SHERIFF'S PREFACE

Our Mission Statement indicates why we exist and what we do:

The Mission of the Pierce County Sheriff's Department is to Protect Life and Property, Uphold Rights, and Work in Partnership to Build Strong, Safe Communities.

Our Strategic Goals define our Vision; The Pierce County Sheriff's Department is a values driven public safety leader trusted to provide excellent service to the region.

Our Core Values of Integrity, Responsibility, Respect, Courage and Compassion define the general moral guidelines in which we will operate.

To provide more specific guidance of how we will operate requires that we have policies and procedures, rules and regulations. These written directives are found in this Department Manual.

Working with national model policies and adapting them to our Department and its needs, we have created a document which will determine the paths we follow to get things done. I commend these written directives to your review and your use.

It is our privilege to work in a profession that can make a real difference one call, one case, one individual, one family, one community at a time. It is our privilege to work in a profession which has important moral content; which helps differentiate between right and wrong. Our job is difficult and complex. The directives in this manual will help us to pursue our Mission, honor our Core Values and serve the community effectively, ethically and accountably.
DEPARTMENT MISSION STATEMENT/VISION/CORE VALUES

MISSION

The mission of the Pierce County Sheriff’s Department is to protect life and property, uphold rights, and work in partnership to build strong safe communities.

Vision

The Pierce County Sheriff's Department is a values driven public safety leader trusted to provide excellent service to the region.

Core Values

The Core Values of the Pierce County Sheriff's Department are;

Integrity, Respect, Responsibility, Courage, and Compassion

Integrity: We conduct ourselves honestly, legally, morally and ethically, at all times and the department ensures integrity by holding employees accountable to maintain public trust.

Respect: We treat everyone fairly, impartially and with dignity.

Responsibility: We carry out our mission, perform our duties, and fulfill our obligations all with excellence.

Courage: We stand up to physical and moral challenges, and take action when difficult decisions are required.

Compassion: We conduct ourselves with humility and empathy.
# Table of Contents

**SHERIFF'S PREFACE** .................................................. 1

**DEPARTMENT MISSION STATEMENT/VISION/CORE VALUES** .............. 2

**Chapter 1 - Law Enforcement Role and Authority** ..................... 7
  100 - Law Enforcement Authority .................................... 8
  102 - Law Enforcement Certification .................................. 11
  104 - Oath of Office and Objectives .................................. 12
  105 - Law Enforcement Code of Ethics/Principles ..................... 15
  106 - Policy Manual .................................................. 17
  107 - Policy, Procedure, Rule or Regulation ........................ 21

**Chapter 2 - Organization and Administration** ....................... 22
  200 - Organizational Structure and Responsibility .................. 23
  201 - Fiscal Management .............................................. 30
  203 - Department Management ......................................... 32
  205 - Contract Services ............................................... 39
  206 - Continuity of Operations (COOP) ............................... 40

**Chapter 3 - General Operations** .................................. 71
  300 - Use of Force .................................................... 72
  301 - Arrests ........................................................... 78
  302 - Deadly Force Review / Board of Professional Standards (BOPS) 81
  306 - Handcuffing and Restraints ................................... 83
  307 - Opioid Overdose Medication .................................... 88
  308 - Control Devices and Techniques ................................ 90
  309 - Conducted Electrical Weapon ................................... 95
  310 - Officer-Involved Traumatic Incident .......................... 100
  311 - Other Traumatic Incidents ..................................... 108
  312 - Firearms and Qualification ................................... 110
  313 - Duty Knife Policy ............................................... 118
  314 - Vehicle Pursuits ................................................ 120
  316 - Deputy Response to Calls ...................................... 133
  318 - Canines .......................................................... 135

*Redacted per RCW 42.56.240(1)*

*Redacted per RCW 42.56.240(1)*

*Redacted per RCW 42.56.240(1)*
<table>
<thead>
<tr>
<th>Number</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>320</td>
<td>Domestic Violence</td>
<td>141</td>
</tr>
<tr>
<td>322</td>
<td>Search and Seizure</td>
<td>148</td>
</tr>
<tr>
<td>324</td>
<td>Temporary Custody of Juveniles</td>
<td>150</td>
</tr>
<tr>
<td>326</td>
<td>Abuse of Vulnerable Adults</td>
<td>153</td>
</tr>
<tr>
<td>328</td>
<td>Discriminatory Harassment</td>
<td>158</td>
</tr>
<tr>
<td>330</td>
<td>Child Abuse</td>
<td>163</td>
</tr>
<tr>
<td>332</td>
<td>Missing Persons</td>
<td>169</td>
</tr>
<tr>
<td>333</td>
<td>Search and Rescue Response</td>
<td>177</td>
</tr>
<tr>
<td>334</td>
<td>Public Alerts</td>
<td>180</td>
</tr>
<tr>
<td>336</td>
<td>Victim Witness Assistance</td>
<td>187</td>
</tr>
<tr>
<td>338</td>
<td>Hate Crimes</td>
<td>189</td>
</tr>
<tr>
<td>339</td>
<td>Standards of Conduct-Corrections Deputies and Corrections Sergeants</td>
<td>192</td>
</tr>
<tr>
<td>340</td>
<td>Standards of Conduct</td>
<td>205</td>
</tr>
<tr>
<td>341</td>
<td>Rules of Conduct</td>
<td>216</td>
</tr>
<tr>
<td>342</td>
<td>Information Technology Use</td>
<td>223</td>
</tr>
<tr>
<td>344</td>
<td>Report Preparation</td>
<td>227</td>
</tr>
<tr>
<td>345</td>
<td>Notebooks</td>
<td>231</td>
</tr>
<tr>
<td>346</td>
<td>Media Relations</td>
<td>233</td>
</tr>
<tr>
<td>348</td>
<td>Subpoenas and Court Appearances</td>
<td>236</td>
</tr>
<tr>
<td>350</td>
<td>Reserve Deputies</td>
<td>239</td>
</tr>
<tr>
<td>352</td>
<td>Outside Agency Assistance</td>
<td>242</td>
</tr>
<tr>
<td>356</td>
<td>Registered Offender Information</td>
<td>244</td>
</tr>
<tr>
<td>358</td>
<td>Major Incident Notification</td>
<td>249</td>
</tr>
<tr>
<td>360</td>
<td>Death Investigation</td>
<td>251</td>
</tr>
<tr>
<td>362</td>
<td>Identity Theft</td>
<td>253</td>
</tr>
<tr>
<td>368</td>
<td>Limited English Proficiency Services</td>
<td>254</td>
</tr>
<tr>
<td>370</td>
<td>Communications with Persons with Disabilities</td>
<td>255</td>
</tr>
<tr>
<td>376</td>
<td>Chaplains</td>
<td>263</td>
</tr>
<tr>
<td>380</td>
<td>Child and Dependent Adult Safety</td>
<td>266</td>
</tr>
<tr>
<td>384</td>
<td>Volunteer Program</td>
<td>269</td>
</tr>
<tr>
<td>386</td>
<td>Off-Duty Law Enforcement Actions</td>
<td>271</td>
</tr>
<tr>
<td>387</td>
<td>Extreme Risk Protection Orders</td>
<td>273</td>
</tr>
<tr>
<td>388</td>
<td>Service Animals</td>
<td>279</td>
</tr>
<tr>
<td></td>
<td><strong>Chapter 4 - Patrol Operations</strong></td>
<td>281</td>
</tr>
<tr>
<td>400</td>
<td>Patrol Function</td>
<td>282</td>
</tr>
<tr>
<td>401</td>
<td>Patrol - Specialized Units</td>
<td>284</td>
</tr>
<tr>
<td>402</td>
<td>Bias-Based Policing</td>
<td>286</td>
</tr>
<tr>
<td>404</td>
<td>Turnout Briefing</td>
<td>289</td>
</tr>
<tr>
<td>405</td>
<td>Major Crime Scene Forensic Policy</td>
<td>290</td>
</tr>
<tr>
<td>406</td>
<td>Crime and Disaster Scene Integrity</td>
<td>299</td>
</tr>
<tr>
<td>407</td>
<td>Incident Command System (ICS)</td>
<td>301</td>
</tr>
<tr>
<td>410</td>
<td>Ride-Along Policy</td>
<td>307</td>
</tr>
<tr>
<td>412</td>
<td>Hazardous Material Response</td>
<td>310</td>
</tr>
<tr>
<td>413</td>
<td>Response to Clandestine Drug Labs</td>
<td>313</td>
</tr>
</tbody>
</table>

