificate of appreciation. The ERC will determine the awards package on a yearly basis.

PURPOSE

The Personnel Assistance Committee, established by the Chief of Police, is responsible for assisting employees involved in critical incidents or other traumatic events, and for developing and initiating a personnel assistance policy to aid each employee and the employee's family after the incident.

I. Committee Members

A. The committee shall consist of:

1. The Bureau Commander to which the individual is assigned, who shall serve as Chair,
2. The Department's Legal Advisor,
3. The consulting psychologist,
4. Member(s) of the Chaplain Corps, and
5. Other appointed employees or volunteers.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.317	I - Administration	317 - Police Charity Committee

PURPOSE

The Seattle Police Employees Charity Committee, accountable to the Chief of Police, shall be responsible for the solicitation, collection, and distribution of the Seattle Police Charity Fund.

I. Committee Membership

A. The Seattle Police Employees Charity Committee shall be a fair representation of the number of both sworn and civilian members of the Seattle Police Department. The committee shall be composed of ten sworn members and seven civilian members, in addition to the chairperson.

1. A Chairperson holding the rank of lieutenant or above shall be appointed by the Deputy Chief of Administration.
2. Committee membership requires that the member be a current contributing member to the Seattle Police Charity Fund.
3. Sworn and civilian members shall be nominated by the current standing committee, with final approval for their participation coming from their Bureau Commander.

II. Charity Fund Contributions

A. Any Seattle Police Department employee may contribute to the Seattle Police Charity Fund. Contributions shall be through payroll deduction by a method selected by the Department employee. Several options are available for deduction; please contact payroll or a charity committee member for those options and a payroll deduction form.

I. Definitions

A. Coordinating Officer

1. Rank of Lieutenant,
2. Assigned by the Bureau Commander of the Deceased,
3. Acts as the coordinator for all necessary arrangements.

B. Liaison Officer

1. Assigned by the Coordinating Officer.
2. Close personal friend of the victim within the Department.
3. Serves as a liaison assisting the family.

C. Event Officer

1. Honor Guard Commander.
2. In charge of organizing the funeral and associated ceremonies.

II. Coordinating Officer Duties

A. Determine if the officer's spouse or family is in need of monetary assistance.

1. Available funds:
   a. Police Relief $5,000, and
   b. Police Guild $2,500.
2. If there is no immediate need for funds, wait so that all the insurance claim forms can he handled at one time. This includes Social Security, Veteran's Assistance Benefits, and City of Seattle Death Policies.

B. Assign a plain car for full-time use until the tasks are completed.

1. Use to transport the family until after the funeral.

C. Gather the property from the officer's locker and prepare a written inventory.

1. Assign an officer to assist and record items.
2. Check with spouse or family for disposition of property.
3. Return city property to the Evidence Unit.
   a. Complete in a timely manner so that the last pay check can be issued.

D. Check with Personnel Services Section regarding benefits.

1. Obtain and complete all necessary forms.
2. Take forms to spouse or next of kin for signature after the funeral.

3. The following documents are required in order to process claims:
    a. Marriage certificate, if applicable.
    b. Birth certificate of any children.
    c. Certified copies of death certificate.
5. Contact the deceased officer's spouse or family to determine if they desire our assistance and inform them what services the Department will provide.
    a. Evaluate if security measures are needed at family's home.
6. Determine which city officials will attend the funeral.

III. Event Officer

A. Meet with the family and discuss funeral and other ceremony arrangements. Determine the type of funeral, burial or cremation, and how much Department participation is requested by the spouse or next of kin.
    1. Coordinate with Department Chaplain.

B. Mortuary
    1. Spouse or next of kin must make arrangements.
        a. Sign paperwork.

C. Funeral and Memorial Services
    1. Date and time
    2. Location
    3. Pallbearers
        a. Furnish a list to the mortuary.
        b. Make honorary pallbearer assignments.
        c. Notify all pallbearers.
    4. Seating Plan

D. Honor Guard
    1. Arrange for Color Guard.
    2. Request mutual aid from other police agency Honor Guard units.

E. Develop event plan with the assistance of the Special Deployment and Planning Unit
    1. The Special Deployment and Planning Unit will:
        a. Assist in writing the plan,
        b. Arrange transportation,
        c. Assign support personnel,
        d. Develop traffic control and escort plan with the assistance of Traffic Unit, and
            (1) Traffic Unit will coordinate traffic plan with other jurisdictions as needed.
            (2) Develop parking plan(s).
        e. Provide other planning support as needed by Event Officer.

F. Brief Chief of Police or his designee, on the funeral ceremony.

G. Ensure that teletype notification of the funeral is sent.

H. Place information in the Department Notices including the following information:

1. Time and place of services and burial
2. Whether family wishes flowers or memorials,
3. Uniform of the day, and
4. Any other pertinent information.

POLICY

The Honor Guard shall provide official Department representation at ceremonial occasions as directed by the Chief of Police or his designee. These occasions include, but are not limited to: officers killed in the line of duty, officers that die during service, officers that die after retirement, out-of-agency services (e.g., citizen honorariums, parades, civic events), and National and State memorial services (e.g. National Law Enforcement Memorial Week, Washington, D.C., Medal of Honor Awards, Olympia, WA, etc.).

The Honor Guard shall aspire to highest level of professionalism in all aspects of operation. Individual members shall maintain the highest standards of integrity.

I. Command Structure

A. Deputy Chief of Operations

1. Responsible for the overall administration of the Honor Guard.
2. Will designate two members of the Honor Guard as Honor Guard (Unit) Commanders.

B. Honor Guard Commanders

1. Responsible for planning, organizing, staffing, training, directing, controlling, and coordinating all ceremonial Honor Guard functions.
2. Shall serve as Department coordinators for all "Killed In The Line of Duty" services.
3. Shall designate a Detail Commander.

C. Detail Commander

1. The Detail Commander shall be responsible for:
   a. The overall operation of the Honor Guard at a particular event in the absence of a Honor Guard Commander,
   b. Assignment of personnel to a detail,
   c. Formal notification of assignments through tele-communications or Department mail,
   d. Making arrangements for transportation, equipment, lodging, expenses, etc., and
   e. Operation and completion of the detail, i.e., inspection of personnel and equipment, compliance with rules and regulations, ceremonial protocol, etc.

D. Honor Guard's Quartermaster

1. One member will be appointed by the Honor Guard Commanders to serve as Quartermaster. The Quartermaster will be responsible for:
   a. Equipment and uniform acquisition and dispersal, and
   b. Maintenance of all records under their control.

II. Membership

A. The Honor Guard shall consist of at least 25 members (including the two Honor Guard Commanders). Members shall be sworn officers and may be from any section within the Department.

B. Qualifications

1. Satisfactory completion of the police officer probationary period as determined by the Personnel Section.
2. No excessive sick time usage. Sick time use must not exceed Department averages.
3. No excessive tardiness for work.
4. Supervisor recommendation.
   a. The applicant's immediate supervisor (Sergeant or above) must submit a written recommendation approving the officer's application for membership in the Honor Guard. Supervisors should consider the applicants work and attendance records.
5. No sustained findings related to Department charges for the 12 months preceding the application and no discipline action pending at the time of application.
   a. Department charges are defined for this section as charges that would tend to bring dishonor to the Honor Guard.
6. Ability to maintain military bearing while performing tasks in adverse conditions for prolonged periods of time.
7. Successful completion of an oral board interview.
8. Willingness and ability to respond to Honor Guard assignments, training, and other details with minimal notice.

III. Member Responsibilities

A. Membership in the Honor Guard brings with it certain responsibilities. These responsibilities include, but are not limited to:

1. Maintaining all issued equipment and uniforms in excellent condition,
2. Returning all issued uniforms and equipment in excellent condition to the Honor Guard's Quartermaster when membership in the Honor Guard has ended,
3. Maintaining outstanding personal appearance,
4. Attending all assignments, training and other details as assigned, and
5. Proper performance of assigned duties.

B. Duty Assignments

1. Honor Guard members designated to participate in an approved function shall first be selected from available members on shift at the time of assignment. Approved participation in an Honor Guard function shall be considered a duty assignment.
2. All *Overtime Requests* shall be approved by a Honor Guard Commander and forwarded for final review and approval to the Deputy Chief of Operations.

C. Training

1. The Honor Guard will be authorized at least six scheduled training sessions annually and additional practices as needed for a "Killed In The Line Of Duty" service. Scheduled training sessions will be

published in the official SPD Notices at least one week in advance of the training session. Additional training sessions and practices must be approved by the Deputy Chief of Operations.

2. Members are expected to attend all training and practice sessions and to make themselves available for Unit details. Members who fail to attend three practices or who decline three Honor Guard assignments in any given calendar year shall be subject to removal from the Honor Guard.

D. Removal

1. Any member who fails to fulfill their obligation to the Honor Guard as identified in this manual section may be removed from the Unit after an appropriate review by:

   a. Both Honor Guard Commanders, and

   b. The Deputy Chief of Operations.

IV. Uniforms and Equipment

A. Restrictions

1. The official Seattle Police Department Honor Guard Uniform will not be worn at any unauthorized function without prior written approval of an Honor Guard Commander.

   a. For the purposes of this section, an unauthorized function is one to which a member has not been assigned by a Honor Guard Commander as an official representative of the Honor Guard.

B. Replacement / Repair

1. No more than two uniform replacements will be permitted per calendar year for the Unit.

2. Uniform and equipment repair will be made as needed.

3. Purchase or replacement of other equipment will be authorized only on a need basis.

4. All requests for disbursement of funds will be enumerated on a *Purchase and Supply Request* (form 1.5) and forwarded through an Honor Guard Commander to the Deputy Chief of Operations for final approval.

5. The Honor Guard's Quartermaster will coordinate all uniform and equipment needs, and will ensure that equipment is maintained in proper condition.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.321a	I - Administration	321a - Honoring Those Killed in the Line of Duty

POLICY

The Seattle Police Department has a long tradition of honoring officers who have given their lives in the line of duty. No greater sacrifice can be asked, and there is no more solemn an occasion than the tragic loss of a police officer. The Department and its members pay tribute to fallen officers and in a demonstration of respect and honor shall adhere to the protocols set forth. Other protocols may be established as circumstances dictate.

I. Definitions - General Information

A. Badge of Mourning: The Seattle Police badge, with a one-half inch (1/2") wreath of black tape, or similar material, affixed horizontally across the center.

B. Local Agency: A law enforcement agency in King, Pierce, or Snohomish counties.

C. On May 15, of each year, all police facility flags will fly at half-mast in recognition of Peace Officers Memorial Day.

D. The Chief or his designee shall designate the uniform of the day for all "Killed in the Line Of Duty" services.

E. Variance from this manual section shall be made only by the Chief or his designee.

II. Seattle Police Officers and Firefighters

A. The badge of mourning shall be affixed immediately after the death of an officer or firefighter, and will remain until 72 hours after internment or memorial service.

B. All flags at police facilities shall be lowered to half-mast at the time of death and will remain at that position until 72 hours after internment or memorial service.

1. A traditional banner may be affixed to police facilities recognizing the fallen officer. These banners are made of cloth or nylon and are blue and black in color.

III. Other Local Agencies

A. The badge of mourning will be worn only on the day of death and again on the day of internment or memorial service.

B. Flags will not be lowered.

IV. Other Washington Jurisdictions

A. The badge of mourning will be worn only when directed by the Chief or his designee.

B. Flags will not be lowered.

V. Jurisdictions Outside Washington

1. No local observance.

2. Officers attending services will wear a badge of mourning only while enroute to or from, and while actually attending, the service.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.325	I - Administration	325 - Department Publications

POLICY

It is the policy of the Seattle Police Department to maintain a formal written system of directives and publications to meet statutory requirements, to keep Department members informed of policy, any changes in law, and to meet the goals of the Department. Any formal publication issued and signed by a command level officer shall have the effect of Department regulation.

Directives, Special Orders, Notices, Personnel Orders, Department Manuals, Legal Bulletins and Training Topics are official Department publications dealing with policies, procedures, conduct, and matters of general importance. Employees shall read and be held accountable for orders and information published therein. All Department publications are issued under the authority of the Chief of Police.

I. Definitions

A. Special Orders: Written orders that announce mandatory training and event assignments for affected employees.

B. Bureau Directives: Written directives which are developed within a Bureau; reviewed by the Bureau's chain of command; and approved by the Bureau Commander prior to publication. These directives apply only to the Bureau.

C. Departmental Directives: Written directives, which are created, reviewed and approved by the Bureau Commander. Because the information crosses Bureau boundaries, the Chief of Police must approve and sign the directive prior to publication. These directives apply to all Department employees.

D. Training Topics: Written topics that provide guidelines and Department approved methods for specific areas of Department administration, operational procedures and preliminary investigations.

E. Department Notices: Written or electronic notices that provide general information for all Department employees. Examples include retirement announcements, positions available and death notifications.

F. Personnel Orders: Written orders announcing the official appointment, promotion, transfer of assignment, classification change, name change or separation of employees.

G. Legal Bulletins: Notices that are intended to be used as a training aid. They are educational and referential in nature.

H. Provisional or Interim Policies: Policies that are issued prior to the completion of the formal policy review process. These policies shall remain in effect only until that formal process is complete.

I. Department Manuals: Manuals providing procedural guidance for the daily operation of Department employees.

1. The Department Policy and Procedure Manual shall be published and maintained by the Inspections and Procedures Unit and shall be issued in either printed or electronic form to all Department employees.

   a. The electronic version of the Manual is the most current, and should be reviewed after using the printed manual to verify that the information is up to date.

b. Members are encouraged to submit suggested changes, additions or deletions to the Manual. These suggestions or proposals for revision should be submitted by memorandum through the employee's chain-of-command to the Deputy Chief of Administration, and should include any supporting documentation.

2. Bureau Manuals shall be published and maintained by each bureau and shall apply to all bureau employees. A copy of the Bureau Manual shall be forwarded to Inspections and Procedures for archival purposes.

3. Section/Unit Manuals shall be published and maintained by the appropriate commanding officer, and shall apply to those employees assigned to the specific section/unit. A copy of the Section/Unit Manual shall be forwarded to Inspections and Procedures for archival purposes.

II. Directives

A. Departmental Directives are limited in purpose for the following criteria: Legal changes, changes in Department policies and procedures, and Bureau Operational Orders.

B. Departmental Directives shall be approved by the originating Bureau chain of command and signed by the Chief of Police before publication.

1. An electronic copy of the approved Directive must be forwarded to the Ethics and Inspections Section prior to publishing (either e-mail or diskette). The Ethics and Inspections Section shall review the Directive to ensure that all Department publications are in compliance with current Department policies and procedures.

2. On occasion, Departmental Directives will announce "interim" policies. These policies will remain in effect pending the adoption of a permanent policy. "Interim" policies shall be used when the Department must respond to an issue or situation prior to the completion of the normal policy generation process. The Department will not knowingly issue a policy that either infringes on the legal rights of employees or violates any current collective bargaining agreement. In the event it becomes clear that an "interim" policy inappropriately impacts employees, the policy will be retracted or revised, as appropriate.

C. Bureau Directives shall be approved through the appropriate chain of command and signed by the Bureau Commander before publication.

III. Publications

A. Directives

1. The Director of the Records and Evidence Section shall be responsible for the publication and distribution of Department Directives.

2. Department Directives shall be issued to all Captains and above, including civilian managers. These employees receiving Directives shall complete the written acknowledgment portion of the Directive and return it to the Inspections and Procedures Unit.

3. Captains and their civilian equivalents shall disseminate the content of Directives to all subordinate employees. At a minimum, this will include distributing a "hard copy" to each sergeant. This duty may be delegated to the sergeants or civilian supervisors, and accomplished through normal briefings or roll calls; however, the responsibility remains with the captain or civilian equivalent. A record of this shall be created by having each employee initial a "distribution roster". A "distribution roster" may be in the form of a watch roster, timesheet or other personnel roster, so long as the Directive name and number appear at the top of the form. Completed "distribution rosters" shall be forwarded to the Inspections and Procedures Unit. When returning from furlough, vacation, leave, etc., employees shall review any Directives published during their absence.

4. Sections and Precincts shall maintain an accessible master file, numerically ordered, of SPD Directives for the current calendar year plus the previous calendar year.

5. The Employment Services Section shall brief all new employees during orientation on their responsibilities concerning Directives.

6. The Inspections and Procedures Unit shall maintain the acknowledgment receipts and distribution rosters with the original Directive. This file will be maintained until the Directive is either rescinded or incorporated into the SPD Manual.

B. Special Orders

1. The Director of the Records and Evidence Section shall be responsible for the publication and distribution of Special Orders.

   a. The orders shall be distributed to all Captains and their civilian equivalents, who shall disseminate the content of the orders to all affected subordinate employees. The same distribution documentation protocol outlined in (A) (3) above shall be utilized with Special Orders. Completed distribution rosters and written acknowledgements shall be returned to the issuing Section or Bureau.

2. Special Orders shall be used to notify all assigned personnel of special events, mandatory training and all other special assignments to Department events and shall have the force and effect of Department regulations.

   a. The Operations Bureau 2 commander will issue any Special Orders concerning staffing for regularly scheduled sporting events.

   b. The Training Captain will issue the Special Orders for mandatory training conducted by that section.

   c. The Special Deployment Captain will issue all Special Orders for Bureau wide or Department wide assignment of personnel as directed by the Chief of Police.

3. Special Orders shall be numbered and maintained on file by the issuing Section or Bureau.

   a. The retention period shall be the current year plus one.

   b. Distribution rosters and written acknowledgements shall be maintained in the file with a copy of the Special Order.

C. Personnel Orders

1. The Director of Human Resources shall be responsible for the publication and distribution of Personnel Orders.

D. Notices

1. The Director of the Records and Evidence Section shall be responsible for the publication and distribution of Department Notices. Notices are distributed via Groupwise e-mail.

IV. Training Topics

A. Training Topics shall be issued to all sworn personnel within their Department Training Manual. When matters of official policy, rules, and procedures are definitely stated within a Training Topic, such matters shall have the force and effect of Department regulations, and shall be distributed Department-wide to all concerned employees.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.324	I - Administration	324 – Department Forms Control

POLICY

The Inspections and Procedures Unit is responsible for the control of forms utilized by the Department, except for forms used exclusively by one unit. The Forms Control Officer shall maintain a master file of Department forms.

I. Creation, Revision, and Approval of Department Forms

A. Any Department member may originate requests for creation, revision, or discontinuance of Department forms.

B. Prior to generation of a new form, employees of the Department shall contact the supervisor of the Inspections and Procedures Unit to determine if a form currently exists which may serve in the place of an additional form.

C. Employee requests shall be submitted through the chain of command to the originating employee's Assistant Chief. The request must establish the need for the form and include a draft of the form. The Assistant Chief will make a determination upon the merits of the request. Approved requests will be forwarded to the Inspections and Procedures Unit.

D. The Inspections and Procedures Unit shall coordinate the final draft with the Deputy Chief of Administration, who has final approval authority.

E. Upon final approval, the Inspections and Procedures Unit will assign a form number if required, and add a hard copy of the form to the master file of Department forms. The Inspections and Procedures Unit will also maintain an electronic version of the form, if one is available.

II. Review and Modification

A. Section Commanders shall review all forms utilized within their command, and shall recommend modification or discontinuation of any form as appropriate. Such recommendations shall be submitted in writing through the chain of command to the Inspections and Procedures Unit.

III. Printing and Ordering of Forms

A. Forms used throughout the Department will normally be stocked, distributed, and reordered by the Quartermaster.

B. Unit specific forms will be maintained and ordered by the unit.

C. All requests for print forms will be sent to Fiscal for authorization.

I. Definitions

A. Outgoing correspondence: Any official communication by letter emanating from the Department.

B. Original letter: Any original correspondence from the Office of the Chief of Police, Deputy Chief, Bureau Chief or Section Commander.

C. Form letter: All printed correspondence sent out from any segment of the Department under the signature of the Chief of Police, Deputy Chief, Bureau Chief or Section Commander.

II. Requirements

A. Bureau and Section Commanders shall:

1. Ensure that all personnel comply with the established format for original and form letters,

2. Be the approving authority for all outgoing correspondence originating from their respective Bureau or Section, and

3. Provide copies of, and requests for, all printed form letters to the Ethics, Inspections and Media Relations Section, prior to ordering the printing of any form letter.

B. The Ethics, Inspections and Media Relations Section shall:

1. Maintain a complete and accurate file of all form letters in use by the Department, and

2. Design all new and reordered form letters to ensure that they conform to the established format.

III. Memorandums

A. Official written communications within the Department shall be by *Memorandum.* (See page 2 for a sample *Memorandum.*)

1. The sender shall initial next to their name in the "from" block.

2. If practical, first names, rather than initials, shall be used.

IV. Outgoing Correspondence

A. All original letters shall be in the following format: (See page 3 for a sample letter.)

1. On Department letterhead stationary, and

2. Block text with mixed punctuation.

SEATTLE POLICE DEPARTMENT MEMORANDUM

TO Officer John Doe
Patrol

DATE December 11, 2000

FROM R. Gil Kerlikowske
Chief of Police

SUBJECT Commendation

(Text of memo single-spaced, block paragraphs, left aligned)

(Paragraphs separated by 1 line)

cc: (4 lines below last paragraph, if needed)

City of Seattle

Gregory J. Nickels, Mayor

Seattle Police Department

R. Gil Kerlikowske, Chief of Police

Mr. John Smith
1234 Maple Street
Seattle, Washington 98101

Dear Mr. Smith:

(body of letter in block paragraphs aligned at left margin)

(paragraphs separated by double spacing)

Sincerely,

R. Gil Kerlikowske
Chief of Police

BD:sks (drafters initials/typist's initials)

cc: (names/units copies provided to)

If correspondence is to be signed by another Department employee:

Sincerely,

R. Gil Kerlikowske
Chief of Police

Department Employee's Name
Employee Title

BD:sks

cc:

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.333	I - Administration	333 - Department Records Access, Inspection and Dissemination

POLICY

Employees shall treat all official Department business and records as confidential and shall not discuss or impart information to any person who is not a member of the criminal justice system (prosecuting attorney, court, etc.) without the permission of the Chief of Police, or by due process of law.

I. Authority - Public Records

A. State law (RCW 42.17) requires that all public records shall be available for inspection and copying. The measure also describes ground rules concerning indexes to records, exemption for certain records, mandatory protection of "Right to Privacy," copying charges to the public, hours of availability, and review procedures for denials.

II. Definitions

A. Public Records: Includes any paper, correspondence, completed form, bound record book, photograph, film, sound recording, map drawing, machine-readable material, or other document, regardless of physical form or characteristics, and including such copies thereof, that have been made by or received by any agency in connection with the transaction of public business. Public records shall be classified as official public records, office files, and memoranda.

B. Official public records: Includes all original vouchers, receipts, and other documents necessary to isolate and prove the validity of every transaction relating to the receipt, use and disposition of all public property and public income from all sources whatsoever; all agreements and contracts to which the State of Washington or any agency thereof may be a party; all fidelity, surety, and performance bonds; all claims filed against the State of Washington or any agency thereof; all records or documents required by law to be filed with or kept by any agency of the State of Washington; all legislative records as defined in RCW 40.14.100; and all other documents or records determined by the records committee, created in RCW 40.14.050, to be official public records.

C. Office files and memoranda: Shall include such records as correspondence, exhibits, books, booklets, drawings, maps, completed forms, or documents not above defined and classified as official public records; duplicate copies of official public records filed with any agency of the State of Washington; documents and reports made for the internal administration of the office to which they pertain but not required by law to be filed or kept with such agency; and other documents or records determined by the records committee of the State of Washington to be office files and memoranda.

D. Invasion of privacy: Occurs when a person's right to privacy is invaded only if disclosure of information about the person:

1. Would be highly offensive to a reasonable person, and
2. Is not of legitimate concern to the public.

III. Responsibilities

A. All Department personnel are responsible for following the guidelines established in this manual section. They shall provide the fullest assistance to citizen requests for access to public records within the ground rules outlined herein.

B. The Records Information Manager shall be responsible for maintaining the Public Records Inspection and Copying Procedure and Index.

C. Each unit within the Department shall provide a listing of each record series in that unit, in accordance with the Records Inventory Retention Schedule. (See section 1.341 - Records Inventory, Retention, and Disposal.)

D. The Internal Records Committee shall be responsible for approving and auditing Department procedures on a periodic basis.

IV. Inspection/Copying Procedures

A. Citizens requesting access to public records shall be directed to the Records Files Unit supervisor, 4th floor, Public Safety Building.

B. Customary office hours for inspection and copying shall be from 0800 hours to 1700 hours, Monday through Friday, excluding legal holidays.

C. A copy of the Public Records Index for the Seattle Police Department shall be made available to the public during customary office hours for inspection and copying.

NOTE: Public records shall be made available without disrupting the essential functions of the office.

D. The Supervisor in the Records Files Unit shall maintain custody of the Public Records Index and be responsible for its integrity and handling during all inquiries made by the public.

E. Upon request by a citizen, a citizen's representative, or the representative of an outside agency, to obtain access to a certain record or record series, the Supervisor in the Records Files Unit shall have the requester complete an official request form and shall forward that request to the Director of the Records, Evidence, and Identification Section.

F. The Director of the Records, Evidence, and Identification Section shall review all requests and contact the commanding officer of the unit having direct control of the record series involved, who shall in turn, advise as to whether the records requested have been indexed as exempt.

G. In either case, the Director of the Records, Evidence, and Identification Section shall complete the request form and forward it to the Supervisor in the Records Files Unit within five (5) business days. Upon receiving the request, the Department must respond by either providing the record or advising the individual of when they may expect the Department to respond to the request.

H. When the requesting party returns, they shall be given a copy of the completed request form and if the request was granted, the requested records or record series shall be forwarded to the Records, Evidence, and Identification Section by the individual unit having control of the particular records in question. The Records, Evidence, and Identification Section shall then present the records to the requester for review/copying.

I. The original request form shall be filed in the appropriate record/series and a name log shall be maintained by the Records, Evidence, and Identification Section.

J. Copies of identifiable public records shall be provided according to existing regulations (RCW 42.17.300).

V. Refusing Access to Public Records

A. To refuse access to a record, or part of a record, a written statement shall be made available stating the specific exemption authorizing the withholding of the record (or part) and a brief explanation of how the exemption applies to the record withheld.

B. The commanding officer of the unit having direct control of the record series shall forward the written statement to the Director of the Records, Evidence, and Identification Section within a reasonable time frame.

C. The requester shall be told that should they object to the denial of a request, they may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement of the commanding officer of the unit who denied the request and be forwarded to the Director of the Records, Evidence, and Identification Section.

D. The Director of the Records, Evidence, and Identification Section shall present both the statement of denial and request for review to the Office of the Chief of Police. The Chief of Police shall make final determination of whether or not the record is to be exempt from disclosure or whether the requester has a bona fide reason for access to the record. If the final decision is to deny the request, the written response shall include a statement specifying the reason(s) for denial. In any case, the request shall be returned with a final decision within two (2) working days following the Chief's decision.

VI. Records Exempt From Public Inspection

A. State law (RCW 42.17.310) exempts the following types of records from public inspection and copying:

1. Personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy,

2. Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, and State agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy,

3. Information revealing the identity of persons who are witnesses to or victims of crime or who file complaints with investigative, law enforcement, or penology agencies; if disclosure would endanger any person's life, physical safety, or property. If at the time a complaint is filed the complainant, victim, or witness indicates a desire for disclosure or nondisclosure, such desire shall govern, and

4. The residential addresses and residential telephone numbers of employees or volunteers of a public agency which are held by the agency in personnel records, employment or volunteer rosters, or mailing lists of employees or volunteers.

VII. Criminal Justice Research

A. Policy

1. Within the context of various constraints (legal, monetary, and personnel required), the Seattle Police Department encourages research in the criminal justice area and encourages research which directly benefits the Department.

2. Police files shall be accessed by Departmental personnel only. Where significant time is involved, actual Departmental personnel costs shall be reimbursed on an overtime basis.

3. Agreement for release of any Department data, including criminal history record information for research, evaluative, or statistical purposes shall be made in writing. Any research requests for criminal history shall be in conformance with WAC 446-20-420, Model Agreement for Research, Evaluation or Statistical Purposes.

B. Request Procedures

1. Agencies or individuals desiring use of police records for research shall submit their requests in writing to the Chief of Police.

2. The Ethics, Inspections & Grants Section shall coordinate research requests with the Chief of Police, Legal Advisor, and the Bureau or Section which will be affected by, or benefit from, the research project.

3. The Ethics, Inspections Section shall analyze each request with regard to the following:

   a. Right to privacy issues,

   b. Ensuring the request allows for protection of individuals as provided by law, e.g. Juvenile Records information (13.50.010)

   c. The extent to which the research product, by design, will be beneficial to the criminal justice system or the Department,

   d. Determining if the information requested is available, and

   e. Estimated costs of such research.

4. If approved, the Research and Grants Manager shall prepare a research agreement for signature by the Department and the researcher, which shall specify security and privacy measures regarding data, and providing for fees, if any, to be paid to the Department for search and copy costs.

   a. The research agreement shall be patterned from the WAC 446-20-420, Model Agreement for Research, Evaluative or Statistical Purposes.

5. Personnel time, computer file research, and copy costs shall be forwarded to the Fiscal, Fleet, and Property Section for billing and reimbursement.

VIII. Personnel Records

A. An individual file shall be maintained in the Personnel Services Section to preserve all personnel records of each employee. Included in this file are letters of commendation, reprimands, work performance records, and promotional records. All employees shall notify the Personnel Services Section and the Training Section upon the completion of educational/training courses to ensure proper documentation.

I. Definitions

A. Criminal History Record Information: Information contained in records collected by criminal justice agencies, other than courts, on individuals, consisting of identifiable descriptions and notations of arrests, detentions, indictments, information, or other formal criminal charges, and any disposition arising there from, including sentences, correctional supervision, and release. The term includes information contained in records maintained by or obtained from criminal justice agencies, other than courts, which records provide individual identification of a person together with any portion of the individual's record of involvement in the criminal justice system as an alleged or convicted offender, except:

1. Posters, announcements, or lists for identifying or apprehending fugitives or wanted persons,
2. Original records of entry maintained by criminal justice agencies to the extent that such records are compiled and maintained chronologically and are accessible only on a chronological basis,
3. Court indices and records of public judicial proceedings, court decisions, and opinions, and information disclosed during public judicial proceedings, and
4. Records of traffic violations which are not punishable by a maximum term of imprisonment of more than ninety days.

B. Dissemination: Disclosing criminal history record information, or the absence of criminal history record information, to any person or agency outside the agency possessing the information, subject to the following exceptions:

1. Agencies participating in a single (joint) record keeping department,
2. Furnishing information to process a matter through the criminal justice system (information to a prosecutor), and
3. Reporting events to a record keeping agency.

II. ACCESS / Washington Criminal Information Center (WACIC) Certification

A. National Crime Information Center (NCIC) policy mandates that all employees who use terminals that have access to information in WACIC / NCIC files be certified.

1. For inquiries only, employees shall attain Level I certification.
2. If employees make data entries into the system, they shall attain Level II certification.

B. After initial certification, employees shall attend recertification training every two years.

III. Criminal History (WASIS/NCIC) Inquiries

A. Improper use of WASIS (Washington State Identification and Criminal History Section) and NCIC Interstate Identification Index ("Triple I") may result in severe penalties to the Department and the individual user. Therefore, all employees shall adhere to the following WASIS and NCIC policies:

1. Any information obtained through these systems shall not be disseminated to anyone outside the Department, except to a prosecutor. If necessary, officers may confirm to a criminal justice agency the WASIS or FBI number, if it is known,
2. Inquiries into these systems shall not be made in response to a request by another criminal justice agency,
3. The Department computer systems do not automatically log these requests. All "Triple I" inquiries shall be logged by the employee making the inquiry in an NCIC III terminal log. This log is audited by NCIC representatives and shall be available for inspection. The log shall contain:
   a. The requester's full name,
   b. The suspect's name,
   c. The date and time of the inquiry,
   d. The purpose code of "C" (for criminal investigation), and
   e. The single incident number.
4. This system is to be used only by personnel involved in criminal investigations, processing of concealed weapons permits, and applications for transfer of firearms,
5. The NCIC III terminal log shall remain at its assigned computer terminal, and
6. MDTs and PDTs (mobile and portable data terminals) are not authorized to access Triple I information because the terminals are unable to comply with NCIC audit requirements.

IV. Criminal History Dissemination

A. The Washington State Criminal Records Privacy Act (RCW 10.97) provides for the completeness, accuracy, confidentiality, and security of criminal history record information, as well as victim, witness, and complainant record information. Employees shall not discuss or provide information to any person who is not a member of the criminal justice system (prosecuting attorney, court, etc.) without the permission of the Chief of Police, or by due process of law. Violations may lead to criminal sanctions.

B. Criminal Records Release Procedures

1. Criminal history record information dissemination to individuals, agencies, or groups outside the Department shall be administered by the Records, Evidence, and Identification Section.
2. Juvenile record information dissemination to individuals, agencies, or groups outside the Department shall be administered by the Youth Crimes Section.
3. Requests for information shall be referred to the appropriate section.
4. Printouts of criminal history record information from the Department's computerized and manual files are prohibited except when:
   a. Required for a detective investigative file,
   b. Required by a prosecuting attorney,
   c. Required by agencies or individuals authorized by the Records, Evidence and Identification Section access procedures,

d. Required in a mutual criminal investigation with a court or government agency authorized by the Washington State Patrol to receive criminal history record information. The Records, Evidence, and Identification Section shall maintain a current list of agencies so authorized,

e. Authorized by a watch, section, or unit supervisor as required for an investigation or in an emergency.

5. The following information relating to dissemination of criminal history record information shall be maintained by the appropriate section:

a. An indication of to whom (agency or person) criminal history information was released,

b. The date of release, and

c. A brief description of the information released.

C. The disposal of printouts from computer terminals shall be by destruction.

V. Individual Rights of Inspection and Review

A. Policy

1. Individuals shall have the right to inspect and review their criminal history record information maintained by the Department.

2. An individual's right to access and review of their criminal history record information shall not extend to data contained in intelligence, investigative, or other related files and shall not be construed to include any information other than that defined as Criminal History Record Information by RCW 10.97.030.

3. An individual will be provided an opportunity, following review of the criminal history record information collected, stored, and maintained by the Department, to challenge the accuracy and completeness of the data and request deletion of certain non-conviction arrests.

4. If the challenge is rejected, the individual has a right to appeal the decision to the Office of the Chief of Police.

B. Procedures

1. In order to inspect, review, or challenge and have deleted criminal history record information, the individual must appear in person at the 4th floor of the Public Safety Building, 610 Third Avenue, Monday through Friday (excluding holidays) between the hours of 8:00 a.m. and 5:00 p.m., and make a request in writing on the forms provided.

2. Employees are responsible for directing individuals to the Records, Evidence, and Identification Section in order to facilitate review of their criminal history record information.

3. It shall be the duty of the Records, Evidence, and Identification Section managers and supervisors to administer the rules pertaining to an individual's right to review their criminal history record information, concurrent with the aforementioned laws, regulations, and ordinances.

4. A copy of the Department Operating Instruction titled, "Inspection and Review of Criminal History Record Information" and "Challenge and Deletion of Criminal History Record Information" shall be maintained at locations where the public can make inquiries concerning Department procedures.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.341	I - Administration	341 - Records Inventory, Retention and Disposal

POLICY

An efficient records management program shall be practiced and maintained by Department employees. Department records shall be inventoried annually and analyzed for administrative, legal, fiscal, and historical values. In addition, minimum legal retention times shall be determined and recurring disposition schedules established.

I. Definitions

A. Record series: A group of related records performing a particular function which are filed as a unit, used as a unit, and which may be transferred and disposed of as a unit. A record series continues to be a single series even if part of it is in storage, on microfilm, missing by inadvertent destruction, or if new folders or forms make up the series each year, but title and function remain the same.

B. Retention period: A period of time that must elapse before a specific record series is destroyed or is eligible for disposal in accordance with approved schedules.

C. Archival records: A permanent record or records which have only temporary legal, financial, or administrative value, but which are of historical and research value, which are transferred to State archives or one of its regional branches rather than being destroyed.

D. Permanent records: Records which have a permanent or enduring administrative, legal, or fiscal value which should be retained and preserved indefinitely.

E. Official public records: Includes all original vouchers, receipts, and other documents necessary to isolate and prove the validity of every transaction relating to the receipt, use and disposition of all public property and public income from all sources whatsoever; all agreements and contracts to which the State of Washington or any agency thereof may be a party; all fidelity, surety, and performance bonds; all claims filed against the State of Washington or any agency thereof; all records or documents required by law to be filed with or kept by any agency of the State of Washington; all legislative records as defined in RCW 40.14.100; and all other documents or records determined by the records committee, created in RCW 40.14.050, to be official public records.

F. Office files and memoranda: Includes such records as correspondence, exhibits, books, booklets, drawings, maps, completed forms, or documents not above defined and classified as official public records; duplicate copies of official public records filed with any agency of the State of Washington; documents and reports made for the internal administration of the office to which they pertain but not required by law to be filed or kept with such agency; and other documents or records determined by the records committee of the State of Washington to be office files and memoranda.

II. Internal Records Committee

A. The Internal Records Committee, as appointed by the Chief of Police, shall be responsible for the Department's compliance with State law (RCW 40.14), to include providing guidelines to Records Coordinators for their assistance in preparing retention schedules for records destruction authorization and providing the mechanism for an ongoing updating procedure.

B. The Internal Records Committee shall be composed of commanders or representatives from the following:

1. Inspections and Procedures Unit,
2. Crime Prevention Services Section,
3. Criminal Investigations Bureau,
4. Legal Advisor,
5. Finance and Planning Section,
6. Patrol Operations Bureau,
7. Special Deployment and Planning Section,
8. Vice Section,
9. Narcotics Section,
10. Records, Evidence, and Identification Section, Director (Chair), and
11. Secretary - to be assigned.

C. The Internal Records Committee shall approve, disapprove, or modify recommendations on retention schedules of all files of the Department; any modification of a request or recommendation must be approved by the commander of the section or bureau originating the request or recommendation.

D. The Internal Records Committee shall meet as business dictates. Action by the Committee shall be by majority vote.

III. Retention and Disposition

A. The Records, Evidence, and Identification Section Director shall be responsible for maintaining the Department's completed records retention and disposition book.

B. Each Bureau Commander shall designate individuals as Section Records Coordinators and such assignment notice shall be forwarded to the Chair of the Internal Records Committee.

C. The Section Records Coordinators shall be the Records Representatives for their sections. They shall assign Unit Records Representatives whose duties shall include:

1. Providing a listing of each record series in their unit,
2. Conducting inventories of unit records,
3. Recommending retention and disposition schedules of record series,
4. Reporting the results of inventories and appraisals to the Section Records Coordinator and consulting with them regarding the retention and disposition recommendation for each record series, and
5. Conducting periodic audits of retention schedules for records held by their unit.

D. The completed retention schedules shall be forwarded to the Internal Records Committee which shall review the requests and amend retention periods or dates of destruction to comply with legal, fiscal, administrative, research, or historical requirements. If necessary, the Internal Records Committee may suggest alternative classifications for record series.

E. Upon final approval, the Internal Records Committee shall return the original and corrected retention schedule for final signature by the Section Records Coordinator, Section Commander, and Bureau Chief.

F. The Internal Records Committee shall forward the approved and completed records retention schedule, and two (2) additional copies, to the State Records Committee for State approval.

G. Upon final approval by the State Records Committee, the Internal Records Committee shall retain the original approved copy and forward a duplicate to each Unit Records Representative and Section Records Coordinator.

H. Once established, the Records Retention and Disposition Scheduling System must be adequately followed to insure records disposition control in accordance with current legal, operational, and research needs of the Department and of the State. An annual program review and schedule updating procedure shall accomplish this on a regular basis as established by the Internal Records Committee.

I. The State Records Committee requests an annual review and updating of schedules as part of the program. Compliance shall be accomplished through Internal Records Committee procedures during the first quarter of each year.

J. The reporting and scheduling of newly established record series or adjustments to established retention/disposition practices due to operational, legal, or other changes shall be conducted as they occur in accordance with the procedures set forth above.

IV. Disposal of Police Records

A. Policy

1. The majority of Departmental records contain personal names and references to individuals, policies, and police activities protected by City ordinance or State law.

2. The disposal of all incident, case, investigative, and follow-up reports, and other documents containing names of individuals (as subjects, suspects, victims, witnesses, or complainants) shall be by destruction. Such documents shall not be placed in wastebaskets or City recycling containers.

   NOTE: The above requirement applies to all writings, copies, originals, and duplicates whether in manuscript, typescript, data processing, microfilm, computer disks, or any other form.

B. Responsibilities

1. The Police Records Information Manager is responsible for the timely and proper disposal of all original criminal history record information documents including corresponding incident, case, investigative, and follow-up reports, and other documents containing names of individuals as subjects, suspects, victims, witnesses, or complainants.

2. Individual employees are responsible for the proper disposal of copies of the documents referenced above.

3. Each work area shall be provided with a separate container identified as the receptacle for discarding drafts, originals, duplicates, or copies of personal name-related documents.

4. Units possessing shredding equipment shall destroy their own materials and those of closely adjacent units as practicable.

5. Units not possessing shredding equipment shall arrange for transfer of their segregated waste records to a designated central collection point.

6. The Fiscal, Property, and Fleet Management Section shall provide for destruction, as necessary.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
1.345	I - Administration	345 - Computer Software

POLICY

Only legally owned and Department authorized software shall be loaded and run on Department owned computers.

I. Information Technology Section Responsibilities

A. Purchase, or authorize the purchase of, all Department owned microcomputer software.

B. Collect and maintain on file, software licenses for all Department owned software products.

C. Audit the software used on Department computers and remove unauthorized software.

II. Prohibited Activities

A. Violating the License Agreement for any software.

B. Copying Department owned software to any other computer, including other Department owned or home computers.

C. Loading or installing "shareware," "freeware," or "demo" software without express authorization as outlined below.

III. Personal Software

A. Personally owned software may be placed on Department computers only with the expressed permission of the Information Technology Section.

B. Installation of personal software shall be made in concert with the Information Technology Section and must not interfere with the operation of any Department owned software or hardware. If problems arise, personal software shall be removed.

C. License agreements for authorized personal software shall be maintained in the office where it is installed and a copy provided to the Information Technology Section for their files.

IV. Entertainment Software

A. Entertainment software is not authorized on Department microcomputers.

Seattle Police Department
Policies and Procedures

Section 1.349

Title: I - Administration

Chapter: 349 – Use of Department E-mail & Internet Systems

POLICY

The Seattle Police Department provides e-mail service and Internet access for the purpose of conducting Department business. Occasional personal use is permissible if it is consistent with the Seattle Police Department's policies and procedures and the usage standards set by the City of Seattle.

PURPOSE

It is the purpose of this policy to provide employees with guidance on the proper use of Department owned personal computers for the purposes of disseminating electronic mail and utilizing services on the Internet.

I. Guidelines

A. There is no expectation of privacy in the use of Department e-mail or Internet services on Department owned computers. All such e-mail messages and Internet use are considered to be public record and may be subject to discovery.

B. The Seattle Police Department owns the computers, e-mail, and Internet access systems. As such, the Department may monitor and review e-mail/Internet use for compliance with this Section.

C. Department owned e-mail and Internet systems shall not be used to conduct personal for-profit business or to engage in political activity.

D. Department e-mail shall not be used to announce Guild/Union membership meetings or be used for other Guild/Union business.

E. Employees shall not install software on department computers without prior approval by the Information Technology system manager (see Manual Section 1.345 Computer Software).

F. All e-mail communications and Internet use must comply with DP&P 'Rules of Conduct' 1.029 and 'Harassment in the Workplace' 1.129.

II. E-Mail

A. All general distribution messages (e.g. SPDALL) shall be approved by a Lieutenant or above. The general distribution message shall also include the name of the approving Lieutenant and date of approval.

B. E-mail is a primary source for computer virus attacks. Employees should not open e-mail attachments from an unknown source. Employees should contact ITS if they have questions about an attachment.

C. E-mail is not a secure system and should not be utilized for communicating sensitive information.

D. Department supervisors and managers are responsible for ensuring that their staff is familiar with and adhere to the Department's e-mail policy.

III. Internet Use

A. Personal use of the Internet is permitted if it does not interfere with the employee's duties and responsibilities. Personal use should be restricted in time so as not to interfere with the employee's principal duties and functions.

B. Materials that are copyrighted may not be copied, retrieved, modified or forwarded except as permitted by the copyright owner. A single copy of the material may be made for reference use only.

C. Accessing an internet website or sending/receiving e-mail containing material of an illegal, harassing, discriminatory, derogatory, offensive, sexual or pornographic nature is prohibited. An employee may inadvertently connect to an Internet site that contains offensive or illegal material. If this occurs the employee should note the address of the site and then exit the site. Each Unit/Precinct will maintain a logbook to record when an employee inadvertently enters an illegal site or a site that contains offensive material. The employee will log the required information into the logbook and notify their supervisor that the site was contacted and logged. The Unit / Precinct Commander will retain this log and determine if any follow up action is necessary. Any illegal content will be reported to the Internet Crimes Against Children Detail for follow up.

D. Employees shall not use their city e-mail address to subscribe to news groups or to post on electronic bulletin boards.

E. Employees shall not enter chat rooms using Department computers unless it is done as a function of a specific assignment. Specific investigations utilizing Department computers in this manner must receive prior approval from the Section Commander.

IV. Computer-Based Training

A. E-learning is an official City Training opportunity. Seattle Police Department E-Learning Registration/Authorization forms, and the approval process, is located on the SPD Web page under *Online Training*. The following guidelines must be adhered to:

1. Employees may use Department equipment and facilities to participate in an E-learning class.
   Employees may use authorized time during normal work hours to complete an E-learning assignment. No overtime will be allowed.
2. Supervisors shall monitor employee progress and may terminate an employee's participation if the employee is unable to complete the class within the authorized time period.
   Supervisors must schedule an employee's use of equipment and facilities for this purpose in order to minimize disruptions to the employing unit's workload and to co-workers.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
2.001	II - Operational Procedures	001 - Arrest Procedures

POLICY

The Department recognizes the importance of individual dignity. All people have a right to dignified treatment by police officers. An officer must treat an individual with as much respect as that person will allow.

I. General

A. A supervisor shall be notified and the incident reviewed and reported whenever an officer (on-duty or off-duty) arrests or detains a person and such arrest or detention involves:

1. A probable cause arrest (misdemeanor or felony),
2. Handcuffing or removing the person from a scene;
3. Detaining the person for any period of time at a Department facility,
4. Detaining the person for any period of time at a secondary employer's facility (e.g. Safeco Field Security Office), or
5. Detaining the person for an extended period of time outside a Department or secondary employer's facility.

II. Officer's Responsibilities

A. The primary officer involved in the arrest or detention shall notify a sworn Department supervisor (sergeant or above) prior to booking or otherwise releasing control of the person.

B. In cases where a person is arrested or detained for assaulting an on-duty or off-duty officer:

1. A sworn supervisor of the rank of lieutenant or above shall be notified, and
2. The suspect shall not be released until the incident is reviewed by the aforementioned supervisor.

C. The primary officer shall document the incident on the appropriate Department form(s) as soon as practical after the arrest or detention, and in all cases, before going off-duty.

1. In addition to all other pertinent information, the report shall include the name of the supervisor who reviewed the incident and the location where the review took place.

D. When a supervisor is the primary officer or the victim of an assault in an incident where a person has been arrested or detained, the incident shall be reviewed by another supervisor.

III. Screening Supervisor's Responsibilities

A. A review of the incident shall occur in person with the officer prior to the booking or otherwise release of control of the detainee. When screening the incident, the supervisor shall:

1. Review the circumstances surrounding the incident,
2. Review the physical condition of the person arrested or detained,
3. Evaluate the appropriateness of any offense charged,

4. Determine the appropriateness of the disposition of the person arrested or detained. (e.g., booking, cite and release, investigate and release),
5. Ensure that evidence is properly collected and preserved, and
6. Ensure the required Department reports are completed and properly routed.

IV. Routing Reports of Assaults on Officers

A. Forward copies of all reports involving assaults on officers through the chain of command to the level of Bureau Commander.

B. If at the time of the assault, the officer is temporarily working under a chain of command other than their normal chain of command (e.g. Seattle Center event, Seafair or other special event, etc.) forward an additional copy of the reports concerning the incident through the temporary chain of command.

I. Booking Felony Suspects Who Also Have Misdemeanor Charges

A. When booking a person on felony charges where grounds exist for an additional misdemeanor charge resulting from the same incident, do not book the suspect for both the felony and misdemeanor charges. Book the suspect for the felony charge only. Include sufficient details concerning the misdemeanor offense in the narrative portion of the *Incident Report*. Follow-up investigators may then file misdemeanor charges at a later date, if the prosecuting attorney declines to file on the original felony charge.

II. Prisoner Assessment

A. Officers must assess every prisoner being admitted to the jail, and be alert for the following conditions:

1. Injuries or bleeding,
2. Unconscious or comatose state,
3. Mental disturbance,
4. Those appearing ill, or with a history of recent illness, or those of questionable physical condition,
5. Medical alert tags,
6. Any person booked for the use or suspected use of narcotics or dangerous drugs, or any person who appears to be under the influence of narcotics or dangerous drugs,
7. Any person who is taking medication, and
8. Every person brought to the King County Jail from any hospital, whether or not the person has been previously booked.

B. If there is any question that the prisoner is in need of medical care it shall be provided.

C. Officers will provide all appropriate information to the booking officer relative to any physical or mental condition of the person in their custody.`

III. Booking Process

A. All officers entering the King County Jail shall deposit and secure all firearms and chemical weapons in the firearms locker prior to entering.

B. Officers having a prisoner in custody who is to be booked in the jail shall remain with the prisoner during the booking process. However, officers are not required to stay with prisoners until they are placed into a cell. Handcuffs will not be removed until the prisoner is placed in the custody of a corrections officer. Documentation accompanying the prisoner will be turned over to the booking officer.

C. The primary responsibility to search prisoners is with booking personnel; however, this does not alleviate arresting or transporting officers from conducting a weapons search prior to the booking process, if more than a cursory search was required. The transporting officer will notify booking personnel that such a search was conducted.

1. Officers booking suspects with personal property containing any object with a sharp edge will categorize this object as a weapon or "sharps." The King County Jail requires that these items be packaged *separately* and clearly identified as "sharps".

Seattle Police Department
Policies and Procedures

Section
2.009

Title:
II - Operational Procedures

Chapter:
009 - Tickets - General

POLICY

Seattle Police officers and other personnel authorized by the Seattle Police Department shall have the authority to enforce the SMC and RCW through the use of Criminal Citations, Notice of Infractions and Parking Infractions. Employees are required to account for all tickets issued to them and are responsible for strictly following all procedures regarding the disposition of tickets within their possession.

PURPOSE

To establish Department policy for the issuing, ordering, control, cancellation, voiding, retention, and audit of Criminal Citations, Notice of Infractions, and Parking Violations.

For specific information refer to Training Topic 038.

PHILOSOPHY

Officers make several citizen contacts everyday within the course of performing their police duties. These contacts vary in nature, and each situation must be treated individually. Landmark cases establish the boundaries for proper police conduct, depending on the situation, and these boundaries must be carefully observed. Engaging in lawful Terry Stops and completing Field Interview Reports are useful, proactive tools that officers can use to combat criminal activity within their districts.

POLICY

Officers will be objective and professional in making citizen contacts regardless of the enforcement level. Citizen contacts shall not be based solely on an individual's race, religion, national origin, gender, sexual orientation, or economic status.

I. Social Contact

A. A contact with a citizen for the purpose of asking questions and gathering information.

1. The contact is voluntary or "consensual". The citizen is under no obligation to answer any questions and is free to leave at any point.

   a. As in all encounters with the public, officers shall treat citizens in a professional, dignified, and unbiased manner.

   b. Officers should safeguard their actions and requests so that a reasonable citizen does not perceive the contact as a restraint on their freedom.

      (1) Identify themselves and explain the nature of the contact.

      (2) Act respectfully and build rapport.

      (3) Keep the contact as brief as possible.

2. Reasonable suspicion and probable cause are not required to initiate a social contact.

II. Terry Stops

A. Terry v. Ohio is the landmark case on investigatory stops, which declares:

1. That a police officer may stop a person for questioning, if the officer reasonably suspects that the person has committed, is committing, or is about to commit a crime.

2. The officer is not required to have probable cause to arrest the individual at the time of contact, but must have reasonable suspicion that the individual is involved in criminal activity.

3. Reasonable suspicion must be based on objective or specific facts known or observed by the officer prior to the contact and that the officer can later articulate in detail.

B. Factors considered in determining reasonable suspicion for a Terry Stop:

1. The officer's experience and specialized training.

2. The individual is located in proximate time and place to an alleged crime.
3. The individual is in a location at a time of day or night that appears unusual for the norm.
4. The individual flees upon seeing an officer.
5. The individual is carrying a suspicious object, etc.

C. The contact should be limited in duration, detaining the individual only long enough to confirm or dispel the officer's original suspicion.

1. The detention and questioning shall be done in the general area of the original contact.
2. If the individual being questioned fails to accurately identify themselves or if information is gathered to further validate the officer's suspicion, the detention may be extended. Officers may frisk or pat-down the stopped individual for dangerous weapons if the officer reasonably believes the suspect may have a weapon.
   a. The officer must have a separate, reasonable basis for this suspicion. Some factors considered by officers may include:
      (1) Crime involving weapon.
      (2) Time of day and location of stop.
      (3) Prior knowledge that the individual is known to carry weapons.
      (4) Furtive movements.
      (5) Suspicious bulges, consistent with carrying a concealed weapon.

D. Officers should always consider officer safety measures while conducting contacts and Terry Stops.

1. Advise radio.
2. Choose safe locations.
3. Request back up units if needed.

III. Field Interview Reports

A. The field interview still remains an important point of contact for officers in preventing and investigating criminal activity. Field interview contacts should be documented to provide other officers, detectives, and crime analysts with information concerning suspicious activity.

1. The Seattle Police Department's Field Interview Report, form 7.9, will be used.
2. A Field Interview Report can be completed even if contact was not initiated.
3. Officers completing Field Interview Reports shall submit them to a supervisor for approval.

IV. Terry Stops of Vehicles

A. Police may stop vehicles based on the same standard for stopping people. One practice to avoid is stopping vehicles for minor traffic infractions as a pretext to investigate unrelated crimes for which the officer lacks reasonable suspicion. If the stop turns into an arrest, and the search reveals incriminating evidence, the defense may claim the original stop was pretextual. Successful claims may result in suppressed evidence and the case may not go forward (See State V. Ladson).

B. Evidence obtained through a Terry Stop of a vehicle is acceptable as long as it was a result of reasonable suspicion that a crime occurred.

C. All action taken in conjunction with a Terry Stop must be articulated in detail. This includes the nature and duration of the stop, any force used, recovery of evidence, handcuffing, or searches in the vehicle.

V. Types of Arrest

A. Arrests with warrants.

1. Refer to Warrant Arrests, section 2.017.

B. Arrests without warrants

1. A person may be arrested without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of the officer, except as provided in RCW 10.31.100 (misdemeanor presence rule).

2. Officers may make probable cause arrests for felony crimes.

C. Administrative bookings

1. An administrative booking is when an officer makes a custodial arrest, fingerprints and photographs the suspect, and then decides to release the suspect prior to a physical booking.

   a. When probable cause exists, officers should strongly consider booking a suspect who does not have a local criminal record. Suspects in this situation may be administratively booked if the crime involved is a low-level misdemeanor, which would not normally indicate a physical booking.

2. Administrative bookings require the same level of probable cause as required to justify a physical booking.

   a. An officer may conduct an administrative booking in the instance of a traffic stop in which the officer can not verify the driver's identity.

   b. The officer will transport the suspect to the King County Jail pre-book counter with a completed Superform. Advise the intake officer of the administrative booking, and standby while the jail staff fingerprints and photographs the suspect. Once completed, the suspect will leave with the officer.

IV. Alternatives to Arrests

A. In non-warrant arrest situations, and in the absence of a specific statutory duty, officers may exercise their discretion when determining to make a physical arrest or to seek alternatives to bookings.

1. Situations in which the suspect has been positively identified.

2. Incidents in which the suspect would not create a hazard to the community.

3. Consideration should be given to the suspect's employment stability, character and mental condition, length of residence in the community, prior conviction record, and the probability of the accused appearing in court.

B. In certain traffic offenses, citations may be issued in lieu of a physical booking.

C. In an arrest situation in which a physical booking is not mandated, officers shall refer the case to the courts by writing an incident report.

1. Complete a thorough interview and identification of the suspect.

2. Screen with a supervisor if necessary.

Seattle Police Department
Policies and Procedures

Section 2.013

Title: II - Operational Procedures

Chapter: 013 - Juvenile Investigations and Arrests

POLICY

Juvenile investigations do not differ from any other police investigation in as much as enforcement techniques are concerned. As police officers, we must encounter and make the disposition we feel is warranted. The best interests of both the juvenile and the community (public safety) must be considered.

I. Definitions

A. Juvenile: An individual who is under the chronological age of eighteen (18) years and who has not been previously transferred to adult court jurisdiction.

B. Minor: An individual who has not attained the age of twenty-one (21) years.

II. Police Authority In Juvenile Matters

A. Officers are allowed great latitude and discretion in determining the disposition of juvenile offenders. Officers have the primary responsibility for considering the welfare and protection of every juvenile they encounter.

B. Officers have primary responsibility for taking action in criminal and non-criminal situations, to include juveniles who are abused, neglected, requesting help, in physical or psychological danger, in at-risk situations, or are perpetrators or victims of crime.

III. Juvenile Declines

A. The juvenile courts shall have exclusive original jurisdiction over all proceedings relating to juveniles alleged or found to have committed offenses or violations.

B. If the juvenile court transfers jurisdiction of a particular juvenile to adult criminal court the juvenile is considered to have been "declined upon." This means that should such a juvenile be arrested for another crime after having been declined upon, the juvenile will be handled in adult court.

C. Once a juvenile is declined upon, they are considered always declined upon, with the exception of prior traffic offense declinations which are not to be considered "prior declines".

D. When arresting a juvenile who has been previously declined, treat them as an adult and place them in jail, if detention is necessary.

E. A copy of the decline papers must be presented when booking a juvenile into the King County Jail.

1. If the papers are not available, or it is not positively known that the juvenile has been declined upon, take the juvenile to the King County Youth Service Center (KCYSC) for detention.

IV. Rights of Juveniles

A. Juvenile suspects arrested for specific offenses shall be afforded the same civil rights as an adult. In advising juveniles of their rights, officers shall include the additional warning to juveniles on the current *Explanation of Rights* form.

V. Investigating and Reporting Juvenile Complaints

A. The majority of complaints investigated and initial contacts made with juveniles can be handled completely by the primary investigating officer. This can be done at the scene by an unofficial reprimand and release of the juvenile without an official Department record.

1. The narrative of an *Incident Report* must state that the matter was adjusted with the parent and follow-up is unnecessary.

C. Parental Notification

1. Officers will make a reasonable effort to notify a parent or guardian as soon as possible after a juvenile has been taken into custody for any reason, and include this information on any police report(s).

VI. Arrest and Release

A. Officers may arrest a juvenile for a criminal offense if grounds exist for the arrest of an adult in identical circumstances.

B. The arrest may be resolved by:

1. Writing an *Incident Report* and Officer's statement in all felony cases, and releasing of the juvenile to a parent or guardian,
2. Writing an *Incident Report* in misdemeanor cases and releasing of the juvenile, or
3. Issuing a Washington Uniform Notice of Infraction or Criminal Citation and releasing the juvenile. See Section 2.009.

VII. Arrest of Several Juveniles

A. If several juveniles are arrested regarding the same incident, all can be charged from a single *Incident Report*.

1. Officers will include sufficient details on the report or citation to establish the criminal involvement of each juvenile being charged and to support the case for trial in the officer's absence.

VIII. Arrest and Detention

A. A juvenile may not be held in detention unless there is probable cause to believe that:

1. The juvenile has committed an offense or has violated the terms of a disposition order, and
2. The juvenile will likely fail to appear for further proceedings,
3. Detention is required to protect juveniles from themselves.
4. The juvenile is a threat to community safety,
5. The juvenile will intimidate witnesses or otherwise unlawfully interfere with the administration of justice,
6. The juvenile has committed a crime while another case was pending,
7. The juvenile is a fugitive from justice,
8. The juvenile's parole has been suspended or modified, or
9. The juvenile is a material witness.

IX. Juvenile Booking Procedure

A. Complete both sides of the Superform.

B. Sign both sides of the form.

C. Screen with supervisor.

D. Transport the suspect to the Youth Service Center with the completed Superform.

E. When completed, fax a copy of the Incident Report to the Juvenile Court Filing Unit at 296-8869.

1. It is vital that the Court Filing Unit receive the information contained in the incident report as soon as possible.

X. Request for Police Hold on Juveniles

A. When an officer can substantiate the need for extended detention, to insure that the juvenile will come before the court prior to being released, the officer will complete the "Law Enforcement Object to Release" section of the *Superform.*

B. The *Superform* will be submitted to KCYSC detention facility intake staff, along with the other required paperwork.

C. In the event that the screening staff disagrees with the request, they will contact the on-call judge who will make a final determination.

XI. Fingerprinting and Photographing Juveniles

A. In most cases, juveniles that have been arrested for felony or gross misdemeanor offenses shall be photographed and fingerprinted at the King County Department of Adult and Juvenile Detention (KCDAJD).

1. Juveniles that would not be accepted by KCDAJD will be photographed and fingerprinted at the Public Safety Building by the Identification and Photo Lab Unit.

2. Photographs of juveniles arrested for felony and gross misdemeanor offenses will be maintained by the Juvenile Unit, as well as an audit trail of any copies made or distributed.

3. The Juvenile Unit will be responsible for complying with any expungement orders and will notify the Identification and Photo Lab Unit when fingerprints are to be expunged.

4. The Identification and Photo Lab Unit will maintain juvenile fingerprint cards.

5. Patrol officers may request from the Juvenile Unit, through their Watch Commanders, photographs of juveniles arrested for felony and gross misdemeanor offenses. The responsibility for control over the photographs obtained by patrol officers lies with the precinct Watch Commanders.

6. Photographs of juvenile arrestees may be used by officers to familiarize themselves with juvenile suspects who are active in the various districts. The photographs will not be displayed in a manner that could be observed by the general public except in the course of a specific investigation and only with supervisory approval. No copies of the photographs shall be made.

7. No photographs of juveniles shall be displayed, collected, or carried by officers unless by direction of the Juvenile Unit, the Gang Unit or a Watch Commander.

8. Arresting officers shall note on the *Incident Report* that photographs and fingerprints of juvenile arrestees were taken and by whom.

9. Decentralized Juvenile and Gang Unit Detectives will print juvenile pictures and assemble montages for their own investigation.

10. The Department's Juvenile Unit and or the Department CCS Administrator will perform periodic audits to insure conformity.

Seattle Police Department
Policies and Procedures

Section 2.017

Title: II - Operational Procedures

Chapter: 017 - Warrant Arrests

I. General

A. Only sworn police officers shall serve arrest warrants.

B. When arresting a subject only for outstanding warrants, all warrants must be verified prior to booking.

1. When booking a subject on new charges, it is not necessary to clear warrants.

C. Occasionally, an agency will request that the warrant be located in WACIC before they will send the warrant to the Jail.

1. Call the Data Center at 684-5426.
2. Ask that the warrant be "located", and that the agency issuing the warrant be called and asked to send a copy of the warrant to the King County Jail.
3. Provide the Data Center with the SPD single incident number (S.I.N.).

II. Warrant Control

A. The Department is responsible for holding, filing, and control on all Superior Court warrants issued against Seattle Police cases.

1. Felony warrants are located in the Data Center, 5th floor of the Seattle Police Headquarters.
2. Misdemeanor warrant records are maintained by Seattle Municipal Court (SMC).

B. Other Superior and Municipal Court warrants are handled by the King County Sheriff.

III. Warrant Verification

A. Prior to arresting a suspect on an outstanding warrant, the warrant must be verified.

1. In the field, warrants should be verified via Communications, using the Database frequency (if in service) or the zone frequency if Database is not in service.
2. In situations where the suspect is already in custody on other charges, e.g., detained by a security officer for shoplifting:
   a. Verify misdemeanor warrants by telephoning the Misdemeanor Warrants Unit, 684-5617,
   b. Verify felony warrants by telephoning the Data Center, 684-5426.

IV. Warrant Service Procedure

A. After a warrant is verified, the suspect may be taken into custody and transported to a police facility, or directly to Jail.

B. The arrestee must be advised:

1. They were arrested under the authority of a warrant.
2. The nature of the warrant.
3. The amount of bail, if any.

V. When an Arrestee Indicates They Can Post Bail

A. If at any point prior to being booked into the King County Jail the arrestee indicates that they have the ability to post bail on a bailable warrant or charge, they must be allowed the opportunity to do so.

1. During business hours, persons arrested on SMC misdemeanor warrants can be taken to the payment window on the first floor of the Seattle Municipal Court to post their bail.

2. After business hours, persons arrested on SMC misdemeanor warrants will be taken to the bail window inside the main entrance of the King County Jail. They will not be taken to the pre-book or booking areas.

3. Persons arrested on other agency warrants will be taken to the bail window inside the main entrance of the King County Jail, 24 hours a day.

a. King County will accept bail on all warrants except Enumclaw, Black Diamond, and Kent. When arresting a suspect from one of these 3 agencies, other arrangements must be made, such as a direct transfer to the other agency.

VI. When an Arrestee Cannot Post Bail

A. If the subject cannot post bail on their warrant, they will be booked into the King County Jail.

B. Upon arrival at the Jail, confirm that the Jail has received a copy of the warrant.

1. If the warrant has not arrived at the Jail, call the agency with whom the warrant was verified, advise them that the arrestee is at the King County Jail, and request that they send a copy of the warrant.

VII. Transferring Prisoners Directly to Another Agency

A. When an agency requests that an arrestee be transported somewhere other than the King County Jail, the request must be screened and approved by a sworn SPD supervisor.

VIII. Directly From Another Agency

A. In the interest of fostering a good rapport with other law enforcement agencies, requests to transfer a prisoner with a Seattle Municipal Court (SMC) warrant to Seattle Police custody will be accommodated whenever possible, as long as response time and safety are not adversely impacted.

B. The transfer locations should be within the guidelines listed below. The transfer location can be modified with the approval of a sergeant.

1. North and South Precinct personnel will generally not go outside of King County to the north or south of the Orilla Rd./S. 188th Street exit on I-5.

2 East Precinct personnel will generally not go beyond the east end of the SR-520 bridge or east of Mercer Island on I-90.

C. If the transferring agency takes the arrestee directly to a Seattle Police precinct this policy shall still apply.

1. In this event, the Duty Officer or a patrol officer will process the transfer at the precinct.

D. Criteria for declining a transfer must be flexible due to a number of conflicting issues. The goal is to book the arrestee without impairing officer safety, the safety of the arrestee or incurring unnecessary liability. Whenever a decline is made a Watch Commander shall be advised.

1. The type of offense should be taken into account when considering a decline to transfer. Crimes involving violence or other threat to public safety should be accepted for transfer if possible. Some examples are:

a. Assault,

b. Domestic Violence related crimes,

c. Crimes involving weapons.

NOTE: The dollar amount of the warrant may be taken into account when considering the expenditure of Department resources. However, this should not be the sole determining factor in deciding whether to accept or decline a transport.

2. Injured or combative arrestees will generally not be transferred to Seattle Police custody.

a. Medical treatment should not be delayed to accommodate a transfer.

b. For officer safety a combative arrestee should be directly transported to the jail.

3. Arrestees who have a questionable pre-existing health condition (including pregnancy) shall be screened with the King County Jail Nurse (296-1214) before the transfer is agreed to.

a. Under RCW 70.24 information regarding sexually transmitted disease, including HIV/AIDS, may not be discussed with another person without the permission of the person with the infection.

b. Other contagious diseases may be discussed with those persons who have a need to know. Patient confidentiality should always be considered.

c. A pre-existing health condition might require an extended hospital stay with a guard.

D. Dispatcher Responsibilities

1. Obtain the following information:

a. Arrestee's full name and date of birth,

b. Requested location and time of the transfer,

c. Phone number of the agency or dispatch center requesting transfer.

2. Run the arrestee's name and determine if the warrant is valid.

3. Advise the nearest patrol sector supervisor of the transfer request.

a. The supervisor will contact the requesting agency and screen the transfer. The patrol supervisor has the final decision on accepting or declining the transfer, the number of units needed and the transfer location.

4. Dispatch units if the transfer is authorized.

a. A minimum of two officers should be dispatched.

E. Supervisor Responsibilities

1. Contact the requesting agency by phone and screen the transfer request in accordance with the criteria in this Section.

a. Ensure the transfer location and time is acceptable.

2. If the transfer is acceptable advise Communications to dispatch officers for the transfer.

3. If the transfer is not acceptable decline the transfer.

a. Advise the Watch Commander and Communications immediately.

F. Officer Responsibilities

1. Promptly respond to the transfer location. Advise Communications if there will be a delay.

2. Check for and ask the arrestee about any injuries, illness, or pre-existing medical conditions (such as pregnancy).

a. See Section 2.017 VIII D.

b. Contact a supervisor if the arrestee is injured, ill, or has a pre-existing medical condition.

3. Obtain information about the circumstances about the arrest.

a. Time and location of arrest.

b. Reason for stop.

c. Transferring agency's case number, if any.

4. Document the prisoner's property on the *Superform*.

a. Count prisoner's money with arresting officer.

b. Do not accept any evidence found by the arresting officer.

5. Determine if arrestee can post bail.

a. If the arrestee can post bail refer to Section 2.017 V.

6. Promptly transport the arrestee to the King County Jail or the precinct.

7. Complete an *Incident Report* titled "Warrant Arrest" and follow routine arrest and booking procedures.

IX. Documenting a Warrant Arrest

A. Anytime a person is arrested on a State of Washington warrant, regardless of whether they are allowed to post bail, are booked into the King County Jail, or are turned over to another agency, the arrest shall be documented.

B. In addition to all other arrest procedure requirements, the arresting officer will:

1. Write an *Incident Report,* and

a. If the only charge is the outstanding warrant, check the "Arrest Only" box. Otherwise check the "Incident and Arrest" box.

b. It is not necessary to write a separate *Incident Report* when arresting a subject on warrants when there are also new charges. Title the *Incident Report* with the appropriate title for the new charge first, then add "Warrant" as the secondary title. Draw a new S.I.N. for the new charges, and reference the old warrant S.I.N. in the narrative.

c. If there are no new charges, and the warrant has a pre-existing SPD S.I.N., use the existing S.I.N.

d. If there is no pre-existing SPD S.I.N., or if the warrant is from an outside agency, use a new S.I.N.

2. Complete a *Superform* for arrestees booked into jail, listing all verified outstanding warrants. A *Superform* is not necessary when an arrestee is allowed to post bail, or is turned over to another agency.

X. Fugitive Warrant Arrests

A. Whenever a person is arrested only on an <u>out-of-state</u> felony warrant:

1. Obtain a new S.I.N. for the out-of-state warrant arrest and complete an *Incident Report* for the warrant arrest. The incident classification is: Investigation of Fugitive.

2. Complete a *Superform* including the statement of probable cause.

a. Include the jurisdiction holding the warrant, date the warrant was issued, charges, and bond information (if known).

3. Complete an officer's statement.

4. Attach an unmarked/unaltered copy of the NCIC printout.
5. Prepare an Alert Packet addressed to the Fugitive Warrants Squad. Hand deliver the Alert Packet containing copies of the above mentioned *Incident Report*, *Superform*, Officer Statement and NCIC printout promptly to the Seattle Police Headquarters, 5th floor Mail Distribution Center. Do not use the Precinct/Section mail to deliver the Alert Packet.

B. Whenever a person is arrested for an out-of state felony warrant arrest with other arrests:

1. Obtain a new S.I.N. for the out-of-state warrant arrest and complete an *Incident Report* for the warrant arrest. Cross-reference the out-of-state felony warrant incident number and the other incident number(s) associated with the other arrest(s)/incident.
   a. The incident classification is: Investigation of Fugitive.
2. Complete a *Superform* including the statement of probable cause.
   a. Include the jurisdiction holding the warrant, date the warrant was issued, charges, and bond information (if known).
3. Complete an officer's statement.
4. Attach an unmarked/unaltered copy of the NCIC printout.
5. Obtain the single incident number for the incident associated with the other arrest(s)/incident. Complete another *Incident Report*.
6. Complete another *Superform* including the statement of probable cause for crimes associated with that incident.
7. Complete an officer's statement consistent with current policy/procedures.
8. Prepare an Alert Packet addressed to the Fugitive Warrants Squad. Hand deliver the Alert Packet containing copies of the above mentioned *Incident Reports*, *Superforms*, Officer Statements and NCIC printout promptly to the Seattle Police Headquarters, 5th floor Mail Distribution Center. Do not use the Precinct/Section mail to deliver the Alert Packet.

   Note: If you are not booking the subject for the other offense(s), a second *Superform* is not necessary. However, a second *Incident Report* is still required.

Seattle Police Department
Policies and Procedures

Section	
2.021	

Title:	Chapter:
II - Operational Procedures	021 - Citizen Arrests

I. Conditions Under Which a Citizens Arrest May be Made

A. For any crime committed or attempted in their presence,

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

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

1. "The offense known as breach of the peace embraces a great variety of conduct, destroying or menacing public order and tranquility. It includes not only violent acts, but acts and words likely to produce violence in others. The term connotes conduct that creates consternation and alarm. It is an indecorum that incites public turbulence; yet violent conduct is not a necessary element..."

II. Discouraging Citizen Arrests

A. While citizens have the legal right to make arrests under certain circumstances, the Department does not encourage citizen arrests. Whenever possible, the taking of persons into custody should be accomplished by trained and authorized law enforcement officers.

III. When a Citizen's Arrest is Made

A. Citizen Responsibilities

1. The citizen's responsibility is to surrender the arrestee to an officer.

B. Officer Responsibilities

1. Review the circumstances surrounding the arrest.
2. The arrestee should be taken into custody only after the officer has determined that probable cause exists.
3. If probable cause exists and the arrestee is taken into custody, the case shall then be processed as would any other arrest with the report indicating that the arrest was initiated by a citizen.

PURPOSE

The Retail Theft Program (RTP) allows participating stores to handle two common misdemeanor offenses without involving patrol officers. The eligible offenses are theft and trespass.

I. Procedure

A. When a store security officer makes an arrest for theft or trespass, they call the Warrant Office to check the suspect's name. They also call the Communications Section to obtain a Single Incident Number (SIN). Security then reports the incident on a *Security Incident Report* (form 5.14A). A detective in Crime Prevention reviews the reports and investigates the cases. The detective then forwards the report to the City Attorney's Office.

B. Occasionally, however, misdemeanor theft and trespass incidents involve factors that complicate this process. In these situations, the security officer(s) may call the police for assistance, but they still must complete a *Security Incident Report*.

C. Security will call the police when they have a felony theft (retail value over $250.00). In these situations, security will <u>not</u> write a *Security Incident Report*. Instead, they will provide witness and value statements.

II. SPD Officer Response

A. Security will request that the police respond to their business when:

1. The suspect's true identity cannot be determined;
2. The offense is a Felony including thefts over $250;
3. There are additional misdemeanor crimes (assault, CCW, etc.);
4. The suspect has a warrant ($150.00 or more); or
5. The parent or guardian of a juvenile offender cannot be contacted.

III. RTP General Procedures

A. You must make an independent determination of probable cause before arresting a suspect. Always review the security officer's probable cause before making an arrest.

B. If security has obtained a SIN, then use that case number.

1. When security obtains a SIN, they immediately give a MIR code. If you are using the SIN security already obtained, advise Communications and they will re-open security's call (and SIN) and assign you to it. Later, you will have to give Communications a MIR.

C. In some misdemeanor theft or trespass incidents, where there are complicating factors, it may be necessary to book the suspect. In these situations security will complete a *Security Incident Report* and you must complete an *Incident Report*. Attach a copy of their *Security Incident Report* to your *Incident Report* with a paper clip. This is important because the original *Security Incident Report* may not arrive in time for arraignment.

D. In misdemeanor theft and trespass situations where the suspect is identified and released, the security officers must complete and submit a *Security Incident Report*. Their report is all that is needed to charge the suspect.

IV. Unidentified Suspects

A. If you are able to identify the suspect, security will handle the incident. Record the event and the SIN on your unit log.

B. If you cannot identify the suspect:

1. If probable cause exists, take the suspect into custody,

   a. Consider using the AFIS (Automated Fingerprint Identification System). The system is available 24 hours a day to assist officers with checks on persons who cannot be identified through standard means. To request this assistance, contact the Ten-Print Unit at 684-5514 and bring the suspect to the Print Room, on the seventh floor of the Seattle Justice Center.

2. Book the suspect as "John Doe" or "Jane Doe," including any names that were given to officers as an AKA.

3. Complete an *Incident Report*,

4. Attach the *Security Incident Report*, copy of the *Superform*, and other appropriate paperwork to your original *Incident Report* and forward to the Data Center.

V. Felony Theft (retail value over $250.00)

A. Officers

1. Determine if probable cause exists to book the suspect.

2. Prepare an *ALERT* packet and include:

   a. Security's witness and value statements, if available,

   b. The suspect's statement,

   c. Officer's statement(s), and

   d. A copy of the *Incident Report*.

3. Send the *Alert* packet to your precinct's Burglary/Theft Unit.

B. Security

1. Provide the officer with witness and value statements. If the statements are not ready, security will fax the statements to the appropriate Burglary/Theft Unit and will mail the originals to the RTP detective.

VI. Additional Misdemeanor Crimes

A. Determine if probable cause exists to book the suspect. If you decide to book the suspect for additional misdemeanor crimes, you must also book for the theft or trespass.

B. Complete an *Incident Report*, whether or not there is a booking.

1. Attach the *Security Incident Report*, copy of the *Superform*, and other appropriate paperwork to your original *Incident Report*, and forward to the Data Center.

VII. Warrant Suspects

A. Verify the warrant.

B. Complete an *Incident Report* (titled "Theft" and "Warrant Arrest").

1. Use the new theft/trespass SIN. Do not use an existing warrant SIN for the report.
2. Reference the warrant SIN, warrant number, issuing agency, bail and charge information for the warrant in the narrative portion of the *Incident Report*. Also record the probable cause for the theft or trespass charge(s).

C. Book the suspect for the warrant(s), the theft or trespass incident, as well as any other appropriate crime.

VIII. Juvenile Offenders

A. Security may call the police if they are unable to contact a juvenile's parent(s) or guardian(s), or if the juvenile is wanted in WACIC/NCIC.

1. Check the juvenile's name through WACIC/NCIC for warrants and runaway status.
2. Consider if the juvenile would be in dangerous circumstances if released.
3. If the juvenile is a runaway, has a warrant, or would be placed in dangerous circumstances if released, you must take them into custody.
4. If the juvenile is not a runaway, does not have a warrant, would not be placed in dangerous circumstances if released, and their identity has been verified, you may release the juvenile from the scene.
   a. The security officer(s) will prepare and submit a *Security Incident Report*.

IX. Additional Resources

A. The detective responsible for coordinating the Retail Theft Program is assigned to the Commercial Security Unit within the Community Service and Support Bureau. If the detective is not available to render assistance, contact the appropriate Burglary / Theft Unit.

X. Other Circumstances

A. If the retail business is not participating in the Retail Theft Program, the officer is responsible for handling the entire incident.

B. If the retail business is a participant in the Retail Theft Program, and for whatever reason is not handling the incident under the guidelines of the program, the officer is responsible for handling the entire incident. Handle the incident as if the business is not a participant in the program.

1. The detective responsible for coordinating the Retail Theft Program will address that issue separately.

PURPOSE

To describe and detail the process for full Operations Bureau Task Force Mobilization. This plan may be partially implemented at the direction of a Field Commander. In the event of a partial mobilization, the Field Commander must explicitly identify required resources to the Communications Section. Unless explicit direction regarding partial mobilization is received, it shall be assumed a full Task Force Mobilization is authorized.

I. Definitions

A. Field Commander: For purposes of Task Force Mobilization, a Field Commander shall hold the minimum permanent rank of Sergeant.

1. Field Commanders shall explicitly identify themselves to the Communications Section.
2. All personnel detailed to a Task Force Response operation shall be subordinate to the Field Commander, regardless of Precinct of origin or pre-existing chain-of-command.
3. A partial Task Force Mobilization may be authorized by a Field Commander holding the rank of Sergeant; A full Mobilization may be authorized by a field Commander holding the minimum rank of Lieutenant.
4. In the event of a partial Task Force Mobilization, an on-duty Lieutenant from any Precinct shall be notified immediately, respond to the scene to assess the need for a full Mobilization, and to assume Field Command.

Note: During an Unusual Occurrence (UO), the Field Commander has ultimate authority over command of assigned resources. Unless and until relieved by a commander of higher rank, the Field Commander is literally the highest ranking on-duty commander in the Department.

II. Task Force Personnel

A. Patrol Sergeant(s) and Officers.

1. The Patrol Squad and Sergeant from each Watch, in each Precinct, for the first two working days upon returning from regularly scheduled furloughs.
   a. Shall maintain helmets and long batons in their vehicles.
   b. Sergeants shall be prepared to present a completed roster of their resources to the Field Commander upon arrival at the mustering location.
   c. Sergeants and officers qualified to carry chemical agents shall be prepared to respond with issued chemical agents e.g., “Pepper Spray.”

B. All on-duty Anti-Crime Team (ACT) and Community Police Team (CPT) officers and Supervisors.

1. Helmets and long batons shall be maintained and ready at all times.
2. Response shall be in Departmental issued vehicles.
3. Jumpsuits are authorized.

4. Sergeants shall be prepared to present a completed roster of their resources to the Field Commander.
5. CPTs shall bring their prisoner processing kits. (See subsection IV - Prisoner Processing Protocol of this manual section.)

C. All on-duty Special Patrol Unit (SPU) Personnel.

1. Response shall be in riot gear, and arrangements shall be made to deliver necessary logistical equipment (specifically chemical agents) as soon as possible.

D. All on-duty K-9 personnel.

E. All on-duty Traffic personnel, including Sergeants and Commanders.

F. All Precinct Prisoner Wagons (D10, N10, S10, C10) and assigned officers (see subsection IV - Prisoner Processing Protocol - of this manual section.)

G. Other on-duty units as directed by the Field Commander through the Communications Section.

1. This may include additional command and supervisory staff, Criminal Intelligence Section personnel, etc.

III. Mobilization Procedures

A. Officers

1. Patrol

a. Patrol officers on priority calls shall remain on those calls unless directed by Radio.

b. Supervisors will document as soon as practical the officers who have responded to join the Task Force.

2. Task Force personnel shall immediately respond to the staging area identified by the Field Commander. Response shall be in Department assigned vehicles. In addition to specialized equipment requirements, each officer shall be equipped according to Manual specifications, which includes, but is not limited to, body armor, flashlight, issued radio, and name tag.

3. It is critical to maintain order at the staging area. Remain with your supervisor, and in position to deploy as a Squad. Cooperate with the Deployment Officer - generally the Assistant Field Commander - and await instructions.

B. Communications Section

1. Shall attempt to reassign priority calls to non-Task Force personnel as soon as possible and shall begin screening calls at each zone dispatch console.

2. Shall be prepared to staff a radio channel dedicated to the event if requested by the Field Commander.

IV. Prisoner Processing Protocol

A. A crucial element of mobilization in response to a large scale disturbance, riot, or demonstration is prisoner processing. The two personnel groups assigned to the prisoner processing function are the Department Community Police Teams (CPT) and all on-duty Prisoner Wagon Officers.

B. If the Field Commander determines that the prisoner processing function is required as part of the Task Force mobilization, the following protocol is proposed:

1. Prisoner Wagon Officers

a. Immediately upon mobilization, all prisoner wagon officers shall report to the Field Commander. If a prisoner wagon is not assigned during a Watch at any Precinct, the Watch Commander,

Senior Sergeant, or Field Commander shall ensure that all prisoner wagons are deployed. The officer assigned to the prisoner wagon shall ensure that the prisoner processing kits are on board.

b. The Field Commander shall assign a second officer to each prisoner wagon. The prisoner wagon team shall process prisoners in the field, and remain in the field until each wagon is at capacity. Then, and only then, shall prisoners be delivered to the holding cells at the Precinct of occurrence (or other Precinct as designated by the Field Commander).

2. The minimum requirements for arrest processing in the field shall be suspect identification, date / time / location, arresting officer identification, and two Polaroid photos of the arresting officer and the suspect.

   Note: Officers making arrests remain responsible for reports, statements, etc. at the conclusion of their Task Force assignment.

3. The Field Commander shall establish and staff a processing operation at the Precinct to complete the booking (or citation) process.

4. Community Police Teams

   a. All Community Police Team personnel shall respond to the Precinct of occurrence (or other Precinct as designated by the Field Commander).

      (1) If the Department CPT Officers are off-duty, they shall be activated via the Communications Section, unless otherwise directed by the Field Commander.

      (2) CPT Sergeants shall maintain current CPT mobilization rosters and must forward a copy to the Communications Section.

         (a) The mobilization roster shall be titled "Task Force Prisoner Processing Team Call-out Roster."

   b. Upon arrival at the Precinct, the CPTs shall organize the prisoner processing operation and respond to the field.

Seattle Police Department
Policies and Procedures

Section	
2.031	
Title: II - Operational Procedures	Chapter: 031 – Unusual Occurrences

PURPOSE

Freedom of speech is a fundamental right guaranteed by the United States Constitution. When exercised within the spirit and intent of the law, individuals are afforded the opportunity to express opinions openly and without fear of reprisal from the government.

The government, and law enforcement in particular, must ensure individual's rights to express themselves do not infringe upon the rights or safety of others. Should demonstrations transcend lawful boundaries, police must be prepared to respond with fair and impartial enforcement of the law.

The purpose of this section is to offer guidance on successful resolution of incidents of civil disobedience, and crowd or riot situations involving unlawful activity.

MISSION

In civil disobedience, crowd, or riot situations involving unlawful activity, involved police personnel shall adhere to the Department's basic law enforcement mission of protecting life and property. When possible, Seattle Police Department personnel should make an effort to coordinate with participants to ensure protests, demonstrations, and other public gatherings occur in a lawful manner. Seattle Police Department policies and procedures, regarding the Use of Force, Full Restraint Position, Chemical Restraints, and Reporting Use of Force are incorporated herein by reference and should be reviewed by all personnel.

I. Use of Force in Civil Disobedience, Crowd or Riot Situations Involving Unlawful Activity

A. Should unlawful activities occur during a large gathering:

1. Law enforcement actions shall be done in a fair and impartial manner.
2. Only necessary force as defined in the Revised Code of Washington (RCW) 9A.16.010 will be used to control or disperse persons or groups or to effect arrests.
3. Deadly force may be used only in compliance with Seattle Police Department policy and Washington State law.

II. Tactical Deployment

A. Department resources should be deployed to accomplish specific law enforcement objectives identified.

B. Tactical objectives may include:

1. *Containment* : to confine the unlawful disorder.
2. *Isolation* : to prevent the growth of the unlawful disorder and deny access to those who, for their own safety, are not involved.
3. *Dispersal* : to disperse the crowd and take appropriate action against law violators.

C. Crowd Movement

1. The purpose of crowd movement is to peacefully move an unlawful crowd from one location to another.
2. The on scene Field Incident Commander will authorize and direct all crowd movement tactics.

D. Use of Chemical Agents in Civil Disobedience, Crowd or Riot Situations Involving Unlawful Activity

1. Purpose
   a. The authorized use of chemical agents during civil disobedience, crowd, or riot situations involving unlawful activity shall have as a primary objective one or all of the following:
      (1) Prevention of violence.
      (2) Suppression and dispersal of unlawful assemblies with minimum hazard to the public and law enforcement.
      (3) To aid in the overcoming of either passive or aggressive resistance to affect arrest.
      (4) Area or building deprivation to prevent further destruction of property when other means are not practical.
2. Deployment
   a. Unless it is an emergency situation, deployment of chemical agents shall be authorized only by an on scene Field Incident Commander holding the permanent rank of Lieutenant or above.
   b. These devices shall only be deployed subsequent to a verbal dispersal or movement order.
   c. Only authorized Department personnel shall deploy these devices.
   d. Use of individually issued O.C. restraint is not prohibited by this policy. However, use of O.C. on an individual basis in an unlawful crowd or riot situation should be strictly controlled.

E. Use of Less Lethal Weapons

1. Purpose
   a. The purpose of less lethal weapons is to intervene in unlawful assemblies and or unlawful civil disturbance situations where verbal dispersal or movement orders have been ineffective.
2. Deployment
   a. Unless it is an emergency situation, deployment of less lethal weapons shall be authorized only by an on scene Field Incident Commander holding the permanent rank of Lieutenant or above.
   b. These devices shall only be deployed subsequent to a verbal dispersal or movement order.
   c. Only authorized Department personnel shall deploy these devices.
   d. Use of individually issued less lethal weapons (i.e., baton) is not prohibited by this policy, but should be strictly controlled.