*Redacted per RCW 42.56.240(1)*
<table>
<thead>
<tr>
<th>Chapter</th>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>417</td>
<td>Response to Loud Parties</td>
<td>328</td>
</tr>
<tr>
<td>418</td>
<td>Emergent Detentions</td>
<td>330</td>
</tr>
<tr>
<td>420</td>
<td>Citation Releases</td>
<td>335</td>
</tr>
<tr>
<td>422</td>
<td>Arrest or Detention of Foreign Nationals</td>
<td>337</td>
</tr>
<tr>
<td>428</td>
<td>Immigration Violations</td>
<td>344</td>
</tr>
<tr>
<td>432</td>
<td>Patrol Rifles</td>
<td>347</td>
</tr>
<tr>
<td>434</td>
<td>Aircraft Accidents</td>
<td>349</td>
</tr>
<tr>
<td>436</td>
<td>Field Training Officer Program</td>
<td>353</td>
</tr>
<tr>
<td>438</td>
<td>Obtaining Air Support</td>
<td>355</td>
</tr>
<tr>
<td>440</td>
<td>Contacts and Temporary Detentions</td>
<td>356</td>
</tr>
<tr>
<td>447</td>
<td>Mobile Digital Computer Use</td>
<td>364</td>
</tr>
<tr>
<td>465</td>
<td>Civil Disputes</td>
<td>366</td>
</tr>
<tr>
<td>467</td>
<td>Crisis Intervention Incidents</td>
<td>375</td>
</tr>
<tr>
<td>468</td>
<td>Public Recording of Law Enforcement Activity</td>
<td>378</td>
</tr>
<tr>
<td>500</td>
<td>Traffic Function and Responsibility</td>
<td>382</td>
</tr>
<tr>
<td>502</td>
<td>Traffic Collision Reporting and Investigation</td>
<td>385</td>
</tr>
<tr>
<td>510</td>
<td>Vehicle Towing and Release</td>
<td>386</td>
</tr>
<tr>
<td>512</td>
<td>Vehicle Impound Hearings</td>
<td>388</td>
</tr>
<tr>
<td>514</td>
<td>Impaired Driving</td>
<td>389</td>
</tr>
<tr>
<td>516</td>
<td>Traffic Citations and Notices of Infraction (NOI)</td>
<td>394</td>
</tr>
<tr>
<td>524</td>
<td>Unauthorized 24 Hour Vehicle Violations</td>
<td>396</td>
</tr>
<tr>
<td>600</td>
<td>Investigation and Prosecution</td>
<td>398</td>
</tr>
<tr>
<td>606</td>
<td>Asset Forfeiture</td>
<td>400</td>
</tr>
<tr>
<td>610</td>
<td>Eyewitness Identification</td>
<td>408</td>
</tr>
<tr>
<td>613</td>
<td>Brady Material Disclosure and Management</td>
<td>411</td>
</tr>
<tr>
<td>614</td>
<td>Potential Impeachment Evidence PIE</td>
<td>413</td>
</tr>
<tr>
<td>615</td>
<td>Sexual Assault Investigations</td>
<td>419</td>
</tr>
<tr>
<td>700</td>
<td>Department Issued Equipment</td>
<td>433</td>
</tr>
<tr>
<td>702</td>
<td>Personal Communication Devices</td>
<td>434</td>
</tr>
<tr>
<td>704</td>
<td>Department Pool Vehicles</td>
<td>440</td>
</tr>
<tr>
<td>706</td>
<td>Vehicle Use</td>
<td>444</td>
</tr>
<tr>
<td></td>
<td>Chapter 8 - Support Services</td>
<td>451</td>
</tr>
</tbody>
</table>
# Table of Contents

800 - Crime Analysis ................................................. 452
804 - Property and Evidence ........................................ 453
810 - Records Maintenance and Release ............................ 462
812 - Protected Information/Criminal History Record Information (CHRI) ........................................ 467
814 - Computers and Digital Evidence ............................... 471
820 - Animal Control Procedures ................................... 476

Chapter 9 - Custody .................................................. 480
900 - Temporary Custody of Adults ................................. 481
902 - Custodial Searches ............................................. 488
905 - Biological Samples ............................................. 492

Chapter 10 - Personnel .............................................. 495
1000 - Recruitment and Selection ................................... 496
1001 - Employee Conduct ............................................ 500
1002 - Evaluation of Employees ...................................... 501
1004 - Promotional Opportunities and Transfers Within the Department ........................................ 504
1006 - Grievance Procedure .......................................... 507
1012 - Alcohol and Drug Use ......................................... 509
1013 - Department Leaves ............................................ 512
1014 - Sick Leave .................................................... 513
1016 - Communicable Diseases ....................................... 515
1019 - Personnel Complaint Procedure for Corrections Deputies and Corrections Sergeants ................................. 522
1020 - Personnel Complaints ......................................... 529
1022 - Seat Belts .................................................... 540
1024 - Body Armor .................................................. 542
1026 - Personnel Records ............................................ 544
1028 - Career Development Program ............................... 550
1030 - Commendations and Awards ................................ 556
1031 - Departmental Awards ......................................... 558
1032 - Fitness for Duty ............................................... 563
1034 - Meals and Breaks ............................................. 564
1036 - Off Duty Employment .......................................... 565
1042 - Occupational Disease and Work-Related Injury Reporting ........................................ 569
1044 - Personal Appearance Standards .............................. 571
1046 - Uniform and Equipment Regulations ......................... 574
1048 - Explorer Cadet Program ........................................ 582
1050 - Workplace Relationships ...................................... 583
1052 - Domestic Violence Involving Law Enforcement Members ........................................ 586
1054 - Department Badges and Identification ....................... 593
1055 - Recognition/Retirement Policy ............................... 594
1056 - Modified Duty Assignments ................................... 595
1060 - Employee Speech, Expression and Social Networking ........................................ 599

Attachments .......................................................... 603
Chapter 1 - Law Enforcement Role and Authority
Law Enforcement Authority

100.1 PURPOSE AND SCOPE
The purpose of this policy is to affirm the authority of the members of the Pierce County Sheriff's Department to perform their functions based on established legal authority.

100.2 POLICY
It is the policy of the Pierce County Sheriff's Department to limit its members to only exercise the authority granted to them by law.

While this department recognizes the power of peace officers to make arrests and take other enforcement action, deputies are encouraged to use sound discretion in the enforcement of the law. This department does not tolerate abuse of law enforcement authority.

100.3 PEACE OFFICER POWERS
Sworn members of this department are authorized to exercise peace officer powers pursuant to applicable state law.

100.3.1 ARREST AUTHORITY
The arrest authority of the Pierce County Sheriff's Department includes (RCW 10.31.100):

(a) When a peace officer has probable cause to believe that a person has committed or is committing a felony, the peace officer shall have the authority to arrest the person without a warrant.

(b) A peace officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of a peace officer, except as provided in RCW 10.31.100 (e.g., when there is probable cause for certain offenses that involve domestic violence, driving under the influence, motor vehicle accidents).

(c) A peace officer may arrest a person in compliance with an arrest warrant after confirming the existence and extradition. A peace officer making an arrest must inform the person that the peace officer is acting under the authority of a warrant and must provide the person with a copy of the warrant at the time of the arrest or arrival at the holding facility.

100.4 INTERSTATE PEACE OFFICER POWERS
Peace officer powers may be extended to other states:

(a) As applicable under interstate compacts, memorandums of understanding or mutual aid agreements in compliance with the laws of each state.

(b) When a deputy enters Idaho or Oregon in fresh pursuit of a person believed to have committed a felony (Idaho Code 19-701; ORS 133.430).
When a deputy makes an arrest in Idaho or Oregon, the arresting deputy shall cause the person to be taken without delay to a magistrate in the county where the arrest was made (Idaho Code 19-702; ORS 133.440).

100.5 CONSTITUTIONAL REQUIREMENTS
All members shall observe and comply with every person’s clearly established rights under the United States and Washington Constitutions.

100.6 PEACE OFFICERS POWERS ACT
County sheriff's offices throughout the state of Washington have entered into a mutual aid agreement which allows commissioned officers to exercise police powers within the jurisdictions of other counties. The Peace Officers Powers Act of 1985 (RCW 10.93.070) states that ...