III. Reporting

a. The Field Incident Commander authorizing the use of chemical agents or other less lethal weapons must justify the decision in a Use of Force report, with a copy submitted to his/her Bureau Commander in addition to normal routing.

b. Use of these devices is considered “Use of Force” and shall be reported as required by Department policy.

c. The Field Incident Commander authorizing the use of chemical agents or other less lethal weapons must justify the decision in a Use of Force report with a copy routed to their Bureau Commander in addition to normal routing.

Seattle Police Department
Policies and Procedures

Section	
2.035	

Title:	Chapter:
II – Operational Procedures	035 – Extraordinary Street Closures

POLICY

The Seattle Police Department is charged with promoting the safe, expeditious flow of traffic. Partial or complete road closures are necessary on occasion. Any police officer may close freeways, streets, alleys and bridges when, in their judgment, such action is warranted by emergency conditions. Because the closure of a street or alley presents limited impact on traffic flow, any officer can do it. However, the closure of a major thoroughfare, highway or bridge requires the notification, response and eventual approval by a supervisor as soon as possible after the closure is made. While the duration of road closures shall be as short as possible, life safety is paramount to any decision to close or reopen any roadway or structure.

I. Considerations

A. The following factors should be considered prior to initiating a total closure of any freeway, street, alley or bridge.

1. Time of day.
2. Type of incident being handled (fatality accident, suicide attempt, barricaded suspect, shooting scene, structure damage, bridge or banner hangers).
3. Jurisdiction of the incident (Seattle Fire Department (SFD), Washington State Patrol (WSP), King County Sheriff's Office (KCSO), etc.).
4. Access of emergency vehicles to or through the scene and surrounding area.
5. Implementation of the Incident Command System (ICS).
6. Request for additional support (SeaTran, Crisis Intervention Team DOT, WSP, SFD, Harbor Patrol, SWAT, Guardian 1, etc.).
7. Behavior of motorists and pedestrians.
8. Notifications (Media, chain of command, Duty Captain, Metro, etc.).

II. Initiating a Closure

A. When a situation develops which, in the opinion of an officer, necessitates the full or partial closure of any freeway, major arterial or bridge, a supervisor will be immediately notified and will respond as soon as possible.

B. After a full closure of any freeway, major arterial or bridge, a watch commander holding the permanent rank of lieutenant will respond to the scene to assess and monitor the situation, and determine which agency has primary jurisdiction.

1. The Communications Section shall be immediately informed of the closure and the expected duration of the closure. Communications shall make all necessary notifications (Media, chain of command, Duty Captain, Metro, SeaTran, DOT, WSP, SFD, etc.).

C. In the event a state road within the city limits of Seattle is closed by the WSP, Seattle officers will proceed to the closure point, if possible, and assist as necessary.

D. When available, officers from the Traffic, Motorcycle and/or Parking Enforcement Units should be requested to relieve all patrol officers assigned to traffic control posts surrounding the traffic closure. A traffic supervisor shall respond to the Command Post to assess the situation and coordinate this effort.

I. Search of Prisoners and Transport Vehicle

A. Officers must thoroughly search the prisoner area of their patrol cars before starting their tour of duty.

B. Prior to transporting a prisoner in a Department vehicle, the transporting officer(s) is responsible for removing weapons, evidence, and contraband from the prisoner.

C. Immediately following transportation, the transporting officer(s) shall search the vehicle for any items left by the prisoner.

II. Handcuffing Prisoners During Transportation

A. Prisoners shall be handcuffed while being transported. However, an officer may make an exception if a person is elderly, very young, handicapped, or injured, and if the demeanor of such person, reason for the custody, and other circumstances (for example, presence of a second officer) are such that the officer's safety would not be jeopardized.

III. Transportation Details

A. A one-officer unit may transport a person when:

1. The officer uses a vehicle equipped with a prisoner screen. The prisoner should be placed in the back seat, on the passenger side of the vehicle.
2. The officer is in a specialized Unit of assignment and the Unit's Commander has authorized one-officer transportation of arrestees in vehicles without prisoner screens.
3. The officer is operating the prisoner transport van. Officers will place prisoners in the rear of the prisoner transport van. Male and female prisoners will not be transported together in the rear compartment of the van. The only exception to this is during an emergency situation and requires prior approval of a Watch Commander.

B. The primary duty of the transporting officer is the safe delivery of the prisoner. When transporting a prisoner, officers should not be diverted to any other law enforcement activity unless the risk to the third party is both clear and grave, and the risk to the prisoner is minimal.

C. Safety aspects of the transport function require that the prisoner's right to communicate with attorneys and others will not normally be exercised during the period that the prisoner is being transported.

D. Generally, prisoners will be transported in vehicles with screens or in prisoner transport vans. When prisoners are transported in vehicles without screens, the prisoner should sit in the back, on the passenger side. A second officer should sit in the back, directly behind the driver officer, and should be next to the handcuffed prisoner.

E. In the event of a prisoner escape, the transporting officer will notify Communications and attempt to recapture the prisoner. The officer shall request additional units to establish a perimeter and conduct a search. The officer shall contact and advise a supervisor of the situation, and complete a report documenting the circumstances of the escape.

IV. Special Transportation Situations

A. Officers are encouraged to take additional protective measures whenever circumstances indicate, or when transporting a person who is:

1. Physically aggressive or threatening.
2. The opposite sex of the transporting officer(s).
3. A juvenile.
4. Handicapped, sick, mentally ill or injured.
   a. In certain cases a sick or injured person will need to be transported to a medical facility for medical care prior to being booked into King County Jail. Whenever possible, these persons, should be restrained in the same fashion as other prisoners. In certain situations an ambulance or a fire department medical unit may need to transport the prisoner. Officers will need to make the appropriate arrangements for either following or accompanying the medical units to the hospital.

B. Examples of additional safety measures are:

1. Transporting with an additional officer in, or immediately following, the transporting vehicle.
2. Transportation by an officer of the same sex as the person in custody.
3. Notifying the dispatcher of departure and destination arrival times and odometer readings, and any delay or detour during transportation whenever transporting a juvenile or a prisoner of the opposite sex.

V. Seat Belting Prisoners

A. Prisoners will be seat belted according to the rule adopted by the State Commission on Equipment (WAC 204-41-030) which reads as follows:

1. It is intended that all prisoners being transported in a passenger style patrol vehicle wear a seat belt. However, if the prisoner is combative or for any other reason, the officer in charge of the prisoner has the option to not place the prisoner in a seat belt system. Prisoners that are transported in the front seat of a vehicle should be placed in a seat belt assembly.

VI. Transport of Department of Corrections (DOC) Work Release Inmates

A. Prior to officers responding to calls where the DOC has requested transportation, an Operations Bureau sergeant or Communications Section supervisor will screen the request and determine if it meets any of the following conditions:

1. The inmate is violent or likely to become violent, and it is necessary to restrain them immediately.
2. The inmate will escape if transportation is delayed.
3. The inmate is a substantial risk to the community, themselves, or the facility and its staff.
4. The inmate has committed a new crime and is to be processed accordingly.

B. If the request for transportation is from a Work Release facility to the King County Jail, the person requesting transportation must be able to articulate to the SPD supervisor how the inmate meets the above mentioned criteria.

C. Only after the request is approved by an SPD supervisor will an officer transport the DOC inmate.

D. Any questions or criticisms concerning the propriety of the decision that arise after the fact will be investigated by the First Watch, Watch Commander of the appropriate precinct.

I. Misdemeanor Cases (Except Domestic Violence)

A. Reasonable efforts will be made to allow any injured person who is under arrest for a misdemeanor to go to the hospital of their choice, provided the hospital of choice is located within the Seattle city limits. Harborview Medical Center has established procedures that coincide closely with Seattle Police Department policy. Efforts should be made to utilize HMC.

B. If no preference is stated, the prisoner shall be taken to the nearest emergency hospital. Where appropriate, a citation or report shall be prepared. Preference should always be given to non-physical arrests when possible.

C. When booking is necessary, use the following procedure.

1. If treatment at the hospital can be completed within a reasonably short period of time, the officer will remain at the hospital with the prisoner until treatment is completed. The officer will then transport the prisoner to the appropriate facility for booking.

2. If the prisoner is to be hospitalized for a length of time, the arresting officer shall:

a. Obtain permission from a police supervisor to leave the prisoner at the hospital without a guard, on a "Police Hold",

b. Place a “Police Hold” on the suspect and request the hospital staff notify the SPD Communications Section when the suspect’s treatment is complete. If hospitalized at Harborview Medical Center (HMC), notify HMC Security of the "Police Hold" and the precinct involved,

c. Advise suspects of the following:

(1) They are still under arrest and will remain so while in the hospital,

(2) They are not to leave the hospital without the authority of the Seattle Police Department,

(3) Officers will return to take them to jail when their treatment is complete,

(4) If they leave the hospital without authorization, they will be charged with Escape, and

(5) Verify that the suspect(s) understood the information conveyed,

d. Clear their report through a supervisor, and prepare and deliver a booking packet to the duty officer at their respective precinct,

e. When notified that the suspect’s treatment is complete, the Communications Section will contact the arresting officer’s precinct for transportation of the prisoner to the appropriate facility for booking, and

f. If the suspect’s treatment is completed at the hospital and they leave without the authorization of Police Department personnel, the unit responsible for follow-up investigation of the original incident should request a bench warrant for the suspect’s arrest.

II. Domestic Violence Cases

A. An injured person who is under arrest for any domestic violence case, whose injuries require immediate hospitalization, shall be taken to Harborview Medical Center.

B. If the suspect is accused of a DVPA crime for which a booking is required, a police officer from the arresting officer's precinct of assignment shall be assigned to guard the subject. When the prisoner's treatment is complete, the officer will then transport the prisoner to the appropriate booking facility.

III. Felony Cases

A. Any injured person who is under arrest for a felony, whose injuries require immediate hospitalization, shall be taken to Harborview Medical Center and a police officer from the arresting officer's precinct shall be assigned to the hospital to guard that person.

B. The arresting officer's Watch Commander will evaluate the need for continuing the hospital guard.

1. In making this decision, the Watch Commander will take into account the nature of the alleged offense, whether the identity of the individual is in question, whether the suspect, if released, would present a threat to the community, and if the suspect has current fingerprints and photographs on file.

2. Watch Commanders are encouraged to obtain the advice of the appropriate follow-up unit prior to making their decision on continuing hospital guard.

C. The arresting officer(s) shall forward copies of all associated reports to the appropriate follow-up unit as soon as possible.

D. When a hospital guard has been assigned, and the suspect's treatment is complete, the suspect shall be transported to the appropriate facility for booking.

IV. Charging Hospitalized Persons

A. If a person guarded by Seattle Police Officers is charged with a felony or misdemeanor while still in the hospital, the follow-up unit responsible for the investigation shall request that the King County Jail place a jail guard on the hospitalized prisoner and deliver the arrest warrant to the jail facility.

B. In the case of juveniles, the Youth Crimes Section will be responsible for requesting that the King County Youth Center provide a guard for the prisoner and deliver the warrant to the Youth Service Center.

I. Types of Evidence

A. Certain types of property require special handling, storage, or other considerations when collected as evidence. There may be particular safety considerations associated with the evidence as well. The Evidence Unit may not accept certain items.

II. Evidence that Requires Special Handling

A. Ammunition components/explosives

1. Factory ammo less than 50 cal. in small quantities can generally be handled as regular evidence.

B. Bio-hazards

1. See Section 1.265a/b - Exposure Control.

C. Boats

1. The Harbor Unit will provide storage for boats recovered as evidence. A *Vessel, Watercraft, or Obstruction Theft and Impound Report* (form 5.42) must be completed to document the investigatory impound.

D. Cash

E. Cellular phones/pagers

1. Officers shall turn off the power when logging cellular phones/pagers into the Evidence Unit.
2. When completing paperwork, officers shall include the telephone number and area code assigned to the device (if known) as an "owner applied number".

F. Chemicals (known and unknown)

G. Computers

H. Firearms

1. See Section 2.053 – Firearms as Evidence.

I. Fireworks / Explosives

J. Hazardous materials

K. Knives / Sharp bladed instruments

L. Large items

1. e.g., safes, lumber, truck loads of goods, etc.

M. Narcotics

N. Needles / Syringes

O. Vehicles

1. See Section 2.065 - Vehicle Evidence & Seizures.

III. Storage Practices for Physical Evidence

A. Physiological fluids (i.e., blood, saliva, semen, etc.) must be preserved using the following methods.

1. Refrigerate liquid blood samples.
2. Air dry at room temperature and then freeze items such as:
   a. Saliva samples,
   b. Stained clothing/fabrics,
   c. Stained swabs,
   d. Stained gauze cuttings, and
   e. Dried blood or semen crusts.
3. Without air drying, place used condoms in a plastic container and then freeze ASAP.
4. Stained hard objects such as guns, rocks, metals, etc. should not be frozen or refrigerated. Subsequent condensation may dilute or otherwise impact physiological fluid evidence. Store objects at room temperature and notify the lab ASAP.
5. If other types or forms of physiological fluid evidence are encountered, call the WSP Crime Lab Biochemistry Unit Forensic Scientist for acceptable methods of preservation.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
2.049	II - Operational Procedures	049 - Evidence / Private Property Collection & Release

PHILOSOPHY

In the course of law enforcement activities, officers are required to collect and preserve evidence and property for a variety of official reasons. The collection of evidence, stolen property, hazardous items, private property for safekeeping and the eventual release of property are all within the duties of law enforcement officers.

POLICY

Employees shall not personally retain any items or property which have come into their possession in the course of official duties. Information concerning collected items or property shall not be inappropriately shared with those outside the Criminal Justice System. All items shall be placed into the Evidence Unit or other authorized evidence storage areas as soon as possible, but no later than the completion of an employee's shift.

This Department will make every reasonable effort to recover lost or stolen property, to identify its owners, and to ensure its prompt return.

I. Procedures for Physical Evidence

A. When officers take possession of any property or physical evidence which may have value in a prosecution, they will mark the items for identification and personally retain the evidence up to the point when it is turned over to the Evidence Unit (or Harbor Unit) for storage. If there is any doubt as to whether specific items may be required as evidence in court, officers will place the item into the Evidence Unit as evidence.

B. To preserve the admissibility of evidence, care must be taken to ensure that:

1. The nature and source of the evidence is precisely identified,
2. The "chain of custody" is maintained,
   a. Evidence shall pass through the control of as few individuals as possible and shall never be outside the control of designated and authorized persons.
3. When possible, the examining agency must receive the evidence in the quantity and quality necessary for proper identification, and
4. Evidence is to be protected against chemical changes or contamination and appropriately packaged and stored to retain its value as evidence.

II. Marking Evidence

A. Officers shall mark evidence as soon as possible after it has been recovered in order to help ensure its identity at a later date.

B. The evidence mark should not diminish the value of the property and should be small and legible, while being distinctive and not easily duplicated. A recommended procedure is for officers to use their own initials for marking evidence.

1. Evidence marks should be placed on an item so as to prevent the mark from being altered or destroyed, and as to prevent destroying or defacing of the item itself.

2. Items of evidence shall not be marked if such marking would alter or change the evidence in any manner, i.e., permanent markers tend to deface property. Such items of evidence shall be placed in containers and the containers shall be properly marked and packaged.

III. Packaging Evidence

A. The packaging of evidence will be appropriate to protect the value of an item for evidentiary purposes and persons who must handle it. An itemized list of the packaged contents will accompany the evidence with a notation of ownership next to each item. Items which are not identified, have unknown contents, or are hazardous materials will not be accepted by the Evidence Unit and may require special handling.

IV. Laboratory Processing of Evidence

A. Physical evidence which is to be processed by the Washington State Patrol Crime Laboratory must first be entered into the Evidence Unit where the appropriate laboratory analysis request form will be completed.

V. Transportation of Evidence to Court

A. The employee who withdraws evidence from the Evidence Unit for presentation in court shall be responsible for safe-guarding the evidence until it has been received by the court or returned to the Evidence Unit. Documentation denoting the status of the evidence, or the evidence itself, must be returned to the Evidence Unit.

1. Primary Officer/Investigator: The officer who originally located and placed the evidence in the Evidence Unit will generally be responsible for transporting the concerned evidence to court when there has been no follow-up investigation, e.g., misdemeanor crimes or traffic infractions.

2. Follow-up Investigator: Whenever a follow-up investigator investigates and prepares a case for prosecution, they will generally be held responsible for transporting the evidence to court.

3. Expert Witness: The Department employee who is to offer expert testimony in regard to analysis made by that employee will be responsible for transporting that evidence to court when it is determined to be of such a nature as to require expert handling. Under this circumstance, they will inform the concerned primary or follow-up investigator.

B. When evidence is left with the prosecution in court, the officer or investigator that checked out the evidence shall have the prosecutor sign the pink copy of the *Receipt for Evidence* (form 13.2). The officer or investigator must then return the *Receipt for Evidence* to the Evidence Unit.

VI. Release of Evidence

A. Generally, evidence should be released as soon as it is no longer needed (e.g., the case is resolved in court, etc.). Consideration should be made regarding the 30 day appeal time for Superior and Juvenile Court cases and the 14 day appeal time limit for Municipal Court cases. A computer check through the updated Criminal History Record Information File, Municipal Court Information System (MCIS), or by contacting the appropriate court records unit will reveal the case file disposition status. Discretion is imperative when retaining evidence in cases with no suspect or when there is not likelihood of prosecution, especially when the statute of limitations has been exceeded.

Note: Those officers unable to resolve the disposition status of a misdemeanor incident via computer records checks, and who work other than daytime hours, may send a memo to the appropriate court records unit requesting the status.

VII. Property Release Authorization

A. A *Property Release Authorization* (form 1.17) shall be completed to release evidence or property from the Evidence Unit. The method of notification to the owner and the action to be taken by the Evidence Unit should be noted on the form. If the evidence will not be released, note the reason on the form.

B. When there is no follow-up investigation, and evidence is no longer needed for court, the officer who placed the evidence into the Evidence Unit will authorize the release of the evidence by utilizing the following procedure.

1. Check the disposition of the case and attempt to determine the status of any evidence or property. If no longer needed as a part of any follow-up investigation, the officer will attempt to identify and contact the rightful owner of any property.

2. Notify the owner of the release status of their property in person, by phone, mail, or fax (receipt required) with a *Property Notification Card* (form 7.10.1) or *Property Release Letter* (form 13.9). Officers should be aware that the property must be picked up by the owner or designee within 60 days or it will be released to the Director for disposal.

3. Complete a *Property Release Authorization* noting the notification and release information.

a. Property is to be released to the owner or Director of the Fiscal, Property, and Fleet Management Section.

(1) "Release to Owner"- Items legal to possess may be released to the owner after showing reasonable proof of ownership to the officer.

(2) "Release to Director"- <u>Only</u> if the item is contraband (i.e., switchblade knife, illegal drugs, etc.) and cannot be lawfully returned, its owner cannot be identified, or a court directs another release.

(3) "Do Not Release"- If an officer is contacted about property that is still needed for an unresolved case, mark "Do Not Release" and note the reason.

b. Items released to the Director will be disposed of accordingly, or sold at auction.

Note: Guns otherwise legal to possess are not contraband. Verification of the owner's right to possess a firearm must be verified prior to its release.

C. Release of evidence by other than an involved officer

1. If the arresting officer is unavailable to release evidence or property (e.g., on extended sick leave, retired, resigned, etc.) the arresting officer's Sergeant or above will handle the release using the procedure in paragraph B, above.

D. Follow-up unit responsibilities

1. The follow-up unit will release evidence and property to the owner following the close of a case investigation or sooner, if appropriate.

E. Evidence Unit

1. Evidence Unit personnel shall:

a. Release property to authorized owners or designees,

b. Require owners to present valid photo identification and the SIN number the property is held under to claim the property, and

c. In some circumstances, if requested, mail or ship smaller items to an identified owner with an address outside King, Snohomish, or Pierce County areas.

2. Release of Firearms

   a. Prior to releasing a firearm the Evidence Unit shall request that the Identification Unit conduct a records check on the person authorized to receive property.

   b. Disclose the results of the inquiry to the authorized owner or designee and arrange to either release or dispose of the firearm(s).

F. Identification Unit

1. Identification Unit Personnel shall:

   a. Conduct the necessary inquiries and determine if the identified owner is legally eligible to possess a firearm. The results of the inquiry will be returned to the Evidence Unit.

G. Harbor Unit

1. Will release all property under its authorized custody following standard procedures.

VIII. Safekeeping

A. Officers shall be responsible for placing any items, which are the private property of an individual, and not evidence or contraband, that come into their possession, into the Evidence Unit for safekeeping.

1. Officers booking suspects with property containing any sharp edged objects such as, but not limited to, knives, nail clippers, box cutters, razor blades, screwdrivers, letter openers, and hypodermic needles (unless medically prescribed for insulin injections) must enter such objects into evidence for safekeeping. The King County Jail will not accept these items for storage as personal property.

B. Property held for safekeeping shall be released immediately, so that the owner may reclaim the property at their convenience.

POLICY

Seattle Department employees will ensure that imaging evidence be collected and stored properly to maintain the proper chain of custody, and the integrity of the collected material.

I. Guidelines

A. The Seattle Police Department currently uses Polaroid Cameras, Film Cameras, Digital Cameras, Analog video Cameras, Advanced Photo System (APS) Cameras and Digital Video Cameras. Each piece of equipment uses its own "storage medium" (e.g. 35 mm film, Polaroid Film, Digital image memory cards, computer storage disks, and videotape).

B. If the camera has the capability to display date and time, turn this feature off so that the date and time does not show on the image.

C. Do not delete images off a digital memory card or a computer storage disk. Submit the card or disk unaltered.

D. Only one Single Incident Number will be associated with an individual storage medium.

E. In order to conserve network computer disc storage and to preserve the original image file, images will not be downloaded or copied onto a Department network computer. The Photo Lab will supply a working copy of any specific images. A commander must get approval from the Photo Lab Supervisor if images for evidence need to be downloaded to a network computer.

II. Still Images

A. Images created by a department employee to be used as evidence in an investigation.

1. Polaroid pictures, 35 mm film, Advanced Photo System (APS) film, computer storage disks and digital memory cards will be routed directly to the Photo Lab using the appropriate Photographic Evidence Envelope via department mail, or hand delivered during normal business hours. The Photographic Evidence Envelope must be filled out completely.

2. If a digital memory card or computer storage disk is submitted, the images will be downloaded and stored by the Photo Lab and the card or disk will be returned to the person who submitted it.

B. Images or storage medium that have been obtained as an item of evidence, that were not created by a SPD employee, will be submitted to the Evidence Unit.

C. Images and storage mediums will be submitted to the Evidence Unit or Photo Lab no later than the employee's end of shift.

D. Polaroid pictures taken for 'use of force' will be routed with the Use of Force packet to the appropriate Bureau Chief.

E. Polaroid pictures taken at officer involved traffic accidents will be routed to the Safety and Health Specialist.

III. Video Images

A. All video evidence, whether created by the employee or collected as an item of evidence, must be submitted to the Evidence Unit using the Video Evidence Envelope.

B. The Video Unit will provide a working copy of the video image at the request of the officer.

IV. Authorized Camera Equipment

A. The Photo Lab will maintain a list of all authorized photographic equipment and supplies. The Photographic Services Supervisor or the Video Unit Supervisor must approve the purchase or conversion of any photographic equipment or supplies for Department use.

POLICY

When officers recover firearms, they must determine whether they are of evidentiary value, and should be handled for fingerprints, testing, or safekeeping. Firearms are fingerprinted in the SPD Evidence Unit. Firearms testing is conducted by the Washington State Patrol (WSP) - State Crime Laboratory. Firearms testing and tool mark comparisons are done at the State Crime Laboratory in Tacoma. Shipment of appropriately packed evidence to and from the crime laboratory, via UPS, has gone on for years in Washington without problems of lost items or broken chain of custody.

I. Procedure

A. If you are unfamiliar with the firearm to be recovered, request that an officer who is familiar with the type of weapon to be recovered, respond and assist.

B. Do not pick up a firearm before first making sure that the muzzle is pointed in a safe direction.

1. The best way to lift a pistol or revolver is to hold it with two fingers on the grip portion of the gun.
2. Do not pick up the firearm by placing a pencil or some other object in the barrel.

C. Consider the firearm loaded until it is positively checked clear and rendered safe.

1. When the firearm is unloaded, use the following procedure to render it safe:
   a. Pistols or semi-automatic handguns: Place a flex-cuff or similar device through the magazine port, and out the ejection port of the weapon, so that the slide will remain open.
   b. Revolvers: Place a flex cuff or similar device through the cartridge chamber to ensure that the cylinder will remain open.
   c. **Do not place a flex-cuff or similar device through the barrel of any firearm when rendering it safe, as it may destroy valuable evidence.**
2. If there is any doubt whether the firearm is loaded or not, or if it is not possible to unload the firearm without destroying its evidentiary value:
   a. Contact a Homicide/Assault Unit supervisor or detective for further instruction.
      (1) Depending upon the evidentiary value of the firearm, it may be placed in evidence and processed as a loaded firearm.
3. Do not pull the trigger of a firearm to determine if the firearm is unloaded or to clear the chamber.
   a. Open the chamber and conduct both a visual and physical inspection.

II. Evidentiary Firearms Testing

A. Unloaded Firearm That Requires State Crime Laboratory Testing

1. Fill out the *WSP State Crime Laboratory Request For Laboratory Examination* (form WSP-CL-005) and send a photocopy to the Tacoma laboratory. The lab request can be faxed or mailed.
2. The WSP State Crime Laboratory will contact the detective prior to testing and advise whether the gun should be sent to the Tacoma or Spokane facility.

3. When contacted, the detective will sign the gun out of the Evidence Unit on a *Receipt for Evidence* (Form 13.2), indicating the purpose is for testing at the State Crime Laboratory.
4. The Evidence Warehouser will box the item for shipment so it can be initialed and "sealed" for evidentiary purposes by the employee requesting testing.
5. The lab request will be attached to the outside of the sealed container with a brief memorandum directing the WSP State Crime Laboratory to return the package to the detective, in care of the Evidence Unit, when processing is complete.
6. The Evidence Warehouser will arrange UPS pick up and shipment.
7. When a firearm is returned to the Evidence Unit by the WSP State Crime Laboratory, the Evidence Unit will contact the detective so that they can sign the gun back into the Evidence Unit.
8. The Evidence Unit will not retain guns unless they are signed back in.

B. Loaded Firearm(s) That Require State Crime Laboratory Testing

1. Loaded guns shall not be shipped via UPS.
2. In all cases in which a weapon cannot be unloaded, detectives shall hand-carry the firearm to the State Crime Laboratory in Tacoma, with supervisor permission. Detectives must call the lab to determine when and how to transport the gun. If the gun is hand-carried to Tacoma, the detective will either make arrangements to pick it up later, or direct it be shipped via UPS to them, in care of the SPD Evidence Unit.

III. Integrated Ballistics Identification System (IBIS) Entry

A. Items Accepted for IBIS Entry

1. All crime scene cartridge cases,
2. All .22, .223, and 7.62 mm (AK-47, SKS) caliber semi-automatic rifles that have been found, used in a crime, seized by legal process, or recovered as stolen.
3. All semi-automatic pistols that have been found, used in a crime, seized by legal process, or recovered as stolen.
4. Shotguns, bolt action rifles, revolvers, and bullets will not be routinely accepted. Exceptions will be made on a case by case basis. The case detective shall be responsible for requesting IBIS entry.
5. Weapons submitted into the Evidence Unit as personal property will not routinely be submitted to WSP State Crime Laboratory for IBIS entry.

B. Evidence Handling for IBIS Entry Items

1. Do not insert a flex-cuff or similar device through the barrel of any firearm being submitted for IBIS entry.
2. If a weapon is recovered with its magazine, the magazine shall be submitted to the lab along with the weapon for examination at the WSP State Crime Laboratory.
3. If ammunition is recovered, and direct comparison is needed, it should be sent to the WSP State Crime Laboratory with the gun. The Crime Lab will supply the ammunition for routine IBIS exams.
4. The primary officer or detective shall complete the *WSP State Crime Laboratory Request For Laboratory Examination* (form WSP-CL-005) requesting IBIS entry and submit the form to the Evidence Unit with the firearm(s) and or cartridge cases.
5. The Evidence Unit will coordinate the pick up and return of firearms or casings submitted for IBIS entry.

Seattle Police Department
Policies and Procedures

Section 2.057

Title:	Chapter:
II - Operational Procedures	057 - Submitting Cash as Evidence

POLICY

Two officers shall separately count cash of $300 or more taken as evidence.

I. Procedure

A. Each officer shall separately count the money.

B. Primary Officer:

1. Complete the information required on the plastic *Currency Envelope*.
2. Place the cash into the envelope (use as many envelopes as necessary).
3. Seal the envelope (It does not require any additional seals).
4 Record the envelope number on the *Incident Report*.
5. Record your name and serial number on the *Incident Report*, along with the name and serial number of the second officer counting the cash.
6. Personally deliver the envelope to the Evidence Unit.

Note: Officers are strongly encouraged to use the two officer cash count procedure even if the amount is under $300.

II. Returning Cash To Evidence

A. The Evidence Unit will not accept an opened *Currency Envelope*.

B. If a *Currency Envelope* is opened for any reason, the cash must be repackaged in a new *Currency Envelope* using steps 1-3 of the above procedure prior to being placed back in the Evidence Unit.

Seattle Police Department
Policies and Procedures

Section 2.061

Title:	Chapter:
II - Operational Procedures	061 - Investigatory Holds of Vehicles

I. General

A. An investigatory hold may be placed on impounded vehicles only when probable cause exists to believe that the vehicle either contains evidence of a crime or constitutes evidence of a crime. An investigatory hold may not be used to secure the appearance or completion of any act of any individual.

II. Responsibilities

A. Primary Officer

1. When placing an investigatory hold on a vehicle, complete a *Vehicle Report Form* (5.5) to document the condition of the vehicle.

   a. Include in the narrative of the vehicle report the justification for the investigatory hold.

2. Use the same single incident number (SIN) as on the *Incident Report*, *State of Washington Police Traffic Collision Report*, *Vehicle Report*, etc.

B. Follow-up Unit

1. The Assistant Chief of the Investigations Bureau or designee will ensure that follow-up units retain vehicles only as long as necessary to fulfill legal requirements.

2. When the Records Files Unit - Auto Records Team requests a disposition of a held vehicle, the follow-up unit supervisor will take appropriate action to ensure the vehicle is retained only as long as necessary to complete an investigation or prosecution.

   a. If the vehicle must be held for prosecution or further investigation, it shall be moved to a Department long-term vehicle storage facility within 4 days.

3. When a follow-up unit receives notice from the Auto Records Team that a vehicle has an "Investigatory Hold" for their unit, and the original case has been referred to another unit for follow-up, the referring unit must note "Case Referred To: [Follow-up Unit's Name]" in the large box at the bottom of the Investigatory Hold Form (5.53). The form must then be sent to Auto Records, with a copy to the unit handling the case.

C. Auto Records Team

1. The Auto Records Team will forward the "Daily Detective Hold" list to appropriate Detective Units by 0800 hours each business day.

2. The Auto Records Team will initiate an audit of those vehicles under Department impound at least twice a year.

3. When a vehicle remains on an "Investigatory Hold" for a fourth (4th) day, Auto Records will send a report to the appropriate follow-up unit notifying them that the vehicle will be automatically released on the tenth (10th) day, unless Auto Records is notified of the need for the hold period to be extended.

   NOTE: Detectives requesting an extension of the hold shall immediately make arrangements to have the vehicle moved into a Department long-term storage facility.

4. Vehicles with an "Investigatory Hold" shall be released by Auto Records if notice to continue the hold is not received by the tenth (10th) day. In this case, Auto Records will contact the appropriate follow-up commander who must complete and sign the Investigatory Hold Form (5.53).

5. If notice to continue the hold is received, the vehicle will not be released on the tenth (10th) day and will remain on "Hold" status. Again, Detectives must immediately ensure arrangements are made to move the vehicle to long-term storage.

6. If the vehicle is still not moved from short-term storage, the Auto Records Team, on the 13th day, will send a notice to the appropriate follow-up Captain, Lieutenant and the RFU Manager indicating that the "Hold" must be cleared *or* the vehicle must be moved to long-term storage.

7. If the vehicle is still not moved as of the 15th day, the Auto Records Team will notify the Investigations Bureau Commander and the Information Resources Bureau Commander.

III. Payment for Vehicles on Investigatory Hold Status

A. Generally, impoundment, towing, and/or storage fees shall not be assessed against the owner of a vehicle being held for investigative purposes (Investigatory Hold).

B. Impoundment, towing, or storage fees may be assessed against the owner of a vehicle being held for investigative purposes under the following circumstances:

1. If the owner or user of a vehicle is arrested for or charged with a crime;

2. If the Seattle Police Department forwards a recommendation that charges be filed against the owner or user of a vehicle; or

3. If an owner fails to redeem a vehicle within forty-eight hours of written notification by the Department.

C. Vehicle owners may contest impound, towing, or storage fees in District Court. District Court may order that no impound, towing, or storage fees be assessed against the vehicle owner.

D. If a follow-up unit determines that a vehicle was improperly impounded and placed on an "Investigatory Hold", the unit shall complete the 'Hold Release' portion of the Investigatory Hold Form (5.53) and check the box indicating 'City Pays'. Note: A vehicle may be properly impounded and improperly placed on an "Investigatory Hold". If this situation occurs, the owner is responsible for the impound, towing, and storage fees, except those storage fees associated with the time the vehicle was being held on an "Investigatory Hold".

Seattle Police Department
Policies and Procedures

Section 2.065

Title:	Chapter:
II - Operational Procedures	065 - Vehicle Evidence & Seizures

I. General

A. State law allows the Department to seize vehicles used in certain crimes. Sworn employees may seize vehicles pursuant to State law.

B. When an officer has probable cause to believe a vehicle constitutes, or contains, evidence of a crime, and impoundment is reasonably necessary to obtain or preserve such evidence; or when an officer has probable cause to believe the vehicle is stolen and it is necessary to hold the vehicle for evidentiary purposes, a *Vehicle Report* (form 5.5) shall be completed.

C. Absent exigent circumstances, consent, or other legal authority, nothing in this section authorizes search or seizure of a vehicle without a warrant where a warrant would otherwise be required.

II. Vehicle Evidence Processing

A. Vehicles requiring evidence processing will be towed to the SPD Processing Room. All such impounds shall first be screened and approved by a Patrol supervisor.

B. Officers shall complete a *Vehicle Report* to document investigatory impounds.

1. Approved reports will be forwarded to the Data Center normally.
2. A copy of the *Vehicle Report* must be included in the *Alert* packet that is forwarded to the appropriate follow-up unit.

C. Officers shall follow the tow truck from the place of impoundment to the Processing Room, keeping the vehicle under observation.

D. Place the 2nd and 3rd (yellow and pink) copies of the *Vehicle Report* on the windshield of the vehicle in the Processing Room.

E. The appropriate follow-up unit will be responsible for processing the vehicle at their earliest opportunity. In the event a search warrant is not obtained, the vehicle's contents shall be inventoried (excluding contents of the trunk or any locked containers) the same day the search warrant process is vacated. Criminal Investigations personnel will complete this inventory.

F. Once processing is completed, the follow-up unit will immediately release the vehicle unless the vehicle itself must be retained as evidence.

G. If the vehicle must be held for prosecution or further investigation, it will be moved to a Department long-term vehicle storage facility whenever possible.

III. Vehicle Seizures

A. When an officer seizes a vehicle, a single incident number (SIN) shall be obtained, and a *Vehicle Report* completed. This applies whether or not a tow company is used to move the vehicle.

1. Officers shall document the seizure by writing "Seizure" in the "Hold" block, and writing in the reason for the seizure in the "Reason For Investigation" block.

B. Seized vehicles will be placed into a long-term storage facility whenever possible.

1. Officers should contact a Narcotics Sergeant or the Seizure Detective via the Communications Section to respond when seizing vehicles.
2. If a Narcotics Sergeant or Seizure Detective is not available to respond, officers should take the vehicle to the SPD Processing Room. Leave a copy of the *Vehicle Report* on the windshield and the keys in the vehicle. Notify the Seizure Detective that the vehicle is in the Processing Room.

C. Vehicle seizures pursuant to Federal law will be made by the appropriate Federal law enforcement agency. Impound and storage fees will not be billed to the City.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
2.069	II - Operational Procedures	069 - Conversion of Property for Department Use

I. Background

A. Instead of disposing of unclaimed property in the possession of the Department by sale (auction) or destruction, SMC 3.28.010 allows the Department, under certain conditions, to:

1. Retain the property for Department use, or
2. Trade the property (to a bona fide dealer) for other law enforcement property that is usable by the Department.

II. Property Eligible For Retention or Trade

A. Property may be eligible for retention or trade under the following circumstances.

1. The property has come into the possession of the Department in connection with the official performance of police duties (found property, evidence, etc.), and it has been released to the physical possession of the Fiscal, Property, and Fleet Management Section. Individuals may call the Evidence Unit with the single incident number (SIN) to learn whether the property has been released.
2. The property is personal property that is specifically usable in law enforcement work, or the property is not unsafe or illegal to possess or sell and can be offered to a bona fide dealer in trade for law enforcement equipment.
3. The property is not needed as evidence. In addition, if the property has been held as evidence in any court, sixty (60) days have passed since the case has been disposed of and the property has been released as evidence by order of the court.
4. The property has not been claimed or taken away for a period of sixty (60) days from the date of written notice to the owner. (This notice informs the owner of the property of the disposition which may be made if it is not claimed, and the time the owner has to claim the property.)
5. If the owner is unknown, and the property is unclaimed or not taken away for a period of sixty (60) days from the time the property came into the possession of the Department.

NOTE: The above procedures do not apply to Department use of property forfeited under Federal law, RCW 69.50, or unclaimed firearms.

III. Requesting Retention or Trade of Unclaimed Property

A. Requests for retention or trade of unclaimed property shall be made by submitting a *Retention or Trade of Unclaimed Property For Department Use* (form 1.19).

B. Units making requests shall be responsible for ensuring that the necessary owner notification, evidence checks, and other requirements for eligibility have been met within thirty (30) days of the date the request was initiated.

1. If the necessary checks have been made by another employee or unit in the normal course of that employee's or unit's duties (for example, found property cleared by a Burglary/Theft Unit), then such checks may be relied on. Otherwise, the requesting unit shall make the necessary checks. In all cases, the requesting unit shall have the final responsibility for ensuring that a reasonable effort has been made to identify and notify the owner of the property.

C. Copies of NCIC and WACIC printouts, *Incident Reports* (form 5.37), and *Found Property Claim Notice Receipts* (form 7.10) pertaining to the property shall be attached to the request.

IV. Review and Approval of Requests

A. The completed *Retention or Trade of Unclaimed Property For Department Use* form shall be forwarded for review and approval through the requesting unit's chain of command through the level of Bureau Commander.

B. If approved by the Bureau Commander, the request packet shall be forwarded to the Director of the Fiscal, Property, and Fleet Management Section for their recommendation.

C. Request packets shall then be forwarded to the Deputy Chief of Administration for approval. The Deputy Chief of Administration shall resolve any disputes which may arise if more than one unit requests the same item of property.

V. Implementation of Approved Requests

A. The Deputy Chief of Administration shall forward approved requests to the Fiscal, Property, and Fleet Management Section, which shall coordinate implementation of the request with the Evidence Unit, Property Unit (Quartermaster), and the requesting unit.

B. Property that is retained or received in trade under SMC 3.28.010 becomes Department property, with title in the name of the City. All disposal, trades, or auction of retained property shall be conducted by City Contracting Services under applicable ordinances. All formal negotiations for trading-in used equipment for new equipment must also be done by City Contracting Services.

C. At the end of each calendar year, the Deputy Chief of Administration shall provide the Mayor, and retain for public inspection, a list of items retained and received in trade under SMC 3.28.010 and an estimate of each item's replacement value.

POLICY

The process of receiving, screening, and prioritizing calls for police service, dispatching units, and resolving the incident should be one smooth-flowing operation. Even though different phases of the process are controlled by personnel assigned to different functions, the success and speed of the operation remain the primary goals. This involves the delegation of responsibility, authority, and accountability, within specified limits, to different operational units.

Decisions must be made in matters of deployment of field strength and resources. For these decisions to be made with continuity and rapidity, they must be placed with the individuals having the most accurate information available to them. The Department expects full reciprocal cooperation between the Communications Dispatchers and all units, regardless of rank.

I. Method of Assignment

A. Watch Commanders determine which and how many personnel will be assigned to general field duty. This staffing and resource pool is subsequently turned over to the Communications Dispatchers to deploy during the shift.

B. Call by call distribution of field units is the responsibility of the Communications Section, with the authority granted it by the Watch Commander. The responsibility and authority for taking the proper actions in any situation lies with the individual field units and supervisors. All units with these delegated authorities and responsibilities are ultimately accountable to the Watch Commander and, in turn, the Chief of Police.

C. The Watch Commander may, during the shift, change the strength of the staffing for special purposes by coordination with the Communications Section.

D. In all matters of deployment of field units, the Communications Dispatcher speaks as the voice of, and with the authority of, the Chief of Police, as delegated through the Watch Commander.

II. Responsibilities

A. The authority and responsibility for the over-all management of resources on an immediate basis rests with the dispatcher.

B. Should the Watch Commander choose to override the dispatcher's judgment as to the allocation of available resources, they assume responsibility for the proper response to all incidents within the affected area from that moment, until the control of available resources reverts to the dispatcher.

C. The selection of methods and tactics used to resolve any single incident remains with individual field officers and supervisors.

III. Radio Procedures

A. Portable radios are assigned to specific units, sections, or positions. If a portable radio is required in an assignment, one will be provided to the employee by that unit or section. Employees must return their portable radios when they are reassigned or promoted.

Exception: All Commanders shall be assigned their own radio.

B. Unit radio numbers are assigned to each unit according to its function in the Department, for purposes of mobile communications. The Communications Captain maintains the list of radio assignment numbers.

C. When communicating by radio, field units shall first give their assigned unit radio number as identification. Communications between field units and Radio shall be conducted in a business-like manner, using proper language and correct procedures.

D. Field units shall keep the Communications Dispatcher advised of their "in" and "out of service" status during the entire time the mobile unit is assigned to field duty.

E. Officers comprising field units who receive a call from the Communications Dispatcher shall respond by giving their radio assignment number and their current location. If the call is received via Mobile Data Computer (MDC), officers may indicate that they are enroute via MDC.

F. Assignments from the dispatcher shall be acknowledged without further comment unless additional information is needed.

G. Field units responding to a dispatched call will advise the Communications Dispatcher of their arrival at the assigned location.

H. Whenever a field unit goes "out of service" for any reason except in response to a radio dispatched assignment, that unit shall notify the dispatcher by radio or MDC that they intend to go "out of service," give the location, and briefly state the nature of the activity. The MDC may be used to log oneself to on-view incidents and traffic stops. All coffee breaks and lunch breaks must be approved by the dispatcher.

I. Officers shall not argue with the Communications Dispatchers.

J. Violations of radio procedures or other causes for complaint, from either the dispatchers or field units, will be reported to the complainant's unit commander and processed through the proper channels.

K. Unit commanders are charged with the responsibility of ensuring that all complaints and violations noted are fully processed.

L. All employees of the Department are reminded of the limits of authority and responsibility within which they are assigned and that any unjustified attempts to breach them may result in discipline.

IV. Special Event /Assignment Radio Designator

A. The incident/event commander shall adhere to the following procedures for special assignments:

1). Contact the Communications Section in advance (at least three days) of the scheduled event to allow staffing coordination. At that time, either request that a frequency be staffed for the event and agree upon the specific tactical frequency to be used or request permission to use a non-staffed frequency. If a non-staffed frequency will be utilized, the incident/event commander must ensure that all officers working the event are aware that the frequency is not monitored. Officers must switch to a regular zone frequency to contact a Communications Dispatcher.

2) A complete copy of the assignments and anticipated sequence of events shall be forwarded to the Communications Section at least two days prior to the date of the event. Serial numbers and radio numbers must accompany unit assignments in order to log the units into the system and obtain statistical data later.

V. PSOPS-N1 Radio Channel

A. PSOPS-N1 (equivalent to the MARS frequency), is the primary channel for handling Priority Alarms. PSOPS-N1 should not be used for other types of multi-agency response incidents unless the MARS and the other PSOPS channels are already in use.

VI. ST OPS 5/Zone 1 Operation

A. ST OPS 5 channel on Zone 1 will only be used under the following conditions:

1). Communication with dispatch is lost due to your radio being out of range, and,

2). There is a need to communicate with other officers in the immediate area, and

3). There is a communications car monitoring.

B. The ST OPS 5 channel will not be used:

1). Car to car, or,

2). When normal operations are available.

C. While on the ST OPS 5 channel, officers must remember that all two way communication with the dispatcher is lost and the Emergency Activation Button on the portable radio will not function.

D. Because it is a simplex channel (line of site), it will not be recorded by the Communications Section.

VII. Miscellaneous Incident Report (MIR) Procedures

A. Total MIR reporting of all primary police actions is required except for routine patrol, on-view traffic citations, and follow-up (secondary) action conducted by follow-up units. Such reporting is required of any officer or employee of the Department who handles a police incident.

B. MIRs will generally be initiated and completed by the officer via their MDC. Vehicles not equipped with an MDC will give their MIR to the dispatcher via radio.

C. All police actions must be reported, and the Communication Section advised as follows, via radio or MDC as appropriate:

1. The nature of the incident,
2. The location of the incident,
3. Time the complaint was received or the on-view incident occurred,
4. Time logged out of service,
5. Time of arrival at scene,
6. Time returned to service, and
7. Disposition of incident.

Seattle Police Department
Policies and Procedures

Section 2.075

Title: II - Operations

Chapter: 075 – Policing by Mountain Bike

POLICY

The Department will utilize bicycle patrols throughout the city and ensure that all officers assigned to mountain bike units are trained in proper bicycle operation, bicycle maintenance, and the special tactical considerations unique to policing by bike.

I. Training and Qualifications

A. An officer will be qualified to ride a mountain bike while on patrol after they have successfully completed the Department mountain bike training class.

B. Unit commanders will ensure that officers assigned to a bicycle unit keep their skills current with on-going in-service training, and may designate training days to work on specific skills.

C. A list of officers who are qualified and trained to ride a police mountain bike will be maintained by the Training Section.

II. Objectives of Operation

A. Bicycle patrols can be applied in many police functions. Bicycle patrols can work in high crime areas, city parks, assist undercover operations in a surveillance or arrest team capacity, work crowd control, provide parade or demonstration escorts, respond to unusual occurrences, work at special events, and in any area that is not accessible to other vehicles. The unit commander and the officers assigned to the unit will determine when the use of the bicycle patrol is appropriate and safe.

B. Due to the ability of an officer on a mountain bike to move quickly and efficiently though various urban terrains, the police bike makes an effective pro-active tool. The bicycle officer can also be highly visible and more approachable to the public, promoting community policing.

C. The bicycle patrol will operate year round. It is at the discretion of the unit commander and officers to determine if weather conditions make it unsafe or impractical for bicycle operation.

D. The unit commander and the officers assigned to the bicycle unit will determine the limitations of policing by bicycle, and may develop a unit manual to address specific operational procedures.

E. Bike officers will usually not be dispatched to calls, but will respond to calls in their district when they are available and it is practical to respond.

III. Health and Fitness

A. Riding a mountain bike while on patrol is physically demanding. Officers should consider their general health and physical fitness prior to an assignment in a mountain bike unit. Officers are encouraged to get a medical check up prior to starting an assignment in a mountain bike unit. Once assigned to a mountain bike unit, the officer should maintain the physical fitness level required for the safe and effective performance of their job.

B. Officers will practice the injury prevention techniques taught in the Department mountain bike training class. Through training and safe bicycling practices, the Department will make every effort to minimize injuries related to cycling.

IV. Maintenance

A. Officers will perform the basic maintenance and safety checks on their bicycles, as taught in the mountain bike training class. Officers may perform more advanced maintenance and repair on their bicycles based on individual training and experience. Maintenance and repairs that are beyond the officer's training or ability will be conducted by a Department approved bicycle shop.

V. Equipment

A. Each bicycle officer will be equipped with department approved cycling clothing and gear, to include:

1. Cycling helmet, gloves, shoes, and shorts
2. Safety Glasses
3. Raingear
4. Regular duty gear required for uniformed patrol
5. Whistle

B. The bicycles used by the Department will be compliant with SMC 11.44.160, Lamps and reflectors on bicycles.

C. Police bicycles will be equipped based on the generally accepted standard for police bicycles. Additional equipment may be added to the bicycle as approved by the unit commander.

D. Bicycles will be transported in a carrier designed for this purpose or in such a manner as not to damage the bicycle or the vehicle transporting the bicycle.

E. Any damage to a bicycle will be reported to the unit commander.

I. Emergency Driving (Non-Pursuit)

A. Emergency driving is done for police calls such as "help the officer," robbery in progress, injury accident, etc. During emergency driving the officer is not pursuing another vehicle.

B. Only police vehicles equipped with blue lights and sirens will engage in emergency driving. Police vehicles must comply with Section 1.141 - Vehicle Pursuits, subsection IV of this manual to fall within the statutory exemption granted to emergency vehicles.

C. In responding to emergency calls, officers must evaluate the situation, keeping in mind the same type of criteria used in pursuit situations; that is, time of day, weather conditions, location, population density, and familiarity with the area. Officers should drive no faster than reasonably necessary to safely arrive at the scene.

D. With the exception of police motorcycle escorts, no police escorts of private vehicles will be provided with blue lights or siren. With the exception of out-of-the-area ambulances on emergency runs, it is not permitted to lead another emergency vehicle as a part of a police escort. Officers desiring to assist should do so by assuring that intersections are clear along the probable route of the emergency vehicle.

E. Except for the situations described in the previous paragraph, no police officer shall authorize the driver of a private vehicle to exceed the speed limit or fail to stop for stop signs or signals, or otherwise violate traffic laws.

POLICY

The Department must enforce traffic laws, investigate traffic accidents, and direct traffic to facilitate the safe and expeditious movement of vehicular and pedestrian traffic. To enforce compliance with traffic laws and to develop driver awareness of the causes of traffic accidents, the Department appropriately warns, cites, or arrests traffic violators. Because traffic enforcement is a discretionary function, the decision as to which of these options should be applied rests with the individual officer; however, any decision must be objective and justifiable.

I. Violator Contact

A. Officers should consider certain factors when stopping a traffic violator:

1. The most important issue is officer safety. Officers should minimize hazards by placing their vehicles and themselves in an advantageous position. The officer should approach the car with caution.

2. The officer's demeanor with the violator shall be polite and decisive. After an appropriate greeting, the officer shall immediately inform the violator of the reason he was stopped and shall answer reasonable questions.

   a. An officer should be courteous in behavior, language and tone of voice. The officer should avoid any language designed to bait, ridicule or embarrass. Derogatory language or attempts to verbally bait the officer by the violator shall be ignored except that any such verbal harassment should be noted in the officer's narrative on the reverse side of the citation.

   b. The officer must appropriately warn, cite or arrest the violator. The officer will proceed in a positive, firm, and businesslike manner.

II. Enforcement Policy

A. Officers shall give primary attention to hazardous, "rules of the road" type violations.

B. Equipment requirements shall be enforced with the goal of correction of the defect.

C. Officers may issue as many citations as are required to handle multiple violations by an individual. Generally, officers should consider addressing the most serious violations and avoid the appearance of "stacking" citations.

D. When determining the appropriate level of enforcement, officers may consider the violator's understanding of a newly enacted statute.

E. Except at the direction of the Traffic Commander, officers will not normally engage in "roadside safety checks" as an enforcement tool.

III. Warnings

A. Warnings are an important component of the overall traffic enforcement program. Officers have the discretion to issue written warnings. Rather then imposing sanctions or ignoring a minor violation, officers should consider stopping the driver and calling their attention to the violation by issuing a Traffic Contact Report.

B. This procedure increases the total number of officer/violator contacts and contributes to the overall accident prevention program. The Traffic Contact Report shall be used in all officer-initiated traffic stops when no Notice of Infraction is issued.

IV. Tickets

A. The Washington Uniform Court Docket, Notice of Infraction shall be used to cite for violations of the traffic code, except as otherwise indicated.

B. The officer shall not cite unless the identity of the violator is certain.

C. The Washington Uniform Court Docket, Criminal Citation should be used in those situations:

1. Where custodial arrest powers exist but circumstances do not require physical arrest and booking.
2. When booking direct for a criminal traffic offense.

V. Arrests

A. When making a physical arrest for a traffic crime:

1. Issue a Washington Uniform Court Docket, Criminal Citation, and
2. Complete an *Incident Report*.

B. If a subject is arrested and booked for any non-traffic criminal offense, they must also be booked for the traffic crime.

C. See Training Topic 038, (Tickets) for additional information.

VI. Assisting Motorists

A. When an officer observes a motorist who obviously is in need of assistance, the officer should stop and assist, if safe and practical to do so. The officer should take reasonable steps to ensure the safety of any persons or vehicles in the area.

VII. Referral of Drivers Recommended for Reexamination

A. All officers shall, upon suspecting a violator/licensed driver suffers from incompetency, 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. These submissions should be on a *Recommendation for Driver's Reexamination Form.*

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
2.085	II - Operational Procedures	085 - Use of Push Bumpers

I. Definitions

A. Disabled vehicle: A vehicle which is stalled, broken down, abandoned, or otherwise incapacitated in the travel portion of a roadway.

II. Guidelines

A. Hazards created by disabled vehicles must be handled immediately. If it is impractical to establish traffic control measures or tow the disabled vehicle, officers are permitted to push the disabled vehicle to a safe place.

NOTE: Officers should refrain from pushing vans, trucks, etc. which obstruct their forward vision. If the officer cannot see the roadway ahead, it is unsafe to push the vehicle.

B. Only Department vehicles equipped with push bars and emergency equipment may be used to push disabled vehicles.

1. Emergency lights must be activated before pushing a disabled vehicle.

C. Department vehicles should only push disabled vehicles weighing less than 5,000 lbs.

1. Passenger cars and compact pick-up trucks typically weigh 2,000 - 4,000 lbs.

D. If the owner or operator of the disabled vehicle is not present, the disabled vehicle should be impounded pursuant to Department policy.

1. If an emergency exists, the vehicle may be pushed to a safe location.

E. Disabled vehicles should be pushed no further than necessary to remove the hazard, or impediment to vehicular or pedestrian traffic.

F. The use of any Department vehicle to push start a disabled vehicle is specifically forbidden.

G. Disabled vehicles should be pushed only in a straight line. Department vehicles should disengage prior to any turns.

H. Speed during the push should not exceed 10 miles per hour.

I. Damage resulting from the use of push bars shall be reported on an *Incident Report* and a supervisor shall be called to the scene.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
2.089	II - Operational Procedures	089 - Impounding Vehicles

POLICY

A vehicle should be impounded only after all other reasonable alternative dispositions have been eliminated. Officers may not impound a vehicle merely because an arrest has been made.

I. Alternatives to Impound

A. Officers may leave a vehicle at the scene of an incident if the vehicle is not needed for police purposes. The vehicle may be:

1. Legally parked and secured by an officer in the immediate area (with the permission of the owner or their authorized representative),
2. Released to the owner (or their authorized representative), or
3. Privately towed at the owner's request and expense.

II. Reporting the Impound of a Vehicle

A. A specific reason must be indicated on the Parking Violation Ticket or *Vehicle Report* when impounding a vehicle.

B. Parking Violation Ticket

1. The word "Impound" shall be written in the "Comments" box on the front of the Parking Violation.
2. All Parking Violations marked for impound shall be separated from other parking tickets and delivered separately to the Seattle Municipal Court distribution boxes in the Public Safety Building.
3. A vehicle will not be impounded on a parking violation when arresting occupants of the vehicle and other legal authority to impound exists.
   a. For example, when arresting a driver for DUI and you are unable to make alternative arrangements for disposition of the vehicle, impound on a *Vehicle Report*, using the DUI single incident number (SIN).

C. *Vehicle Report*

1. Officers shall complete a *Vehicle Report* (form 5.5):
   a. To document stolen vehicle recoveries and investigatory impounds, and
   b. In any other situation when a vehicle is impounded for other than a parking violation.
2. Approved reports will be forwarded to the Data Center following Department procedure.

III. Impoundment Without Prior Notice

A. A vehicle may be impounded with or without citation and without giving prior notice to its owner only when:

1. The vehicle is impeding or is likely to impede the normal flow of vehicular or pedestrian traffic;
2. The vehicle is illegally occupying a truck, commercial load, bus, loading, hooded meter, taxi or other similar zone where, by order of the Director of Engineering or Chiefs of Police or Fire, parking is limited to designated classes of vehicles or is prohibited during certain hours, on designated days, or at all times, and where such vehicle is interfering with the proper and intended use of such zone;
3. A vehicle without a special license plate, card, or decal indicating that the vehicle is being used to transport a disabled person, as defined under RCW Chapter 46.16, is parked in a stall or space clearly

and conspicuously marked, as provided in SMC 11.72.065A, whether the space is provided on private property without charge or on public property;

4. The vehicle poses an immediate danger to public safety, (i.e., leaking gasoline, blocking fire zone or hydrant, etc.);
5. An officer has probable cause to believe the vehicle is stolen and it is necessary to hold the vehicle as evidence (or to comply with the owner's request);
6. An officer has probable cause to believe the vehicle constitutes evidence of a crime or contains evidence of a crime, and impoundment is reasonably necessary to obtain or preserve such evidence;
7. When a vehicle is parked in a public right-of-way or on other publicly owned or controlled property in violation of any law, ordinance, or regulation and there are four (4) or more parking infractions issued against the vehicle for each of which a person has failed to respond, failed to appear at a requested hearing, or failed to pay an adjudicated parking infraction for at least forty-five (45) days from the date of the filing of the notice of infraction;
8. When a vehicle is a "junk motor vehicle" as defined in SMC 11.14.268, and is parked on a street, alley, or way open to the public, or on municipal or other public property. "Junk motor vehicle" means any motor vehicle meeting at least three of the following requirements:
   a. Left on private property without the permission of the person having a right to the possession of the property;
   b. Left on a street, alley way open to the public or on municipal or other public property for seventy-two (72) hours or longer;
   c. Extensively damaged, such damage including but not limited to any of the following: a broken window or windshield, missing wheels, tires, motor or transmission;
   d. Apparently inoperable;
   e. Having a fair market value of Five Hundred Dollars ($500.00) or less;
   f. Without a current certificate of registration or a current and proper vehicle license.

B. Absent exigent circumstances, consent, or some other legal authority, nothing in this section shall be construed to authorize search or seizure of a vehicle without a warrant where a warrant would otherwise be required.

IV. Impoundment With Prior Notice

A. A vehicle may be impounded after notice has been given to the owner when such vehicle is parked or used in violation of any law, ordinance, or regulation on any street, alley, or municipal property.

B. Notice of impound is made by securely attaching a *Notice of Violation - 72 hour Parking* (form 8.5) to the vehicle for a minimum period of 72 hours prior to impoundment, advising the owner that unless the violation is corrected, the vehicle will be impounded.

C. When such vehicle is abandoned, as that term is defined in SMC 11.14.015.

D. When such vehicle is so mechanically defective as to be unsafe for operations; provided, however, that this section shall not be construed to prevent the operation of any such defective vehicle to a place for correction of equipment defect in the manner directed by any peace officer.

V. Vehicle Inventory

A. Officers shall make a routine inspection of an impounded vehicle for items of value unless the vehicle is impounded on an investigatory hold. Absent exigent circumstances, consent, or some other legal authority, nothing in this section shall be construed to authorize a search or seizure of a vehicle without a warrant where a warrant would otherwise be required.

I. *Vehicle Report*

A. The *Vehicle Report* (form 5.5) shall be utilized when reporting:

1. Theft of a vehicle,
2. Theft of one or both license plates,
3. Theft of one or both license tabs,
4. Attempted theft of a vehicle,
5. Recovery of a stolen vehicle, plates, or tabs, and
6. Authorized impounds (other than parking infraction impounds).

B. Officers must obtain the complainant's or victim's signature on the *Vehicle Report* when attempted auto theft, auto theft, theft of vehicle plate(s), and theft of license tab(s) is reported.

II. Vehicle Theft or Attempted Theft

A. Contact the complainant and determine if the vehicle was actually stolen. If a vehicle theft report is warranted, proceed with the following procedures:

1. Complete the *Vehicle Report* (form 5.5),
   a. If the complainant does not know the license plate number, take the report and put "Unknown" in the license plate block.
   b. Have the reporting party read, initial, and sign the back of the first page (white original copy) for vehicle thefts, attempted thefts, theft of one or both license plates, or theft of one or both license plate tabs. The reporting party is also required to select and initial one of two impound options described on the back.
   c. Give the 3rd copy (pink) to the complainant.
2. Advise Radio that you have a "signed stolen" as soon as possible after the complainant signs the back of the *Vehicle Report*, and
3. If a P*reliminary Vehicle Report* (form 5.1.5), "greenie", has not been completed previously by the Communications Section, contact them by telephone and report the necessary information.

III. Stolen Vehicle Recoveries

A. Determine if the vehicle is driveable and if both license plates are still attached. Relay this information to the Communications Section.

B. Complete a *Vehicle Report* (form 5.5) to document the condition of the vehicle and the circumstances of the recovery.

C. For recovered vehicles originally reported stolen within the Seattle city limits, use the original SPD single incident number (SIN) and:

1. Attempt to contact the owner and have the owner respond to the scene to reclaim the vehicle. Obtain an estimated time of arrival. If the owner is unable to respond, the vehicle may be released to another person specifically authorized by the owner, or
2. When the owner cannot respond or be located, impound the vehicle, at the owners expense, if:
   a. Previously authorized by the owner,
   b. The vehicle poses an immediate hazard, or
   c. It is illegally parked as described in SMC 11.30.040.

   NOTE: Officers need not stand by if the owner cannot immediately respond, impound has not been authorized, and the vehicle is legally parked.

D. Vehicles stolen outside the City shall be immediately impounded at the owner's expense and a new SIN obtained.

E. Indicate in the "Impound" section of the *Vehicle Report* whether the owner / complainant authorized the vehicle's impoundment.

F. Leave the owner's copy of the *Vehicle Report* with the owner or vehicle.

G. Give the tow truck driver the 2nd copy (yellow) of the *Vehicle* Report if the vehicle is impounded.

IV. Impound Fees

A. Impoundment, towing, or storage fees shall not be assessed against the owner of a vehicle being held for investigative purposes if the vehicle is redeemed within 48 hours of written notification of the release by the Department.

B. The City shall not be liable for impoundment, towing, or storage fees of the vehicle if the owner or user is arrested or charged with a crime related to the impound.

C. Vehicle owners may contest impound costs in District Court by completing an "Impoundment Vehicle Hearing Request" form, which can be obtained from the tow company.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
2.097	II - Operational Procedures	097 – False Alarm Response

PURPOSE

The purpose of the false alarm ordinance is to reduce the unnecessary police response to locations where no criminal activity or emergency exists.

POLICY

1. When Officers are dispatched to an alarm and they determine it to be false based on the definition below, they shall issue a notice of infraction for false alarm. Alarms triggered by human error, animals on the premise, improper use of the system, loose fitting doors or windows, equipment malfunctions, service technician working on alarm and/or disputes over activation with the alarm company are not considered valid reasons for an alarm activation. **Citations shall be issued to the owner of the alarm system under the appropriate SMC Ordinance**.
2. When officers are dispatched to an alarm and documentable evidence exists of criminal activity or an emergency, Officers shall take an incident report.
3. The Communications Section will not accept calls from monitoring centers that have not been verified according to our City Ordinance requirements.

   Exceptions are Robbery, Panic, Duress, and Medical alarms. and justified extenuating circumstances. (extenuating circumstances i.e. Citizen complaint of alarm, Third party witness of circumstances).

Definitions:

A. False Alarm: An alarm is determined to be false when there is no evidence of a crime or other activity on the premises that would warrant immediate police response or police investigation. No individual who was on or near the premises, or views a video or phone communication from the premise, confirmed the need for immediate police response.

B. Automatic Alarm: Any system, device, or mechanism for detection and reporting of any unauthorized entry or attempted entry or property damage upon real property. When activated by sensors or other techniques and automatically transmits a telephone message, to a monitoring station and/or emits an audible or visible signal that can be heard or seen outside the protected premise.

C. Local Alarm: An audible property/burglary alarm not connected to a monitoring company, and there are no emergency phone numbers listed in plain view near the entrance to the premise.

D. Robbery, Panic, Duress or Medical Alarms: Any system used by individuals to alert others that a robbery or any other crime is in progress or immediate assistance or aid is needed to avoid injury or serious bodily harm.

E. Bank Alarms: Silent, hold-up, vault alarms, bill traps, audible alarm and any other type of bank alarm.

F. Vehicle Alarms: A non-monitored stationary unoccupied vehicle alarm for theft/vandalism protection.

G. Mobile Security Devices: This security system is available in two different models.

   1. Mobile alarms: an occupied vehicle alarm with a panic button activation system. It has Global Positioning System and voice communication capability.
   2. Personal Alarm: A Portable hand-held device that can be used either in a vehicle or carried on a person. It has a Global Positioning system and voice capability.

H. Free standing ATM machines: A machine used to dispense money, from accounts at a financial institution, which is not in a bank building.

I. VARDA Alarms: Police installed Voice Alerting Radio Detection Alarm.

I. False Alarm Procedures

A. A notice of infraction shall be issued in all cases in which an officer has been dispatched to a report of an alarm and the alarm is determined to be false based on the above definition .

1. Complete a Notice of Infraction; check the "Non-Traffic" box. Record the event number, **Do not draw a single incident case number**. (SIN)
2. Verify that the address given on the call matches the address you're checking. If you cannot verify the address of the alarm, have communications check with the alarm monitoring company for verification that you are at the correct address. Often directional portions of the address are transposed or left off and the alarm may have the same address but in a different part of the city.
3. Identify the alarm owner, use the name given on the MDT by the alarm monitoring company as the defendant name, whether a business or private residence. If someone other than the owner of the alarm system set it off, such as the cleaning service, relative, house sitter, construction crew etc. document their name and status on the back of the citation as the cause of the alarm.

C. If you have an alarm not connected to a monitoring company (local alarm, see definition) and you cannot determine the name of the resident/business, leave the name and address block blank. Put the entire address in the location block and complete the rest of the citation. Forward the citation to the False Alarm Coordinator for follow-up. Retain the LEA copy.

NOTE If a citation is submitted to the Court Unit without a name it will be returned to the issuing officer's supervisor for corrective action.

D. Distribution of Citations

1. Leave the defendant (green) copy along with **"Notice to Alarm User** SPD form 9.1 in a secure and conspicuous location, (except for free standing ATM's, see below)
2. Retain the LEA copy for one year plus current.
3. Officer Report is completed on the back of the court copy. Record your dispatched time, arrival time, and cleared time as found on the MDT or (Event History). State only the circumstances and facts found. **Do not speculate** as to the cause of the alarm. Forward remaining copies through normal ticket processing channels.

E. Non-Verified Alarms If you are dispatched to a non-verified alarm, **respond**. Cite if false and list any details given by communications section, alarm company or employees on scene as to why verification was not done and include them in the comments section on the MDT. Follow-up will be done by the False Alarm Coordinator

F. No-Response Alarm calls If you are dispatched to a business that has a "No Response" status, **respond.** If the alarm is determined to be false, issue a citation. If physical evidence of a crime or emergency exists complete an incident report. Record any extenuating circumstances given for the dispatch in the comment section of the MDT. Forward a copy of your citation (front and back) or report to the False Alarm Coordinator for follow-up.

G. Ticket Cancellations, should you be dispatched on a call where a false alarm ticket has been issued and there is physical evidence of a crime or property damage that was more than likely the cause of the alarm:

1. Take the incident report, Indicate on your report what you found and that the crime and/or property damage is believed to be the cause of the alarm and that you have taken the defendants copy of the ticket and canceled it.

2. Take the defendant's ticket (green copy) and write a SMC ticket cancellation (SPD form 1.51). In the "reason for cancellation" block, place the incident number of your report. Attach a copy of the incident report, Defendants ticket and the ticket cancellation and send it through normal channels.
3. If the owner does not have the ticket or ticket number, then send a copy of the incident report to the False Alarm Coordinator indicating that the alarm was more than likely caused by the incident recorded. Make sure to include the date and time of the alarm in the report and as best as possible the time frame of the incident. If the time frames do not match, then the false alarm ticket should stand. The defendant would then have the option to take the false alarm ticket to court.

II. Guidelines

A. Automatic "Property or Burglar" Alarm means any system, device, or mechanism for detection and reporting of any unauthorized entry or attempted entry or property damage upon real property. When activated by sensors or other techniques and automatically transmits a telephone message, to a monitoring station and / or emits an audible or visible signal that can be heard/seen outside the protected premise, Cite SMC 10.08.173 Fine $50.00 Clear with Mir appropriate for premise

B. Audible Alarm Standards For alarms systems installed after September 1, 1993, they shall not emit sounds continuously for more than ten (10) minutes without re-setting. It is the responsibility of the owner/user of the alarm system to prove alarm was installed prior to September 1993 Cite Ten-minute limit SMC 10.08.155 Fine $50.00. Clear with Mir appropriate for premise

C. Local Alarm An audible-type property, burglary alarm not connected to a monitoring company, and there are no emergency phone numbers listed in plain view near the entrance to the premise Cite Notice –Alarm turnoff 10.08.150 Fine $50.00. Clear with Mir appropriate for premise.

D. Unlawful Activation or Reporting of an Alarm. Robbery Panic, Duress or Medical Alarms. Are used by individuals to alert others that robbery or any other *crime is in progress* or immediate assistance or aid is needed to *avoid injury or serious bodily harm.* If determined to be a false trip, Cite Unlawful Activation SMC 10.08.160 Fine $50.00 Clear with Mir appropriate for the type of premise alarm occurred in

E. Medical Alarms, Generally should not be cited unless deliberate misuse can be documented. Cite Unlawful Activation SMC 10.08.160 Fine $50.00 Clear with Mir 215-I

F. Bank Alarms. Silent, hold-up, vault alarms, bill traps, audible alarm and any other type of bank alarm that is determined to be false should be cited as any other alarm. Indicate how it was tripped and by whom. Cite Unlawful Activation SMC 10.08.160 for Robbery, hold-up etc. Fine $50.00, and SMC 10.08.173 for property burglary. Fine $50.00. Clear with Mir 211-I

G. Free Standing ATM machines. When issuing a citation to a cash machine not associated in a bank building, such as a grocery store or open mall. Write the name of the Bank owning the cash machine in the defendant block. Leave the address block blank. Write the address location of the ATM machine in the violation location block, be specific, there may be more than one in the immediate vicinity. Write the narrative on the back indicating the circumstances and officer actions. Keep your LEA copy and forward all other copies of the ticket to the False Alarm Coordinator for forwarding to the correct banking facility. *Do not leave the green copy at the scene.* Cite SMC 10.08.173(property/burglary or 10.08.160 (robbery/panic) which ever is appropriate, Fine $50.00. Clear with Mir 210-I and add the comment *"Free Standing ATM"* in the comment section of the MDT and on the back of the ticket.

H. Fire Alarms Fire alarms should not be cited. If you determine that the alarm is a Fire Alarm, notify Radio to contact Fire and clear with *MIR 213-R*, make notes in comment section about what you found there and that you relayed this information to Fire. ***Note*** Fire alarms usually ring continuously

I. VARDA Alarms Police installed Voice Alerting Radio Detection Alarm should not be cited A valid VARDA alarm should be documented on an incident report. A false trip should be documented in detail on the MDT comment section. Stating what circumstances (If known) set it off and the name any person on the scene. The VARDA detective will review Varda alarms and determine if the alarm should be pulled based partially on what comments are written on the MDT. Clear with Mir 216-K

J. Vehicle Alarms Means a non-monitored stationary unoccupied vehicle alarm for theft / vandalism protection and may only be cited if they fail *"to reset"* within five (5) minutes. Cite on a *parking citation* at the current standard parking fine rate. Route the parking citation as you would any other parking ticket. Cite 11.84.345 Turning off Automatic Automobile alarms. Clear with Mir 218-I

Exceptions: Damage to vehicle causing alarm, alarm equipment malfunction with owner present, alarm sounded as method of summoning police, Unlawful entry and/or reported stolen vehicle

K. Mobile Security Devices Come in two types. *Mobile Alarms* This is described as an occupied vehicle alarm with a "panic" button type activation. It has GPS (Global Positioning System) and voice communication capability. The 2nd. Is a *Personal Alarm* This is as portable hand-held device that can be used either in a vehicle or carried on a person. It also has GPS and voice capability. It is designed for use as a "panic" type of activation. Document these alarms using the same standards as found under the False Alarm Definition, either by citation for a false trip or a report for a valid alarm or emergency and forward a copy to the False Alarm Coordinator. Cite SMC 10.08.160 Fine $50.00 Clear with Mir 219 I or C

III. No Response Status

A. Commercial locations may be placed on "No Response" for a period of one year if they receive six (6) or more false alarms within twelve consecutive months.

B. Private residences cannot be placed on "N0-Response,"

C. A database is maintained on these problem premises. Call or forward a memo about any problem location to the False Alarm Coordinator Unit #262 for follow-up

POLICY

If there has been an obvious infraction of City ordinances pertaining to animal control, officers may use their discretion in whether to issue a ticket, write an *Incident Report*, give a verbal warning, or defer the matter for enforcement by the City of Seattle Animal Control Division. The Animal Control Division is available from 0700-2000 hours daily.

I. Investigation of Animal Complaints

A. The following types of calls are the primary investigatory responsibility of Patrol:

1. Vicious animals presently endangering someone,
2. Theft of animals, and
3. Poisoning/shooting of animals.

B. Officers shall advise Animal Control when they are responding to an animal bite or a vicious animal, as Animal Control has the primary responsibility for follow-up in these cases.

C. Officers shall use whatever resources are available to them when handling animal control situations when Animal Control is not available. Extreme caution in handling these situations should be exercised, as officer safety is a concern.

II. Routing of Paperwork

A. Officers shall forward, via inter-departmental mail, copies of all Notice of Infractions and Criminal Citations (front and back of the Court Copy), or *Incident Reports* concerning animals to Animal Control for follow-up.

B. Employees shall fax animal bite and vicious animal reports to Animal Control to ensure timely follow-up and quarantine of the animal.

C. Employees shall request to have copies of reports concerning animals sent to Animal Control under the distribution portion of the *Incident Report*.

III. Resources

A. Nuisance Wildlife

1. The Washington State Fish and Wildlife office will give advice and will offer referrals to the public concerning nuisance wildlife (e.g., raccoons, squirrels, etc.).
2. When the Fish and Wildlife office is closed, the Communications Section has a list of trappers and exterminators for referral. These trappers and exterminators offer their services to citizens for a fee.

B. Injured wildlife

1. Officers may call Animal Control in cases where wildlife is injured. Animal Control will respond on a case-by-case basis.

2. When Animal Control is unable to assist, the Communications Section has a resource list of rehabilitators. These resources offer assistance on a case-by-case basis, and often require that the animal be brought to their facility.

C. Injured Domesticated Animals

1. If an owner cannot be located, Animal Control is available during their hours of operation to pick up an injured domesticated animal and will take the animal to an emergency clinic.

2. After hours, officers may take injured animals to a city contract emergency clinic. The City of Seattle contracts with two veterinary clinics for emergency night service. Coordinate the delivery of an injured animal through the Communications Section.

D. Impounded Animals

1. Animal Control facilities are available to officers after hours, to kennel impounded animals. Prior to leaving the animal shelter, officers must complete an "Impound Form" and place it on the cage with the animal.

   a. These forms are available in the receiving area of the shelter.

   b. The Communications Section has instructions for officers leaving an animal in the animal shelter.

E. Dead Animals

1. Animal Control will respond to pick up dead animals during their hours of operation.

POLICY

Personnel who are not trained to Arson/Bomb Squad standards and specifically authorized to handle explosives, shall not move, attempt to move, disarm, or attempt to disarm any explosive device. Officers are encouraged to request that Arson/Bomb Squad respond to the scene when any doubt exists as to the need.

I. Explosions

A. Notify the Arson/Bomb Squad when an injury has occurred, damage exceeds $100.00, or there is a series of events that appear to be related. Minor incidents, such as firecrackers in a mailbox, etc., do not require notification.

II. Bomb Threats

A. General

1. Radios, cellular phones, and Mobile Data Terminals (MDTs) should not be used within 300 feet of the scene.
   a. Caution: 800MHz radios transmit when being turned on or off. Also, an 800MHz transmits after re-acquiring communication links to the server. Turn off your portable and car radios prior to arriving.
2. Communication should be by non-cellular telephone.
   a. If it is necessary to use a radio or cellular phone, move at least 300 feet from the scene.
   b. As an alternative, prior to transmitting, position yourself so that there is a building between you and the device.
3. Find out from the person who received the call the exact words used in the threat so that the threat can be evaluated.

III. Responsibilities

A. Chief Dispatcher

1. Tell the appropriate sector sergeant to call you on the telephone.
2. Give the sergeant all the information you have about the bomb threat.
3. Dispatch by MDT. Remind personnel to turn off cellular phones, radios, and MDTs prior to arrival.

B. Sergeant

1. Tell the Chief Dispatcher how many units to send to the scene.
2. Ensure all responding units have been advised to turn off cellular phones, MDTs, and two-way radios when within 300 feet of the scene.
3. Upon arrival on the scene:
   a. Establish a command center.
      (1) Ensure all personnel responding check-in prior to entering the premises.

b. Investigate the circumstances.

c. Advise owner/person in charge of the options available.

(1) No action.

(2) Search without evacuation.

(3) Search with evacuation.

d. Searching

(1) The sergeant will confer with the owner/person in charge of the premises regarding any search, and will determine on a case-by-case basis if officers will assist in the search, and if so, how assistance can be rendered.

(2) Police will advise the owner/ person in charge of safety considerations.

(a) No radio or cellular phone transmissions.

(b) Do not touch any suspicious items.

(c) Contact police immediately if any suspicious items are located.

e. Evacuation

(1) If the owner/person in charge, decides to evacuate the area, the minimum safe distance is at least 300 feet. Ensure that the evacuation is performed orderly and quickly.

(2) If there was a time given for the bomb to explode, it is a good practice to evacuate the scene at least 15 minutes before the threatened explosion, sooner if possible.

(3) Ensure the employer can account for all employees.

(a) Suggest an "employee and customer assembly point."

C. Property Owner - Person In Charge

1. The owner or person in charge of the threatened facility is responsible for making the following decisions:

a. Take no action based on the type of facility and the credibility of the caller,

b. Search without evacuation, or

c. Search with evacuation.

IV. If A Bomb or Suspected Bomb Is Found:

A. Immediately notify the Arson/Bomb Squad.

NOTE: Anyone who finds a suspicious item should be detained until the Arson/Bomb Squad arrives at the scene.

B. Once a suspect item is found, the area becomes a crime scene and police control prevails.

C. Treat all suspicious objects as a possible bomb.

NOTE: Do not touch any device. Suspicious devices shall only be handled by Arson/Bomb Squad trained personnel.

D. Immediately evacuate everyone to a safe distance (at least 300 feet away).

1. If the location is a multiple floor building, evacuate the floor the bomb is on, the floor above, and the floor below.

2. Generally, if the bomb is larger than a shoe box, evacuate additional floors and consider evacuating the entire building.

NOTE: Officers should take advantage of natural protective barriers. Unless focused, shock and pressure waves from an explosion radiate outwards in all directions, but move in straight lines.

E. Ensure all police personnel are accounted for and are in a safe position.

F. Provide Arson/Bomb Squad personnel with all available information upon their arrival.

1. If possible, make a sketch of the floor plan around the device. Include any special circumstances such as hazardous materials.
2. Attempt to locate keys for all spaces in the facility affected.

V. Bomb Threat / Haz-Mat Situations at Seattle Center

A. When called to the Seattle Center to investigate bomb threats, suspicious packages, or hazardous materials:

1. The Sector Sergeant will contact the Chief Dispatcher who in turn will call the Seattle Center Duty Manager.
2. The Duty Manager is in charge of the Seattle Center.
3. The Duty Manager has the authority to evacuate or not evacuate a specific facility.
4. The Duty Manager has multiple resources to assist the Department in searching all areas of the Seattle Center.

VI. Explosive Materials

A. Explosive items, such as homemade bombs, military ordinance (hand grenades, shells, etc.) and commercial or military explosives are dangerous and may be easily detonated. Explosive materials, except as indicated below, shall be left undisturbed. Removal of these materials are the responsibility of the Arson/Bomb Squad.

B. A sector sergeant may authorize the handling and transportation to the Evidence Unit of the following explosive materials:

NOTE: If you believe that these materials cannot be handled and transported safely, secure the area and notify the Arson/Bomb Squad.

1. Small arms ammunition smaller than .50 caliber.

   CAUTION: Certain .50 caliber and 20mm rounds have sensitive, high-explosive fragmentation projectiles.

2. Tear gas capsules that provide positive identification of their contents.
3. Firecrackers, excluding military simulators.

   CAUTION: Many of the fireworks of today have phenomenal explosive potential and can be compared with partial sticks of dynamite. Do not store or bring into a public building large numbers of firecrackers, such as M-80's.

C. The Evidence Unit has the authority to refuse any of the listed materials due to their condition or quantity. If the materials are not accepted by the Evidence Unit, notify the Arson/Bomb Squad. The Arson/Bomb Squad will then be responsible for disposal of the materials.

D. Do not bring explosive materials of any kind into any Department facility except the Evidence Unit.

E. Smoking is prohibited near explosive materials.

I. Hazards to the Public

A. Officers shall be alert for defects, damage, or obstructions to any streets, roadways, sidewalks, parking strips, or other installations or properties, the result of which may be dangerous or detrimental to public welfare.

B. This also applies to inoperative or impaired City utility installations, such as street lights out or obscured by trees, traffic signs down, damaged, or obscured by shrubbery, overhanging trees, or other objects, etc.

C. Some of the most common which require special handling are:

1. Fire Alarms, and
   a. Officers shall respond immediately to every fire alarm which they become aware of or are assigned to.
2. Wires Down.
   a. Officers who respond to a call or otherwise come upon the scene of "wires down," shall consider all wires to be energized and dangerous until proven otherwise.
      (1) Telephone, fire alarm, trolley, and guideline wires may be in touch with high voltage wires at some other point, and such wires may carry lethal electric charges.
   b. Only in cases of extreme emergency, where a wire must be moved to rescue or save the life of a person, should the wire be moved by using some dry, insulated device. Such move shall be made only where it is possible and reasonably safe, both to the life of the officer and to the lives of other persons at the scene.

D. Officers discovering hazards shall take immediate action as soon as is practical by notifying the Communications Section of the nature of the hazard.

E. The Communications Section shall forward the information to the appropriate agency for corrective action.

F. If the hazard poses an immediate danger to the public, the officer or other authorized personnel shall safely maintain pedestrian and vehicular traffic control over the situation until it has been rendered safe by the appropriate agency, either in a temporary or permanent condition.

II. Hazardous Materials Incidents

A. The U.S. Department of Transportation's "Emergency Response Guidebook" should be consulted when responding to a Haz-Mat situation. The guidebook will help you identify and read hazard placards on transport vehicles. It will also provide you with information on the hazards of a particular material, and steps to take when responding to Haz-Mat incidents.

B. When responding to a hazardous materials incident, the first unit on-scene should:

1. Approach the scene from upwind,
2. Assess the need for, and request the assistance of, additional resources as needed,
   a. The Seattle Fire Department (SFD) has overall responsibility for response to, and command of, Haz-Mat situations. They should be notified as soon as possible.
   b. A sworn SPD supervisor,

c. SFD Aid units.

3. Move people and keep them away from the scene. An initial safe perimeter is 500 feet.
4. Perform life saving rescue and first aid.
5. If possible, without endangering personal safety, attempt to identify the hazardous material.
   a. Hazardous materials transported by rail or road should be marked with a placard that has a 4 digit number on it. Provide that number to Radio.
6. Secure and contain the scene until other resources arrive.

B. Once SFD has arrived and assumed command of the incident, the Department's role shall be to assist with the incident. This may include:
   1. Traffic and crowd control,
   2. Evacuation,
   3. First Aid,
   4. Identifying and interviewing witnesses,
   5. Protection of property, or
   6. Transportation of victims.

III. Spill Response and Disposal

A. In situations where the SFD does not respond, the Department shall assess the need for removal and transportation of the hazardous material.

B. Officers shall notify the Communications Section as to the nature of the hazard.
   1. The Communications Section will notify the Washington State Department of Ecology, which maintains 24 hour emergency Spill Response.

C. Remain at the scene until the DOE staff person arrives.

D. Request from the DOE staff person authorization to have the hazardous material removed.

E. Complete an *Incident Report* on all Hazardous Materials or Spill Response incidents.
   1. Include in the report the name of the environmental service provider.
   2. Forward an *Alert* tagged copy of the *Incident Report* to the Department Safety Officer.

IV. Safety Officer Responsibilities

A. Upon receipt of an *Incident Report* involving the emergency transportation of hazardous materials do the following:
   1. Within 48 hours of the emergency transportation, complete a DOE form 2, "Notification of Dangerous Waste Activities".
   2. Send the completed DOE form 2 via Federal Express to:

      Washington Department of Ecology
      Attention: Sheri Dotson
      300 Desmond Drive
      Lacey, WA 98503
   3. Upon receipt of the WAD number from DOE, provide the WAD number to the environmental service provider who removed the hazardous material.

Seattle Police Department
Policies and Procedures

Section 2.113

Title:	Chapter:
II - Operational Procedures	113 - Fish and Game Enforcement

I. General

A. The Department has the authority to enforce State Fish and Game law violations occurring within the City, however, any enforcement in this regard will be:

1. Deferred, in most cases, to the Department of Fish and Wildlife, or the appropriate State or Federal agency,
2. Determined on a priority basis, keeping in mind that the Department's primary mission is to maintain the peace and protect life and property, and
3. Limited by the availability of Department staffing and resources.

B. When the Department receives a direct complaint, every effort will be made to defer primary enforcement responsibility to the appropriate State or Federal agency.

II. Assuming Primary Investigative Responsibility

A. When SPD personnel are required to accept primary enforcement responsibility of a fish or game law violation:

1. Normal SPD investigative and reporting procedures will be followed, and
2. Notification will be made to the appropriate State or Federal agency, which will assume responsibility for any follow-up investigation.

III. Requests for Assistance

A. SPD personnel will assist on an emergency basis and only upon request of the appropriate agency.

B. Assistance will be determined by the nature of the emergency and the availability of SPD personnel and equipment.

C. Approval must be given by a SPD Watch Commander or Harbor Unit supervisor.

D. Under normal circumstances, SPD personnel will not be assigned to watercraft of any State or Federal agency. When appropriate, assistance on a body of water within the City limits will be provided by Harbor Unit units.

E. When SPD personnel are requested to respond to an emergency situation aboard a watercraft of a State or Federal agency, and the SPD Harbor Unit is not available:

1. An Operations Bureau supervisor will be assigned by the Watch Commander or Harbor Unit supervisor who gave the initial approval, and
2. SPD officers involved will be under the command and control of the SPD supervisor. If at any time during the operation the supervisor feels that the officers are being called upon to perform duties or acquire obligations contrary to Department policy, or law, immediate steps will be taken to withdraw, or correct the situation.

F. The role of SPD will be to maintain the peace, protect life and property, assist in actual enforcement only if necessary, and defer primary enforcement responsibility to the agency requesting assistance.

POLICY

Under the terms of the Vienna Convention and other treaties, whenever officers take into custody a person who states they are a foreign citizen, additional notification procedures are required. Compliance with this policy and procedure is important because it enhances the ability of the United States to insist that foreign officials provide the same rights to U.S. diplomats and citizens who are arrested abroad.

Failure to provide appropriate notification may result in suppression of evidence and subsequent loss of convictions.

I. Definitions

A. Foreign National: Any person who is not a United States citizen; whether tourist, visitor, migrant worker with a temporary work permit, alien resident, illegal alien, asylum-seeker, or person-in-transit.

B. Diplomatic Immunity: A principle of international law by which certain foreign government officials are not subject to the jurisdiction of local courts and other authorities for both their official and, to a large extent, their personal activities.

II. Summary of Requirements Pertaining to Foreign Nationals

A. When foreign nationals are arrested or detained, it is mandatory that they be advised of the right to have their consular officials notified, without unreasonable delay.

1. Law enforcement officers who actually make the arrest or who assume responsibility for a foreign national's detention are responsible for making proper notification.

2. The mandatory advisement statement is located in the "Consular Notification and Access Reference Card: Instructions for Arrests and Detentions of Foreign Nationals" and the *Officer's Resource Booklet* (form 39.0).

   a. This advisement must be made even if the suspect will not be interrogated.