In addition to any other powers vested by law, a general authority Washington peace officer who possesses a certificate of basic law enforcement training or a certificate of equivalency or has been exempted from the requirement therefore by the Washington state criminal justice training commission may enforce the traffic or criminal laws of this state throughout the territorial bounds of this state, under the following enumerated circumstances:

1) Upon the prior written consent of the sheriff or chief of police in whose primary territorial jurisdiction the exercise of the powers occurs;

2) In response to an emergency involving an immediate threat to human life or property;

3) In response to a request for assistance pursuant to a mutual law enforcement assistance agreement with the agency of primary territorial jurisdiction or in response to the request of a peace officer with enforcement authority;

4) When the officer is transporting a prisoner;

5) When the officer is executing an arrest warrant or search warrant; or

6) When the officer is in fresh pursuit, as defined in RCW 10.93.120. [1985 c 89 ]

100.7 POWERS AND DUTIES OF SHERIFF
RCW 36.28.010 provides that "the Sheriff is the chief executive officer and conservator of the peace of the county. In the execution of his office, he and his deputies:

(1) shall arrest and commit to prison all persons who break the peace, or attempt to break it, and all persons guilty of public offenses;

(2) shall defend the county against those who, by riot or otherwise, endanger the public peace or safety;

(3) shall execute the process and orders of the courts of justice or judicial officers, when delivered for that purpose, according to law;
(4) shall execute all warrants delivered for that purpose by other public officers, according to the provisions of particular statutes;

(5) shall attend the sessions of the courts of record held within the county, and obey their lawful orders or directions;

(6) shall keep and preserve the peace in their respective counties and quiet and suppress all affrays, riots, unlawful assemblies and insurrections, for which purpose, and for the service of process in civil or criminal cases, and in apprehending or securing any person for felony or breach of the peace, they may call to their aid such persons, or power of their county, as they may deem necessary."

100.7.1  AUTHORITY TO APPOINT EMPLOYEES
The office of the Sheriff is comprised of the Sheriff and such administrative aides as may be necessary or prescribed. Certain staff offices and/or operational units may be assigned to report directly to the Sheriff. As the executive head of the department, the Sheriff has the authority to appoint deputies and employ other persons to assist him in carrying out the duties of his office.

100.8  SHERIFF'S COMMISSIONS - AUTHORITY AND RESTRICTIONS
Deputy Sheriffs will have the following authority and restrictions.

a. Deputy Sheriff- Full Deputy Sheriff commission 24 hrs a day.

b. Corrections Deputy- Full Deputy Sheriff commission when on assigned duty.

c. Reserve Deputy- Full Deputy Sheriff commission when on assigned duty.

d. Special Deputy- Limited Deputy Sheriff commission as specified at the time of the commissioning.
Law Enforcement Certification

102.1 PURPOSE AND SCOPE
All sworn deputies employed by the Pierce County Sheriff's Department shall obtain timely peace officer certification from Criminal Justice Training Commission (CJTC) by attending an approved basic law enforcement academy within the first six months of employment (RCW 43.101.095(1) and 43.101.200(1)).

Corrections Deputies shall complete a basic corrections academy as prescribed, sponsored, or conducted by CJTC within the initial six months of corrections employment unless otherwise extended or waived by the commission (WAC 139-10-210 and WAC 139-10-212).
Oath of Office and Objectives

104.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure that oaths, when appropriate, are administered to department members.

104.2 POLICY
It is the policy of the Pierce County Sheriff's Department that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.

All sworn members shall comply with the oath of office and agency policies, including the duty to be truthful and honest in the conduct of official business.

104.3 OATH OF OFFICE
All department members, when appropriate, shall take and subscribe to the oaths or affirmations applicable to their positions (RCW 43.101.021).

If a member is opposed to taking an oath, he/she shall be permitted to substitute the word “affirm” for the word “swear,” and the words "so help me God" may be omitted.

104.3.1 OATH
"I, (state name), do solemnly swear that I am a citizen of the United States and of the State of Washington; that I will uphold the constitution of the United States and the State of Washington. I will enforce the law and abide by the Law Enforcement Code of Ethics to the best of my skill, judgment and ability. I will faithfully, truly, diligently and impartially perform the duties of the office of (state office) as such duties are prescribed by law in and for Pierce County, so help me God."

104.4 MAINTENANCE OF RECORDS
The oath of office shall be filed in accordance with the established records retention schedule and any applicable state and/or local law. A copy of the oath of office will be placed in the member's personnel file.

104.5 DEPARTMENT OBJECTIVES
A society free from crime and disorder remains an unachieved ideal; nevertheless, consistent with the values of a free society, it is the primary objective of the Pierce County Sheriff's Department to, as closely as possible, approach that ideal. In so doing, the Department's role is to enforce the law in a fair and impartial manner, recognizing both the statutory and judicial limitations of police authority and the constitutional rights of all persons. It is not the role of the Department to legislate, to render legal judgments, or to punish.
Oath of Office and Objectives

104.5.1 FUNCTIONAL OBJECTIVES
The following are functional objectives of the Department in its continuing effort to protect and serve the population of Pierce County:

Prevention of Crime: Peace in a free society depends on voluntary compliance with the law. The primary responsibility for upholding the law, therefore, lies not with the police, but with the people. Since crime is a social phenomenon, crime prevention is the concern of every person living in society. Society employs full-time professional police to prevent crime, to deter it, and when that fails, to apprehend those who violate the law. Crime is a symptom of ills within society which are not the responsibility of the Department to cure. The Department is responsible, however, for interacting with the community to generate continued understanding so that there may be public support for crime prevention.

Deterrence of Crime: The Department deploys visible patrol units not only for the purpose of responding to calls for service, but also for the desirable deterrent effect these units have on crime. While there are certain crimes that cannot be deterred, crimes against property and against innocent victims in public places can be reduced by visible patrol units. Such crime is curbed by the potential criminal's fear of immediate apprehension or by the increased likelihood of his detection.

Apprehension of Offenders: The administration of criminal justice consists of the identification, arrest, prosecution, punishment, and rehabilitation of a law violator, and it has as its objective the voluntary compliance with the law as an alternative to punishment. Once a crime has been committed, it is the duty of the Department to initiate the criminal justice process by identifying and arresting the perpetrator, to obtain necessary evidence, and cooperate in the prosecution of the case.

Recovery and Return of Property: The actual costs of crime are difficult to measure. There cannot be a dollar value assigned to the broken bodies, ruined lives, and human misery which are its products. However, it is possible to observe the steadily mounting cost of lost and stolen property. This loss, as well as the other costs of crime, must ultimately be borne by its victims. To minimize the losses due to crime, the Department makes every reasonable effort to recover lost or stolen property, to identify its owners, and to ensure its prompt return.

Movement of Traffic: To facilitate the safe and expeditious movement of vehicular and pedestrian traffic, the Department must enforce traffic laws, investigate traffic accidents, and direct 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, when appropriate, traffic law violators. Traffic accidents are investigated to protect the rights of the involved parties, to care for the injured, to determine the causes of accidents so that methods of prevention may be developed and, when a traffic law violation is discovered, issue a notice of infraction or citation, and gather necessary evidence to prosecute the violator.

Public Service: 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 the County. For this reason, and because there is frequently a potential
Oath of Office and Objectives

for crime, the Department provides twenty four hour continuous service to the community. Further, 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, 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 or indicated by situation. In addition, it is important that the Department keep the public informed of its activities, especially where problems occur that the public may encounter.
Law Enforcement Code of Ethics/Principles

105.1 INTRODUCTION
The public demands exemplary conduct from all police personnel. Although public scrutiny is particularly intense for uniformed personnel, it includes all employees. The actions of any employee of this Department which are found or perceived to be unjustified or illegal will be criticized more severely than comparable actions by persons in other occupations. For these reasons, rules must be established to govern the conduct of all employees on and off duty.

105.2 LAW ENFORCEMENT CODE OF ETHICS
As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will be an example to all and will behave in a manner that does not bring discredit to me or to 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 both in 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 feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

105.3 PIERCE COUNTY SHERIFF'S DEPARTMENT PRINCIPLES
The Pierce County Sheriff's Department maintains a high level of professional and ethical standards for its employees. Below are listed four basic principles to be upheld by members of this agency.

1. INTEGRITY IS OUR WAY OF LIFE;
Our officers and employees will conduct themselves in the highest ethical manner in all relationships with fellow officers, employees, and citizens. This is consistent with the highest of standards established by the Law Enforcement Code of Ethics.

2. QUALITY OF SERVICE AND OF CITIZEN SUPPORT IS FUNDAMENTAL;

We will set the law enforcement standards with our quality of service, and will continuously strive to improve the quality of everything we do.

3. PEOPLE ARE OUR KEY RESOURCE;

The department's future depends on the dedication, the innovation, and the productivity of our employees. Each employee is to be treated with fairness, trust and respect.

4. TECHNICAL EXCELLENCE MUST BE OUR WATCHWORD;

Technical excellence must characterize our department's processes.
Policy Manual

106.1 PURPOSE AND SCOPE
The manual of the Pierce County Sheriff's Department is hereby established and shall be referred to as "the Policy Manual" or the manual. The manual is a statement of the current policies, rules, and guidelines of this department. All members are to conform to the provisions of this manual.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, procedures, orders and other regulations that have not been included herein shall remain in effect provided that they do not conflict with the provisions of this manual.

Bureaus and units are encouraged to develop procedures manuals to supplement this policy manual. The procedure manual shall not conflict with the policy manual. The policy manual will supersede all procedure manuals.

106.2 POLICY
Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and circumstances may arise which warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably available at the time of any incident.

106.2.1 DISCLAIMER
The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Pierce County Sheriff's Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the County, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for department administrative action, training or discipline. The Pierce County Sheriff's Department reserves the right to revise any policy content, in whole or in part.

106.2.2 COMMAND STAFF
Command Staff that will review manual updates and changes shall consist of the following:

- Sheriff
- Undersheriff
- Patrol Bureau Chief
- Administrative Bureau Chief
- Criminal Investigations Bureau Chief
Policy Manual

- Corrections Bureau Chief
- Legal Advisor

The command staff shall review at Chief's meetings all recommendations regarding proposed changes to the manual at staff meetings.

106.3 AUTHORITY
The Sheriff shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Sheriff or the authorized designee is authorized to issue General Orders, which shall modify those provisions of the manual to which they pertain. General Orders shall remain in effect until such time as they may be permanently incorporated into the manual.

106.3.1 ACCEPTABLE ABBREVIATIONS
The following abbreviations are acceptable substitutions in the manual:
- General Orders may be abbreviated as "GO".
- Policy Manual sections may be abbreviated as "Section 106.X" or "§ 106.X".

106.3.2 DEFINITIONS
The following words and terms shall have these assigned meanings, unless it is apparent from the content that they have a different meaning:

**Adult** - Any person 18 years of age or older.

**Bureau** - The primary subordinate organizational segment of the Department.


**Chief** - The officer in charge of a Bureau within the Pierce County Sheriff's Department.

**Civilian Employee** - Any person employed by the Pierce County Sheriff's Department who is not a commissioned officer.

**Classified Employees** - Those employees of the Department who are governed by the Civil Service Rules.

**Commanding Officer** - An officer holding the rank of Lieutenant or higher with functional command of a section or unit. A commanding officer has supervision and control over all members and employees of the Department assigned to his command.

**Corrections Deputy** - A person duly appointed and commissioned as a Corrections Deputy within the Pierce County Sheriff's Department.

**County** - The County of Pierce.

**CJTC** - The Criminal Justice Training Commission.
Department /PCSD - The Pierce County Sheriff's Department.

Deputy/Sworn - Those employees, regardless of rank, who are sworn employees of the Pierce County Sheriff's Department.

Detachment - A group of Deputies assigned in a specific geographical area on a permanent basis separate from the main Patrol.

District - A secondary geographical designator.

DOL - The Department of Licensing.

Employee/Personnel - Any person employed by the Department.

Exempt employees - Employees who are exempt by law from the County Civil Service Rules and applicable civil service statutes.

Juvenile - Any person under the age of 18 years.


May - Indicates a permissive, discretionary or conditional action.

Member - Any person who is employed or appointed by the Pierce County Sheriff's Department including sworn deputies, reserve deputies, civilian employees, classified employees and volunteers.

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

On-Duty - Employee status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

Rank - The job classification held by a deputy.

RCW - The Revised Code of Washington

Section or Unit - The subdivision of a Bureau. Personnel within a section or unit are assigned to perform specialized functions and duties.

Shall or Will - Indicates a mandatory action

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform

Substation - A physical location which houses a specific unit of the Sheriff's Department separate from the Headquarters or Precinct. Provides a lesser level of service than a Precinct or Headquarters.
**Supervisor** - An officer holding the rank of Sergeant or an employee designated by his commanding officer to be in charge of a particular shift, section, unit, squad, program, or service.

**U.S.C.** United States Code

**WAC** - The Washington Administrative Code

**WSP** - The Washington State Patrol

### 106.4 POLICY MANUAL ACCEPTANCE
As a condition of employment, all employees are required to read and obtain necessary clarification of this department's policies. Each member is required to sign a Statement of Receipt acknowledging that they have online access to a copy of the Policy Manual and understand they are responsible to read and become familiar with its contents.

### 106.5 KNOWLEDGE OF MANUAL CONTENTS
It is the responsibility of all employees of the Department to have knowledge of all policies, procedures, and regulations contained in this Policy Manual that are applicable to their individual job classifications and/or work they are performing or activities they engage in.

### 106.6 ISSUING THE POLICY MANUAL
An electronic version of the Policy Manual will be made available to all members for viewing and printing. No changes shall be made to the manual without authorization from the Sheriff or the authorized designee.

Each member shall acknowledge that he/she has been provided access to and has had the opportunity to review the Policy Manual and General Orders. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

### 106.7 REVISIONS TO POLICIES
All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all Policy Manual revisions.

Each Bureau Chief will ensure that members under his/her command are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Bureau Chiefs, who will consider the recommendations and forward them to the command staff as appropriate.

### 106.8 PERIODIC REVIEW OF THE POLICY MANUAL
The Sheriff will ensure that the Policy Manual is periodically reviewed and updated as necessary.
Policy, Procedure, Rule or Regulation

107.1 PURPOSE AND SCOPE
The purpose of this policy is to illustrate the difference between policy, procedure, and rule or regulation, and also to illustrate the intended usage of these terms as they apply to the directives contained in this Manual. The importance of distinguishing these terms is stressed for those who have both authority and obligation to establish and develop written directives, as well as for those who are guided by the use of them.

107.2 POLICY
Policy consists of principles and values which guide the performance of Department activity. Policy is not a statement of what must be done in a particular situation; rather, it is a statement of guiding principles which should be followed in activities which are directed toward the attainment of Department objectives.

Policy is formulated by analyzing objectives and determining those principles which will best guide the Department in achieving its objectives. Policy is based upon police ethics and experience, the desires of the community, and the mandate of the law.

Policy is articulated to inform the public and Department personnel of the principles which are to be adhered to in the performance of the law enforcement function. Additionally, policy establishes operational standards to assist Department personnel in the necessary exercise of discretion in discharging their responsibility.

A Deputy in the performance of his duty is confronted with an infinite variety of complex situations which require police action. Policy is meant to be broad enough in scope to encompass most situations. Policy, therefore, must be stated in general terms.

107.3 PROCEDURE
A procedure is a method of performing an operation or a manner of proceeding on a course of action. It differs from policy in that it directs action in a particular situation within the guidelines of policy. Policy establishes limits of action while procedure directs proper response within those limits.

107.4 RULE OR REGULATION
Rules or regulations are specific prohibitions or requirements which are stated to prevent deviations from policy or procedure. Rules or regulations will allow little deviation other than for stated exceptions or extreme circumstances.
Chapter 2 - Organization and Administration
Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE
The organizational structure of this department is designed to create an efficient means to accomplish our mission and goals and to provide for the best possible service to the public.

200.2 BUREAUS
The Sheriff is responsible for administering and managing the Pierce County Sheriff's Department. There are four bureaus in the Sheriff's Department as follows:

- Administrative Services Bureau
- Patrol Bureau
- Criminal Investigations Bureau
- Corrections Bureau

200.2.1 ADMINISTRATIVE SERVICES BUREAU
The Administrative Services Bureau is commanded by a Chief whose primary responsibility is to provide general management, direction, and control for the Administrative Services Bureau which includes the Business Unit, Contract Services, Information Technology Unit, Court Security, Property Room, Civil Unit, Support Staff, Training Unit and Background Investigation Unit.

200.2.2 PATROL BUREAU
The Patrol Bureau is commanded by a Chief whose primary responsibility is to provide general management, direction, and control of Patrol Bureau which consists of Patrol, Contract Entities, and Community Support Programs.

200.2.3 CRIMINAL INVESTIGATIONS BUREAU
The Criminal Investigations Bureau is commanded by a Chief whose primary responsibility is to provide general management, direction, and control for Criminal Investigations.

200.2.4 CORRECTIONS BUREAU
The Corrections Bureau is commanded by a Chief whose primary responsibility is to provide general management direction and control for the Corrections Bureau which consists of the Tacoma Avenue Jail facility, Yakima Avenue Jail facility, Program Services and Health Services.

200.3 COMMAND PROTOCOL
To ensure unity of command, clearly defined lines of authority must be drawn so that there exists a structural relationship between each employee and the Sheriff. Each employee must be aware of his relative position in the organization, to whom he is immediately responsible, and those persons who are accountable to him. Employees should strive at all times to operate within the chain of
command and to keep their supervisors informed as to their activities; however, the Sheriff is available by appointment to all employees of the Department.

200.3.1 SUCCESSION OF COMMAND
The Sheriff exercises command over all personnel in the Department. During planned absences the Sheriff will designate the Undersheriff or a Bureau Chief to serve as the acting Sheriff.