B. In some cases, the nearest consular official *must* be notified of the arrest or detention of a foreign national, *regardless of the national's wishes*.

C. Consular officials are entitled to access their nationals in detention and are entitled to provide consular assistance. However, notification places no obligation upon consular officials to perform any services on behalf of the foreign national.

D. Additional circumstances in which consular officials must be notified include:

1. When a government official becomes aware of the death of a foreign national;

2. When a guardianship or trusteeship is being considered with respect to a foreign national who is a minor or incompetent;

3. When a foreign ship or aircraft wrecks or crashes.

III. Procedure to Follow When a Foreign National is Arrested or Detained

A. Attempt to determine the foreign national's citizenship. In the absence of other information, assume this is the country on whose passport or other travel document the foreign national travels.

B. If the foreign national's country *is* on the list of *mandatory notification* countries:

NOTE: A list of the mandatory notification countries is located in sub-section IV below.

1. Notify that country's nearest consular official, without unreasonable delay, of the arrest/detention – after arrival at the precinct, jail, or other significant detention such as hospitalization, but before interrogation or booking.

   a. Phone and fax numbers for foreign embassies and consulates in the United States are located in the "Consular Notification and Access" reference book, Part Six. This reference book may be obtained from a Patrol supervisor, Precinct Commander, or King County Jail Staff.

   b. Use the *Fax Sheet for Notifying Consular Officers of Arrests or Detentions* (form 58.0) to make notification when the consulate has a fax available.

   c. Submit the fax sheet and fax transmittal report with the *Incident Report* to Data/Distribution.

      (1) If the fax machine does not print a fax transmittal report, record the date and time the fax was sent in the *Incident Report.*

   d. If a fax machine is not available, officers shall personally call to make consular notification. The date, time, and point of contact shall be documented in the *Incident Report*.

      (1) If contact is not successful, document the notification attempt in the *Incident Report*.

      (2) Notify jail staff if the suspect is being booked and notification has not been made.

2. Tell the foreign national of the notification.

   a. The foreign national must be advised of the following:

      "Because of your nationality, we are required to notify your country's consular representatives here in the United States that you have been arrested or detained. After your consular officials are notified, they may call or visit you. You are not required to accept their assistance, but they may be able to help you obtain legal counsel and may contact your family and visit you in detention, among other things. We will be notifying your country's consular officials as soon as possible."

   b. Translations of this statement are found in Part Four of the "Consular Notification and Access" reference book.

3. Notification must be made, regardless of the national's wishes.

   a. Where an arrestee is seeking asylum in the U.S., <u>officers shall not reveal that fact in their mandatory notification</u> to the foreign consul. Arrangements can be made to protect the alien while ensuring that his/her government's right to notification is protected.

      (1) The Immigration and Naturalization Service (INS) must be contacted immediately in these cases.

      (2) <u>Under no circumstance shall the foreign national be turned over to any foreign government official</u>. They shall remain in protective custody until they are delivered to INS.

4. Keep a written record of the notification and actions taken.

C. If the foreign national's country is *not on the mandatory notification* list:

1. Offer, without unreasonable delay, to notify the foreign national's consular officials of the arrest/detention.

   a. The foreign national must be informed of the following:

      "As a non-U.S. citizen who is being arrested or detained, you are entitled to have us notify your country's consular representatives here in the United States. A consular official from your country may be able to help you obtain legal counsel, and may contact your family and visit you in detention, among other things. If you want us to notify your country's consular officials, you can request this notification now, or at any time in the future. After your consular officials are notified, they may call or visit you. Do you want us to notify your country's consular officials?"

   b. Translations of this statement are found in Part Four of the "Consular Notification and Access" reference book, which may be obtained from a Patrol supervisor or Precinct Commander.

2. If the foreign national asks that consular notification be given, notify the nearest consular officials of the foreign national's country without unreasonable delay – after arrival at the precinct but before any interrogation or booking.

   a. Phone and fax numbers for foreign embassies and consulates in the United States are located in the "Consular Notification and Access" reference book, Part Six.

   b. Use the *Fax Sheet for Notifying Consular Officers of Arrests or Detentions* (form 58.0) to make notification when the consulate has a fax available.

   c. Submit the fax sheet and fax transmittal report with the *Incident Report* to Data/Distribution.

      (1) If the fax machine does not print a fax transmittal report, record the date and time the fax was sent in the *Incident Report.*

   d. If a fax machine is not available, officers shall personally call to make consular notification. The date, time, and point of contact shall be documented in the *Incident Report*.

      (1) If you are unable to make contact, document the notification attempt in the *Incident Report*.

      (2) Follow up to ensure that notification is made.

IV. Mandatory Notification Countries

Antigua and Barbuda	Tanzania	Romaniai	Kuwait
Fiji	Barbados	Tuvalu	Saint
Malta	Grenada	Bulgaria	Vincent/Grenadines
Singapore	Nigeria	Jamaica	Uzbekistan
Armenia	Tonga	Russia	Czech Republic
Gambia, The	Belarus	Ukraine	Kyrgyzstan
Mauritius	Guyana	China*	Seychelles
Slovakia	Philippines	Kazakhstan	Zambia
Azerbaijan	Trinidad and Tobago	Saint Kitts and Nevis	Dominica
Georgia	Belize	United Kingdom	Malaysia
Moldova	Hong Kong	Costa Rica	Sierra Leone
Tajikistan	Poland**	Kiribati	Zimbabwe
Bahamas, The	Turkmenistan	Saint Lucia	
Ghana	Brunei	U.S.S.R.***	
Mongolia	Hungary	Cyprus	

- * Does not include Republic of China (Taiwan) passport holders.
- ** Mandatory for non-permanent residents only.
- *** Passports may still be in use.

V. Diplomatic Immunity

A. Foreign nationals with diplomatic immunity are issued an Identification Card by the Department of State.

1. The degree of immunity is detailed on the back of the ID card.
2. Contact the Department of State to verify the immunity status of the foreign national.

B. ***When a foreign national with full diplomatic immunity is involved and the safety of the public is in imminent danger or it is apparent that a grave crime may otherwise be committed, police authorities may intervene to the extent necessary to halt such activity.***

This intervention may include use of force and/or arrest if otherwise justified according to existing policy. The Department of State must be contacted immediately in these cases.

C. When a foreign national with full diplomatic immunity is suspected of committing a crime, obtain as much information as possible during the initial investigation and thoroughly document it in the *Incident Report*.

The report shall be titled with the appropriate incident classification and "Diplomatic Personnel." The approved report shall be forwarded with an *Alert Tag* to the Data Center.

D. The Data Center will promptly fax a copy of the approved *Incident Report* to the Department of State so that diplomatic remedies may be sought.

E. Foreign nationals may be stopped for investigation (Terry Stop) or stopped and cited for traffic violations regardless of their diplomatic immunity.

1. A traffic stop is not considered to be an arrest or detention as it relates to diplomatic immunity.
2. The diplomat who is being cited for a traffic violation should be requested to sign the citation, though immunity prevents the person from being compelled to do so. If they refuse to sign, write "Refused: Diplomatic Personnel" on the ticket.
3. If the officer judges the individual too impaired to drive safely, the officer should not permit the individual to continue to drive (even in the case of diplomatic agents).

VI. Resources

A. "Diplomatic and Consular Immunity – Guidance for Law Enforcement and Judicial Authorities" Published by the United States Department of State.

B. "Consular Notification – Instructions for Federal, State, and Local Law Enforcement and Other Officials Regarding Foreign Nationals in the United States and the Rights of Consular Officials To Assist Them" Published by the United States Department of State.

1. The complete publication of the "Consular Notification and Access" is available online at http://travel.state.gov/consul_notify.html.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
2.122	II - Operational Procedures	122 - Foreign Nationals Seeking Asylum

POLICY

The United States offers asylum and refugee protection based on an inherent belief in human rights and in ending or preventing the persecution of individuals. Asylum is a precious and important protection granted by federal law to qualified applicants who are unable or unwilling to return to their country of nationality because of persecution or a well-founded fear of persecution.

These matters must be handled with speed, tact, and resolution as they are highly sensitive and may have long term international ramifications. Failure to do so will prove embarrassing to the United States and all concerned.

Officers must be prepared to render immediate assistance to individuals seeking asylum and ensure that they are turned over to the proper authorities.

I. Definitions

A. Asylum: An alien or foreign national in the United States who is unable or unwilling to return to his or her country of nationality because of persecution or a well-founded fear of persecution based on race, religion, nationality, membership in a particular social group, or political opinion.

B. Diplomatic Immunity: A principle of international law by which certain foreign government officials are not subject to the jurisdiction of local courts and other authorities for both their official and, to a large extent, their personal activities.

II. Procedure to Follow When a Foreign National is Seeking Asylum

A. Immediately take the Foreign National into protective custody.

1. Do not handcuff the foreign national, as they are not under arrest. However, a search for weapons shall be conducted prior to transport.
2. Do not allow *anyone* to interfere with the individual or attempt to intervene in the situation.
3. Under no circumstances shall the foreign national be turned over to any foreign government official.

B. Officers shall *not*:

1. Question the individual's motives for requesting asylum;
2. Direct the individual to someone else;
3. Discuss the relative merits of the United States or their homeland and their decision to seek asylum;
4. Arbitrarily or summarily return the individual seeking asylum to a foreign government's control prior to the proper authority determining the individual's status.

C. Notify your immediate supervisor. Under no circumstances shall the reason for the contact be voiced over a radio.

D. The individual may only be released to a supervisor, a member of the Federal Bureau of Investigation, or Immigration and Naturalization Service.

E. Supervisors shall contact the Immigration and Naturalization Service (INS) District or Asylum Office and arrange secure transportation to another location through the proper authorities.

F. The primary officer shall document the incident in an *Incident Report,* and involved officers shall complete statements.

   1. Document who took custody of the foreign national in the report.

G. The foreign national shall remain in protective custody until they are delivered to the FBI or INS.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
2.125	II - Operational Procedures	125 - Public Urination / Defecation

I. Authority

A. SMC 12A.10.100 prohibits public urination and defecation. SMC 12.10.100 (C) provides that a violation of this ordinance is a civil violation or infraction. However, if a person is in violation and has previously violated this section or failed to appear as directed for the violation of this section, the person is guilty of a jailable misdemeanor.

1. Do not arrest adult suspects based solely on probable cause to believe they have violated 12A.10.100 in the past. Suspects who have a warrant for Urinating in Public may be arrested.

II. Enforcement Procedures

A. Identify the suspect and check for warrants.

B. If the suspect is booked into jail, use the following procedures.

1. If you arrest for a "Urinating / Defecating in Public" warrant, do not complete a Notice of Infraction. Include "Urinating / Defecating in Public 12A.10.100 SMC" in the Offense Data section of the *Superform*. Include "Urinating / Defecating in Public" in the *Incident Report* "Incident Classification" block and detail the elements of the offense in the report narrative. State all charges for which the suspect was booked in the narrative.

2. If the suspect is booked for any other type of warrant or any other misdemeanor, complete a Notice of Infraction ticket. Do not include the charge "Urinating / Defecating in Public" on the *Superform*. Cross-reference the ticket with the *Incident Report*.

3. If the suspect is booked for felony charges, officers may request additional charges for "Urinating / Defecating in Public" in the report narrative. Do not include the charge "Urinating / Defecating in Public" on the *Superform* or in the "Incident Classification" block of the *Incident Report*. Do not complete a Notice of Infraction.

C. If you do not book the suspect for a "Urinating/Defecating in Public" warrant, use the following procedures.

1. Complete a Notice of Infraction.

2. Cite for SMC 12A.10.100, "Urinating (or Defecating) in Public". Do not list a sub-section.

3. Write "$25.00" in the block. Do not assign an appearance date or time.

4. If additional tickets are issued, cross-reference them in the "Related #" block. If a SIN for a related event is obtained, place that information at the top of each ticket issued, following "Incident #".

III. Distribution and Routing

A. Officers

1. Route defecation / urinating tickets to the Data Center.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
2.129	II - Operational Procedures	129 - Unlawful Possession of Liquor

I. Authority

A. SMC 12A.24.025 prohibits opening a receptacle of liquor in public, possessing an open receptacle of liquor in public or consuming liquor in public [including public parks] (also see RCW 66.44.100). SMC 12A.24.025 (C) and (D) provide that a violation is a non-jailable misdemeanor. However, if a person is in violation of this section and twice previously has either violated this section, or failed to appear in response to a citation for a violation of this section, the person is guilty of a jailable misdemeanor.

1. Do not arrest adult suspects based solely on probable cause to believe they have violated SMC 12A.24.025. However, if a suspect has a warrant for Unlawful Possession of Liquor, you may arrest them.

2. If a suspect is consuming or possessing an open container of alcohol in a public park, cite for Drinking in Public (SMC 12A.24.025).

II. Enforcement Procedures

A. Identify the suspect and check for warrants

B. If the suspect is booked into jail:

1. If you arrest for a warrant, or any other misdemeanor crime, do not complete a Criminal Citation. Include "Drinking in Public" in the *Incident Report* "Incident Classification" block and detail the elements of the offense in the report narrative.

2. If the suspect is booked for felony charges, officers may request additional charges for "Drinking in Public" in the report narrative. Do not include the charge "Drinking in Public" in the "Incident Classification" block.

C. If you do not book the suspect into jail, use the following procedure:

1. Complete a criminal citation. Do not obtain a single incident number (SIN).

2. Cite for SMC 12A.24.025, Drinking in Public. Do not list a subsection.

3. Above the "Mandatory" section, write "Room 106, Public Safety Building." Do not abbreviate.

4. Check the box marked "Mandatory". Write "Court" in the "Bail" section.

5. In the "Appearance Date" section of the citation, write the date two weeks from the date of incident. If the date two weeks from the violation is a weekend or holiday, write the date for the following business day. ("business day" means Monday through Friday, excluding holidays.)

   For example, if the violation occurred on 4/10/96, a Wednesday, the appearance date would be 4/24/96, also a Wednesday.

6. In the "Time" space, write "9:00". Circle "AM".

7. If additional tickets are issued, place that information in the "Related #" box.

   a. If a SIN is obtained for a related event, indicate the SIN following "Incident #" at the top of the Criminal Citation.

8. Have the suspect sign the citation and give them the defendant's copy.

III. Distribution and Routing

A. Officers

1. Route drinking tickets to the Data Center.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
2.133	II - Operational Procedures	133 - Street Vendors

I. General

A. Vendors are required to have a City of Seattle business license and must provide it upon request.

Exception: A business permit is not necessary if the person is donating merchandise or services. For example, street musicians usually fall into this category.

B. Vendors located on public property are required to have an annual Street Use Permit. Vendors on private property, such as grocery store parking lots, do not need the permit.

Exception: A Street Use Permit is not necessary for:

1. Newspaper sales, or
2. Vendors who are part of a parade, along parade route during parade, and one hour prior to its start.

C. Vendors located in a park are required to have a park permit.

Exception: A Parks Department permit is not necessary if the person is selling political bumper stickers, buttons, etc. for inconsequential amounts (.50 cents).

D. Street vendors may only sell food, nonalcoholic beverages, or fresh flowers. Mobile vending is not allowed within the City of Seattle.

Exception: The vending of items that contain free speech material is permissible. For example, someone selling T-shirts with an anti- or pro-gun slogan on them may sell on the sidewalk. The vendors are required to have a business license and a Street Use Permit. In addition, the logo, slogan, or other message must be clearly visible on the item when it is used in its intended manner (socks with slogans on the bottom would not qualify).

E. Street vendors may only vend from the location which is noted on their annual Street Use Permit.

F. There are restrictions on vending too close to a park, school, historic landmark, etc. If a vendor is in the location noted on their Street Use Permit, officers can assume an exception has been granted. Vendors must satisfy all City requirements before a permit will be issued. Issuance of a permit means the vendor has proof of insurance, Health Department approval, Fire Department approval, adjacent business approval, etc.

G. A street vendor who is selling an unapproved product (for example, sunglasses), does not have a proper cart, or is not in an approved location will most likely not possess a valid Street Use Permit. Any permit the vendor does possess will not authorize the activity in which they are engaged.

H. Use the following codes and victim when citing:

1. Seattle Municipal Code
   a. 5.44.130, Business License Required.
   b. 15.04.010, Street Use Permit Required.
   c. 15.17.010, Mobile Vending - Identifies restricted areas throughout the city.

d. 15.50, Authorizes enforcement of the Street Use Ordinance.

e. 18.12.275, Parks Use Permit Required.

2. Board of Public Works Rules

a. 4.10, Street Vending - Identifies specifics concerning carts, permit applications, locations, etc.

3. List the following as victims when citing for:

a. Business License Required - 5.44.130 Mandatory Court (criminal - non-traffic).

(1) Victim: City of Seattle
Dept. of Finance
Revenue & Consumer Affairs Division
Attention:
Enforcement Supervisor
102 Municipal Building
600 Fourth Avenue 98104 (684-8410)

b. Street Use Permit Required - 15.04.010 Mandatory Court (criminal - non-traffic).

(1) Victim: City of Seattle
Seattle Engineering Dept.
501 Municipal Building
600 Fourth Avenue 98104 (684-5280)

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
3.005	III - Preliminary Investigations	005 - Miranda Warnings

I. Miranda Warnings

A. Department policy requires an officer to advise a suspect of their Constitutional rights at the time of arrest.

B. A suspect shall also be advised of these rights prior to custodial interrogation or the taking of any statements, oral or written.

C. These rights will be read to the suspect from the Seattle Police Department Resource Book or the *Explanation of Rights* (form 9.28.1).

D. Any change in the *Miranda* warnings will be addressed in a Legal Bulletin.

II. Non-custodial Questioning

A. Officers may question persons during general on-the-scene investigation as to acts surrounding a crime. Persons questioned during such time need not be advised of their rights until:

1. Such person is in a police-dominated atmosphere.

III. Volunteered and Spontaneous Statements

A. Volunteered and spontaneous statements are not barred and no warnings need be given preceding them.

B. However, questioning initiated by the police officer thereafter, in clarification or amplification of the volunteered or spontaneous statements, should be preceded by a warning.

IV. Securing a Waiver of Miranda Rights

A. After a suspect has been advised of their rights, the questions following the Miranda warnings on the Seattle Police Department Resource Book should be asked in order to secure a waiver of those rights.

V. Officers' Written Statements

A. The fact that a prisoner who gives a statement was so advised or admonished should be included at the beginning of any written statement.

VI. Officers' Testimony

A. It should be kept in mind that it may be necessary for the officer to testify in court as to the precise language which was used to warn the person of their rights, and the precise language by which the person waived such rights. (The Seattle Police Department Resource Book is a good reference.)

VII. Interrogation After the Suspect has Requested a Lawyer

A. Interrogation must cease once a suspect requests a lawyer. Officers cannot thereafter initiate interrogation outside the presence of the suspect's lawyer.

POLICY

Our Department values exceptional responsiveness to special community needs, and equal protection in its service to all citizens. Whenever possible, sign language interpreters and translators shall be utilized when dealing with hearing impaired persons and persons who are non-English speaking.

RCW 2.42.120 mandates when a law enforcement agency must provide sign language interpreters.

I. Definitions

A. Hearing impaired: A person who is deaf, deaf-blind (both hearing and visually impaired), or hard of hearing.

II. Contact With Hearing Impaired Persons

A. Interpreters will be used:

1. When interviewing a hearing impaired person as a witness, victim, or suspect concerning a criminal investigation, or
2. When conducting a criminal investigation involving a minor child as a witness, victim, or suspect and the parent(s), guardian, or custodian is hearing impaired.

B. If a hearing impaired person is arrested, the arresting officer shall arrange at the earliest time for a qualified interpreter for notification of rights, warnings, interrogation, or the taking of a statement.

C. No Department employee who has responsibilities other than interpreting may be appointed as a qualified interpreter.

D. Use of an Intermediary Interpreter (RCW 2.42.120(4))

1. An intermediary interpreter is a person who uses specific signs and gestures instead of actual sign language.
2. If the communications mode or language of the hearing impaired person is not readily interpretable, the interpreter or hearing impaired person shall notify the appointing authority who shall appoint and pay an intermediary interpreter to assist the qualified interpreter.

E. Responsibility for Interpreter Costs

1. When conducting a criminal investigation, the law enforcement agency shall pay for a qualified interpreter throughout the investigation in the following circumstances:
   a. Interviewing a hearing impaired person, whether as a victim, witness, or suspect, or
   b. Interviewing a minor child whose parent, guardian, or custodian is hearing impaired, whether as a victim, witness, or suspect.

F. Resources

1. To locate interpreters, contact the Chief Dispatcher in the Communications Section, or during normal business hours, call the Community Service Center for the Deaf and Hard of Hearing.

2. The Chief Dispatcher in the Communications Section is able to arrange for interpreters during off hours for all units.

III. Interview and Interrogation of Non-English Speaking Persons

A. Ask the person if they understand, read or write English.. Ask the person what their native language is and if they can speak, read or write in their native language. Document that these questions were asked, and the response the person gave, in the *Incident Report*.

B. Request an employee who speaks the person's native language. Avoid casual use of persons at the scene to translate during interrogations. Current case law has disallowed admission of suspects' statements into court if the translation was done by a person at the scene.

1. The Communications Section maintains a current list of employees who can speak foreign languages.

C. Use the Communication and Language Line for interpreting if a Department employee is not available to translate.

D. For Spanish speaking persons, advise them of their Miranda rights from the *SPD Explanation of the Constitutional Rights* (Spanish version) (form 9.28.4), available from the Quartermaster. Have the person read the form out loud and sign the form to ensure they fully understand the rights and warnings. Document this in the *Incident Report*.

1. For DUI incidents, use the Spanish version of the *Implied Consent Warning* (form 8.4). Have the subject read and sign the form to ensure they fully understand the warnings. Document this fact in the *Incident Report*.

E. Communication and Language Line (CALL) Interpreter service is also available for officers when interviewing non-English speaking citizens. CALL is a 24-hour service and provides translation in 140 languages. To use the Language Line:

1. Dial 911,

2. When the 911 operator answers, state your name, serial number, unit assignment, and your request to be connected with the AT&T Language Line,

3. The 911 operator will dial the Language Line. When the Language Line central operator answers, the 911 operator will identify which agency is calling, and give their operator number. The 911 operator will then disconnect from the conference call,

4. Tell the Language Line central operator the specific language you need translated,

   a. If the language is not known, then say "unknown," and follow this with general information such as "Asian," or "East Indian," etc.

5. The Language Line central operator will connect you with the appropriate interpreter and will then withdraw from the connection. The interpreter will give you their identification number, and

   a. Officers must inform all parties (through the interpreter) that the call is being recorded. Also state the current date and time, and the telephone number you are calling from. This is a matter of providing notice, not of requesting consent. If necessary, the tape recording can be subpoenaed.

   b. Tell the translator the exact information you need.

   c. When the translator has received your request (and if you are not using conference calling, on two phones, or a speaker phone) give the phone to the subject.

d. When the translator has obtained the information, they will instruct the subject to return the phone to you.

e. The translator will relay the information to you and await further requests.

f. When you have concluded your use of the service, say “end of call.”

6. Include the following details in the *Incident Report*:

a. The telephone number that you made the 911 call from,

b. The starting time of the call,

c. The ending time of the call, and

d. The language of the subject.

Seattle Police Department
Policies and Procedures

Section	
3.013	

Title:	Chapter:
III - Preliminary Investigations	013 - Recordings

POLICY

Sworn personnel responsible for making arrests or conducting follow-up examinations may make sound or video recordings of arrestees prior to their first appearance in court, without obtaining consent.

I. Procedures

A. The arrested person shall be informed that a recording is being made and a statement so informing the arrestee will be included in the recording.

B. The recording shall commence with an indication of the time, date, and place of beginning and shall end with an indication of the time.

C. At the commencement of the recording, the arrested person shall be fully informed of their Constitutional Rights, and such statements will be included in the recording.

D. Following an arrestee's first appearance in court, any further sound or video recordings may be made only if authorized by court order or upon the consent of the arrestee. Such recordings must conform to the above conditions.

II. Use of Recordings

A. The recordings shall only be used for valid police or court activities.

B. Video or sound recordings so obtained shall be made available for hearing or viewing by the arrestee's attorney, upon request, whenever a criminal charge has been filed.

OVERVIEW

Under the Fourth Amendment to the U.S. Constitution, "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized." Washington Constitution article I, section 7 states: "No person shall be disturbed in his private affairs, or his home invaded, without authority of law."

Searches and seizures generally must be made pursuant to a warrant. There are, however, exceptions when searches and seizures may be made without warrants.

I. Definitions

A. Body cavity: The stomach or rectum of a person and the vagina of a female.

B. Body cavity search: The touching or probing of a person's body cavity, whether or not there is actual penetration of the body cavity.

C. Consent search: A search conducted after a waiver of certain Constitutional protections.

D. Custodial search or search incident to arrest: Typically more intrusive than a patdown frisk. The purpose and scope of the custodial search is to remove any weapons that the arrested person might seek to use in order to resist arrest or effect an escape. The search may be made to seize any evidence on the arrestee's person in order to prevent its concealment or destruction. It can also include the area within an arrestee's immediate control.

E. Exigent circumstances: When there is probable cause to believe that delay in getting a warrant would result in the loss of evidence, escape of the suspect, or harm to police or public.

F. Open view: When contraband or evidence is seen in, or from, an area open to public view and not protected by the Constitution.

G. Patdown frisk: A search of a person that is relatively non-intrusive, such as a patdown for weapons during a brief investigatory stop.

H. Plain view: When officers inadvertently discover contraband or evidence after making a lawful intrusion into a constitutionally protected area, such as a residence.

I. Strip search: Having a person remove or arrange some or all of their clothing so as to permit an inspection of the genitals, buttocks, anus, breasts, or undergarments of the person.

II. Consent Searches

A. Officers electing to search by consent shall have the consenting person sign a *Consent to Search* (form 9.54).

B. The validity of the consent depends on consent being given voluntarily. Consideration of the intelligence and education of the person are scrutinized by the court, as are physical and mental coercion, exploitation and the authority of the person to give consent.

C. Third party consents are valid under certain conditions.

1. Consent is valid if the third person has equal authority over the business or residence and it can be concluded the absent person assumed the risk the cohabitant (roommate) might permit a search.

2. A consent to search is not allowed if one cohabitant (roommate) or business partner objects to the consent, even if the other person gives permission. Consent must be given by both people, if present.
3. Parents may consent to search a child's living area if the parents have routine access to the area (the child is not paying rent).
4. Landlords cannot give consent to search if a lease or rental agreement is still valid.

III. Open View/Plain View Doctrines

A. Open View

1. The open view doctrine allows the police to see and possibly seize contraband. To apply open view, the officer must see the contraband or evidence in an area open to public view and not protected by the Constitution.
2. Police officers are not allowed to enter and seize contraband if the contraband is exposed to the public from a Constitutionally protected place. For example: If officers see a marijuana plant growing in the window of a residence, they cannot enter the home, but have probable cause to seek a search warrant.

B. Plain View

1. The plain view doctrine allows the police to inadvertently discover contraband after making a lawful intrusion into a Constitutionally protected area, such as a residence. Inadvertent does not mean that the officer(s) have to be surprised by the discovery, but it does mean the contraband must be recognizable and be in plain view.
2. The key to the plain view doctrine is being in the protected place with permission (invited in) or on legitimate police business. Once the inadvertent discovery is made, officers have probable cause to seek a search warrant for a more thorough search.

IV. Patdown Frisk

A. The purpose and scope of the patdown frisk is to discover weapons or other items which pose a danger to the officer.

B. For an officer to frisk a suspect who has been stopped as a result of a reasonable suspicion of criminal activity, the officer must:

1. Have reason to believe that they may be dealing with an armed or dangerous individual, or
2. Be able to articulate the belief that their safety or that of others was in danger.

C. The frisk for weapons is strictly limited to what is necessary for the discovery of weapons which might be used to harm the officer or others nearby. Generally, the frisk must be limited to a patdown of outer clothing. In addition to the basis for the stop itself, the officer must have a sufficient basis to believe an individual is armed. This may include, but is not limited to:

1. Prior knowledge that the suspect carries a concealed weapon,

   Example: A hazard flag, or warrant information, exists indicating the suspect carries a weapon.
2. Suspicious behavior, such as failure to comply with instructions to keep hands in sight,

   Example: Suspect reaches under vehicle seat despite instructions to the contrary.
3. Observations, such as suspicious bulges, consistent with carrying a concealed weapon, or

   Example: Suspect has heavily sagging jacket pocket.
4. Prior knowledge that the suspect is a verified member of a gang known to carry weapons and their behavior warrants a Terry Stop.

V. Search Incident To Arrest/ Custodial Search

A. A lawful arrest triggers a search incident to arrest.

1. Vehicles - When a person is arrested out of a vehicle, officers have authority to search the passenger compartment and unlocked containers for evidence or weapons. Officers are not allowed to unlock containers, gloveboxes, or trunks to search without a warrant or consent.
2. Residence - When a person is arrested in a residence, officers may only search the area where the arrest occurred. Officers may only search other areas of the residence if they reasonably believe that officer safety is threatened, or if there is a chance the arrested person might escape or destroy evidence.

B. All persons who are arrested and taken into custody shall be thoroughly searched.

1. This search shall be conducted as soon as possible after the arrest and before transporting the prisoner(s). Evidence of any crime which is discovered in the course of a valid custodial search may be used to support whatever subsequent charge is appropriate and will be admissible as evidence in court.
2. A person arrested on misdemeanor warrants must be searched at the scene of arrest and cannot be searched after being transported unless the person is allowed to post bail and fails to do so.
3. Suspects will not be searched by officers of the opposite sex unless there is a reasonable likelihood that the suspect possesses a weapon or other object capable of causing injury or which could facilitate escape, or the officer believes that the suspect possesses objects which constitute evidence, which if not seized immediately could be destroyed, lost, or lose their value as evidence, and there is no officer of the same sex readily available to conduct the search.

VI. Exigent Circumstances

A. Police may conduct an immediate, warrantless search or seizure if there is probable cause to believe that delay in getting a warrant would result in the loss of evidence, escape of the suspect, or harm to police or public. Hot pursuit is an exigent circumstance.

1. Officers are allowed to enter a home when the suspect retreats into the home or private area and there is reasonable fear of escape, destruction of evidence, or injury to police or public.
2. Criteria examined by the court.
   a. Was the offense serious or one of violence?
   b. Was the suspect armed?
   c. Was the probable cause strong enough to believe the suspect committed the crime?
   d. Was there strong probable cause to believe the person was on the premises?
   e. Did the police identify themselves and give the suspect a chance to surrender prior to entry?
   f. Was there an ongoing investigation or decision to arrest prior to the suspect fleeing into the premises?
3. Exigent circumstances also exist if the police are responding to a domestic violence call. Entry can be made if a person’s health, welfare, or safety are concerned.

PHILOSOPHY

The Washington Mutual Aid Peace Officer Powers Act of 1985 allows sworn officers of the Seattle Police Department, acting within the scope and course of their duties for the City of Seattle, to enforce the traffic and criminal laws of this state throughout the territorial boundaries of the state.

Seattle Police personnel conduct the majority of their investigative and related police work within the city limits of Seattle. However, from time to time the demands of an on-going investigation require that SPD personnel obtain and/or serve a search warrant outside of the City.

In the event that it becomes necessary for SPD personnel to serve a search warrant outside of the City of Seattle, they will adhere to the following procedure.

I. General

A. In the event that a search warrant must be served outside Seattle by SPD personnel, a sworn employee holding the permanent rank of sergeant (or above) must:

1. Determine that the warrant is in some manner associated with criminal activity in Seattle, that the objective is worth the time and resources needed, and that it falls within enforcement priorities.
2. Carefully review the search warrant and affidavit to ensure that a judge has signed the warrant and that the address of the location to be searched is correctly listed. Determine the law enforcement jurisdiction where the address is located.
3. Receive authorization from the precinct or Section commander (captain or above) before the warrant is served. On nights and/or weekends, authorization will be obtained through the Duty Commander.
4. If the search warrant is drug related, contact the Northwest HIDTA De-Confliction Center at 1-888-388-DRUG and the SPD Narcotics Section to ensure that no other agency is currently working an investigation on the same address.
5. Contact the law enforcement agency with local jurisdictional responsibility. Contact a supervisor in the outside agency's follow-up unit, such as Narcotics, to coordinate and determine if there is an on-going investigation that HIDTA may not be aware of. Advise that we hold a search warrant for a location in their jurisdiction. In the event that the outside agency has the ability and desire to serve the warrant for SPD, they should be allowed to do so. If SPD serves the warrant, request that the outside agency supervisor be involved in the warrant service planning and coordination to eliminate the possibility of problems.
6. If there is an indication that known violent or armed persons occupy the location outside the City, or if the location is barricaded, S.W.A.T. will be the only Seattle Police Unit to serve the warrant, unless the police agency with jurisdiction requests that their personnel secure the premises.

II. Planning and Execution of Warrant

A. Scout the location and physically verify that the target address is correct as listed on the search warrant and affidavit.

B. Complete a written Operations Order and conduct a detailed pre-raid briefing for all involved personnel, including a representative(s) from the outside police jurisdiction.

C. At the time of warrant service, request that a representative from the outside agency, preferably a supervisor, is on scene and that the communications section of the jurisdiction of service is notified. Verify that adequate radio communications are available in the event of an injury or other emergency.

D. In the event that there is an additional police related incident at the scene of the out-of-city search warrant or a significant event occurs during the service of the warrant, the sworn Seattle Police supervisor on location will contact the precinct or Section commander of assignment or the Duty Commander to coordinate the appropriate Seattle Police administrative investigation.

E. Once the search warrant is served and the necessary paperwork is complete, the police supervisor will conduct a short debrief of the search warrant operation with involved personnel, which may include the outside agency.

POLICY

A sworn officer may strip search a person if the requirements of RCW 10.79 have been met. A supervisor shall authorize the strip search based on specific facts constituting reasonable suspicion or probable cause to believe the search was necessary.

Nothing in this section is intended to preclude officers from seizing and holding as evidence the clothing of a suspect whenever that clothing is reasonably believed to constitute evidence of a crime.

I. Definitions

A. A 'strip search' is defined by the RCW as having a person remove or arrange some or all of his or her clothing so as to permit an inspection of the genitals, buttocks, anus, or undergarments of the person or breasts of a female person.

II. Requirements

A. The person to be strip searched must be in custody at a precinct or jail holding facility. A Captain may adopt Section policies that authorize their personnel to conduct strip searches at locations other than precinct or jail holding facilities.

B. RCW 10.79.130 states that no person shall be strip searched without a warrant unless:

1. There is a reasonable suspicion to believe that a strip search is necessary to discover weapons, criminal evidence, contraband, or any other thing concealed on the body of the person to be searched that constitutes a threat to the security of a holding, detention, or local correctional facility;
2. There is probable cause to believe that a strip search is necessary to discover other criminal evidence concealed on the body of the person to be searched, but not constituting a threat to facility security; or
3. There is a reasonable suspicion to believe that a strip search is necessary to discover a health condition requiring immediate medical attention.
4. For this section a reasonable suspicion is deemed to be present when the person to be searched has been arrested for:
   a. A violent offense as defined in RCW 9.94A.030;
   b. An offense involving escape, burglary, or the use of a deadly weapon; or
   c. An offense involving possession of a drug or controlled substance under chapter 69.41, 69.50, or 69.52 RCW.

C. A person who has not been arrested for an offense as defined in the previous subsection may be strip searched upon determination of reasonable suspicion or probable cause. The determination of whether reasonable suspicion or probable cause exists to conduct a strip search shall be made only after less-intrusive means have been used and shall be based on the consideration of all information and circumstances known to the supervisor authorizing the strip search, including, but not limited to, the following factors:

1. The nature of the offense for which the person to be searched was arrested.

2. The prior criminal record of the person to be searched.
3. Physically violent behavior of the person to be searched, during or after the arrest.

D. All of the factors that led to the determination of the supervisor to authorize the strip search shall be articulated on the Incident report and the *Strip Search Record* (form 17.7).

III. Procedures

A. A supervisor must screen the circumstances of the arrest and determine if the legal criteria for a strip search has been met prior to giving authorization for the search.

B. Less-intrusive means, such as pat-downs, metal detectors (where available) and clothing searches will be performed prior to the strip search.

C. Prior to conducting the strip search the officer and supervisor will explain to the subject why they are being strip searched and give the person the opportunity to voluntarily produce the suspected item. The person will be allowed to voluntarily produce the item only if the officer and supervisor believe that the item can be produced without compromising officer safety or risking destruction of evidence.

D. The strip search must be conducted and witnessed by officers of the same sex as the person to be searched.

E. The supervisor who has authorized the search will witness the strip search unless the supervisor is a different sex as the person being searched, in which case the supervisor will assign another officer of the appropriate sex to witness the search. The authorizing supervisor must remain at the location where the strip search is to take place.

F. The search will be done in private, where the search will not be viewed by anyone other than the officer conducting the strip search and the witness officer. The steps taken to assure the privacy of the strip search will be documented on the *Strip Search Record*.

G. Complete a *Strip Search Record* with the following information:

1. The offense(s) for which the person was arrested.
2. The specific facts constituting reasonable suspicion or probable cause to believe the search was necessary.
3. The name and serial number of the supervisor authorizing the search.
4. The name and serial number of the officer conducting the search.
5. The name(s) of all other persons present during the search.
6. The time, date, and place of the search.
7. Any weapons, evidence, contraband, property, or health condition discovered as the result of the search.

H. The authorizing supervisor must review and sign the *Strip Search Record* along with the Incident Report. The *Strip Search Record* shall be submitted with the *Incident Report*.

Seattle Police Department
Policies and Procedures

Section	
3.025	

Title:	Chapter:
III - Preliminary Investigations	025 - Body Cavity Searches

POLICY

Requests for body cavity searches of suspects shall be made only when it is necessary and justifiable. Body cavity searches are justifiable if they meet the requirements of State law (10.79 RCW).

I. General

A. Body cavity searches shall not be conducted by Seattle Police Officers.

B. The actual body cavity search will be conducted by medical personnel of Harborview Medical Center or an approved medical facility.

II. Procedures

A. An officer who has probable cause to believe that evidence of a crime or a weapon or contraband is concealed in body cavities must obtain written authorization from a lieutenant or above and a search warrant.

B. A police officer who is the same sex as the person being searched must be present during the search by the hospital medical personnel, and will be responsible for preparing the necessary documentation required under RCW 10.79.080(4).

I. Definition/General

A. Primary investigation: The initiation of police action on an incident received as a complaint or one that comes to attention on view. It is the most crucial of investigative tasks because it may determine the success of all subsequent efforts to deal with the problem.

1. Must be as complete and thorough as possible. It must take into account all aspects of the incident regardless of its nature.

a. Officers must ensure that all facts related to the situation are recorded completely and accurately.

B. The scope of the primary investigation may be very restricted or may constitute the entire investigation of the crime.

1. The primary investigator will take all investigative steps necessary to conclude the Department's involvement.

C. When possible, one officer will assume the role of primary officer and will sign first on all citations and reports resulting from that incident, whenever that officer can testify to the violation(s).

1. That same officer will also perform all tests, such as the BAC Verifier, etc., that result from the incident and the investigation thereof.

2. All officers involved in an investigation are required to cooperate in any subsequent prosecutions or official inquiries where their testimony may be needed.

D. All primary investigations, whether received as a complaint or on-view, require a *Miscellaneous Incident Report* (MIR) be given to the Communications Section to document and track the incident.

II. Officer Responsibilities

A. Misdemeanor Cases

1. Officers shall conduct and complete a thorough investigation, so that, when possible, follow-up is unnecessary.

a. Most misdemeanor cases are filed directly with the Seattle Municipal Court, with no detective follow-up.

2. Statements

a. Written statements from victims are mandatory in the following incidents:

(1) Domestic violence, and

(2) Assaults by juveniles.

Note: If victim is unable to give a written statement due to a medical condition, officers should attempt to take the statement at a later time.

b. When practical, take written statements from victims, witnesses or suspects in other incidents.

3. Evidence

   a. Place evidence into the Evidence Unit prior to the end of shift.

   b. When possible, photograph all evidence retained by its owner and place photographs into the Evidence Unit.

   c. Document all evidence and its disposition in the *Incident Report*, *Follow-up Report*, or in the "Officer's Report" of the Criminal Citation.

4. Complete necessary reports.

   a. Officers are required to obtain a single incident number (SIN), and submit an *Incident Report*, or other report, when applicable.

      (1) If a SIN already exists, and there are no "new charges", use the existing number.

   b. Document the last known address of the suspect on the *Incident Report*.

   Note: The Court Detail requires this information for charging.

   c. All reports must have complete addresses for suspects, complainants, witnesses, and victims.

      (1) Include the permanent residence address (street address, apartment/room number, city, state, and zip code).

         (a) Military personnel must be identified by unit number and the name of the ship, station, or military installation.

      (2) If the person is temporarily staying in Seattle, list the temporary address in the address block next to the permanent address. If more space is needed, list the temporary address in the narrative of the report.

      (3) If no address is available use the block number and the nearest cross street.

   d. Include accurate home and work telephone numbers, including area codes.

   e. If follow-up investigation by an officer leads to sufficient information to identify and charge a suspect in a criminal offense where an *Incident Report* has already been completed, complete a *Follow-up* Report.

      (1) Forward copies of *Follow-up Report* and the original *Incident Report* to Court Detail requesting charges.

B. Felony Cases

1. Major Crime Scenes and Serious Incident Response

   a. Refer to Sections 3.037 - Major Crime Scenes, and 3.038 - Serious Incident Response Plan for procedures.

2. Other Felonies

   a. Investigation

      (1) In minor felony cases, the primary officer will conduct as thorough an investigation as is practicable.

      (2) If the primary investigation will require an unusual amount of time out of service or will extend beyond the precinct boundaries, the officer(s) involved will confer with their supervisor.

      (3) Except in unusual circumstances, an investigation will not extend beyond a normal shift.

b. Statements

(1) Written statements from witnesses and victims are required in the following cases:

(a) Domestic violence, and

(b) Assaults by juveniles.

(c) Out of state victims or witnesses.

(d) Victims or witnesses without a permanent address.

(2) When practical, include statements from witnesses and victims in other incidents.

(3) Include suspect statements when taken, including any admissions, denials, alibis, or explanations.

c. Evidence

(1) It is the primary officer's responsibility to process their crime scene(s) and collect available evidence.

(2) Enter evidence into the Evidence Unit prior to the end of shift.

(a) Only evidence that is impractical to collect or enter into Evidence Unit should be retained by the owner.

(b) “Best evidence” is evidence that is collected and entered into the Evidence Unit by the officer.

(c) Photograph all evidence retained by the owner and place photographs into Evidence Unit.

(3) Maintain “chain of custody” and document in your officer’s statement.

(4) Document the all evidence and its disposition in the *Incident Report* and officer’s statement.

d. Arrest/Booking

(1) Do not book suspects into the King County Jail for both felony and misdemeanor charges.

e. Reports

(1) When booking into King County Jail, complete the *Superform.*

(a) When completing the offense block of the *Superform*, write “Investigation of [offense]” for the felony offense(s).

(b) Complete a Certification of Probable Cause for all felony drug arrests.

(c) Request additional charge(s) for misdemeanor(s) in the narrative of the *Incident Report*.

(2) Complete an *Incident Report* or *Follow-up Report*, including the necessary address and telephone number information described above in paragraph A.4 of this manual subsection.

(3) Document the last known address of the suspect on the *Incident Report*.

(4) Complete an officer’s written *Statement* for each felony case in which you make an arrest, or as necessary to document important details.

(a) Document officer’s actions and observations.

(b) Route the original *Statement* to the appropriate follow-up unit.

III. Patrol Sergeant

A. On-Scene Supervision

1. Screen felony incidents and ensure that Department procedures are followed.
2. Approve and request Follow-up Unit call outs.

B. Reports

1. Screen all reports for completeness and accuracy.
2. Ensure that copies of reports regarding significant incidents are routed appropriately. For example, send copies to the:
   a. Watch Commander,
   b. Precinct Commander,
   c. Assistant Chief of the Patrol Operations Bureau, and
   d. Media Response Unit, if appropriate.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
3.033	III - Preliminary Investigations	033 - Fingerprints

POLICY

It is not intended that patrol officers are to take the place of specialized personnel in the practice of lifting fingerprints. However, officers shall adhere to the following guidelines.

I. General

A. Fingerprints will be lifted by officers investigating burglaries or thefts when a search reveals that latent fingerprints of possible suspects are present.

B. When investigating minor cases in which the complainant believes that fingerprints have been left by the suspects, officers will lift the fingerprints. These prints will be processed through normal procedures.

C. Officers will not lift fingerprints when investigating crimes requiring immediate follow-up investigation, or other incidents having unusual circumstances which may require an on-scene investigation by Criminal Investigations Bureau personnel.

1. If a scene needs specialized print processing, a Latent Print Examiner can be called to the scene. They may be requested to process a crime scene anytime, including nights and weekends. The on scene patrol or detective supervisor must notify the Latent Print Supervisor via Communications, who will in turn call out the Latent Print Examiner.

D. Officers who dust for prints shall be responsible for cleaning up the residue and leaving the premises or articles in good condition.

POLICY

Evidence left at the scene of a serious incident often leads to the apprehension of the criminal and the solution of the crime. First officers arriving at the scene are often presented with two complex and contradictory tasks. In addition to securing the scene and providing first aid for anyone injured, they must prevent the destruction or deterioration of potential evidence that may be present. Some examples of serious incidents are homicides, sexual assaults, officer-involved shootings, serious injuries where death may be likely, and kidnappings.

I. Officer Responsibilities

A. Arrival and Initial Assessment

1. Officer safety is the highest priority.
2. Note transient details, such as:
   a. Time,
   b. Lights on/off,
   c. Signs of activity,
   d. Position of doors and windows,
   e. Unusual odors,
   f. Persons at the scene upon arrival, and
   g. Position of an injured victim.

B. Officer(s) on Scene

1. Administer first aid within the perimeters of your training. Request that an aid car or medics unit respond (when necessary) and
   a. Use universal precautions to minimize contact with blood or other potentially infectious materials. (See Section 1.265a - Exposure Control-Bodily Fluids.)
   b. If certain signs of death are present (e.g., rigor mortis, lividity, odor, etc.), do not touch or move the body.
2. Detain any suspect(s) and witnesses at the scene.
   a. Keep suspects and witnesses separated.
   b. Instruct witnesses not to talk to anyone about the crime and do not discuss details of the crime with them.
3. Broadcast all available suspect information.
4. Request that a supervisor respond to the scene.
   a. Be aware that information broadcast over any radio frequency or cellular phone may be monitored.
5. Establish a perimeter around the scene, keeping all unauthorized persons out. Maintain the perimeter until investigation at the scene is complete or until you are released by the follow-up unit.
   a. Do not vacate a perimeter position until relieved.

6. Preserve the crime scene and any evidence, in its original location and condition unless it creates a hazard or risks becoming contaminated, until relieved by a follow-up unit or patrol supervisor.
   a. Do not touch anything unless absolutely necessary!
      (1) Avoid touching, moving or stepping in areas sensitive to the scene.
      (2) Use the same route in and out of the scene, avoiding a route a suspect might have used.
      (3) Do not use any of the facilities at the scene (e.g., sinks, bathrooms, telephones, etc.).
      (4) Anything that is touched or moved must be documented.
   b. Limit access to anyone not directly involved in the investigation, including other officers.
   c. Utilize door locks, barricades, crime scene tape, other officers, and rope to secure the scene. Protect the central scene and the entry and exit paths used by the criminal.
   d. Protect any evidence in danger of being destroyed by weather or other factors.
7. Secure witness information, obtaining statements if possible.
8. Once the follow-up detective(s) arrive and assume control of the scene, they have full command of the scene. Any conflict arising shall be handled by the follow-up supervisor or the detective in charge of the on-scene investigation.
   a. Subsequent events not directly related to the original incident, however, shall be handled as a separate incident.

      Example: Robbery detectives are investigating a robbery at a convenience store and one witness assaults another. Patrol units, or an additional follow-up unit, would be primary in the assault investigation, unless otherwise advised.

C. Primary Unit
1. Maintain an activity log to record events as they happen.
   a. Record precise times for events that may turn out to be important.
   b. Record the names of all persons entering the scene.
2. Direct and assign incoming officers as needed, pending supervisor arrival.
3. Complete necessary paperwork, including an *Incident Report* or a *State of Washington Police Traffic Collision Report*, and an officer's *Statement.*

D. Secondary Unit(s) Responsibilities
1. Remain assigned as a secondary unit until relieved by the:
   a. Primary unit, or
   b. Follow-up unit or Patrol supervisor.
2. Assist in gathering witness information and statements.
3. Complete an officer's *Statement* whenever you actively participate in the event. Officers who only performed perimeter duties and have no pertinent information regarding the incident to relate in an officer's statement, need not complete one.

E. Guarding Injured or Deceased Persons
1. Injured Victims and Suspects
   a. Secure and preserve evidence found on the victim or suspect.
   b. Remain with the suspect at all times (i.e. accompany the suspect in the aid car to the hospital).
   c. Upon arrival at the hospital, contact a patrol supervisor to advise of the victim's, or suspect's, condition.
   d. Obtain clothing from the victim or suspect at the hospital.

(1) List names of hospital attendants removing the clothing.

(2) List names of hospital attendants who communicated with the victim or suspect.

(3) Instruct hospital attendants to mark clothing for evidence.

e. Assign an officer to stay with the victim or suspect until their status is clear.

(1) Gather evidence.

(2) Obtain information and statements if possible.

2. Deceased Victims and Suspects

a. Do not remove clothing.

b. Instruct the hospital attendants not to release the property of the deceased to anyone other than:

(1) Medical Examiner, or

(2) Police Department personnel.

F. Follow-Up Unit

1. Completion of the investigation is the responsibility of the follow-up unit.

II. Patrol Sergeant Responsibilities

A. Respond and take command of the scene.

B. Assess the scene and ensure the proper follow-up unit is notified.

C. Determine the number of officers required.

1. Relieve excess officers.

2. Advise communications of updated information.

D. Supervise the security of the scene.

1. Ensure unauthorized persons do not enter the area.

2. Turn control of scene over to the follow-up investigators, upon their arrival.

E. Brief the Watch Commander, along with the primary officer(s).

F. Ensure all officers involved submit statements.

G. Ensure that all officers check-in with the follow-up unit prior to departing/clearing the incident.

III. Watch Commander Responsibilities

A. Respond to all incidents where multiple Sergeants have been dispatched.

B. Respond to incidents of a sensitive nature.

C. Assume command until the emergency situation is resolved.

D. Ensure that necessary notifications are made, for example:

a. Precinct Commander,

b. Assistant Chief of the Patrol Operations Bureau,

c. Media Response Unit, and

d. Staff Duty Officer.

Seattle Police Department
Policies and Procedures

Section	
3.038	

Title:	Chapter:
III – Preliminary Investigations	038 – After-Action Reports

POLICY

An After-Action report shall be completed every time there is an event that requires the implementation of the Incident Command System. An After-Action report may be completed after any incident when, in the supervisor's opinion, it would be beneficial to the chain of command. The After-Action report will be written on a Department memorandum. All After-Action reports will be formatted in compliance with this manual section and be routed to the Chief of Police via the chain of command.

I. After-Action Reports

A. An After-Action report provides the chain of command with a synopsis of a critical incident or major event. After-Action reports shall be completed within 24 hours after the conclusion of the event.

1. In a significant incident or unusual circumstances, The Deputy Chief of Operations shall set the reporting schedule.

B. The Incident Commander is responsible for completing the After-Action report.

C. The After-Action report shall be written on a Department memorandum, addressed to the Chief of Police, via the chain of command.

D. If there are multiple supervisors at an event or incident, each supervisor may be required to complete a separate After-Action report at the discretion of the Incident Commander.

1. Each After-Action report shall be completed in the standardized Seattle Police Department format.

E. The report shall be thorough and provide a chronological summary of events occurring during the incident, problems encountered and recommendations to improve the Department's response to future events.

F. If an operations order was written for a planned event it shall be attached to the After-Action report

G. Whenever possible, all involved personnel should participate in a debrief immediately following an event. All supervisors shall conduct a debrief with the Incident Commander or Section Chief following the event.

II. Report Format

A. Situation: This is the first section of the After-Action report. The location, time, and incident classification shall be documented first. A brief description of the incident and circumstances leading up to the event will be recorded.

B. Operations Section: This is the main body of the After-Action report and will provide the following information:

1. The sworn employee who was assigned as the Operations Section Chief.
2. A chronological summary of the event and significant actions taken.
3. Mission objectives, what resources were initially deployed, and whether they were re-deployed to a new location.
4. Significant incidents.
5. Applications of force.

a. Reference generally whether any force was necessary to effect the mission. Details of the use of force should be documented in a Use of Force packet and routed through normal channels.

6. Document any arrests. Include the reason for the arrest and the corresponding case numbers.
7. List which forms of communications were used. Include whether a tactical frequency was used and if it was monitored.

C. Intelligence and Planning Section

1. Identify any contingency plans that were developed or implemented.
   a. If the plan is in writing attach it to the After-Action report as an appendix. It is not necessary to rewrite the report in this section.
2. Identify any technical specialists used during the operations.
   a. SWAT/HNT,
   b. Technical advisors in areas such as computers,
   c. Crime analysts, criminal intelligence personnel, etc.,
   d. Relevant maps, floor plans, etc.
3. Document stand-down procedures:
   a. List personnel in the order that they were relieved,
   b. Detail any transportation provided for personnel,
   c. Explain how assigned vehicles and equipment were turned in and accounted for.

C. Logistics Section shall include the following information:

1. The name of the person assigned to coordinate the logistics for the incident.
2. Identify equipment, vehicles, and supplies used for the event.
3. Whether a relief and rotation schedule was used and how it was implemented.
4. Description of food service provided to personnel.
5. Method used to restock supplies.

D. Personnel Section shall include the following information:

1. Number of assigned personnel.
2. Arrival times.
3. Demobilization time.
4. Number of officers injured and the general nature of the injuries.
5. Amount of overtime for the event.
6. Note steps taken to ensure that all personnel were accounted for after the event.
7. List outside agencies that assisted in the operation, their supervisor's identifying information and number of personnel.

E. At the end of each After-Action report a critique of the event shall be included. The purpose of the critique is to identify any deficiencies in training, equipment, or planning and to recognize those actions that proved effective. Recommendations to improve the Department's response to future events shall also be included in the critique.

III. Distribution

A. After-Action reports shall be routed through the chain of command to the Chief of Police.

B. A copy of the After-Action report shall be filed with the Precinct of occurrence. The report will be retained on file at the Precinct for a minimum of 3 years from date of occurrence.

Seattle Police Department
Policies and Procedures

Section 3.039

Title: III - Preliminary Investigations

Chapter: 039 - Death Investigation (Non-Traffic)

I. Patrol Officer Responsibilities

A. Secure the scene and request that a Patrol Sergeant respond.

B. Do not allow any persons to enter the scene.

C. Keep notes regarding the incident. Include the following:

1. Position and description of the body in relation to the surroundings, and
2. Presence or absence of any weapons.

D. Identify all persons found at the scene and detain them until the arrival of a Patrol Sergeant.

E. Do not move or search the body or room for identification purposes or other information.

Exception: A search may be conducted as directed by Homicide/Assault Unit detectives or the Medical Examiner.

F. Complete an *Incident Report*, and an officer's statement (when appropriate).

II. Patrol Sergeant Responsibilities

A. Respond in person to all dead human body calls.

B. Determine if a follow-up unit needs to respond.

C. Assume command of all patrol activities at the scene.

D. Determine the type of death: natural, accidental, suicide, or possible homicide.

III. Death Investigation

A. Natural Death

1. Collect all necessary information to substantiate a natural death.
2. Contact the Medical Examiner.
   a. The Medical Examiner's Office may have the family arrange for a funeral home to take custody of the body, if the primary investigator is satisfied that a natural death occurred, and the Medical Examiner's Office can verify the following:
      (1) Medical history of the deceased,
      (2) The doctor of the deceased agrees to sign the death certificate, and
      (3) Family member(s) are available.
   b. If the Medical Examiner does not respond, obtain the assigned "Non-Jurisdiction Assumed" number (NJA).
   c. If the Medical Examiner responds to take custody of the body, obtain the "King County Medical Examiner's" (KCME) case number.

3. Stay at the scene until the body is removed by either the Medical Examiner or a funeral home.
4. Complete the *Incident Report*.
   a. Document facts that substantiate a natural death. Including, but not limited to:
      (1) Medical history/medications,
      (2) Past activities, and
      (3) Complaints of illness.
   b. Include the "NJA" or "KCME" number in the report.

B. Accidental or Suicide
1. Obtain all information necessary to substantiate the type of death, accidental or suicide.
   a. Note the position, condition, and description of the body.
   b. Obtain historical information regarding the deceased.
   c. Identify and interview all witnesses.
2. Ensure that two or more photographs of the scene are taken and submitted to the Evidence Unit.
3. Contact the Medical Examiner and have an investigator respond.
   a. Obtain the KCME case number.
4. Stay at the scene until the body is removed by the Medical Examiner.
5. Document facts substantiating accidental death or suicide in the *Incident Report*.
   a. Include the KCME case number in the report.
6. Complete a sketch of the crime scene.
7. Contact a Homicide Unit supervisor when the suicide victim is a minor under the age of 18. The Homicide Unit will respond in all suicides of minors and will assume investigative responsibilities.

C. Possible Homicide or Unusual Circumstances
1. Contact the appropriate follow-up unit.
2. Remain at the scene until relieved by the follow-up detectives.
3. Assist the detectives until no longer needed.
4. Prepare *Incident Report* and officer's statement documenting information obtained at the scene and releasing the scene to the follow-up unit.

D. Dive Rescue, Drowning and Near Drowning Incidents
1. The Seattle Police Department is responsible for any on scene command of all drowning, near drowning and dive rescue response calls. Both Police and Fire personnel may be involved in these responses.
2. The Staff duty officer (Captain) will be called to and will respond to all incidents involving a dive rescue, drowning and near drowning.

I. Death or Injury Involved

A. Officer(s) On-Scene

1. Administer first aid within the limits of your ability and training.
   a. Use universal precautions to minimize contact with blood or other potentially infectious materials. (See Section 1.265a - Exposure Control-Bodily Fluids.)
2. Notify Radio of the shooting and its location.
   a. Request that an aid car or medics respond.
3. Detain any suspect(s) and witnesses at the scene, until released by a Homicide/Assault detective or patrol supervisor.
   a. Keep suspects and witnesses separated.
   b. Instruct witnesses not to talk to anyone about the incident and do not discuss details of the incident with them.
4. Broadcast all available information concerning outstanding suspect(s).
5. Request that a supervisor respond to the scene.
   a. Be aware that information broadcast over any radio frequency or cellular phone may be monitored.
6. Establish a perimeter around the scene, keeping all unauthorized persons out. Maintain the perimeter until investigation at the scene is complete or until you are released by the follow-up unit.
   a. Do not vacate a perimeter position until relieved.
7. Preserve the crime scene and any evidence, in its original location and condition unless it creates a hazard or risks becoming contaminated, until relieved by a follow-up unit or patrol supervisor.
   a. Do not touch anything unless <u>absolutely</u> necessary!
      (1) Avoid touching, moving or stepping in areas sensitive to the scene.
      (2) Use the same route in and out of the scene.
      (3) Do not use any of the facilities at the scene (e.g., sinks, bathrooms, telephones, etc.).
      (4) Anything that is touched or moved must be documented.
   b. Limit access to anyone not directly involved in the investigation, including other officers.
   c. Utilize door locks, barricades, crime scene tape, other officers, and rope to secure the scene. Protect the central scene.
   d. Protect any evidence in danger of being destroyed by weather or other factors.
8. Secure witness information, obtaining statements if possible.
9. Once the follow-up detective(s) arrive and assume control of the scene, they have full command of the scene. Any conflict arising shall be handled by the follow-up supervisor or the detective in charge of the on-scene investigation.
   a. Subsequent events not directly related to the original incident, however, shall be handled as a separate incident.

B. Involved Officer(s)
   1. Do not make any statements to anyone outside of your chain of command.
   2. Respond to the Homicide/Assault Unit office as directed by the on-scene supervisor or commander to prepare and submit a written report of the circumstances of the incident.

C. Primary Unit
   1. Under no circumstances shall the involved officer(s) be the Primary Unit.
   2. Maintain an activity log to record events as they happen.
      a. Record precise times for events that may turn out to be important.
      b. Record the names of all persons entering the scene.
   3. Direct and assign incoming officers as needed, pending supervisor arrival.
   4. Complete necessary paperwork, including an *Incident Report* and an officer's *Statement.*

D. Secondary Unit(s) Responsibilities
   1. Remain assigned as a secondary unit until relieved by the:
      a. Homicide/Assault detective, or
      b. Homicide/Assault or Patrol supervisor.
   2. Assist in gathering witness information and statements.
   3. Complete an officer's *Statement* whenever you actively participate in the event. Officers who only performed perimeter duties and have no pertinent information regarding the incident to relate in an officer's statement, need not complete one.

E. Guarding Injured or Deceased Persons
   1. Injured Victims and Suspects
      a. Secure and preserve evidence found on the victim or suspect.
      b. Remain with the suspect at all times (i.e. accompany the suspect in the aid car to the hospital).
      c. Upon arrival at the hospital, contact a patrol supervisor to advise of the victim's, or suspect's, condition.
      d. Obtain clothing from the victim or suspect at the hospital.
         (1) List names of hospital attendants removing the clothing.
         (2) List names of hospital attendants who communicated with the victim or suspect.
         (3) Instruct hospital attendants to mark clothing for evidence.
      e. Assign an officer to stay with the victim or suspect until their status is clear.
         (1) Gather evidence.
         (2) Obtain information and statements if possible.
   2. Deceased Victims and Suspects
      a. Do not remove clothing.
      b. Instruct the hospital attendants not to release the property of the deceased to anyone other than:
         (1) Medical Examiner, or
         (2) Police Department personnel.

F. Homicide/Assault Unit
   1. Completion of the investigation is the responsibility of the Homicide/Assault Unit.

G. Patrol Supervisor

1. Duties and Responsibilities
   a. Obtain a brief summary of the incident from the involved officer(s).
   b. Do not allow the officer(s) to make any statements to anyone outside their chain of command.
   c. Request the response of the Homicide/Assault Unit.
   d. Notify the Precinct Commander for the area in which the incident occurred.
   e. Turn command over to the on-scene commanding officer (lieutenant and above) upon their arrival.
   f. Ensure that the officer(s) are relieved from the scene and transported to the Homicide/Assault Unit office as soon as possible.
   g. Remain at the scene to coordinate security for the scene.
   h. Ensure that the necessary reports and statements have been completed and properly distributed before involved personnel go off shift.
   i. Prior to the inquest, arrange a meeting to review the inquest process with:
      (1) The involved officer(s),
      (2) Watch Commander,
      (3) Precinct/Section Commander of the involved officer(s), and
      (4) Assistant Chief of the involved officer(s) Bureau.
   j. Assign an officer to accompany involved officer(s) during the inquest.
   k. Plan to attend the inquest with the involved officer(s) and report the proceedings to:
      (1) Precinct/Section Commander of the involved officer(s), and
      (2) Assistant Chief of the involved officer(s) Bureau
2. Dealing with Involved Officer(s) at the Scene
   a. Do not isolate the officer(s).
   b. Do not allow the officer(s) to talk to other personnel about the incident.
   c. Ensure that involved officer(s) have access to:
      (1) Food and drink,
      (2) Restroom facilities,
      (3) Telephone or cellular phone, and
      (4) Representative from their collective bargaining unit.
   d. If two or more officers are involved, do not separate them.
   e. Do not put the officer(s) in the back seat of a police vehicle.
   f. How an officer is treated during the time following the incident can have a psychological effect on them.
      (1) Avoid making the officer feel like a suspect.
      (2) Personnel are to be sensitive to individual officer needs. Physical contact with the officer must be evaluated on an individual basis.

H. Duties of the On-scene Commanding Officer (Lieutenant or above)
1. Immediately respond to the incident location.
   a. A lieutenant or above in the officer's chain of command shall be summoned from off-duty status if necessary.
   b. If the discharge occurred in another jurisdiction:

(1) Respond to the location of the incident if it is within a reasonable distance, and

(2) Perform as a liaison between the Department and the other jurisdiction.

2. Assume command of the scene until the arrival of the Violent Crimes Section supervisor. Relinquish the scene to the control of the Violent Crimes Section supervisor upon their arrival.

3. The Violent Crimes Section Supervisor on the scene, and the Commanding officer, will:

   a. Secure the officer(s) discharged weapon in the exact condition it was fired and ensure that it is placed into evidence for processing. Follow the procedures set forth in Section 2.053 - Firearms as Evidence.

   b. Provide the officer(s) with a replacement weapon,

      (1) The officer(s) should not leave the scene with an empty holster.

   c. Relieve the officer(s) from duty immediately pending further investigation.

4. Unless otherwise indicated by the Violent Crimes Section supervisor on the scene, ensure that all officers directly involved in the shooting respond, or are transported, to the Homicide/Assault Unit office to complete statements.

   a. Assign another officer to accompany and transport the involved officer(s) to the Homicide/Assault Unit office.

5. Notify the Staff Duty Officer.

6. Ensure that the Department Chaplain and Psychologist (or peer counselor representative), and a representative of the appropriate collective bargaining unit are notified of the incident.

   a. Arrange debriefing for on-scene officers.

   b. Arrange counseling for the involved officer(s).

7. Coordinate with the Homicide/Assault Unit to ensure all existing reports, documents, and officer statements are forwarded immediately to:

   a. Precinct Commander for the area in which the incident occurred,

   b. Precinct/Section Commander of the involved officer(s),

   c. Assistant Chief of the involved officer(s) Bureau,

   d. Office of the Chief,

   e. Media Response Unit, and

   f. Deputy Chief of Administration.

I. Staff Duty Officer

1. Ensure that the following notifications are made:

   a. Precinct/Section Commander of the involved officer(s),

   b. Assistant Chief of the involved officer(s) Bureau,

   c. Office of the Chief,

   d. Deputy Chief of Administration, and

   e. Media Response Unit.

II. No Injury Involved

A. Involved Officer(s)

1. Do not make any statements to anyone outside of your chain of command.

B. Officer(s) On-Scene

1. Detain any suspect(s) and witnesses at the scene, until released by an on-scene supervisor or commander.
   a. Keep suspects and witnesses separated.
   b. Instruct witnesses not to talk to anyone about the incident and do not discuss details of the incident with them.
2. Broadcast all available information concerning outstanding suspect(s).
3. Request that a supervisor respond to the scene.
   a. Be aware that information broadcast over any radio frequency or cellular phone may be monitored.
4. Establish a perimeter around the scene, keeping all unauthorized persons out. Maintain the perimeter until investigation at the scene is complete or until you are released by the on-scene supervisor or commander.
5. Preserve the crime scene and any evidence in its original location and condition unless it creates a hazard or risks becoming contaminated. Maintain scene integrity until relieved by an on-scene supervisor or commander.
6. Secure witness information, obtaining statements if possible.

C. Primary Unit

1. Under no circumstances shall the involved officer(s) be the Primary Unit.
2. Direct and assign incoming officers as needed, pending supervisor arrival.
3. Complete necessary paperwork, including an *Incident Report*, *Sketch Sheet*, and an officer's *Statement.*

D. Secondary Unit(s) Responsibilities

1. Remain assigned as a secondary unit until relieved by the:
   a. Primary unit, or
   b. On-scene supervisor or commander.
2. Assist in gathering witness information and statements.
3. Complete an officer's *Statement* whenever you actively participate in the event. Officers who only performed perimeter duties and have no pertinent information regarding the incident to relate in an officer's statement, need not complete one.

E. Patrol Supervisor Duties and Responsibilities

1. Obtain a brief summary of the incident from the involved officer(s).
2. Do not allow the officer to make any statements to anyone outside their chain of command.
3. Notify the on-duty lieutenant.
4. Turn command over to the on-duty lieutenant upon their arrival.
5. Ensure that the involved officer(s) are relieved from the scene and respond to the precinct as soon as possible.
6. Ensure that a sketch is completed and photographs are taken of the scene.

7. Ensure that the necessary reports and statements have been completed and properly distributed before involved personnel go off shift.
8. Ensure that notification is made to:
   a. Precinct Commander for the area in which the incident occurred, and
   b. Precinct/Section Commander of the involved officer(s).

F. Duties of the On-Duty Lieutenant
1. Personally investigate the firearms discharge and prepare a detailed written report of the incdent.
   a. If the discharge occurred in another jurisdiction, perform as a liaison between the Department and the other jurisdiction.
2. If the incident may have been the result of an accidental discharge, either human error or mechanical defect, place the weapon into evidence for examination.
   a. If the discharged firearm was the officer's duty weapon, immediately provide the officer with a replacement firearm.
   b. Firearms will be examined for proper functioning by a qualified gunsmith at the direction of the Commander of the Training Section.
      (1) If it is determined that the officer's firearm malfunctioned, it must be repaired by qualified personnel before the officer may carry the firearm on or off-duty.
3. If the firearm discharge was intentional, the on-duty lieutenant shall:
   a. Inspect the firearm and record the:
      (1) Make, model and caliber,
      (2) Serial number,
      (3) Brand, type and caliber of ammunition fired, and
      (4) Brand and type and caliber of all unexpended ammunition carried in the firearm.
   b. Inspect all other ammunition carried by the officer, and record the:
      (1) Brand, type and caliber, and
      (2) Quantity.
   c. Report the results of the inspection in the detailed written report mentioned above.
4. Ensure that notifications are made to the:
   a. Concerned Bureau Commander,
   b. Chief of Police, and
   c. Media Response Unit.
5. Ordinarily, the commanding officer will relieve the officer from duty immediately pending further investigation.
   a. Exceptions may be made, such as the shooting of an animal or in minor incidents when staff power is critical.

III. Reporting Procedures

A. See Section 1.161 - Reporting Officer Discharge of Firearms.

B. Ensure that a copy of all existing reports, documents and statements are forwarded immediately to the:
1. Involved officer's Bureau Commander,
2. Deputy Chief of Administration, and
3. Chief of Police.

I. Officer Responsibilities

A. Notify Radio of "Officer Down" or "Officer Injured" and request SFD Medics.

B. Ensure that medical personnel rush the officer to a hospital as soon as possible, regardless of the extent of injuries, or opinions of death.

C. Assign at least one officer to accompany victim officer to the hospital for security and to obtain:

1. Information about the incident,
2. Evidence, and
3. Personal effects.

D. Set up a perimeter around the crime scene. (See Section 3.037 - Serious Incident Plan.)

E. Detain witnesses until released by a patrol supervisor or Follow-up Detective.

F. Ensure that a patrol supervisor is enroute.

G. Complete necessary paperwork.

II. Patrol Supervisor Responsibilities

A. Assume command of the scene.

1. Handle as a "major event"
2. Establish a Field Command Post.

B. Ensure that the victim officer:

1. Has been taken to hospital, and
2. Is accompanied by at least one other officer.

C. Ensure that a secure perimeter around the crime scene has been established.

D. Request that a Watch Commander respond to the scene.

E. Assign a Sergeant to the hospital to coordinate officers assigned there.

F. Request that the appropriate Follow-up Unit respond to the scene.

G. Ensure that the victim officer's spouse or family member(s) is notified.

1. Assign two officers to drive family to the hospital.
   a. Request local law enforcement agency to transport if they live some distance outside Seattle.
2. Arrange for child care when necessary.

H. Ensure that Department notifications are made.

1. Victim officer's Unit Commander
2. Precinct Commander
3. Victim officer's Section Commander

4. Operations Bureau Commander
5. Victim officer's Bureau Commander
6. Office of the Chief
7. Media Relations Unit

   NOTE: Do not reveal the officer's name on the phone, radio, or to the media until after the family has been notified.

8. Employee's collective bargaining representative
9. Department Chaplain

I. Ensure the completion of all necessary paperwork, including:

1. Incident Report(s), accident reports, Statements, etc., and
2. Illness and injury forms.
   a. Refer to Section 1.257 - Illness and Injury.
   b. Forward illness and injury forms to the Recruiting, Wellness, and Safety Administrator in an *Alert* packet.

III. Watch Commander Responsibilities

A. Respond and assume command.

B. Ensure supervisor responsibilities have been completed.

C. Brief arriving units.

D. Designate a media staging area.

E. Check call status with Communications Section.

1. If there are too many waiting calls, request assistance from other precincts or request that the Communications Section start screening low priority calls.

F. Consider psychological support for officers for involved squad and precinct.

1. Psychologist
   a. Critical Incident Stress Debriefing
   b. Peer Counselors

G. Consider Department-wide announcement for on-duty officers via Mobile Data Terminal.

IV. Field Commander Responsibilities

A. Respond and assume command.

B. Coordinate Department Notifications.

C. Ensure completion of an After Action Report.

V. Communications Section Responsibilities

A. Ensure that Medics are dispatched.

B. Request that a supervisor respond to the scene.

C. Assist in establishing a perimeter around the crime scene.

D. Assist with notifications as requested by on-scene Commander(s).

I. Follow-up Unit Callouts

A. The follow-up unit supervisor and the primary unit supervisor will normally determine whether immediate follow-up response by detectives is appropriate. Watch Commanders have the discretion to order a detective follow-up response, if in their judgment the situation requires it.

B. The determination must be made whether a follow-up investigation is needed and if the need is immediate. Supervisors of primary investigating units are required to notify appropriate follow-up unit supervisors of the following crimes on a 24-hour basis.

1. Homicide is contacted for a possible response in the following incidents:

   a. Homicide

   b. Assault with injuries likely to result in death.

   c. Any death investigations (including natural, accidental and adult suicide) involving questionable circumstances.

      1). Patrol supervisors will contact Homicide and request a follow up response when a suicide victim is under 18 years of age.

   d. Officer involved shootings, except:

      1.) Accidental discharge with no injury

      2). Discharge with no intent to shoot anyone and no one is endangered

      3). Killing of an animal

   e. Kidnapping, other than custodial.

   f. Fire deaths or fire injuries likely to result in death.

   g. Death or serious injury of any person by a police officer.

   h. Death or serious injury of any police personnel.

   i. Missing person, where it is apparently a homicide or kidnapping.

   j. Other personal injury incidents in which the victim or suspect is a high profile person, the incident generates high publicity or department involvement dictates a response.

2. Sexual Assault Unit is contacted for a possible response in the following incidents:

   a. Rapes where the suspect is a stranger and a crime scene exists.

   b. Serious injury to a child (birth to 12 years) involving questionable circumstances, and the Homicide Unit has declined to respond.

   SAU may also be notified for a possible response to the following incidents:

   a. Any rape where the victim sustains serious physical injuries in addition to suffering a sexual assault.

   b. Any other sexual assault that a patrol supervisor believes needs special handling by SAU detectives.

c. A rape where a suspect is arrested and it is advantageous that a detective interview the suspect immediately.

3. Robbery

The Robbery Unit must is contacted for possible response in the following incidents:

a. shots fired

b. restraints used on the victim(s)

c. serious injuries

d. extensive media interest

4. Arson/Bomb Squad

The Arson/Bomb Squad is contacted for a possible response in the following incidents;

a. Whenever an explosion has occurred which resulted in an injury or property damage, however slight. This includes incidents where the explosive used was "fireworks".

b. Suspected or known explosive devices.

c. An explosion that involves an improvised explosive device (homemade bomb), regardless of damage, injury or intent.

d. A suspicious package that is suspected to contain an explosive device.

e. An incendiary device that has an ignition source other than a simple burning fuse or wick such as used in "molotov cocktails" (The SFD handles these simple burning devices).

f. A site used to illegally manufacture explosives, including flash powder, or to fill containers with an explosive agent.

g. Found military ordinance, commercial explosives, or any type of improvised/homemade explosive.

h. A large quantity of small ammunition, or any quantity of ammunition 50 caliber or larger or any small arms ammunition that is in a deteriorated state.

i. Common fireworks in quantities of more than a few pounds, and any quantity of M-80s or larger.

j. Any incident involving any chemical, biological, or radiological agents, where there has been a release or threat of a release, or any suspicious circumstances involving such agents.

5. Malicious Harassment

a. When there is a question as to whether or not an incident meets the definition of a criminal act under either the malicious harassment ordinance (SMC 12A.06.115 or the state statute (RCW 9A.36.080), contact the Bias Crime coordinator during regular business hours for screening. Outside of regular business hours contact the on-duty or on call Homicide Unit sergeant.

6. Domestic Violence

a. A serious domestic violence assault in which the suspect has been arrested and is available for interviewing prior to booking.

b. A serious domestic violence assault incident which includes a crime scene containing substantial physical evidence (bloodstain patterns, gunshot residue, broken furniture, scarred walls, etc.), regardless of whether or not the suspect has been arrested;

c. In cases where the victim has suffered injuries likely to result in death, the Homicide and Assault Unit should be notified and given the opportunity to respond prior to the DV Unit. In the

event that the screening Homicide supervisor declines to respond, the DV Unit should then be contacted

7. Gang Unit
   a. Drive by shootings with injury or serious risk of injury, regardless of whether a suspect has been located.
   b. Any violent crime related to gang activity or involving gang members and or associates.
   c. Assaults upon officers by suspected gang members.
   d. Assist with unusual occurrences, riots, or civil disobedience situations.
8. Narcotics Unit

   The Narcotics Unit must be notified for possible response to all incidents involving:
   a. The seizure, with the expectation of forfeiture, of sums of money in excess of $10,000 that are traceable as proceeds of, or used to facilitate a narcotics transaction.
   b. Any encounter with a clandestine drug laboratory.
   c. Any incident involving marijuana grow farms that may result in the seizure of a house.
9. Burglary and Theft Unit
   a. A first degree burglary or an extensive loss.
   b. The scene cannot be protected until 0800 hours and/or an evidence technician is not available.
   c. Any sensitive incident that may draw significant community or media attention.
10. Traffic Collision Investigation Section-for information concerning T.C.I.S. call out procedures see S.P.D. Manual Section 3.045
11. Any other crime which the field supervisor believes should be brought to a follow-up unit's attention.

C. In the event of the death or serious injury of a police officer, notification will be made to the appropriate follow-up unit, the Media Response Unit, the chain of command, and a member of the Seattle Police Officer's Guild or Seattle Police Management Association. (See Section 3.041 - Serious Injury or Fatality to Officer.)

D. Any incident of a sensitive nature which may bring public notoriety upon an officer or the Department should be brought to the attention of a supervisor. The supervisor will determine if the incident should be brought to the attention of a member of the Media Response Unit. The ranking supervisor will decide if those higher in command should be notified, up to and including the Chief of Police.

E. Other crimes or incidents may also require immediate follow-up investigation, the need for which will be determined by the special investigative skills required and current investigative policies. In all cases where the necessity for immediate follow-up investigation has been determined, the appropriate detective unit will be notified and given the option of immediate response.

F. Refer to Section 3.045 - Accident Investigations - when determining follow-up requirements for traffic accidents.

G. Incidents to which follow-up units will respond require the primary investigator to preserve and protect the scene. (See Section 3.037 - Serious Incident Plan.)

H. Incidents occurring where a follow-up unit has been contacted and has opted to not respond, require the primary investigator to complete the investigation as thoroughly as possible.

I. If immediate follow-up investigation will not be required, the primary investigation will be conducted in such a manner as to ensure that the follow-up unit will receive all available information, via reports and statements, concerning the incident.

II. Follow-up Investigation

A. Follow-up investigation is, by definition, after the fact. It is instigated when the primary investigator is unable to complete the case or when special investigative skills are needed, due to the nature of the incident. Such investigations are conducted to produce evidence relating to the guilt or innocence of any suspect and to recover property.

B. A follow-up investigation is normally conducted by a unit other than that which conducted the primary investigation, except those cases involving arrested persons charged directly into Municipal Court. As it is not feasible to expend equal time and energy in the follow-up investigation of all reported crimes, priority of investigation and allocation of resources must be based upon the relative seriousness of the incident and the likelihood of the successful disposition of the case. However, reported crimes will be investigated to the fullest extent possible without regard to the status of the victims or the areas of the city in which the crimes occur.

C. Follow-up investigators will:

1. Interview victims and witnesses,
2. Locate, identify, and preserve physical evidence and transport it to court if necessary,
3. Attempt to recover stolen property,
4. Attempt to identify, locate, interview and arrest suspects,
5. Prepare and present cases to the prosecutor,
6. Cooperate in the prosecution of the defendants, and
7. Prepare follow-up and other applicable reports in each case.

INTRODUCTION

Traffic collisions are investigated to care for the injured, protect the rights of the involved parties, determine the causes of collisions so that methods of prevention may be developed, and when a traffic law violation is discovered, to gather evidence necessary to prosecute the violator.

POLICY

Officers must investigate, initiate the investigation of, or assist at each collision which is brought to their attention. This responsibility applies whether the officer is dispatched to the collision by radio, on-views the collision, or is informed of the collision through a third party.

I. Responding Officer Duties

A. The duties of an officer responding to an collision include, but are not limited to:

1. Providing basic life support and attending to any injured persons until the arrival of fire department personnel.
2. Identifying potential or actual fire hazards or other dangerous conditions so that appropriate action may be taken.
3. Summoning additional assistance.
4. Protecting the scene.
5. Establishing a safe traffic flow around the scene.
6. Identifying and interviewing witnesses.
7. Investigating the collision and recording evidence.
8. Taking appropriate enforcement action.
9. Requesting assistance from a tow company if there is debris that needs to be removed from the roadway.
10. Assess whether drivers may exchange information, or if a collision report must be completed.

II. Procedures when a Collision Report is Not Mandatory

A. Officers may assist citizens in the exchange of driver/witness information, scene protection, traffic control, etc.

1. To assist in the exchange of information, use the *Exchange of Traffic Collision Information* (form 5.9).

B. If any party to a collision requests that a report be taken when there is no visible damage to vehicles or property, document the incident on an *Incident Report* titled "Traffic Incident."

C. As a matter of courtesy, carry a supply of the *State of Washington Motor Vehicle Collision Report* forms in your patrol car. Give this form to the parties involved in the traffic collision.

D. If no report is taken, record the driver name(s), DOB(s), and vehicle license number(s) on your car log.

III. Procedures when a Collision Report is Mandatory

A. Investigate and complete a *State of Washington Police Traffic Collision Report* whenever the collision occurs on a "highway" (SMC 11.14.245), "roadway" (SMC 11.14.530) or "way open to the public" (SMC 11.14.745), and one or more of the below listed conditions exist:

1. Injury or death of any person.
2. Damage to the property of any one person appears to exceed $700.00.
3. A hit and run vehicle is involved.
4. Enforcement action is taken against one or more of the parties involved.
5. The collision resulted in the release of hazardous material.
6. The operator of any involved vehicle is suspected of being under the influence of alcohol or drugs.

B. Since State law includes "bicycle" in the definition of "vehicle", the requirements above shall also apply to collisions involving bicycles.

C. When the circumstances warrant, initiate an investigation and complete a report in any other collision not specifically defined above.

D. It is not necessary for the involved parties to complete a *Washington Motor Vehicle Collision Report* if the investigating officer completes a *Washington Police Traffic Collision Report*.

IV. Taking Enforcement Action

A. Traffic Violation or Misdemeanor Incidents.

NOTE: Enforcement action shall be taken in every non-felony case where the information is sufficient to warrant such enforcement action. In those cases where you conclude that you cannot cite, clearly articulate in the narrative portion of the *State of Washington Police Traffic Collision Report* why enforcement action would not be appropriate. (The Traffic Collision Investigation Squad (TCIS) will not routinely conduct follow-up investigations in these situations.)

1. When a driver is not available to receive a ticket, refer to Training Topic-Tickets- Delayed Issuance of Tickets.

B. Potential Felony Incidents

NOTE: Do not issue any ticket if the collision is determined to be a felony.

1. Refer to subsection V of this manual section for Traffic Collision Investigation Squad (TCIS) notification criteria.
2. If the collision does not require a TCIS response at the time of on-scene investigation, but may develop into a felony, refer the entire case to TCIS, requesting appropriate charges be filed in the event the incident is reduced to a misdemeanor.

V. Collisions Requiring Presence of TCIS

A. The Traffic Collision Investigation Squad must be called to respond to all traffic collisions (including watercraft and trains) involving any of the following circumstances:

1. The death of any person.
2. Injuries serious enough to cause death.
3. Hit and run collisions where there is substantial injury.

4. Traffic collisions involving city equipment where substantial injuries or extensive property damage has occurred.
5. Collisions occurring during a police pursuit that result in substantial bodily injury to any person.
6. Collisions involving substantial bodily injury where it appears that a driver was negligent or under the influence of drugs or alcohol.
7. Any collision where there is probable cause for Vehicular Homicide, Vehicular Assault, or felony Hit and Run.

B. Substantial bodily harm or injury means bodily injury which 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. In determining the extent of injuries, special consideration should be given for a TCIS response for persons over 70 years of age or under 5 years of age.

C. If the on-scene supervisor has questions concerning the circumstances of a collision, the TCIS on-call detective should be consulted. If the consultation results in an agreement that no response is needed, the collision/incident report should state, "TCIS was consulted and it was determined that a response was not necessary".

VI. Vehicle Impounds and Holds

A. If you take enforcement action at a scene, and have all of the information necessary to complete your report, do not impound or place a TCIS hold on any vehicle.

B. When the operator of a vehicle is unable to arrange to have their vehicle removed (due to injury, intoxication or arrest), the vehicle should be impounded and a Vehicle Report (form 5.5) completed.

C. Impound and place a TCIS hold on any suspect vehicle involved in a hit and run crime where the driver has not been identified.

D. Note the following on the *State of Washington Police Traffic Collision Report*:

1. Tow company name.
2. Storage location.
3. Any hold for investigation.

VII. Collisions Involving City Vehicles

(See Section 1.205 - Collisions Involving City Vehicles.)

VIII. Report Routing and Exchange of Driver / Property Owner Information

A. The original and both carbonless copies of Part A, and all copies of Part B shall be submitted with all other related forms through normal report routing channels for approval and forwarding to the Data Center.

1. Involved parties will be provided with a Department business card containing the Single Incident Number (SIN), the investigating officer's name, serial number, and unit of assignment, and the pre-printed PTCR Report Number.

   a. If a completed copy of the *State of Washington Police Traffic Collision Report* is requested, refer the requestor to the Records, Evidence, and Identification Section - Collision / Auto Theft Desk on the 5th Floor of the Seattle Justice Center.

POLICY

Seattle Municipal Code Title 16 (Harbor Code) defines the "Port Warden" of the City as the Chief of Police and any duly authorized deputies or assistants acting on the Chief's behalf. Listed as a specific duty is the investigation and reporting of marine and maritime accidents in the harbor. The Department's Harbor Unit has the primary responsibility of ensuring safety and security on the public waterways of the City. This includes investigating most boating accidents (RCW 88.12.155). If the Harbor Unit is unavailable, boating accidents will be investigated by other officers. Boating accident forms are available at all precincts. The Harbor Unit and Accident Investigations may be contacted if further assistance is needed.

I. Definitions

A. Boat: Any vessel or watercraft used or capable of being used as a means of transportation on the water.

1. It does not include inner tubes, air mattresses, small flimsy rafts, or floatation devices used as toys by swimmers.

B. Operator: An individual who steers, directs, or otherwise has physical control of a vessel that is underway or exercises actual authority to control the person at the helm.

C. Owner: A person who has a lawful right to possession of a vessel by purchase, exchange, gift, lease, inheritance, or legal action whether or not the vessel is subject to a security interest.

II. Primary Officer at the Scene

A. Two separate reports are required for boating accidents. The primary officer shall ensure that these are completed and forwarded properly, unless specifically relieved of that duty by the Harbor Patrol or the Accident Investigations Unit.

III. *Washington Boat Accident Investigation Report (BAIR)* (form P & R A-264)

A. Officers shall complete a *Washington Boat Accident Investigation Report* for any boat accident involving the following:

1. Death.
2. Injury requiring treatment beyond first aid (i.e., hospitalization).
3. Missing person under circumstances that indicate death or injury.
4. Damage greater than $500 to any one boat or other property.
5. Hit and Run (see RCW 88.12.155).
6. City property/boat involved.

B. Complete the *Washington Boat Accident Investigation Report* as thoroughly as possible and submit for approval and distribution.

IV. *Boating Accident Report (BAR) (form P & R A-3865)*

A. The *Boating Accident Report* (form P&R A-3865) must be completed when the incident involves any of the circumstances listed below.

1. Death.
2. Injury requiring treatment beyond first aid.
3. Damage totals more than $500.00 to the boat or other property, or there is a complete loss of boat.
4. Missing person under circumstances that indicate death or injury.

B. Responsibility

1. The Department's Harbor Patrol Unit is ultimately responsible for routing this report *(BAR)* to the Washington State Parks office in Olympia.
2. Officers shall instruct the operator or owner (if the operator is incapacitated) on how to complete the *BAR*.
3. Officers shall complete the *BAR* if both the operator and owner are incapacitated or unable.