Except when designated as above, the order of command authority in the Operations and Administrative Services Bureaus in the absence or unavailability of the Sheriff is as follows:
(a) Undersheriff
(b) Patrol Bureau Chief
(c) Administrative Services Bureau Chief
(d) Criminal Investigations Bureau Chief
(e) Administrative Services Captain
(f) Senior Patrol Shift Lieutenant
(g) Senior Patrol Shift Sergeant
(h) Senior Shift Deputy

Except when designated as above, the order of command authority in the Corrections Bureau in the absence or unavailability of the Sheriff is as follows:
(a) Undersheriff
(b) Corrections Bureau Chief
(c) Main Jail Captain
(d) New Jail Captain
(e) Senior Shift Lieutenant
(f) Senior Shift Sergeant

200.3.2 UNITY OF COMMAND
The principles of unity of command ensure efficient supervision and control within the Department. Generally, each employee shall be accountable to one supervisor at any time for a given assignment or responsibility. Except where specifically delegated authority may exist by policy or special assignment (e.g., K-9, SWAT), any supervisor may temporarily direct any subordinate if an operational necessity exists.

200.3.3 ORDERS
Members shall respond to and make a good faith and reasonable effort to comply with the lawful order of superior officers and other proper authority. Members shall not obey any order which they know or should know would require them to commit any illegal act. If in doubt as to the legality of
an order, members shall request the issuing supervisor to clarify the order or confer with higher authority.

Whenever a command officer or senior employee, in the necessary performance of duty, gives an order to any subordinate member not attached to his/her unit or assignment, that senior employee must exercise care that such an order does not unnecessarily conflict with those of the commanding officer of that bureau to which the member is assigned.

Members who are given an otherwise proper order which is in conflict with a previous order, rule, or regulation shall respectfully inform the supervisor or superior officer issuing the order of the conflict. If the superior officer or supervisor issuing the order does not alter or retract the conflicting order, the order shall stand. Under these circumstances, the responsibility for the conflict shall be upon the superior officer or supervisor. Members shall obey the conflicting order, and shall not be held responsible for disobedience of the previously issued order, rule or regulation.

Whenever orders so given require the member receiving the same to leave his or her regularly assigned duty, the senior employee or command officer giving such order will as soon as practicable inform such subordinate’s commanding officer of the action taken.

200.3.4 WRITTEN DIRECTIVES PREFERABLE
Written directives should be used in preference to oral direction whenever feasible, since they have the quality of permanence. Written directives are less subject to misinterpretation, since they are disseminated to personnel throughout the whole organization, or a specific group according to specific purpose. When properly controlled, written directives constitute virtually unassailable evidence of the assignment of duties and responsibilities, a factor which must be considered because of today’s legalistically oriented disciplinary procedures. In addition, written directives can be utilized by intermediate echelons of supervisors as resources in the management of their functional areas.

It is essential that written directives communicate desired information to concerned employees as accurately as possible; therefore, directives must be well researched, properly drafted, and subjected to staff review for concurrence. Well-written directives satisfy the three most fundamental precepts of management: planning, direction, and control.

200.3.5 COMMAND DUTY OFFICER
Command Duty Officers (CDO) are available 24-hours a day in both the Patrol Bureau and in the Corrections Bureau. On-duty supervisors are expected to notify and consult with the CDO when significant incidents occur. The CDO is primarily responsible for representing the Sheriff, Undersheriff or Bureau Chiefs during non-business hours.

The CDO is responsible to notify the Sheriff, Undersheriff or Bureau Chief(s) when unusual events or major crimes occur (see Major Incident Notification Policy 358.3.1 for CDO notification In Operations).
The Corrections CDO has the additional duty to notify the Operations CDO of unusual or serious incidents within the Jail (see Major Incident Notification Policy 358.3.2 for CDO notification In Corrections).

200.3.6 COMMISSIONED AND NON-COMMISSIONED RANKS
DEPARTMENT RANK STRUCTURE - POSITION DESCRIPTIONS

The following ranks of authority will establish the chain of command within the Pierce County Sheriff's Department:

SHERIFF

Under Pierce County Charter, the Sheriff is elected by the citizens of Pierce County. The Sheriff shall be viewed as the Chief Executive Officer of the department. The Sheriff is responsible for the overall operation, direction, and leadership of the department.

UNDERSHERIFF

The Undersheriff is appointed by the Sheriff and is responsible for organizing and managing the department as necessary to accomplish its purposes and objectives.

BUREAU CHIEF

Bureau Chiefs are appointed by the Sheriff and are accountable for all activities within their Bureau.

CONTRACT CHIEF

Contract Chiefs are appointed by the Sheriff and are accountable for all activities within their contract city or entity. Contract Chiefs may have an internal civil service ranking of Sergeant or higher, depending on the size of the contract. They will revert to their civil service ranking upon completion of their service as contract chief.

MAJOR

Majors are appointed by the Sheriff and are accountable for all activities within their area of assignment. Depending on their assignment, they may be directly responsible to the Sheriff, Undersheriff or a Bureau Chief.

CAPTAIN

Captains are appointed by the Sheriff from a certified Civil Service promotional list and have responsibility and accountability for their units.

LIEUTENANT

Lieutenants are appointed by the Sheriff from a certified Civil Service promotional list, and are responsible and accountable for their shift, sections and units. Lieutenants may be designated as a "Contract Chief" in contract cities.

SERGEANT
Organizational Structure and Responsibility

Sergeants are appointed by the Sheriff from a certified Civil Service promotional list. Sergeants are responsible for first level supervision in their respective area of assignment. Within the Operations Bureau, Corrections Bureau, and the Services Bureau, Sergeants supervise sections or units and perform certain administrative tasks. Within specialized sections or units, sergeants may supervise professional staff. Sergeants may serve as "Contract Chief" in a contract city or entity. Unless otherwise designated, Sergeants and Detective Sergeants are to be viewed as equal in rank.

NON-COMMISSIONED SUPERVISORS OR MANAGERS

Non-commissioned supervisors or managers may be appointed to fulfill both first-line supervisory responsibilities and unit management responsibilities in specialized units or administrative functions of the department.

DETECTIVE SERGEANT

Detective Sergeants are appointed by the Sheriff from a certified Civil Service promotional list. Within the Criminal Investigations Bureau, Detective Sergeants may supervise detectives, deputies and professional staff. Detective Sergeants may also serve as Contract Chiefs in a contracting agency or entity. Unless otherwise designated, Detective Sergeant and Sergeants are to be viewed as equal in rank.

DETECTIVE

Detectives are appointed by the Sheriff from a certified Civil Service promotional list.

DEPUTY SHERIFF

Deputy Sheriffs are appointed by the Sheriff from a certified Civil Service list.

CORRECTIONS DEPUTY

Corrections Deputies are appointed by the Sheriff from a certified Civil Service list.

COMMUNITY SERVICE OFFICERS (CSO)

Community Service Officers (CSO) are appointed by the Sheriff from a certified Civil Service list.

PROFESSIONAL SUPPORT STAFF

Professional Support Staff are appointed by the Sheriff from a Civil Service list and assigned to non-commissioned positions. They perform functions other than those of sworn personnel and may be supervised by commissioned or non-commissioned supervisory staff in their unit.

RESERVE DEPUTY

Reserve Deputies are appointed by the Sheriff.

SPECIAL DEPUTY SHERIFF COMMISSION

The Sheriff may issue Special Deputy Sheriff Commissions to employees of the department or to persons outside of the department who have a need to have limited law enforcement authority.
The holders of special commissions shall have power and authority to perform certain acts only as specified on their individual commission card.

UNCLASSIFIED POSITIONS

The Sheriff may appoint individuals to positions designated as "unclassified service". Those positions may be commissioned or non-commissioned. That person may be appointed to manage a specific bureau, function, department or assignment and may supervise others or be supervised by others. Each such person is accountable to the Sheriff, or other person as designated by the Sheriff, for all activities within that assignment.

AUXILIARY PERSONNEL

Auxiliary personnel are those persons who are not given sworn officer duties or status. Auxiliary personnel either donate their time to the department or are paid for their services by another agency and function in an auxiliary capacity. These volunteer employees do not supplant shift assignments or normal work assignments for sworn officers. They are subordinate to regular employees. Their function in the department varies according to their assignment. They may wear uniforms for their particular organization or function, but their uniforms are clearly distinguishable from those worn by commissioned officers. It is the duty of the bureau utilizing the volunteer to ensure that any formal training necessary is provided.

200.4 DEPUTY SHERIFF COMMISSIONS

The Pierce County Sheriff’s Department utilizes four types of deputy sheriff commissions as described below;

REGULAR COMMISSION

Issued to full time Deputy Sheriff employees with the full power and authority of the Sheriff as prescribed in RCW 36.28.020.

REGULAR COMMISSION W/ RESTRICTIONS

Issued to sheriff employees (Reserve Deputies; Corrections Deputies; Animal Control Officers; Community Service Officers) with restrictive power and authority commission card language. This commission does not expire annually.

SPECIAL DEPUTY SHERIFF COMMISSION

Issued to selected sheriff's department employees, civilian volunteers, outside agency law enforcement officers and other selected individuals with a specific law enforcement need to enforce some or all of the criminal laws of the State of Washington. Special Deputy commissions have restrictive language on the commission card that identifies the limited law enforcement authority of the commission holder. Special Deputy Sheriff commissions expire annually on December 31st and must be renewed to be in effect in the new year.
200.4.1 ANNUAL REPORTING OF SPECIAL DEPUTY SHERIFF COMMISSIONS
The Forensics Unit supervisor is required to submit to the Undersheriff prior to January 15th each year, a report of all Special Deputy Sheriff commissions in effect by that date. The report will include the name, agency if any and the law enforcement authorities granted to the special deputy sheriff commission holder.

The list shall include the names of commission holders who failed to renew the commission prior to the annual expiration date.
Fiscal Management

201.1 PURPOSE AND SCOPE
By County Charter, the Chief Executive Officer of the County is vested with budget and fiscal control for the entire county. Each department head is delegated the budget management for his department. In the case of the Sheriff's Department, the Sheriff has the ultimate responsibility for fiscal management of the Sheriff's Department.

201.1.1 BUDGET PREPARATION
By County Charter, all financial considerations in the operation of the County are reserved to the County Council with administration by the County Executive. The Sheriff, with the direction from the Executive and the Budget and Finance Department, is responsible for budget preparation for the Department. After input from Bureau Chiefs and unit supervisors, the Sheriff will present the proposed budget to the Budget and Finance Director. The Sheriff or his designee may be required to respond to questions or testify before the Budget Director, the Executive, or the County Council to justify the proposed budget prior to approval.

201.2 FISCAL RESPONSIBILITY
The Undersheriff is responsible for the overall fiscal management of the Sheriff's Department budget. In general, each Bureau Chief is responsible for monitoring the fiscal activities of their respective Bureau.

201.2.1 FISCAL RECORDS
Records of expenditures, budget status, revenues, special funds and other financial records will be maintained by the Administrative Services Budget Manager. Internal monitoring is accomplished through the use of computerized budgetary records which are kept current and provide records of initial appropriation, balances, expenditures and encumbrances and unencumbered balances.

201.3 PAYROLL
Supervisor’s are required to approve all timecards in Workday. Prior approval by a supervisor is required for all overtime.

201.4 PURCHASING
Each Program Manager shall make the final decision pertaining to authorization of purchases and funds disbursement within their budget. Program Managers are responsible to monitor expenditures and to maintain a working knowledge of budgeting, purchasing and bidding requirements and capital outlay restrictions. All services, supplies, and equipment for the department will be ordered using the County’s electronic on-line financial system, (except as listed below) which has an approval process and generates a requisition and purchase order number. Employees who receive goods shall ensure that packing slips and invoices reflect the actual goods received, date and sign the slips accordingly, and forward immediately to the Business Unit.
201.4.1 COUNTY (CREDIT) PURCHASE CARD PROGRAM
Pierce County provides purchase (credit) cards to department personnel approved by the Sheriff. Purchase card use is strictly governed by Budget and Finance guidelines. Purchases are limited to a maximum of $2,500 per transaction. The card user must maintain a purchase card transaction log for all purchases and ensure that a purchase order is created for the monthly card bill.

201.5 FIXED ASSET INVENTORY
Annually department personnel shall perform an inventory of fixed assets. Budget and Finance provides the fixed asset inventory documents for this inventory. Personnel assigned fixed assets shall complete the annual inventory and certify the items are on hand or a record of their disposition. Personnel are required to notify Budget and Finance of disposal of fixed assets utilizing Fixed Asset Control Forms.

201.6 AUDITS
Periodic audits occurring not less than annually of accounts, funds, and transactions are conducted according to federal and state guidelines. Independent auditing is conducted by the State Auditor in compliance with RCW 43.09.260
Department Management

203.1 ADMINISTRATION OF THE DEPARTMENT
Department administration involves the efficient and economic management of a large, complex organization, which performs its functions through the acts of its employees. Department functions involve the interaction of people, not only within its ranks, but in all personal contacts between its employees and members of the public. Department administration is, therefore, occupied to a large extent with improving the ability of its employees to properly perform the police task, and with strengthening the relationship which exists between all employees and the public they serve. Thus, recognition of the human factor is an administrative challenge in the Department's effort to provide a consistent and professional police response to the community's law enforcement needs.

Department personnel are required to make decisions involving the public and other employees in response to both administrative and operational problems. The decision process involves more than loyalty; it requires an insight into the objectives and purposes of which the task is to be performed and the objectives achieved. Decisions must be a balance of involved interests, considering what is best for the public, the Department, and any individual involved. This decision must then result in effective action directed toward the accomplishment of the Department's objectives. The requirement that such insight be exercised is implicit in all decision making, and it is the thread which binds the complex and difficult law enforcement task into a coordinated and effective force.

203.2 COMMAND RESPONSIBILITY
A commanding officer has responsibility and accountability for every aspect of his command. Within policy guidelines and legal constraints, he has the authority to coordinate and direct assigned personnel and other allocated resources in achieving his organizational objectives. In so doing, he should perform the full range of administrative functions, relying upon policy, direction, training, and personal initiative to guide him and his command in achieving the highest level of performance possible.

203.3 COMMAND INSPECTION AND CONTROL
Management inspection and control are necessary to ascertain if command policies, procedures, and regulations are adequate and being adhered to, whether Department resources are adequate and are being properly utilized, to evaluate the overall performance and attitude of the Department, and to ensure that Department organizational needs are being met.

Additionally, it is the responsibility of each commanding officer to continually conduct inspections within his command to ensure the proper performance of assigned personnel and the most efficient use of assigned equipment, material, and facilities; and to maintain the organizational viability of his command through constant evaluation. Merely finding fault is not inspecting. Therefore, a commanding officer's responsibility does not end with discovering a deficiency or inadequacy; it includes taking positive measures to correct the problem.
203.4 COMMAND BUDGET REQUESTS
Budgeting is a continuous process which is the responsibility of each commanding officer. It involves the identification of objectives and the determination of organizational needs based upon a reasonable evaluation of future requirements. Commanding officers communicate their organizational needs by means of budget requests. It is the responsibility of commanding officers to weigh their needs carefully and to present budget estimates which incorporate reasonable and economically sound requests. If an item is requested on the basis that it will improve the standard of service, the justification should show conclusively that this objective will be reached and that the cost of the item will be returned in some concrete manner, such as the rendering of decidedly superior service to the public or by an actual saving of money over a period of time.

203.5 COMMAND LIAISON WITH COMMUNITY
Commanding officers have a responsibility to maintain professional and community contacts as they relate to their command. As a representative of the Department, commanding officers should take an active role in the community of their command, and participate in identifying and providing for its law enforcement needs.

203.6 COMMAND CONCERN FOR EMPLOYEE WELFARE
The nature of command is such that there must be a coexisting loyalty to the management of the Department and to subordinates. The resolution of those loyalties, in a manner which benefits both the Department and the individual, and which avoids conflicts between the two interests, requires the exercise of leadership. An interest in employees and their welfare is a responsibility of command, which may extend beyond morale problems and their effect upon an individual's performance. It includes a concern for the personal problems, desires, and interests of employees and positive assistance in resolving those problems or in achieving their goals. However, commanding officers should be cautious to avoid interfering where assistance is not required or desired.

203.7 COMMAND POLICY ON DISCIPLINE
One of the primary tasks of a commanding officer is the administration of discipline. Discipline can be positive or negative; it may involve encouragement, inspiration, training or imposition of negative sanctions. It has as its immediate purpose the channeling of individual effort into effective and productive action.

The exercise of positive discipline requires foresight and planning, rather than merely reaction. It involves an evaluation of the human factor which, when combined with proper training, motivation, and recognition of individual and group effort, results in self-discipline.

Disciplinary means may range from a warning, where the immediate effect is on the individual, to termination, where the positive result derived is in the reassurance to other employees as to unacceptable limits of misconduct. In each case care must be exercised to make the proper choice in obtaining a desired and just result.
A commanding officer should consider the totality of the circumstances surrounding the allegation of misconduct in making a determination whether the original action or conduct which prompted the complaint was not only legal but whether, under the circumstances, it was necessary and proper as well. His decision should also take into consideration the employee's interest and the probable effect of the disciplinary action upon the attainment of Department objectives.