C. Time Requirements

1. In cases involving death or injury, the *Boating Accident Report* must be forwarded to Olympia within 48 hours. Officers shall obtain completed BAR forms at the scene and forward them to the Harbor Patrol Unit.
2. In all other cases, the *Boating Accident Report* must be forwarded to Olympia within 10 days. Officers shall instruct owner/operator(s) to complete this form as soon as possible and mail it to:

Harbor Patrol Unit
Seattle Police Department
610 Fifth Avenue
Seattle, WA 98104

V. Boating Accidents Requiring the Presence of the Traffic Collision Investigations Section (TCIS)

A. Accidents which have resulted in the death of any person.

B. Accidents in which the officer feels the injuries are serious enough that someone may die.

C. Serious hit and run accidents which involve injuries.

D. Accidents involving City equipment where serious injuries or extensive property damage has occurred.

E. Missing persons under circumstances that indicate death or injury.

NOTE: Notify the Harbor Unit any time TCIS is called out.

VI. Impounds

A. Authority to Impound

1. Probable cause exists to believe that the boat constitutes evidence of a crime or contains evidence of a crime.
2. The operator appears incapable of safely operating the boat.
3. The operator refuses to sign a citation.
4. The operator refuses or neglects to obey an order to proceed from or to an area following a citation or in an emergency.
5. The operator operates a boat in a negligent, reckless or other manner so as to endanger the safety of others or to interfere with the navigation of other watercraft; and the officer believes that impoundment is necessary to stop such operation.
6. The vessel, watercraft, or obstruction appears unsafe for water transportation.

7. The vessel, watercraft, or obstruction appears abandoned, or is anchored or moored in an anchorage, waterway or submerged street area after expiration, cancellation, or violation of a permit, or in violation of this title (SMC 16.36.010) without a permit seventy-two (72) hours after an order to remove the same has been given as provided in SMC 16.32.020.
8. The vessel, watercraft or obstruction is obstructing a launch ramp area or public dock.

B. Procedures

1. Complete the *Vessel, Watercraft, or Obstruction Theft and Impound Report* (form 5.42).
2. Notify the Harbor Unit to arrange for the boat to be towed. All impounds will be stored at the Harbor Patrol Unit boat shed on Lake Union.

Seattle Police Department
Policies and Procedures

Section	
3.053	

Title:	Chapter:
III - Preliminary Investigations	053 - Arson Investigations

POLICY

The Arson/Bomb Squad has the responsibility, along with the Fire Department's Fire Investigation Unit, to conduct on-scene and follow-up investigations of arson or suspicious fires, any fire resulting in death or life threatening injury, and fire bombings related to civil disturbances.

I. Officer Responsibilities

A. When responding to a fire call, contact the Fire Department supervisor in charge at the scene *to determine the nature and severity of the fire*.

1. If the fire has been determined to be arson, suspicious in nature, or has resulted in the serious injury or death of any person:

   a. Contact a police supervisor, who will screen the incident and notify the Arson/Bomb Squad.

B. Write an Incident Report for all of the following, unless advised otherwise by an Arson/Bomb Squad supervisor:

1. Arson fires,
2. Fires of unknown or suspicious origin,
3. Fires which have resulted in the death or serious injury of any person,
4. Fires that appear to involve malicious intent, no matter the size of the fire or value of property damaged.

C. If you have arrived on the scene of a fire which is out, or is easily extinguished, Fire Department response shall still be requested.

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
3.054	III – Preliminary Investigations	054 – Fireworks Disposal & Disposition

POLICY

The Arson/Bomb Squad has placed fireworks collection barrels at each of the Precincts, and the barrels will now remain for use on a year-round basis. These barrels are clearly marked, and are secured with padlocks. Keys for the barrels, along with a key checkout log, will be maintained by the precinct desk officers. Fireworks will no longer be taken to the Evidence Section for storage. Further, the Seattle Fire Department will not accept fireworks from either officers or citizens. In response to telephone inquiries, citizens should be directed to the nearest precinct for disposal of found fireworks.

I. Procedure for handling fireworks:

A. Fireworks needed as evidence:

1. Fireworks will be placed in an envelope or paper bag (plastic containers should not be used due to possible static electricity hazard);
2. A copy of the related citation or incident report will be attached, and the evidence will be placed in the barrel and secured;
3. A second copy of the report will be forwarded by intra-Department mail to the Arson/Bomb Squad, or the Arson/Bomb Squad will be contacted immediately if the quantity of fireworks is too large to safely fit in a barrel;
4. Arson/Bomb Squad personnel will respond and take items to the bunker, where they will be held until disposition of the criminal investigation and/or charges, at which time Arson/Bomb Squad personnel will be responsible for disposal.

B. Fireworks which have been turned in, or confiscated, and are not needed as evidence:

1. Fireworks will be placed in an envelope or paper bag (plastic containers should not be used due to possible static electricity hazard);
2. A copy of a Field Interview Report (F.I.R.), Found Property Report or Memorandum documenting the circumstances under which the fireworks were recovered (if fireworks are recovered ancillary to a criminal investigation, but are not wanted as evidence, attach a copy of the incident report clearly stating that the fireworks are "not needed as evidence") will be attached;
3. With the related paperwork attached, the fireworks will be placed into the barrel and secured;
4. A second copy of the paperwork will be forwarded by intra-Department mail to the Arson/Bomb Squad, or the Arson/Bomb Squad will be contacted immediately if the quantity of fireworks is too large to safely fit into the barrel;
5. Arson/Bomb Squad personnel will respond and take charge of the items for disposal.

Note: Collection of any number of M-80 size devices, or larger, will require immediate notification of the Arson/Bomb Squad for response. At no time will any fireworks be placed outside the fireworks barrel. Should the barrel be full, the Arson/Bomb Squad must be immediately contacted for response and collection.

If there is any question about the appropriateness of placing any item in the barrel, contact the Arson/Bomb Squad immediately.

I. Enforcement of the Adult Entertainment Ordinance

A. The Adult Entertainment Ordinance regulates nude dancing / soda pop clubs. Given the complexity of the ordinance and the challenges expected to result from its enforcement, officers are directed not to take enforcement action under the ordinance unless they are specifically trained to do so.

B. Refer any complaints to the Vice Section.

Seattle Police Department
Policies and Procedures

Section	
3.061	

Title:	Chapter:
III - Preliminary Investigations	061 - Alley Closures

POLICY

SeaTran has authority to close designated alleys during certain time periods for reasons of public safety. Department employees who encounter alleys that may be appropriate for closure under this authority should submit a request for closure through their chain of command to SeaTran.

I. Request for Alley Closure

A. Complete a memo and send it to the Director of SeaTran through your chain of command. The memo should include;

1. Location of the alley and time of day the criminal activity is taking place.
2. Type of criminal activity occurring in the alley. Include any enforcement action that has taken place and how closing the alley will assist in decreasing criminal activity.
3. A list of property owners or business owners adjoining the alley who have been contacted about the alley closure. Include their concerns or comments on the proposed closure.

II. Enforcement of Closed / Posted Alleys

A. After SeaTran posts alley closure signs on an alley, officers may take enforcement action.

B. Individuals in the alley during the hours of closure are in violation of Seattle Municipal Code, Alley Closure 11.40.430. This is a non-traffic crime and will be handled with an incident report or a physical booking.

1. When an individual is contacted in a closed alley, tell them the alley is closed, and give them the opportunity to leave.
2. If they remain or return to the alley during the hours of closure, they may arrested.

C. Persons Exempt from the Ordinance

1. Owners and occupants of the abutting properties and their guests.
2. Agents of utilities with facilities in the alley or serving abutting properties.
3. Government employees and emergency personnel in the performance of their duties.
4. Individuals who have obtained a street use permit issued pursuant to SMC Title 15.

Seattle Police Department
Policies and Procedures

Section 3.065

Title: III - Preliminary Investigations

Chapter: 065 - Breath and Blood Alcohol Content Tests

I. Vehicular Homicide and Vehicular Assault

A. State law provides for either a breath or blood test, without requiring consent, of a person under arrest for Vehicular Homicide or Vehicular Assault. There is no right to refuse this test.

II. DUI and Physical Control

A. A blood test may be administered, instead of the BAC Verifier test, to a person under arrest for DUI/Physical Control when that person is:

1. Unable, due to physical injury, physical incapacity, or other physical limitation, of providing a breath test, or
2. Being treated for injuries in a medical facility.

III. Other circumstances where a test may be requested

A. In traffic accidents and incidents, when intoxication is, or may be, an element in the case.

1. Justification for the arrest shall be based on the results of field sobriety tests, the officer's observations, and the statements of witnesses.
2. Results of the BAC Verifier test may be used for additional evidence to support the traffic case.
3. A test may be refused by the person and such refusal is handled the same as a BAC Verifier test refusal.

B. In non-traffic cases, when intoxication may be part of the defense.

1. Prior to the test for intoxication the person must be advised of the right not to submit to such test.

IV. Administering Breath or Blood Tests

A. Blood Tests

1. Must be administered by a physician, registered nurse, or qualified technician following the instructions provided in the "blood test kit" and in the presence of a police officer.
2. "Blood test kits" are available at the Evidence Unit.

B. Breath Tests

1. Operation of the BAC Verifier shall be restricted to personnel who have been trained in its use and hold a current operator permit card.
2. If an officer who does not have a current permit needs to perform a BAC Verifier test, they shall request that an officer who has a current permit perform the test.

C. Whenever a blood or BAC Verifier test is administered, all applicable reports shall be completed.

I. Reporting Child Abuse

A. Members of the community who want to report suspected child abuse or neglect have the following options:

1. Contacting law enforcement by dialing 911, or
2. Calling Child Protective Services (CPS) at 1-800-562-5624 or locally at (206) 721-6500.

B. Department employees are reminded that when they receive a report of child abuse or neglect, state law (RCW 26.44.030) mandates the Department of Social and Health Services (DSHS) be notified within 24 hours in emergency cases (i.e., where the child, adult dependent, or developmentally disabled person's welfare is endangered). In all other cases, DSHS must be notified within 72 hours.

NOTE: DSHS is required to notify law enforcement in the same manner described above when they receive the initial complaint.

C. Officers who are investigating serious injury (broken bones, serious burns) to a child (birth to 12 years) involving questionable circumstances, shall contact the Special Assault Unit for assistance.

II. Child Abuse Investigations

A. Any investigation conducted by police involving child abuse (either sexual or physical), neglect, or abandonment will be documented in an *Incident Report*, even when the child is not taken into custody.

B. Complete an *Incident Report* in all cases.

1. Community Service Officers often provide transportation for children, but they are not authorized to complete *Incident Reports* on crimes of child abuse, neglect, or abandonment.

C. Any field placement of children who have been removed from a harmful living situation must be approved by Child Protective Services (CPS)

1. This includes placements with other relatives, ex-spouses, etc.

III. Protective Custody of Children

A. Sometimes there is confusion surrounding officers' responsibilities or options when dealing with CPS.

B. RCW 26.44.050 allows that only police officers have the authority to take children into protective custody without court order. CPS has no statutory authority to retain, return, shelter, or otherwise act on behalf of a child who has not been placed into CPS custody, in writing by a police officer or with a court order by a judge.

C. Once a police officer exercises protective custody, CPS has 72 hours to petition a judge for continuing custody. Failure to present the petition or denial of a petition will result in the return of the child.

D. RCW 26.44.110 requires officers taking children into custody without court order to leave a written statement and other information with the caretaker, or in the residence if no caretaker is present, whenever a child is taken into custody and turned over to CPS. *Custody Without Court Order Information* (form 9.45) has been created to comply with the requirement, and shall be left by officers

when it is necessary to take custody of a child without a court order. These forms are available through the Precinct Equipment & Facilities Coordinators or the Property Unit (Quartermaster).

E. CPS does not routinely present petitions for children who are not in custody. The process does take time and does not occur on weekends. In some situations, CPS may ask officers to intervene with protective custody. Protective custody is appropriate if there is immediate risk of further offense to the child or risk of the caretaker illegally hiding or running with the child to avoid investigation of child abuse.

POLICY

The 1995 Legislature enacted a bill amending the law regarding children who are in dangerous circumstances or runaways. Generally, the Legislature intends to create a system that will allow parents to regain custody of their children whenever possible. The legislature believes parents should have the right to exercise control over their children unless the child is the victim of abuse or neglect.

The legislature recognizes that for chronic runaways, secure facilities (called "Crisis Residential Centers" or "CRCs") must be provided to assist parents and protect children. Completely secure facilities, however, have not yet been built. Until they are, children who must be placed in a facility shall be taken to the Department of Social and Health Services (DSHS) [2809 26th Ave. S.].

I. Definitions

A. Child: Any unemancipated individual who is under the age of eighteen years.

B. Custody: Care and control of any person or thing.

C. Extended family member: An adult who is a grandparent, brother, sister, stepbrother, stepsister, uncle, aunt, or first cousin with whom the child has a relationship and is comfortable and who is willing and available to care for the child.

D. Parent: The person or persons who have the legal right to custody of the child. "Parent" includes custodians, guardians, or birth parents.

II. Investigating Runaway Incidents

A. Complete a *Missing Persons Report* (form 5.12) whenever you receive a complaint from:

1. A parent that their child has left home under circumstances where the parent believes the child has run away, or
2. A supervising agency (for example, a CRC) that a child has run away from placement.

III. Children in Dangerous Circumstances and Runaways

A. You must take children into custody under the following four circumstances:

1. Runaways from home,
   a. If a law enforcement agency has been notified by the parent of the child that the child is absent from parental custody without consent.
2. Children in dangerous circumstances,
   a. If you reasonably believe, considering the child's age, the location, and the time of day, that a child is in circumstances which constitute a danger to the child's safety.
3. Runaways from a supervising agency, or
   a. If an agency legally charged with the supervision of a child has notified a law enforcement agency that the child has run away from placement.

4. If a law enforcement agency has been notified by a juvenile court that:
   a. Probable cause exists to believe that the child has violated a court placement order, or
   b. An order has been issued that directs the police to take the child into custody.

B. Use of Force

1. Only the minimum amount of force necessary to ensure the care and control of the child shall be used. Arbitrary use of handcuffs or other physical restraints is not permitted.

IV. Information to be Provided

A. Inform the child of the reason for taking them into custody.

V. Disposition of Children In Custody

A. Runaways and children in dangerous circumstances:

1. Return the child to their parent(s), or
   a. If possible, contact the child's parent(s). If the parent wishes to take custody of the child, transport the child to the parent.
   b. The parent may also choose to have you take the child to an adult extended family member, responsible adult, or a licensed youth shelter.
   c. If you release the child to a parent, or other acceptable person, give the child and the person taking custody of the child a *CSO Runaway Brochure*, (available at each precinct).
2. Take the child to DSHS in the following circumstances:
   a. If you cannot contact a parent,
   b. If the parent declines to take custody of the child and declines to direct you to an acceptable person or shelter.
      (1) Officers should write an *Incident Report* titled "Abandoned Child" and refer the case to the Special Assault Unit.
      (2) Cross reference with previous runaway reports.
   c. If it is not practical to transport the child to their parents or other acceptable person or shelter, or
   d. If the child expresses fear or distress at the prospect of being returned to their home which leads you to believe there is a possibility that the child is experiencing some type of abuse or neglect.
      (1) Investigate and document as required any allegations of abuse or neglect.

B. Harboring a Minor

1. If you have a reasonable suspicion a child is being harbored, remove the child from the custody of the person harboring the child.

C. Runaways From Supervising Agencies

1. If you take custody of a child who has run away from a supervising agency, take the child to DSHS.

D. Probable Cause or Court Order

1. If you take custody of a child based on probable cause that the child has violated a court placement, or based on a court order to take the child into custody, take the child to the King County Youth Services Center (YSC).

VI. Duration of Custody

A. Do not keep a child in custody beyond the amount of time reasonably necessary to transport the child to a destination authorized by law and to place the child at that destination.

VII. Reporting

A. If you take a child into custody, use the following reporting procedure:

1. Complete an *Incident Report* (form 5.7) or *Follow-up Report* (form 5.8).

a. A *Follow-up Report* can be used if there is already an SPD *Missing Person Report* or an *Incident Report* on file.

See subsection IX of this manual section for Report Titles and MIRs.

B. When you take a child to DSHS, complete and give their personnel the "DSHS Law Enforcement Referral Sheet."

1. Get a photocopy of this completed form from them.

C. If you believe there is a possibility that the child is experiencing some type of abuse or neglect, indicate this and list your reasons in the report. Title the report "Child Abuse" or "Child Neglect" in addition to any other titles.

D. Attach the copy of the "DSHS Law Enforcement Referral Sheet" to the *Incident Report* or *Follow-up Report* with a paper clip prior to submitting them.

VIII. Immunity from Liability

A. If you act in good faith you are immune from liability when:

1. Failing to take a child into custody,
2. Taking a child into custody,
3. Taking a child to DSHS, or
4. Releasing a child to a person at the request of a parent.

IX. Report Titles and MIRs

Type of Incident	Report Title	M.I.R
Runaway From Home or a Supervising Agency	"Runaway"	364
Children in Dangerous Circumstances	"Child Endangerment"	151
Probable Cause	"Runaway"	364
Court Order or Warrant	"Warrant Arrest"	192
Harboring a Minor	"Harboring a Minor"	152
Parent Refusing to Take Custody	"Abandoned Child	150

POLICY

The Seattle Police Department will assist property owners in their efforts to deter and detect criminal activity by enforcing the criminal trespass law through the use of the Trespass Enforcement Authorization form and the Trespass Admonishment form.

I. Trespass Enforcement Authorization (form 5.34)

A. If a business or property owner wants the Seattle Police Department to enforce criminal trespass on their property, they will complete and sign a Trespass Enforcement Authorization form. Each precinct shall maintain a current list of locations that have authorized the Seattle Police Department to enforce criminal trespass.

II. Trespass Admonishment (form 5.34.1)

A. Officers shall verify the existence of a current Trespass Enforcement Authorization for a location prior to issuing a Trespass Admonishment card.

B. The officer will explain the Trespass Admonishment to the person and ask them to sign the acknowledgement portion of the card. If the person refuses to sign, the officer will note the refusal on the card.

C. On the back of the Trespass Admonishment card the officer will articulate the circumstances justifying the admonishment and include any other enforcement action taken at the time of the admonishment.

D. The Trespass Admonishment card is filed at the Precinct of occurrence. The Operations Secretary should, upon receipt of the card, write either the original trespass contract number or the name, address, and phone number of the person authorizing the trespass on the card.

E. The Trespass Admonishment card will be entered into the CAD system. When a person's name is checked for warrants, current admonishment information will also be displayed.

F. If a person is contacted at the location where they have been admonished, and a current Trespass Admonishment card is on file, probable cause may exist for their arrest.

G. If an arrest is made, the officer will retrieve the Trespass Admonishment card on file.

1. The front and back of the original Trespass Admonishment card will be copied on a continuation sheet and included with the major report.

2. A new Trespass Admonishment card will be completed by the arresting officer. After this card has been processed (per D and E above), it should be stapled to the original card. The cards will be retained at the precinct of occurrence.

H. The Incident Report will include the trespass contract number and the name, address, and phone number of the person who signed the Trespass Enforcement Authorization form. This information can be found on the Trespass Enforcement Authorization form on file at the precinct. The officer who issued the original Trespass Admonishment card will be listed as the secondary officer.

III. Trespass at Metro Bus Shelters

A. Metro Bus Shelters have been posted with criminal trespass warning stickers. If an officer believes a person is trespassing in a bus shelter they will point out the Criminal Trespass warning sticker and give the person the opportunity to leave the shelter. If the officer takes enforcement action they should articulate that the warning was given and that the person remained in the shelter after several busses had passed.

B. On the Incident Report list the complainant for Metro as:

Chief of Transit Facilities Security
1301 Airport Way S. (2nd Floor)
Seattle, WA 98134

I. Definitions

A. Adult: Any person who is 21 years of age or older

B. Minor: Any person under 21 years of age.

II. General

A. The BAC Verifier Datamaster breath test shall be the primary test administered to determine the blood alcohol content level of a suspect.

B. A blood test may be administered in lieu of a breath test when:

1. The suspect is physically incapable of giving a breath test,
2. The suspect is being treated for a medical condition in an ambulance, aid unit, doctor's office, clinic, or other location where a BAC Verifier Datamaster is not available, or
3. There is probable cause to believe the suspect is under the influence of drugs only.

C. Refer to Section 3.065 - Breath and Blood Alcohol Content Tests for more information.

III. DUI Arrests Not Reportable to the Department of Licensing (DOL)

A. Incidents which do not meet the criteria in subsection IV of this manual section are not reportable to DOL.

B. Completion of DOL specific reports are not required in **non-reportable** DUI incidents.

IV. DUI Arrests Reportable to DOL

A. Use the same processing and reporting procedures for all persons regardless of age or driver's status.

B. Adults: All DUI cases where the driver's blood alcohol level is determined to be .08 or greater; either by blood test result, or where both breath samples are .08 or greater.

C. Minors: All DUI cases where the driver's blood alcohol level is determined to be .02 or greater; either by blood test result, or where both breath samples are at least .02 or greater.

D. Commercial vehicle operators with a blood alcohol level of .04 or greater, who hold a Commercial Driver's License (CDL).

E. Any refusal to submit to a breath or blood test, including DUI-Drugs only.

V. Post-Arrest Processing

A. Miranda warnings should be given as soon as possible after taking a suspected DUI driver into custody.

B. Read the suspect the "Implied Consent Warning" (ICW), that pertains to the type of test requested (breath or blood).

C. If possible, obtain a signature from the driver on the ICW form.

VI. When Subject Submits to Requested Test

A. Breath Test

1. After reading the ICW, and obtaining a signature from the suspect, check the inside of the suspect's mouth for foreign material.

a. If there is anything in the suspect's mouth, have them remove it.

b. If the suspect has jewelry or ornamentation pierced through tongue or other soft tissue in the mouth, ask him/her to remove it prior to the BAC test. If he or she cannot remove the jewelry or refuses to do so, then invoke implied consent for blood under the language "other physical limitation."

2. Begin the 15 minute observation period.

a. The suspect cannot eat, drink, smoke, or vomit during the 15 minutes.

(1) If they do, the mouth must be re-checked, and the 15 minute observation period re-started.

b. The observation period may be used to fill out the *Alcohol Influence Report* (AIR).

3. After a minimum of 15 minutes, the breath test can be administered.

B. Blood test

1. A 15 minute observation period is not necessary.

2. Complete the blood draw according to the instructions contained in the "blood kit".

a. Refer to Section 3.065 - Breath and Blood Alcohol Content Tests.

3. After the blood draw:

a. Do not punch Washington Driver's License.

b. Place a copy of the *Implied Consent Warnings for Blood* form with the Blood Kit samples into the Evidence Unit.

c. Submit the original *Implied Consent Warning for Blood* form as part of the police case report to the Data/Distribution Unit.

d. Send the original *Report of Breath/Blood Test* and a copy of the *Incident report* and supporting documents to the Accident Investigation Squad (AIS) in an *Alert* packet.

VII. When Suspect Refuses to Take Requested Test

A. Complete the *Report of Refusal to Submit to Breath/Blood Test*.

1. BAC Verifier breath test:

a. Prepare the machine for a breath test, as if the suspect had agreed to take the test,

b. When the BAC Verifier prompts "Subject Refuse Y/N?", press Y, and

c. Process the BAC document (3 part printout) as if the suspect had taken the test.

B. Complete the *Implied Consent Warnings For Breath* (form 8.8) having the Defendant mark "No" if possible, as a response to the question, "Will you now submit to a breath (blood) test?".

VIII. Documenting a DUI Arrest

A. SPD officers shall use the following SPD DUI forms when documenting the arrest of an intoxicated driver. These forms can be found in stapled packets next to the BAC Verifier Datamaster.

1. *Implied Consent Warnings for Breath* (form 8.8) (one-sided)

2.. *Alcohol Influence Report* (AIR) (form 8.4B) (two-sided, complete both sides)

3. *Report of Breath/Blood Test* & *Report of Refusal to Submit to Breath/Blood Test* (form 8.6) (two-sided form, complete the appropriate side)

4. *Driver's Hearing Request Information* (form 8.7) (one-sided)

5.*DUI Certification / Declaration* (form 8.9) (one-sided)

6. **Implied Consent Warnings for Blood* (form 8.8.2A) (two-sided with instructions for blood draw on the back).

7. **Felony Case Blood Draw* (form 8.8.2B) (two-sided with instructions for blood draw on the back).

*Implied Consent Warning for Blood and Felony Case Blood Draw are attached to the Blood Draw Kit.

B. Police reports are now prima facie documentation for any subsequent DOL administrative hearing. These reports must contain specific information to ensure that the subject's privilege to drive is reviewed by DOL for possible suspension, revocation, or probation. The following information must be included in the *Incident Report*.

1. Sufficient probable cause to support the initial contact for a driving violation or physical control.
2. A reasonable suspicion based on initial observations that the driver may be intoxicated. This reasonable suspicion supports any further investigation conducted at the scene.
3. Probable cause, supported by field sobriety tests whenever possible, to believe that the driver was operating or in actual physical control of a motor vehicle under the influence of intoxicants.
4. Time of Miranda warnings.
5. Advisement of the Implied Consent Warning.
6. A valid breath or blood test, given according to standards established by the State Toxicologist, and administered by a qualified person.
7. The results of the breath or blood test, indicating that the driver's BAC level was .08 (adult)/.02(minor), or higher.

C. *Report of Breath/Blood Test - Report of Refusal to Submit to Breath/Blood Test*

1. Complete only one side of this two sided form as appropriate.
2. Check whether the subject was given notice of the right to a hearing.
3. Check whether the subject's Washington State Driver's License was marked.
4. Request that the subject sign in the "Notice of Right to Hearing" block.
5. Complete the certification block.
6. DOL will use the listed phone number to schedule a telephonic hearing, if needed.
7. DOL will mail hearing information requests to the SPD Records Files Unit Supervisor. The Records Files Unit will mail a complete file packet of the case report to DOL. This will include the original *DUI Certification/Declaration* form(s).
8. When breath test results are reportable, the Data/Distribution Unit will fax and mail the original *Report of Breath/Blood Test* form to DOL.
9. Reportable blood test results will be returned to the arresting officer by AIS. When these lab results are received, enter the test result on a *Report of Breath/Blood Test* form, sign and date it. Complete a *DUI Certification/Declaration* form and a *Follow-Up Report*. Send all the paperwork in an *Alert* packet to the Data/Distribution Unit. Data/Distribution Unit will fax and mail the original *Report of Breath/Blood Test* form to DOL. The original *DUI Certification/Declaration* form(s) will be sent to DOL upon notification of a scheduled hearing.

D. *DUI Certification / Declaration*

1. This form will be completed each time an original document or any *Follow-Up Report* is submitted to the Data/Distribution Unit on a reportable DUI case.

IX. Paperwork Routing

A. Officer's Responsibilities

1. Put a packet together in the following order (items preceded by an asterisk (*) are required only for **DOL reportable** DUI incidents):

Note: If the suspect is booked into jail, an *Incident Report* must be written. Insert the first page of the *Incident Report* behind the citations.

a. DUI citation (if issued),

b. Other citations,

c. Report narrative, on *Continuation Sheet(s)*,

d. *Implied Consent Warning*,

e. *Alcohol Influence Report*,

f. Other reports (vehicle, accident, etc.),

g. Original *Report of Breath/Blood Test* or *Report of Refusal to Submit to Breath/Blood Test*,

h. Original copy of *BAC Document* taped to a *Continuation Sheet*,

i. Photocopy of both sides of administering officer's BAC Verifier Datamaster Program Permit Card taped to a *Continuation Sheet*, and

j. Signed *DUI Certification/ Declaration* form.

2. Send the packet described in paragraph 1 above to the Data/Distribution Unit in an *Alert* packet.

3. It is the officer's responsibility to ensure that <u>all</u> paperwork is submitted in a timely manner to the Data/Distribution Unit so that DOL's reporting timelines can be met.

B. Data/Distribution Unit Responsibilities

1. For **DOL reportable** DUI arrests:

a. Fax and mail all original *Report of Breath Test or Refusal to Submit to Breath Test* forms to DOL within 72 hours of arrest.

b. Fax and mail the completed original *Report of Blood Test* form to DOL within 72 hours of receipt (blood draw cases only).

c. DOL will request copies of the case report from the SPD Records Files Unit Supervisor when a hearing has been scheduled. The Records Files Unit will send the arresting officer's **original** *DUI Certification/Declaration* form(s) and a copy of the requested case file to DOL within five (5) working days.

2. For **non-DOL reportable** DUI incidents:

a. Handle the report packet normally.

X. Temporary Driver's Licenses

A. Temporary Driver's Licenses are issued only for **DOL reportable** DUI incidents for drivers licensed in Washington State.

1. A diamond shaped punch is located next to the BAC Verifier Datamaster. After obtaining a valid reportable breath test, or refusal, punch the defendant's license.

a. On older format WADOL place the diamond punch on the green "driver's license" box in the center of the top of the license.

b. On WADOL issued after 06/2001 place the diamond punch near the date of expiration.

NOTE: <u>Do not</u> mark out of state licenses.

2. The punched license is good for 60 days unless an extension is granted by DOL, or the valid license expires in less than 60 days.

B. Subjects with invalid licenses (e.g. expired, suspended, revoked, instruction permit, or no license at all) are not granted any "temporary driver's privilege" because their licenses are invalid. Check driver's status via the DOL computer system.

C. Do not seize the subject's driver's license unless otherwise directed or mandated by law.

XI. Driver's Hearing Request Information

A. Provided to subjects in all **DOL reportable** DUI cases, except for completed blood draw situations.

1. This form notifies a subject of their DOL hearing options.

B. Fill out the top portion of the form, as well as the date of arrest at the bottom. Give the form to the driver.

XII. Blood Test for DUI-Drugs ONLY

A. Testing of blood for drug content is now authorized where probable cause exists for DUI-Drugs. The results of this blood test may be used in a criminal prosecution for DUI-Drugs.

B. Refusals to submit to a blood test are **reportable** to DOL.

1. DOL has no legislative authority to act on the results of a positive blood test for DUI-Drugs.
2. Therefore <u>except for a refusal</u> to submit to a requested test, a "DUI-Drugs only" incident is **not** reportable to DOL.

C. Place a copy of the *ICW for Blood* form with the Blood Kit samples to the Evidence Unit.

D. Submit the original *ICW for Blood* form as part of the police case report to the Data/Distribution Unit.

E. Send the original *Report of Breath/Blood Test* and a copy of the case report to AIS in an *Alert* packet.

XIII. DUI Blood Draw Follow-up

A. When a blood test result is received by AIS, it will be sent to the arresting officer, who will:

1. Record the blood test result on the original *Report of Breath/Blood Test,*
   a. Sign and date the report.
2. Complete a *DUI Certification/Declaration* form and a *Follow-Up Report,* and
3. Paper-clip the reports together and send all of the paperwork in an *Alert* packet to the Data/Distribution Unit.

XIV. Felony Case Blood Draw

A. Refer to Section 3.065 - Breath and Blood Alcohol Content Tests.

B. Suspected DUI drivers under arrest for Vehicular Homicide or Vehicular Assault (where another person suffers serious bodily injury) require a blood draw.

C. Instructions for performing a Felony Case blood draw are included in the Blood Kit, which can be obtained from the Evidence Unit.

XV. DUI Accident Investigation

A. A driver's admission that they were driving a car involved in an accident can only be used if we can establish that fact independently (e.g., a witness can identify the subject as the driver).

B. To ensure conviction, officers should:

1. Diligently search for and record the identity of eyewitnesses to the accident,
2. Interview the other driver(s) if two or more cars are involved,
3. Look for physical evidence placing the driver in the car, and
   a. Physical evidence includes, but is not limited to:
      (1) Injuries caused by striking particular interior features.
      (2) Defendant's personal property in the car.
      (3) Defendant possessing the car key.
4. Verify that the car is registered to the defendant.

XVI. Requests for Private Attorney/ Client Conversations

A. Officer(s) Obligations Following a Request by a Defendant To Speak To An Attorney:

1. Officer(s) must provide the means for the defendant to contact an attorney by affording:
   a. Access to a phone book,
   b. Access to a phone, and
   c. Access to the Public Defender. (Give the number to the defendant - have the number posted near the BAC Verifier machine and near the phone.)
2. For the defendant to make use of the private conversation argument, it appears the following two facts must exist:
   a. A request for privacy must be made by the attorney or the defendant, and
   b. The defense must show the defendant was prejudiced by the lack of privacy.

B. Officer(s) Obligations Following a Request By a Defendant or Attorney for Privacy.

1. The extent of privacy afforded need be no more than what is reasonable considering the circumstances.
2. Officer safety need not be forsaken. However, holding a phone to the ear of a handcuffed prisoner may be considered a violation of the attorney contact rule by some courts.
3. Do not allow access to an escape route.
4. Do not jeopardize property.

XVII. DUI Criteria for Release

A. The officer is reasonably assured that the violation will not continue.

B. The officer is reasonably assured the individual will be available for court.

C. The individual has transportation; taxi, relative, friend, etc., immediately after the conclusion of the testing and reporting process.

D. Minors (under 21 years of age) with blood alcohol level of .02 or higher.

1. Make every reasonable attempt to protect the welfare of an impaired minor.
2. Have the minor sign the condition of release section on the (ICW) *Blood or Breath*.
3. Attempt to contact a parent or guardian.
4. Screen the release with a Sergeant, document the steps taken in the *Incident Report*.

XVIII. Arraignment Date

A. The Seattle City Attorney's office has mandated that officers include a next day arraignment date on all DUI citations issued when the suspect is not booked into jail. Arraignment calendars are held Monday through Thursday and Saturday afternoon.

Note: Officers must use release time in determining the proper date to list on the citation. For example, if a suspect is released at 11:30 p.m. on January 3rd, list January 4th as the appearance date. Likewise, if the suspect is released at 12:30 a.m. on January 4th, then list January 5th as the appearance date. If there is no arraignment calendar the next day after the suspect's release, list the next available arraignment date.

1. Officers must include the following on the citation:

   a. When the next day is Monday through Thursday, note;

   Time: 5:30p.m.
   Place: Jail Courtroom #2
   King County Jail
   Fifth Avenue
   Seattle, WA 98104

   b. When the next day is Saturday note:

   Time: 1:00 p.m.
   Place:Jail Courtroom #2
   King County Jail
   500 Fifth Ave.
   Seattle, WA 98104

DUI Paperwork Completion Guidelines

	BAC above legal limit .02 minors .08 adults*	Refusal to take breath or blood test	Commercial Vehicle Operator over .04 BAC	Blood test instead of Breath
Punch Valid WA. License (Do not punch out of state)	x	x	x	
Report of Submittal to Breath/Blood Test	x		x	x **
Report of Refusal to Submit (Breath/Blood)		x		
Driver Hearing Request Information Form	x	x	x	
DUI Certification	x	x	x	x
DOL Reportable	x	x	x	x

Note: Check the mandatory box on the citation and also write the release date and time on the face of the citation.

* BAC level refers to lower of 2 breath samples.

** DUI - send original submittal form with copy of DUI report to AIS.

Felony Blood Draw - include original submittal form with arrest report.

In addition to the reports listed above, which apply only to **DOL reportable** incidents, all DUI arrests require:

1. *Incident Report*, (Cite and release incidents may be documented on the back of the DUI Criminal Citation, using Continuation Sheets as necessary.)
2. DUI citation,
3. Citations for any moving infractions,
4. *Alcohol Influence Report*,
5. *Implied Consent Warning* form,
6. Original BAC Verifier document taped to *Continuation Sheet* (breath tests/breath test refusals only), and
7. Any other reports made in connection with a DUI arrest (State of Washington Police Traffic Collision Report, Vehicle Report, etc.)

Seattle Police Department
Policies and Procedures

Section	Title:	Chapter:
3.089	III - Preliminary Investigations	089 - Found Property

POLICY

RCW 63.21 establishes rights for owners of lost property and for people who find property. The following procedure shall be followed to ensure that the rights of both parties are protected.

Found property shall be returned to its owner whenever possible. Sometimes however, you will not be able to identify the owner. In these instances, the finder may claim the found property. To successfully claim found property, the finder must meet specific requirements. Personnel investigating found property incidents must provide the finder with a written explanation of the requirements for claiming the found property. Found property incidents are documented on the *Found Property Report*. If the finder is going to make a claim for the found property, give them the "Finder's Copy" of the *Found Property Report*. The requirements for claiming the found property are printed on the back.

If you take custody of any property, it must be returned to its rightful owner or submitted to the Evidence Unit before going off-duty.

I. Definitions

A. Contraband: Goods prohibited by law or treaty from being imported or exported. Any article or thing where possession is prohibited by statute, rule, regulation, or court order.

B. Drugs: Any controlled substance recognized as a drug in the Official United States Pharmacopoeia / National Formulary, the Official Homeopathic Pharmacopoeia of the United States, or any supplement to them; any substance or immediate precursor included in Schedules I though V as set forth in Federal or State laws, or federal or board rules.

C. Find: To come upon, often by accident or after a search; to discover or ascertain through observation, experience, or study; to recover (something lost). The act of finding; something that is found, especially an unexpected valuable discovery.

D. Found: The past-tense of find.

E. Found Property: Includes the recovery of all lost documents and tangible objects, animate and inanimate, that are of value and for which the finder may make a claim.

F. *Found Property Report* (form 7.10): A report used to document a found property incident and to notify the finder of the requirements for claiming the found property. The report is also used to document found contraband and drugs when there is no suspect information or reasonable expectation of identifying a suspect.

G. Property: Something owned; a possession; Something tangible or intangible to which its owner has legal title; anything that has an exchangeable value or adds to one's wealth or estate.

II. Procedures

A. Determine if the property is actually found property as herein defined.

1. If the discovered property qualifies as found property, follow the procedures outlined in this manual section.

2. If the property is evidence, contraband, or property for which a finder's claim cannot be made, take custody of the property and handle the incident as outlined in this section or as directed by other Department policy and procedure.

B. Determine where the found property was found.

1. If the found property was not discovered within the Seattle city limits, refer the finder to the police department that has jurisdiction where the item was found.

III. Property That Does Not Qualify As Found Property

A. Motor vehicles

1. Defined as any vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails (RCW 46.04/SMC 11.14).

a. This does not include, for example, "go-carts". "Go-carts" therefore qualify as found property.

2. Use a *Vehicle Report* (form 5.5).

B. Narcotics

1. Suspect Information

a. When you have suspect information, complete an *Incident Report* (form 5.37).

b. Do not treat narcotics cases with **suspect information** as found property.

C. Items found in the possession of a suspect.

1. Document on an *Incident Report*.

D. Items that a rental tenant has abandoned.

1. This is a civil matter.

IV. Property That Qualifies As Found Property

A. If the item qualifies as found property, complete the *Found Property Report* (form 7.10).

1. Boats are treated as found property. The Harbor Unit has responsibility for both the safekeeping and the follow-up of claims when found property consists of boats or boating equipment that is part of the boat.

2. Found narcotics with no suspect information are treated as found property. Use the *Found Property Report* to document the incident. No *Incident Report* is required.

Note: The narcotics are not eligible for release to the finder.

V. Determine Who Owns, or May Claim, The Property.

A. Determine if the finder may make a claim to the item.

1. State law does not allow finders to claim found property if any of the following circumstances apply:

a. The property's owner is known,

b. The property is illegal for the finder to possess, or

c. The person who found the property is a government employee who found or acquired the property while working.

2. If you know who owns the property, do the following:

a. Advise the finder that they cannot make a claim the property, and

b. Mark in the spaces provided on the *Found Property Report* that the property cannot be claimed because the owner is known.

B. If you can contact the owner, use the following procedure.

1. Determine if it is practical to return the property directly. If it is, return the property and complete the "investigative actions" portion of the *Found Property Report*.

a. If the owner is located after the original report has been forwarded, document owner notification on a *Follow-Up Report*.

2. If it is not practical to return the property, tell the owner that you will mail them a *Property Release Notice* (form 13.9), and that they can pick their property up at the Evidence Unit.

a. The Evidence Unit is open to the public from 0800-1600, Monday through Friday.

3. Mail a *Property Release Notice* to the owner. The *Property Release Notice* explains how to pick up the property and advises owners that they have 60 days to do so.

C. If the owner is known and you cannot contact them in person or by phone, mail a *Property Release Notice* to their last known address.

D. If you cannot personally return the property, do the following:

1. Submit the property to the Evidence Unit,

2. If you were able to contact the owner:

a. Submit a *Property Disposition Authorization* (form 1.17) to the Evidence Unit with the property,

b. Write the owner's name, address and phone number (if known) in the spaces on the form. Also, indicate that you were able to contact the owner, and

c. Check the boxes on the form that authorize the Evidence Unit to release the property to its owner, and

3. Mail a *Property Release Notice* (form 13.9) to their last known address, indicate that you did so on the *Property Disposition Authorization*. Also document the date the *Property Release Notice* was mailed.

E. If the property is a firearm or is illegal to possess, do the following:

1. Civilian employees: Do not take custody of firearms or property that is illegal. Instead, call for a police officer.

2. Police officers: Take custody of firearms and illegal property as soon as possible.

a. If the property is illegal for the finder to possess, tell the finder it cannot be claimed.

For example, no one can make a claim to a bag of narcotics, because it is illegal to possess for everyone. Also, people who are legally prevented from owning a gun (for example, some convicted felons) could not make a claim to a found gun. People who can lawfully own a gun, however, could make a claim to a gun they found.

b. Mark in the spaces provided on the *Found Property Report* (form 7.10) that the property cannot be claimed because it is illegal to possess. Submit the property to the Evidence Unit.

(1) If the item is found narcotics, submit a signed *Property Disposition Authorization* (form 1.17) immediately releasing the narcotics for destruction.

F. Item(s) found by a government employee while at work

1. Property that is found by government employees while they are working cannot be claimed.
2. Mark in the spaces provided on *the Found Property Report* that the property cannot be claimed because it was found by a government employee.
3. Submit the property to the Evidence Unit.

VI. Found Property Eligible To Be Claimed

A. If the item is eligible to be claimed, tell the finder. Ask the finder if they wish to make a claim.

1. If the finder wants to make a claim:
   a. Check the box on the *Found Property Report* indicating that the finder intends to claim the item,
   b. Ask the finder to sign the report, and
   c. If the item is worth more than $25.00, take custody of it. If the property is worth $25.00 or less, the finder may either give it to the Department or retain it, unless the Department has some reason to take custody of it (for example, if the item is unsafe or is evidence).
      (1) If the finder retains the property, a *Found Property Report* will be completed even though no follow-up is required.
2. If the finder <u>does not</u> want to make a claim, check the box on the *Found Property Report* indicating that the finder intends to waive their claim to the item and ask the finder to sign the report. Take custody of the item.

VII. Evidence

A. If the item will be held as evidence, tell the finder and check the "evidence" box on the report.

1. If the property is evidence in an official proceeding, the Department will not release the property until sixty (60) days after the end of the proceeding.

VIII. Finder Information

A. Give the finder their copy of the report.

1. State law requires the Department to provide finders with information about the procedures for making claims and releasing property. This information is printed on the finder's (pink) copy. Ask the finder to carefully read the information.

IX. Follow-up

A. Burglary and Theft Unit

1. All *Found Property Reports* will be forwarded to either the Burglary and Theft Unit or Harbor Unit.
2. If the officer or CSO who initially took the report was unable to locate/identify the owner of the property, the Burglary and Theft Unit will attempt to do so. The Burglary and Theft Unit will also attempt to establish if the property is stolen.

B. Harbor Unit

1. When found property consists of boats or boating equipment, the Harbor Unit shall have responsibility for both the safekeeping and follow-up on claims to such property.

2. Property held by the Harbor Unit will be open for appraisal inspection during business hours or by appointment.

C. Evidence Unit

1. Will ensure that property being held will be available for appraisal/inspection during business hours or by appointment.
2. A copy of the *Found Property Report* will be kept by the Evidence Unit to identify property that has a finder's claim against it.
3. Property will be released only when such release is authorized by the *Property Disposition Authorization* (form 1.17).

X. Release of Property

A. For property with an appraised value over $25.00 the finder/claimant must pay the city $5.00 or 10% of the appraised value, whichever is greater, prior to the property's release.

1. Finder/claimant's pay at the Treasurer's Department, 103 Municipal Building, window 3.

I. Procedures

A. As in cases of bombs and bomb threats, no mention of kidnappings will be made over the police radio.

B. Any employee of the Department who receives information of a kidnapping shall immediately notify the commanding officer of the Criminal Investigations Bureau, Violent Crimes Section, and the Homicide/Assault Unit.