To be effective, discipline must not only be fair in its application, it must also follow within a reasonable time the act which it is intended to correct. Therefore, there should be a prompt resolution of disciplinary cases.

203.8 TRANSFER OF COMMAND
Upon assuming a new assignment and continually thereafter, a commanding officer should critically evaluate all aspects of his command. He should review existing policies, procedures, and programs to determine if the need for which they were enacted remains unchanged. Existing budget requests should be reviewed to ensure that any changes made or contemplated have not rendered the requests obsolete.

Upon a change of command, the commanding officer being replaced has a duty to lend his full assistance in making the command transition as smoothly and orderly as possible. Orientation of a new commanding officer should include information concerning unique problems of the command and assistance in continuing community and professional contacts relative to the command.

203.9 FUNCTIONAL AND/OR STAFF SUPERVISION AND AUTHORITY
The particular authority delegated or granted to ranking officers is not confined to their respective area of assignment, but shall include supervision over all officers and civilian employees of the Department as may be necessary for efficient administration. Ranking officers should avoid giving direct commands to personnel not assigned to their control, except where it is necessary (in an emergency).

Field supervision begins with the senior Deputies of the Department, and it is upon them that the primary burden of training and supervising less experienced Deputies is placed. A field Sergeant is the first level of full-time supervision, and it is his primary responsibility to guide, train, direct, and motivate those over whom he has control.

203.10 ACTING COMMANDERS
Personnel temporarily filling the position of a superior in an acting capacity, shall be vested with all the authority and responsibility of the position.

203.11 COMMUNITY RELATIONS
Community relations are based upon the principle that in a democratic society, the police are an integral and indivisible element of the public they serve. Community relations are manifested by positive interaction between the people and the police, and represents their unity and common purpose.
Department Management

A system of law and its enforcement is not superimposed upon an unwilling public in a free society; the law is created by the people themselves to control the behavior of those who would seek to interfere with the community welfare and existence.

While the primary responsibility for the enforcement of the law lies with the people, the complexities of modern society and the inability of the people to personally cope with crime has required that they create the police service to assist in maintaining social order. The police represent only a portion of the total resources expended by the public to this end; however, this effort, frequently being restrictive of individual freedom, brings the police into contact with members of the public under circumstances which have a far-reaching impact upon the lives of the affected individuals. A citizen's encounter with the police can be a very frightening and emotionally painful experience, and under these circumstances, the risk of a misunderstanding is very great. The minimization of this risk is a challenge intrinsic in each public contact by the Department.

The Department must strive for the establishment of a climate where an officer may perform his duties with the acceptance, understanding, and approval of the public. Additionally, the willing and practiced participation of the people in enforcing the law is essential for the preservation of freedom.

203.12 INDIVIDUAL DIGNITY
A recognition of individual dignity is vital in a free system of law. Just as all persons are subject to the law, all persons have a right to dignified treatment under the law, and the protection of this right is a duty which is as binding on the Department as any other.

An officer or employee must treat a person with as much respect as that person will allow, and he must be constantly mindful that the people with whom he is dealing are individuals with human emotions and needs. Such conduct is not a duty imposed in addition to an officer's or employee's primary responsibilities; it is inherent in them.

203.13 ROLE OF THE INDIVIDUAL OFFICER AND EMPLOYEE
Community relations is manifested in its most common form in the numerous daily encounters between individual officers or employees and citizens. It is at this level that reality is given to the unity of the people and the police, and where the greatest burden or strengthening community relations is laid.

In dealing with people, each officer and employee must attempt to make his contact one which inspires respect for himself as an individual and professional, and one which generates the cooperation and approval of the public. While entitled to his personal beliefs, an officer or employee cannot allow his individual feelings or prejudices to enter into public contacts.

However, since an officer's or employee's prejudices may be subconsciously manifested, it is incumbent upon him to strive for the elimination of attitudes which might impair his impartiality and effectiveness.
203.14 CONCEPT OF COMMUNITY POLICING
The philosophy of the Pierce County Sheriff's Department on community policing is based on the concept that police officers and private citizens, working together in creative ways, can help solve contemporary community problems related to crime, fear of crime, social and physical disorder, and neighborhood decay. Community policing shifts the focus of police work from handling random calls to solving community problems. It rests on the belief that only by working together will the Pierce County Sheriff's Department and the citizens of Pierce County be able to improve the quality of life in the community, with the department not only as enforcers, but also as advisors, facilitators, and supporters of new community-based, police-supervised initiatives.

This philosophy provides a new way for the police to provide decentralized and personalized police service that offers every law-abiding citizen an opportunity to become active in the police process. This is one of the essential tenets of policing in America today.

203.15 EQUALITY OF ENFORCEMENT
Pierce County is one of the most populated counties in the state of Washington, with people of differing ethnic and sociological backgrounds living throughout the County in areas that may be highly urban in nature or rural. Because crime problems differ, the law enforcement needs of dense urban business areas differ from rural areas. However, all persons in all areas of the County have in common the need for the protection which is afforded by fair and impartial law enforcement.

Additionally, as a person moves throughout the County, he must be able to expect a similar police response to his behavior, wherever it occurs. Where the law is not evenly enforced, there follows a reduction in respect for the law, and a resistance to its enforcement.

In order to respond to varying law enforcement needs in the different areas of the county, the Department must have flexibility in deployment and methods of enforcement; however, enforcement policies should be formulated on a county-wide basis and applied uniformly in all areas.

Implicit in uniform enforcement of law is the element of evenhandedness in its application. The amount of force used or the method employed to secure compliance with the law or to make arrests, is governed by the particular situation. Similar circumstances require similar treatment in all areas of the County and for all groups and individuals.

To ensure equal treatment in similar situations, all officers and employees must be alert to situations where, because of a language barrier or for some other reason, they may be called upon to display additional patience and understanding in dealing with what might otherwise appear to be a lack of response.

203.16 RESPONSIVENESS TO THE COMMUNITY
The Department must be responsive to needs and problems of the community. While the Department's task is governed by the law, the policies formulated to guide the enforcement of the law must include consideration of the public will. This responsiveness must be manifested at all
levels of the Department by a willingness to listen and by a genuine concern for the problems of individuals or groups. The total needs of the community must become an integral part of the programs designed to carry out the mission of the Department.

203.17 OPENNESS OF OPERATION
Law enforcement operations in a free society must not be shrouded in secrecy. It is necessary that there be full public disclosure of policies and an openness in matters of public interest. Consistent with protection of the legal rights of involved individuals and with consideration of the necessity for maintaining the confidentiality of Department records and of other primary Department responsibilities, the Department is to disseminate accurate and factual accounts of occurrences of public interest. Additionally, the Department must strive to make known and accepted its objectives and policies.

203.18 INTERPERSONAL COMMUNICATION
To promote understanding and cooperation there must be interpersonal communication between members of the community and employees at all levels of the Department. Each employee must be aware of the law enforcement needs of the community and his particular assigned area of responsibility. Guided by policy, an officer or employee must tailor his performance to attain the objectives of the Department and to solve the specific crime problems in the area he serves. The Department must provide for programs to encourage productive dialogue with the public at all levels and to ensure that the unity of the police and the people is preserved.

203.19 TRAINING IN HUMAN AND COMMUNITY RELATIONS
The selection process for Deputy Sheriffs, Corrections Officers, and Non-Commissioned Employees is designed to choose the most qualified and to eliminate those who are physically, emotionally, mentally, or socially unfit. Those selected, however, are representative of the community at large and, as such, are subject to having the same prejudices and biases found in much of society. Exposure to crime and its aftermath can tend to harden and render insensitive an officer whose sympathetic understanding is needed to properly perform his duties. The Department must provide initial and continuing training in human and community relations to help employees avoid this hardening of attitude, and to imbue in each officer an understanding of his total role in the community.

203.20 CRITICISM OF THE CRIMINAL JUSTICE SYSTEM
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 other law enforcement or prosecution agencies.
Department Management

or individual members of the judiciary. However, it is not intended that there be any infringement of an employee’s right to express his personal views regarding the criminal justice system in general or any trends which seem destructive of its efficacy.
Contract Services

205.1 PURPOSE AND SCOPE
The Contract Services Unit is responsible for negotiating, managing, and processing contracts and grants for the Department.

205.1.1 CONTRACTUAL AUTHORITY
Pierce County Sheriff Department provides contract services that include provision of law enforcement personnel to a variety of agencies, schools, and municipalities. The Unit contracts with various entities for specialized services and jail services.

The Contract Services Unit reports to the Chief of Services and is responsible for research, application, and acceptance of various grants on an annual basis. Grants include application for full-time employees, equipment, and technology. In addition, the unit is responsible for securing contracts for services provided to the Sheriff's Department.