C. No discussion of the details of the case shall be carried on with anyone except the Department personnel necessary to the investigation.

II. Responsibilities

A. The Criminal Investigations Bureau shall make any necessary notification to the F.B.I. or to other outside agencies.

B. The Homicide/Assault Unit will be responsible for obtaining a single incident number (SIN) for a kidnapping incident.

POLICY

All reports of malicious harassment will be investigated to the fullest extent possible.

I. Definitions

A. Malicious harassment: Acts done maliciously and with intent to intimidate and harass persons because of, or in a way that is reasonably related to, associated with, or directed toward that person's sexual orientation, gender, marital status, political ideology, age, parental status, race, color, religion, ancestry, national origin, or mental, physical, or sensory handicap, and those acts:

1. Cause physical injury to another person,
2. By threat, place another person in reasonable fear of harm to their person or property or to the person or property of a third person, or
3. Cause physical damage to or destruction of the property of another person.

(See also RCW 9A.36.080 and SMC 12A.06.115.)

(Note: Speech or acts which are only critical, insulting, or deprecatory, which do not constitute a threat of harm to the body or property of another, are not criminal.)

B. Sexual orientation: includes heterosexuality, homosexuality, and bisexuality.

II. Malicious Harassment - Generally

A. Hate groups or individuals may commit criminal acts which include cross-burning, firebombing, vandalism of property, physical assaults, hate mail, and threatening telephone calls. These are sometimes treated as isolated acts or minor crimes, such as vandalism, neighborhood disputes, etc.

B. These criminal acts should not be treated as minor incidents because they may generate fear and concern among victims and the public, and have the potential of recurring, thus escalating and possibly causing counter violence. Therefore, officers should be prepared to respond seriously and decisively to all suspected malicious harassment cases as defined below.

C. Malicious harassment is included in Revised Code of Washington (RCW) 9A.36.080 and is designated as a class C Felony.

1. Under RCW 9A.36.080 a civil cause of action for malicious harassment is also created for which both actual and punitive damages may be recovered up to $10,000 by the victim.

D. A violation of Seattle Municipal Code (SMC) 12A.06.115 - malicious harassment, is a crime punishable under SMC 12A.02.070. The SMC deals with harassment not covered by RCW 9A.36.080, including harassment of another person because of that person's gender identity, marital status, political ideology, age, or parental status.

III. Investigative Procedures

A. Reports of malicious harassment received or discovered by members of the Department will be handled on a priority basis.

B. When there is a question as to whether an incident meets the definition of a criminal act under either the malicious harassment ordinance (SMC 12A.06.115) or State statute (RCW 9A.36.080), contact the Bias Crimes Coordinator during regular business hours for screening. Outside of regular business hours contact the on-duty or on call Homicide Unit sergeant.

C. A patrol unit and a supervisor will be dispatched by the Communications Section to the scene of the incident to initiate the investigation.

D. A thorough investigation will be conducted at the scene of the incident with special emphasis on collecting and preserving physical evidence of the crime. Particular attention should be directed to the preservation and collection of fingerprints, fiber evidence, hair samples, and other easily destroyed evidence that would possibly identify the suspect. Photographs should be taken of the scene, if practical.

E. Notification will be as follows:

1. The ranking supervisor at the scene of the incident will notify an on duty Watch Commander having the permanent rank of Lieutenant.

   a. If a Lieutenant is not available, contact the Precinct Commander.

   b. If none of these are available, contact the Staff Duty Officer.

2. The notified commander will evaluate the need to notify those higher in command, up to and including the Chief of Police, or a member of the Media Response Unit. See Section 1.065 - Media Relations.

F. Paperwork Distribution

1. Malicious harassment cases will be distributed in the normal required manner, including arrest packets.

2. The Bias Crime Coordinator is responsible for follow-up investigation of malicious harassment incidents and will receive all arrest packets.

   a. Excluding juvenile arrests, which will be forwarded to corresponding precinct detectives.

3. Additionally, copies of all malicious harassment reports will be sent in an *Alert Packet* to the following:

   a. Assistant Chief, of the appropriate Patrol Operations Bureau,

   b. Assistant Chief, Criminal Investigations Bureau,

   c. Captain, Violent Crimes Section,

   d. Bias Crime Coordinator,

   e. Homicide/Assault Unit, and

   f. Media Response Unit.

G. The Bias Crimes Coordinator shall review all case reports identified as malicious harassment and maintain detailed data on all incidents and copies of all reports.

I. Circumstances When a Report is Required

A. A *Missing Person Report* (form 5.1.2) is required when a person of any age is reported missing for any period of time and falls into one or more of the following categories:

1. Endangered: A person in the company of another person under circumstances indicating the missing person is in physical danger. (Note: any person who is reported missing after a disaster is considered endangered and a report is required.),
2. Involuntary: Missing under circumstances indicating the disappearance is not voluntary,
3. Disabled: Has documented physical or mental disability which might cause them to be an immediate danger to themselves or others, and
4. Juvenile: Any unemancipated juvenile.

B. In addition, a report shall be taken in any circumstance if a parent, guardian, relative or other responsible person makes a request.

C. The location of the residence of the person who is missing dictates the jurisdiction that initiates the *Missing Person Report*. For example, if a missing person was last seen in Seattle, but failed to return to their residence in Bellevue, then the Bellevue Police Department would be responsible for filing a missing person report. Seattle Police will assist the originating agency as necessary.

II. Reporting Procedures

A. Complete the *Missing Person Report* (form 5.1.2).

1. Indicate one of the above listed categories along with a "signed documentation statement." Information will be entered into WACIC and NCIC by the Data Center.
2. WACIC and NCIC will not accept a report that does not include the missing person's full name and date of birth. The report must be as complete as possible.
3. Fax the completed report to the Data Center. Call the Data Center to confirm the report was received.

B. A *Missing Person Report* will not be taken to assist litigants in a civil cases, process servers, bill collectors, skip tracers, in the compilation of family histories, or in the location of heirs.

C. The Homicide/Assault Unit conducts the follow-up investigation on missing persons. Officers may contact the Homicide / Assault Unit for advice. If no one is available for advice regarding the reporting process, take the report.

III. Amber Alert Plan

A. The Amber Alert Plan is a collaborative effort between law enforcement agencies and the local media within King County. The media will use the EAS (Emergency Alert System) to notify the general public of the Amber Alert activation and request their assistance. The media will announce the description of the missing child, details of the abduction, abductor information, vehicle information, possible direction of

travel and any other information that is deemed helpful by the investigating agency. Citizens will be advised to call 911 with any possible information regarding the Alert.

B. The initial responding officer will take a *Missing Person Report* per normal procedures. When taking the report the officer will keep in mind the criteria for the Amber Alert Plan. The incident must contain all of the following elements:

1. The victim is under the age of 16 years of age.
2. The victim is not a voluntary runaway (previous history of runaway reports is not a sole factor for exclusion).
3. There appears to be a risk of injury or death to the victim.
4. There must be enough descriptive information available to believe that if it is disseminated to the public it would help locate the child, suspect and/or suspect's vehicle.
5. It must be reported to and investigated by a law enforcement agency.

C. If the initial responding officer believes all of the criteria for initiation of the Amber Alert Plan are fulfilled then a supervisor must be notified immediately. A Lieutenant or above must review the Victim Criteria prior to any initiation of the Amber Plan. The *Missing Persons Report* will still be completed per normal procedures.

D. After it has been approved, a Sergeant or above shall implement the plan by:

1. Calling SPD Communications and notifying them of the situation and faxing them the King County Regional Amber Alert Report.
2. Contacting the Missing Persons Unit by phone or through Communications and notifying detectives of the situation.

I. Response

A. Determine the nature and causes of the injuries and condition of the individual.

B. If needed, request an aid unit (Seattle Fire Department).

1. Many infectious diseases are not identified until the subject is evaluated at hospital. Officers who provide care may not be alerted that they might be at risk of exposure to a disease and require treatment.

   a. Provide the medic crew with the names of all officers who had contact with the patient.

   b. Use the same procedure when a private ambulance is used.

2. The medics and EMTs will document officers' names on the run report.

3. Infection control coordinators at area hospitals will use the run reports to determine which responders need to be notified.

4. Wellness and Accountability lieutenant shall be the contact point for any exposure notifications from area hospitals.

C. Render first aid.

D. If applicable, record the names, addresses, and telephone numbers of all witnesses.

II. Incident Reports

A. An *Incident Report* shall be submitted for the following incidents:

1. All cases which appear to be the result of a criminal act on the part of the victim or another person,

2. All cases in which, in the officer's opinion, there is a definite possibility that a claim for damages may be filed against the City, and

   a. The presence or absence of any condition or fault in City property which could have been responsible for the injury should be included in the report.

3. All complaints of mentally ill persons investigated.

III. Transporting injured or ill persons by Department vehicle

A. A seriously injured, seriously ill, or unconscious person shall not be transported in a Department vehicle.

B. An exception may be made if it appears necessary to transport the person to a medical facility to save the person's life and such transportation may be accomplished faster than an emergency medical response (e.g., Seattle Fire Department).

I. Felony Narcotics Arrest

A. King County Superior Court requires all narcotics cases to be handled as RUSH cases if they meet the Felony Administrative Recognizance Release (FARR) criteria. (See subsection II of this manual section.)

B. Complete an *Incident Report* (form 5.37)

1. Establish and articulate the probable cause for the arrest. Officers must provide enough information so that anyone will understand the nature of the case.
2. Note if the incident occurred in a restricted area (SODA/Drug Free Zone). Stamp the report, indicating the type of area.
3. List all items of evidence, detail who found it, where it was found and what was done with it.
   a. Package Narcotics in a *Narcotics Evidence Envelope* (form 9.17).
   b. Identify evidence items with the initials of the officer responsible for the item (for example, ABC) and sequentially number those items (ABC1, ABC2, etc.)
   c. Buy Money
      (1) Submit a photocopy of the buy money into the Evidence Unit.
4. Field test the suspected narcotics and indicate the results in the report. Document negative results as inconclusive.
5. Include recommendations for alternative misdemeanor charges.
6. Label or stamp the Incident Report with "Drug Rush Case" if it meets FARR criteria.

C. Complete Officer *Statement(s)* (forms 9.27/9.28)

1. Officer's statements shall be detailed and include the following.
   a. The officer's experience and training, when relevant (i.e., primary officer, reasonable suspicion/probable cause cases, etc.).
   b. Specific details re: "high narcotics area" (in cases where this generated the investigation).
   c. Explain the nature of the investigation (i.e. buy/bust, vice sting, routine patrol, etc.).
   d. Explain observations, actions, responses, feeling and opinions (based on facts).
   e. Probable cause must be clearly stated.
   f. Specific location for all recovered evidence (including Dominion and Control for the area or basis for believing it was the suspect's clothing, etc.).
   g. All field tests and the results.
   h. Specific times and time periods must be clearly stated.
   i. Descriptions of suspects involved and their names.

D. *Superform*

1. Complete the front side of the *Superform.*
   a. All available information must be included.

b. It must be signed by a supervisor.

2. Complete the back side of the *Superform.*

a. Complete the objection to release section and include any applicable FARR guidelines. The officer completing the form must sign it.

b. Complete a Certification of Probable Cause.

E. *WSP Crime Laboratory Division Drug Analysis Request* (WSP-CL-442)

1. Complete a separate laboratory request for each suspect that possessed the narcotics.
2. Place the item you most want tested on the first line of the request. The laboratory will generally only test only the first item.

F. Photographs

1. Take two Polaroid photographs of the suspect.
2. Label the photos with the suspect's information and the single incident number (SIN).
3. Staple one photograph to the *Superform* and send one to Narcotics in the *Alert* packet.

G. Do a field test on the suspected narcotics.

1. Conducting field tests on substances unknown to you demands caution.
2. Avoid handling unknown substances, especially those in powdered form. Many noxious materials are water soluble and may be absorbed through the skin.
3. Always perform narcotics field tests in well-ventilated areas. Avoid doing field tests in vehicles.

H. Compile an *Alert* packet for the Narcotics Section:

1. Original *Statements* (forms 9.27/9.28 and 9.28.1),
2. Copy of the *Incident Report* (form 5.37),
3. Copy of the *Superform*,
4. Original Certification of Probable Cause.
5. Original WSP Crime Laboratory Division Drug Analysis Request (form WSP-CL-442),
6. Copies of *Strip Search Record* (form 17.7),
7. Copy of Notice of Seizure and Intended Forfeiture (form 1.1.9),
8. Photographs, and
9. Computer Rap Sheets.

II. Felony Administrative Recognizance Release (FARR)

A. General

1. The Seattle Police Department, King County Prosecutor's Office, and the County Executive initiated the FARR Memorandum of Understanding in 1988.
2. FARR defines "drug traffickers" and indicates the types of narcotics arrest cases for which the Prosecutor's Office will RUSH file.
3. The County Executive agreed not to release arrestees from custody if they meet the FARR criteria.
4. The agreement increases the likelihood that suspects will remain in jail until charged and thus served with a "Stay Out of Drug Area" (SODA) order.

B. FARR Criteria for RUSH filing:

1. A "drug trafficker" is an offender who is booked into the King County Jail for Violation of the Uniformed Controlled Substances Act (VUCSA) and meets one or more of the following criteria.

a. Delivered any amount of a controlled substance to another.

b. Was observed delivering suspected controlled substance to another and was found in possession of controlled substances.

c. Possessed with intent to deliver or manufacture a controlled substance.

d. Possessed over $250 worth of a controlled substance.

e. Is a member of a criminal organization involved in drug trafficking.

f. Possessed less than $250 worth of controlled substances, and

(1) The suspect's true identity is in question, or

(2) The suspect lacks a verified King County address and the cooperation of a responsible third person who will always know how to reach the detainee.

g. Has a prior felony conviction within five years or pending charges of violating the Uniform Controlled Substances Act, or two or more prior failures to appear in court.

h. Has re-entered a drug area in violation of a court order to stay out of a drug area (SODA).

III. Seizure of Assets

A. Drug Money

1. In order for money to be legally seized and forfeited, State law (RCW 69.50.505) requires:

a. Probable cause exists to show the money can be traced to drug trafficking, or

b. Was intended for the purchase of drugs.

2. Officers intending to seize a vehicle shall follow the procedures outlined in Section 2.065 - Vehicle Evidence and Seizures.

3. Simply discovering money on a person who has been arrested for a narcotics violation does not allow for seizure and forfeiture.

a. Seizing money under such circumstances, even with the expectation the arrested person may not claim the money, could result in the invalidation of the seizure laws or a revision which makes them difficult to enforce.

b. Do not seize money solely because of proximity of the money to an illegal drug or as a punitive measure.

4. Sums less than $500 generally should not be seized, unless they contain "buy money" with previously recorded bill numbers.

B. Vehicles or Personal Property

1. Seizing vehicles requires either:

a. Removing personal property from the vehicle and returning it to the owner, or

b. Placing the property into the Evidence Unit for safekeeping.

2. The seizing of vehicles or personal property requires the same threshold of probable cause as seizing money. All seized property must be traceable to a narcotics transaction.

a. Pagers, firearms, and marijuana grow equipment should not be seized for forfeiture purposes, instead place these items into the property room as evidence. These items are generally not convertible for Department use and seizing them often creates difficulties in the prosecution of the case.

3. Questions about seizing drug money, vehicles, and personal property should be directed to the Narcotics Section.

4. See Section 2.065 - Vehicle Evidence and Seizures for additional information.

IV. Special Narcotics Enforcement Programs

A. Drug Free Zones

1. General

a. The establishment of Drug Free Zones is being viewed as a method of deterring drug use and sales within those geographical areas surrounding schools and other special sensitive areas as noted below, by increasing the penalties of these activities within the designated zone.

b. In many cases, Drug Free Zone signs are posted on the outermost 1,000 foot boundaries of Public and Private schools.

2. Penalty/Punishment

a. Definition

(1) RCW 69.50.435 provides that suspects who manufacture, sell, deliver (or possess with intent to manufacture, sell, deliver) controlled substances are subject to twice the fine and imprisonment ordinarily mandated if the offense occurred in one of the 7 circumstances listed below.

(2) The King County Prosecutor's Office has made a commitment to take advantage of this State law and request the special punishments provided.

(3) The double penalty applies:

(a) In a school,

(b) On a school bus,

(c) Within 1,000 feet of a school bus route stop,

(d) Within 1,000 feet of perimeter of school grounds,

(e) In a public park,

(f) On a public transit vehicle,

(g) In a public transit stop,

(h) At a civic center designated as a drug-free zone by the local governing authority, or

(i) Within 1,000 feet of the perimeter of a facility designated under (h) above.

3. Processing

a. Completed *Incident Reports* should clearly establish the time and location where the arrest took place. When possible, the name of the school for which the Drug Free Zone has been established should also be included. The *Incident Report* shall be marked with a "Drug Free Zone" stamp.

(1) Citing or arresting suspects for drug trafficking in School Drug Free Zones must be noted in *Incident Reports* so the prosecutor may seek expanded sentences.

(2) School hours are considered when applying the enhanced sentencing. Delivery, manufacture, or possession with intent between the hours of 7:00 a.m. and 6:00 p.m. weekdays are considered to be in violation of the Code.

(3) Drug Free Zone maps are available at each precinct showing designated drug free school bus stops.

B. Stay Out of Drug Area (SODA) for Adults

1. General

a. A court order prohibiting a person, who is involved in narcotic activities, from entering or remaining in a designated SODA area.

b. The SODA order may be in effect for the duration of the court's jurisdiction, or until trial if the order was issued as a condition over the person who is the subject of the order, or as a condition of release from custody.

c. A person in violation of a SODA order may be found in contempt of court if the order was issued as a condition of release from custody.

d. If the SODA order is issued as a condition of probation or parole, the person may be held for parole/probation violation.

2. Arraignment/Sentencing

a. The majority of misdemeanor SODA orders will be issued on Drug Traffic Loitering and Marijuana cases. However, if there is strong evidence to support that the crime committed was related to narcotics, and the defendant was a known narcotic offender to the arresting officer, a SODA order could be granted at the time of sentencing.

b. In Superior Court SODA orders can also be issued at the time of arraignment, and as a probation condition after sentencing for VUCSA. The King County Prosecutor's Office will also request SODA orders whenever appropriate.

3. Processing

a. Personnel from the Narcotics Section will pick up the SODA orders daily and will deliver them to the Identification & Photo Lab Unit and Communications Section.

b. Officers may check for SODA conditions on a suspect through the Communications Section.

c. A copy of the SODA restrictions may be obtained from the Identification & Photo Lab Unit during normal business hours, or the Records Files Unit after hours. A copy of the restrictions can be faxed to the precinct for an officer.

d. Adult SODA Arrests

(1) When preparing the paperwork for a SODA order violation, complete an *Incident Report* using the original single incident number (SIN). A completed *Superform* including a "Statement of Probable Cause: Non-VUCSA", is also required.

(a) When filling out the "Statement of Probable Cause" portion of the *Superform*, identify the SODA area and the precinct in which the offense occurred.

(b) Attach a Polaroid photograph to the *Superform*.

(2) Stamp the *Incident Report* with the "Special Narcotics Enforcement Program" stamp and check the appropriate box.

(3) A copy of the SODA order must be included with the *Superform* to satisfy King County Jail requirements.

(4) Officers shall deliver a copy of the *Incident Report*, *Superform*, and original *Statements* to the Narcotics Section in an *Alert* packet, like all other RUSH file cases.

e. Arrest for SODA Violations in Conjunction with VUCSA Arrest

(1) Officers must complete an *Incident Report* for a VUCSA arrest and also a short *Incident Report* for the SODA arrest using the original SODA SIN.

(2) Officers will submit a complete signed *Superform* describing the offense and the SODA area where the violation occurred, a copy of the SODA order, and all other necessary police reports, statements, lab requests, etc., to the Narcotics Section in an *Alert* packet.

(3) Officers will book the suspect into King County Jail and charge the person with "Investigation of VUCSA". Request an alternate charge of "Probation Violation SODA", if the felony charge is declined.

C. Stay Out of Drug Area (SODA) for Juveniles

1. Use the following procedure when arresting a juvenile for VUCSA in a SODA zone.

   a. Complete a *Superform*, including the affidavit of probable cause and signature. Include in the affidavit the specific SODA zone and the precinct where the offense occurred.

   b. Include statement confirming the positive field test for the controlled substance.

      (1) Include in the statement the background of the officer who conducted the field test, including applicable training and number of times they have done successful field tests.

   c. Describe which FARR criteria were violated.

   d. Complete an *Incident Report*, *Statements*, and a *Superform.*

      (1) Stamp the *Incident Report* with the Special Narcotics Enforcement Program stamp.

   e. Attach one Polaroid photo to a copy of the *Superform* and route in an *Alert* packet to the Narcotics Section for processing.

   f. Photograph and fingerprint the suspect.

   g. Book the suspect into the King County Youth Service Center for "Investigation of VUCSA". Provide two copies of the approved *Incident Report* and the original *Superform* to booking staff at in-take.

2. Arrests for SODA Violations

   a. Verify the SODA Zone order through the Identification & Photo Lab Unit.

   b. Complete an *Incident Report*, officer's *Statement*, and *Superform.*

      (1) Stamp the *Incident Report* with the Special Narcotics Enforcement Program stamp.

   c. Attach one Polaroid photo to the copy of the *Superform* and route in an *Alert* packet to the Narcotics Section for processing.

   d. Book the suspect into the King County Youth Service Center for "Investigation of SODA Violation", taking two copies of the approved *Incident Report* and the original *Superform.*

V. Offender Programs

A. Drug Court

1. The King County Superior Court "Drug Court," requires all narcotics cases to be handled as RUSH cases.

   a. *Incident Reports*, *Statements*, *Certification of Probable Cause* and the *Superform* must include successful field test information.

   b. In the reports and statements, include the background of the officer who conducted the field test, including applicable training and number of times they have done successful field tests.

   c. Include a copy of the *Superform,* the complete *WSP Crime Laboratory Division Drug Analysis Request* and the original *Certification of Probable Cause* when routing the *Alert* packet to the Narcotics Section.

   d. Defendants charged with felony possession will have the option of seeking drug treatment that is reviewed by the court on a monthly basis. The defendant must agree to allow the judge to make a determination of guilt based on review of the police report if they fail the treatment program. Should the defendant successfully complete the approximate year-long treatment, the charges will be dropped.

   e. Direct questions to the Narcotics Section.

B. High Impact Offender's Project (HIOP)

1. General

a. The HIOP team consists of two Seattle City Attorneys, one Seattle Police Detective, and two paralegals. The goal of HIOP is to disrupt drug trafficking by incarcerating known drug dealers and users for substantial periods of time following convictions for Seattle misdemeanors. The HIOP team will be prosecuting in both Seattle Municipal and King County District Courts. They seek parole and probation revocations, along with the maximum sentence for the underlying criminal convictions and SODA orders where warranted.

2. Offender Criteria

a. One felony VUCSA conviction, one additional felony conviction, and three misdemeanor convictions, all in the last five years. The offender list will be updated weekly and will be posted in all precincts. HIOP offenders are also listed in the Hazard File of Sea-King.

3. Incident Reports

a. Whenever possible, book the HIOP offender into jail. Write an *Incident Report* and include victim and witness statements. Mark the *Incident Report* HIOP and place a copy of the report in the HIOP box located at each of the precincts.

VI. Drug Traffic Loitering

A. General

1. A person commits the crime of Drug Traffic Loitering (DTL) under SMC 12A.20.050 if they remain in a public place and intentionally solicit, induce, entice, or procure another to engage in unlawful conduct contrary to:

a. Revised Code of Washington (RCW) Chapter 69.50 (Uniform Controlled Substances Act),

b. RCW Chapter 69.41 (Legend and Prescription Drugs), or

c. RCW Chapter 69.52 (Imitation Controlled Substances).

2. A person's possession of needles and other items obtained from or exchanged at any needle exchange program sponsored by the Seattle-King County Health Department, and hypodermic syringes or needles in the possession of a confirmed diabetic, shall not be considered in determining whether the suspect intended to engage in Drug Traffic Loitering. The ordinance specifically excludes such items from the definition of "Drug Paraphernalia".

3. This Ordinance may be enforced only by officers who have been specifically trained in its use.

B. Operational Procedures

1. In completing *Incident Reports* officers should take special note of the circumstances which may be considered in determining whether individuals are in violation of SMC 12A.20.050. A "DTL Worksheet" may be used to assist in the collection of detailed information related to the arrest.

2. *Incident Report* Details (Intent and Remain)

a. Sufficient evidence of the suspect's intent to engage in unlawful drug activities must be outlined with as much detail as possible in the *Incident Report*.

b. Articulation must also establish that the suspect remained in a public place (e.g., park, street, alley, etc.) for a substantial period of time.

c. Guidelines

(1) State exactly how long the suspect was under observation.

(2) State what type of observation was used by the officer (e.g., binoculars, roof-top surveillance, etc.).

(3) Outline the time frame/ sequence of observation.

(4) Detail how many contacts the suspect made and what the details of the contacts (e.g., exact location, description of other person(s), etc.).

(5) If packages were observed or exchanged, detail what the packages looked like and if the packaging is consistent with narcotics.

(6) If currency was found on the person of the suspect, detail the denominations, where the currency was found, and whether it wadded up or folded.

(7) Describe the suspect's actions (e.g., gestures or use of electronic communication devices).

3. Documentation of officer's conclusions

a. Articulate how the area is one of high drug-trafficking activity (e.g., SODA).

b. Indicate when officers have observed the same suspect engage in similar types of contacts at the same location on recent previous occasions.

c. Document if the suspect has been the subject of community complaints regarding drug trafficking activities, or how the officers are collectively aware of the narcotics use or trafficking activities of the individual in question prior to the arrest. ("Known Drug Trafficker", see definition in SMC 12A.20.050.)

4. Documentation of officer's experience and training

a. Documentation of officer's experience and training should be detailed in the *Incident Report*, including number of previous narcotic related arrests made, hand to hand buy experience, ACT experience, etc.

C. Arrests/Filing

1. Drug-Traffic Loitering arrests which result in the actual seizure of narcotics (and marijuana of more than 40 grams, or packaged in a manner indicating an intent to deliver) should be worked up as investigation of VUCSA. The *Incident Report* must indicate, however, that the initial probable cause to arrest and search was based on Drug Traffic Loitering.

2. Suspects found to be in possession of Narcotic paraphernalia with substantial residue should be investigated as "Investigation of VUCSA".

3. Suspected narcotics and narcotic lab requests should not be included in Drug Traffic Loitering arrests.

4. All suspects who meet one or more of the Felony Administrative Recognizance Release (FARR) criteria shall be RUSH filed by including a Certification of Probable Cause along with the *Incident Report* stamped "72 Hour Rush File", and a Polaroid photograph. Criminal History must be included in the arrest paperwork.

5. The crime of Drug Traffic Loitering shall be charged by criminal complaint only, not by officer citation.

D. Additional Note

1. It should be noted that violation of SMC 12A.20.050 (Drug Traffic Loitering) may be used as a basis for the issuance of SODA Orders, in Seattle Municipal Court, Seattle District Court, or Juvenile Court.

VII. Narcotics Paraphernalia

A. Due to the wording of the Drug Paraphernalia Statute, the Prosecutor's Office has found it difficult to obtain a conviction without a positive lab report.

B. However, if the lab report returns positive then the suspect is guilty of felony Violation of the Uniform Controlled Substance Act (VUCSA). Therefore, officers will refrain from arresting or citing suspects for drug paraphernalia.

C. If officers recover items with enough residue to be tested, the officers should arrest the suspect(s) for VUCSA and complete the case as any other felony narcotics case.

VIII. Marijuana - Possession of 40 Grams or Less

NOTE: Officers should not normally book suspects into jail on the charge of Possession of 40 Grams or Less of Marijuana (RCW 69.50.410(e). NOTE: Officers should continue to use the *Washington State Patrol Crime Lab form* for incidents of suspected marijuana residue, marijuana seeds or felony cases.

NOTE: Do not issue a Criminal Citation! Seattle Municipal Court is currently handling this offense by *Incident Report* ONLY.

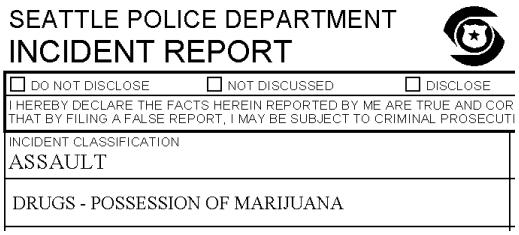
A. Possession With No Related Criminal Offenses

1. Draw a Single Incident Number (SIN).
2. Complete an *Incident Report* (form 5.37).
   a. Do not list the marijuana offense in the *"Charge Details"* block of the report.
   b. Request that the additional charge of *"Possession of Marijuana (< 40 grams)"* be filed by the prosecutor pending marijuana leaf test results.
   c. Complete a field test on the suspected marijuana and document the results.
3. Complete a Marijuana Leaf Test Request form 64 and attach this form to the Incident Report.
   a. Place the marijuana into evidence.
4. Submit the *Incident Report* with the attached *Marijuana Leaf Test Request* and any related reports to the Data/Distribution Unit.

B. Possession With Related Criminal Offenses (Suspect Not Booked Into Jail)

1. Draw a Single Incident Number (SIN).
2. Complete an *Incident Report* (form 5.37).
   a. List the other offenses first on the *Incident Report*.

   EXAMPLE:


SEATTLE POLICE DEPARTMENT
INCIDENT REPORT

☐ DO NOT DISCLOSE ☐ NOT DISCUSSED ☐ DISCLOSE

I HEREBY DECLARE THE FACTS HEREIN REPORTED BY ME ARE TRUE AND COR
THAT BY FILING A FALSE REPORT, I MAY BE SUBJECT TO CRIMINAL PROSECUTI

INCIDENT CLASSIFICATION
ASSAULT

DRUGS - POSSESSION OF MARIJUANA

   b. Do not list the marijuana offense in the *"Charge Details"* block of the report.
   c. Request that the additional charge of *"Possession of Marijuana (< 40 grams)"* be filed by the prosecutor pending crime lab results.
   d. Complete a field test of the suspected marijuana and document the results.
3. Complete a *Marijuana Leaf Test Request* form and attach this form to the *Incident Report*.
   a. Place the marijuana into evidence.
4. Submit the *Incident Report* with the attached *Marijuana Leaf Test Request* and any related reports to the Data/Distribution Unit.

C. Possession of Marijuana with Other Criminal Offenses (Suspect Booked Into Jail)

1. Draw a Single Incident Number (SIN).
2. Complete an *Incident Report* (form 5.37).

a. List the offense for which the suspect is booked into jail first.

b. Do not list the marijuana offense in the *"Charge Details"* block of the report.

c. Request that the additional charge of *"Possession of Marijuana (< 40 grams)"* be filed by the prosecutor pending crime lab results.

d. Complete a field test of the suspected marijuana and document the results.

3. Complete a *Marijuana Leaf Test Request* form and attach this form to the *Incident Report*.

   a. Place the marijuana into evidence.

4. Follow normal arrest and booking procedures for the jailable offense.

   NOTE: Do not list "Possession of Marijuana (<40 grams)" as a charge on the Superform.

5. Submit the *Incident Report* with the attached *Marijuana Leaf Test Request* and any related reports to the Data/Distribution Unit.

D. Felony Arrest and Possession of Marijuana

1. Draw a Single Incident Number (SIN).

2. Complete an *Incident Report* (form 5.37).

   a. List only the felony offense(s) at the top of the report.

   b. Do not list the marijuana offense in the *"Charge Details"* block of the report.

   c. Request that the additional charge of *"Possession of Marijuana (< 40 grams)"* be filed by the prosecutor pending marijuana leaf test.

   d. Complete a field test of the suspected marijuana and document the results.

3. Complete a WSP Crime Laboratory Division Drug Analysis Request and/or Marijuana Leaf Test Request form and attach this form to the Incident Report.

   a. Place the marijuana into evidence.

4. Follow normal arrest and booking procedures for the felony offense.

NOTE: Do not list "Possession of Marijuana (<40 grams)" as a charge on the Superform.

Submit the *Incident Report* with the attached *WSP Lab Request and/or Marijuana Leaf Test Request* and any related reports to the Data/Distribution Unit.

IX. *Medical Marijuana Act*

A. The Enforcement Policy for the Washington Stated Medical Marijuana Act (Initiative 692) is predicated on state law.

When you have detained someone for possession of marijuana and *if she/he asserts that she/he is a qualifying medical marijuana patient or primary caregiver, then;*

Advise the person of their Miranda Rights. Ensure that they understand their rights and the reason for your advisement. (Possession of marijuana remains a federal crime and non medicinal use remains a crime under Washington State law).

Require proof of identity, such as a Washington State Driver's License or Identification Card.

Ask them to produce a statement signed by their physician, or a copy of their pertinent medical records which state that, in the physician's professional opinion, the potential benefits of the medicinal use of marijuana would likely outweigh the health risks for the particular qualifying patient. (Such documentation may also include –but is not required under the law-verification by the doctor that the patient suffers from a terminal or debilitating illness as defined by state law).

If a person asserts that they are a primary caregiver, the person must be 18 years of age or older; be responsible for the housing, health or care of the qualifying patient; and possess a written document signed by the patient designating that person as the primary caregiver.

If the person, whether a patient or caregiver, fails to provide the requested documents or possesses more than a 60 day medical use supply of marijuana, the "Medical Marijuana Act" defense does not apply.

If the person provides the requested documents, proceed pursuant to the following guidelines;

Document the person's identity either as a qualifying patient or primary caregiver.

Photograph the entire quantity of marijuana to illustrate the amount, size of plants, paraphernalia, etc.. If the marijuana is in plant form, photograph the plants and include in the photograph a measurement device to illustrate approximate size. Count the number of plants, photograph and note all equipment used for growing, harvesting, packaging or using marijuana.

Weigh the marijuana if possible.

Take a small sample of the suspected marijuana (1 gram) as evidence and field-test the marijuana. Document the results. Test kits for marijuana are available from the Precinct Stationmasters or the Precinct Anti-Crime Teams.

Photocopy the person's identification and medical documentation presented as valid documentation as required by Washington State law (originals must be returned to the person; only in the case of stolen documents or obvious forgeries should the originals be placed into evidence).

Even though the person is not required to respond, ask the person what their daily dosage is and note their response (if any) in the major incident report.

Write a major incident report and forward a copy to the Narcotics Section.

Advise the person that it is a misdemeanor to use or display medical marijuana in a manner or place open to the public and note such advisal in the incident report.

B. Enforcement

If you believe that a person (patient or caregiver) who asserts "medical marijuana" does not meet the criteria of the Medical Marijuana Act, it is recommended that you screen the incident with a Narcotics Section Sergeant prior to leaving the scene, booking the suspect or seizing any marijuana.

Narcotics Section Sergeants are available 24 hours a day and may be contacted via SPD Communications Section.

X. *Narcotics Activity Reports* (NARs)

A. The *Narcotics Activity Report* (form 9.9) is an intelligence system used by the Department to gather drug trafficking information.

B. Department personnel will complete *NAR Reports* when information is received, rather than directing citizens to Communications Section, Narcotics Section, or other precinct personnel.

I. General

A. The following areas in the precincts are drug trafficking areas. At the beginning of the precinct's SODA zone listing, there is a definition of what areas are included in that particular precinct's SODA zones.

II. Procedure

A. When contacting an offender, determine if their SODA Order is current. The Communications Section has a record of current SODA Orders. (See Section 3.109 - Narcotics for additional procedures.)

III. West Precinct SODA

A. The areas include the full width of the streets, alleys, parks, and parking areas within the area described, using the streets as boundaries.

Zone 1

North: Wall Street
South: University Street
East: 5 Avenue
West: Elliott Avenue to Alaskan Way; to include both sides of the street and all adjacent public areas and parks.

Zone 2

North: Columbia Street from Alaskan Way to 2 Avenue, south on 2 Avenue to James Street, east on James Street to 3 Avenue, south on 3 Avenue to Jefferson Street, east on Jefferson Street to 4 Avenue, south on 4 Avenue to Yesler Way, east on Yesler Way to Interstate 5.
South: S. Dearborn Street from Interstate 5 to 5 Avenue, Airport Way from 5 Avenue to 4 Avenue, north on 4 Avenue from Airport Way S. to S. King Street, west on S. King Street from 4 Avenue S., to Alaskan Way S.
East: Interstate 5 from Yesler Way to S. Dearborn Street.
West: Alaskan Way to include both sides of the street and all adjacent public areas and parks, from S. King Street to Columbia Street.

Zone 3

North: Highland Drive
South: Denny Way
East: Westlake Avenue N.
West: 5 Avenue N.

IV. North Precinct SODA

A. The areas include the listed streets, the immediately adjoining sidewalks and alleys, and properties which lie next to the above listed streets.

Zone 1

8000-14500 block Aurora Avenue N. and 13000-14500 block Linden Avenue N.

Zone 2

8500-9000 block of Nesbit Avenue N.

Zone 3

3600-4600 block Aurora Avenue N. and 3600-4600 block Linden Avenue N.

Zone 4

University District bounded on the:

North: NE. 55 Street
South: NE. Pacific Street
East: 15 Avenue NE.
West: Brooklyn Avenue NE.

Zone 5

North: NE. 47 Street
South: NE. 45 Street
East: 8 Avenue NE.
West: 7 Avenue NE.

Zone 6

Lake City area bounded on the:

North: NE. 145 Street
South: NE. 140 Street
East: Lake City Way NE.
West: 30 Avenue NE.

V. South Precinct SODA

A. The areas include the full width of the streets, alleys, parks, and parking areas within the area described, using the streets as boundaries.

Zone 1 - Franklin High School

The area bounded on the north by S. Mt. Baker Blvd., Hunter Blvd. S. on the east, S. Charleston Street on the south, west on S. Charleston Street to Rainier Avenue S., north on Rainier Avenue S. to S. Walden Street, west on S. Walden Street to Martin Luther King Jr. Way S., north on Martin Luther King Jr. Way S. to the intersection of Rainier Avenue S. and S. Mt. Baker Blvd.

Zone 2 - Rainier Vista and Columbia City

The area bounded by S. Dakota Street on the North, Cheasty Blvd. S. to Beacon Avenue S., south on Beacon Avenue S., east on S. Brandon Street to Martin Luther King Jr. Way S., south on Martin Luther King Jr. Way S. to S. Graham Street, east on S. Graham Street to 47 Avenue S., north on 47 Avenue S. to S. Dakota Street.

Zone 3 - Holly Park and Othello Playground - Including Adjoining Areas

The area bounded on the north by S. Graham Street, Beacon Avenue S. on the west, Rainier Avenue S. on the east, to S. Kenyon Street, west on S. Kenyon Street to Martin Luther King Jr. Way S. to S. Thistle Street, west on S. Thistle Street to Beacon Avenue S. The areas surrounding Peter's Market and the area surrounding the Othello Mini Mart are included in the above listed boundaries.

Zone 4 Rainier Beach High School And Recreation Center

The entire area bounded by S. Cloverdale Street on the north, S. Roxbury Street on the south, Renton Avenue S. to the west, and Seward Park Avenue S. and Waters Avenue S. to the east. This section includes Rainier Beach High School and Recreation Center, South Shore Middle

School, areas surrounding Lake Shore Villas, the 7-11 store at the corner of Rainier Avenue S. and Seward Park Avenue S., the adjoining bus stop, and the Speedy Mart at the corner of S. Roxbury Street and 51 Avenue S.

Zone 5

5700-6000 block Airport Way S. and adjacent areas.

Zone 6

7000-7200 block E.. Marginal Way S.

Zone 7

14 Avenue S., S. Sullivan Street to S. Concord Street, 8 Avenue S. to 14 Avenue S. on S. Cloverdale Street.

Zone 8

North: S. Hill Street
South: S. McClellan Street
East: 17 Avenue S.
West: 13 Avenue S.

Zone 9

North: SW. Juneau Street
South: SW. Myrtle Street
East: 28 Avenue SW.
West: 35 Avenue SW.
Note: This area includes the Circle K Store at 35 Avenue SW. / SW. Morgan Street.

Zone 10

North: SW. Webster Street
South: SW. Thistle Street
East: 26 Avenue SW.
West: Delridge Way SW.

Zone 11

North: SW. Trenton Street
South: SW. Roxbury Street
East: 31 Avenue SW.
West: Delridge Way SW.

Zone 12

North: S. Massachusetts Street
South: S. College Street
East: 31 Avenue S.
West: ML King Way S.

Zone 13

North: SW. Genessee Street
South: SW. Brandon Street
East: Delridge Way SW.
West: 27 Avenue SW.

VI. East Precinct SODA

A. The areas include the full width of the streets, alleys, parks, and parking areas within the area described, using the streets as boundaries.

Zone 1

North: E. Mercer Street
South: E. Columbia Street
East: 32 Avenue
West: 18 Avenue

Zone 2

North: E. Mercer Street
South: E. Columbia Street
East: Martin Luther King Jr. Way
West: 23 Avenue

Zone 3

North: E. Madison Street
South: E. Columbia Street
East: 32 Avenue
West: Martin Luther King Jr. Way S.

Zone 4

North: E. Columbia Street
South: S. Lane Street
East: 23 Avenue / 23 Avenue S.
West: 18 Avenue / 18 Avenue S.

Zone 5

North: E. Columbia Street
South: S. Lane Street
East: Martin Luther King Jr. Way/ Martin Luther King Jr. Way S.
West: 23 Avenue /23 Avenue S.

Zone 6

North: E. Yesler Way
South: S. Norman Street
East: 30 Avenue S.
West: Martin Luther King Jr. Way S.

Zone 7

North: E. Yesler Way
South: S. King Street
East: 18 Avenue S.
West: Interstate 5

Zone 8

North: E. Alder Street
South: E. Yesler Way
East: 18 Avenue
West: Interstate 5

Zone 9

North: Denny Way
South: Union Street
East: Boylston Avenue
West: Interstate 5

POLICY

When an individual is convicted of a prostitution related offense, they may be placed on SOAP probation. The probationer is restricted from entering certain geographic areas that have been identified as areas of high prostitution activity. These restrictions are generally in effect between the hours of 1100 and 0600. At the discretion of the courts, certain areas may be added or deleted, and individual orders may contain modifications.

I. SOAP Violations - General

A. The violation of a SOAP order is not a new criminal offense. It is a violation of the terms of an offender's probation.

B. The issuing court will only enforce the order upon the appearance in court of the offender.

C. Citations will not be issued for SOAP violations.

D. *Incident Reports* should not be prepared unless the offender has been arrested for the SOAP violation.

II. Verifying SOAP Orders

A. Officers can verify the existence of a specific SOAP order and its terms by requesting that information from the Database radio operator or by telephoning either the Records Files Unit or the Vice Section.

III. Incident Numbers for SOAP Arrests

A. If a SOAP order does exist and an arrest is made, use the existing single incident number (SIN) of the SOAP order. Officers should obtain the SIN from the verifying source (Records Files Unit, Vice Section, etc.).

B. Do not obtain a new SIN unless there are new criminal charges, in which case the existing SOAP SIN should be referenced in the report.

IV. Reporting a SOAP Arrest

A. *Superform*

1. Complete the *Superform* using the existing SOAP order SIN. The appropriate offense is "Probation Violation (SOAP) 12A.56.020."
2. It is not necessary to attach a copy of the SOAP order to the *Superform* as long as it bears the original SOAP order SIN.

B. *Incident Report*

1. Complete the *Incident Report* using the SOAP order SIN. Send a copy of the *Incident Report* to the Court Unit via Departmental mail. Again, a copy of the SOAP order is not necessary.

V. Reporting a SOAP Violation When There is a "New" Charge

A. *Superform*

1. If you arrest an individual for a crime other than SOAP and then determine that this individual is also in violation of an existing SOAP order, refer to the SOAP violation and include the SOAP order SIN in the offense data section of the *Superform.*

B. *Incident Report*

1. Include "Probation Violation (SOAP) 12A.56.020" in the charge block of the *Incident Report* bearing the SIN for the offense which caused the arrest.
2. Refer to the SOAP order SIN in the report narrative for the benefit of the Court Unit.

POLICY

Seattle Municipal Code 15.48.100 prohibits the "Unlawful Posting of Signs".

I. Enforcement Procedures

A. For on-view incidents:

1. Violators may be cited for "Unlawful Posting of Signs" on a Notice of Infraction.
2. Check the "infraction" and "non-traffic" boxes on the ticket.
3. Have the defendant sign the ticket.
4. Give the defendant their copy.

B. For reports of previously posted signs:

1. Complainants may be referred to the City of Seattle Engineering Department. The Director of the Engineering Department is authorized to remove signs, and to recover the removal costs from the violators.

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