The Unit's focus is on generation of additional revenue and service, which may equate into additional full-time employees and/or opportunities to enhance and grow the Department.

The Department has the capability to provide a large number of full-time employees as a complete police services package or an individually tailored assignment of one full-time employee to serve in a variety of settings (i.e., schools, interim police chiefs, etc.).

The Unit serves as a resource for the contract customers to resolve contract issues between Pierce County and the customer. The Unit is responsible for creating marketing materials that illustrate the advantages to contracting, designed specifically for the audience it may serve. The Unit conducts continual customer inquiries to maintain the health of each contract.
Continuity of Operations (COOP)

206.1 PURPOSE AND SCOPE
The Department has prepared a Continuity of Operations Plan (COOP) for use by all employees in the event of a major disaster, civil disturbance, mass arrest or other emergency event. The manual provides for a strategic response by all employees and assigns specific responsibilities in the event the plan is activated.

The County-Wide Comprehensive Emergency Management Plan (CEMP) is written in accordance with the State of Washington's comprehensive emergency management plan and program, and has been approved for local use (RCW 38.52.070). This plan provides guidance for County emergency operations within and outside its borders.

206.2 ACTIVATING THE COOP
The COOP may be activated by the Sheriff, designee, or CDO.

Upon activation of the plan, the Sheriff or the authorized designee should, if the need is anticipated, contact County Department of Emergency Management (DEM) for assistance with a mutual aid response in which local, state and federal law enforcement agencies provide resources to this department.

206.2.1 RECALL OF PERSONNEL
In the event that the COOP is activated, all employees of the Sheriff's Department are subject to immediate recall (Policy §207). Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Sheriff or the authorized designee.

Failure to respond to an order to report for duty may result in discipline.

206.3 LOCATION OF COOP
The COOP manual is available on SHRNet, in Administrative Services, the Shift Sergeant's office and in the SouthSound 911 Law Enforcement Dispatch and Communications Center.

The Administrative Services Captain or the authorized designee shall ensure that all copies of the COOP manual are kept current and available to all personnel.

206.4 BUILDING EVACUATION PLAN
In the event of a disaster or emergency which requires evacuation of Sheriff's facilities, all employees shall follow implemented evacuation plans and posted exit strategies. The posted exit strategies shall include any special directions for physically impaired employees (WAC 296.24.567).
206.5 UPDATING OF MANUALS
The Sheriff or the authorized designee shall review the COOP Manual at least once every two years to ensure that the manual conforms to any revisions made by the National Incident Management System (NIMS) (WAC 118-30-060(7)).

206.6 TRAINING
All supervisors should familiarize themselves with the COOP Plan and the roles sheriff's personnel will play when the plan is implemented.
Redacted per RCW 42.56.240(1)
Training Policy

208.1 PURPOSE AND SCOPE
It is the policy of this department to administer a training program that will provide for the professional growth and continued development of its personnel. By doing so, the Department will ensure its personnel possess the knowledge and skills necessary to provide a professional level of service that meets the needs of the community.

208.2 PHILOSOPHY
The Department seeks to provide ongoing training and encourages all personnel to participate in advanced training and formal education on a continual basis. Training is provided within the confines of funding, requirements of a given assignment, staffing levels, and legal mandates. Whenever possible, the Department will use courses certified by the Washington Criminal Justice Training Commission (CJTC).

208.3 OBJECTIVES
The objectives of the Training Program are to:

(a) Enhance the level of law enforcement service to the public.
(b) Increase the technical expertise and overall effectiveness of our personnel.
(c) Provide for continued professional development of department personnel.
(d) Select and maintain certifications of instructors for in-house training programs.

208.4 TRAINING PLAN
A training plan for all employees will be developed and maintained by the Training Sergeant. It is the responsibility of the Training Sergeant to maintain, review, and update the training plan on an annual basis. The Administrative Services Captain will approve the training plan. The plan will ensure, at minimum, the following:

(a) All sworn members will successfully complete an annual in-service training program of no less than 24 hours that includes the training required by the CJTC (WAC 139-05-300).
   1. Successful completion of the CJTC’s two-hour annual online crisis intervention course shall be included in the 24 hours (RCW 43.101.427).

(b) All deputies must complete a minimum of 40 hours of continuing de-escalation and mental health training every three years as provided in WAC 139-11-020 and WAC 139-11-060.
   1. This training may substitute the annual 24 hours in-service requirement under WAC 139-05-300 in the year the deputy completes the 40-hour violence de-escalation training.
Training Policy

(c) All sworn members will successfully complete an annual in-service training program on the department use of force and deadly force policies.

(d) All sworn members will successfully complete in-service training on less-than-lethal weapons every two years.

(e) Full-time supervisors or managers will receive appropriate training and certification required by CJTC.

(f) All sworn members will successfully complete the National Incident Management System (NIMS) introductory training course.

(g) Members who will serve as school resource officers will receive training for school resource officers (RCW 28A.320.124).

(h) Any request for exemption, waiver, extension, or variance from any requirement of CJTC training must be made under WAC 139-03-030 and corresponding information be made available to the public in accordance with the Records Maintenance and Release Policy (WAC 139-11-030).

208.5 TRAINING NEEDS ASSESSMENT
The Training Unit will conduct an annual training-needs assessment of the Department. The needs assessment will be reviewed by Training staff. Upon approval by the Training Captain, the Corrections Captain and the Administrative Services Bureau Chief the needs assessment will form the basis for the training plan for the fiscal year.

208.6 TRAINING DOCUMENTATION
The Training Unit will maintain the training records of all employees, reserve deputies and volunteers in the department. Detailed records shall be kept of all in-service training provided by or sponsored by the Pierce County Sheriff's Department. Records should minimally include the following:

- An overview of the course content and/or an instructor lesson plan.
- Names and agency contact information of all attendees.
- Instructor credentials or resume.
- Individual attendee test results (if applicable).
- Course completion roster.

Special Unit Leaders shall provide the training unit with the above listed information required for in-service training for inclusion in employee training records and in Department Training Provided Records.

208.6.1 TRAINING DOCUMENTATION - OUTSIDE THE DEPARTMENT
Personnel who attend training outside the Department will be required to complete a Report of Training and forward it to the Training Unit. The report should include:

- Class Description, date, location
Training Policy

- Class Outline / Schedule
- Number of Hours of Instruction
- Copy of Completion Certificate

208.7 TRAINING PROCEDURES
All employees assigned to attend training shall attend unless previously excused by their immediate supervisor. When an employee is unable to attend mandatory training, that employee shall:

1. Notify his/her supervisor as soon as possible, but no later than one hour prior to the start of training.
2. Document his/her absence in an email to his/her supervisor and the Training Sergeant.
3. Make arrangements through his/her supervisor and the Training Sergeant to attend an alternate date.

208.8 MANDATORY ANNUAL OR BI-ANNUAL TRAINING
Personnel are required to complete Department directed training. The Department will publish the annual training requirements by department memorandum. Special topics training will be required as necessary and personnel will be directed as appropriate. Each individual, supervisor and manager must accept responsibility for their own training and any subordinates, if applicable. Each Bureau is responsible for ensuring that personnel receive the appropriate technical requirements for their specialties. Each employee shall adhere to the Department training requirements as listed on Department Memo 12-041. Training must include two separate firearms qualifications per year for all commissioned Law Enforcement staff members and commissioned Corrections staff members assigned to Court Escort, Medical Escort, and Work Crew. Corrections commissioned personnel not assigned to a designated armed position on a routine basis are required to attend one firearms qualification per year.

208.8.1 SPECIALIZED OR ADDITIONAL DUTY ASSIGNMENT TRAINING REQUIREMENTS
Personnel who are selected for and assigned to specialized units or to additional duty assignments will receive their initial specialized training as soon as possible.

Personnel who are working in specialized assignments or who have additional duties that require annual or bi-annual re-certification training will advise their supervisor in advance of the need to receive that recertification training each year. Supervisors will insure that the employee is provided the opportunity to receive that training.

208.8.2 COMMAND PERSONNEL
Law Enforcement command personnel will complete a minimum of 24 hours of in-service training annually. That training must include two separate PPC qualifications per year.

Corrections command staff must attend one PPC qualification per year.
**208.9 MANDATORY TRAINING FOR NON-COMMISSIONED EMPLOYEES AND VOLUNTEERS**

Non-commissioned (professional staff) are required to complete annual training as directed.
Department Committees/Boards

209.1 MEMBERSHIP ON COMMITTEES/BOARDS
Membership on standing committees or boards will be limited. For example, if an employee is on the Accident Review Board, than he/she would be excluded from membership on the Board of Professional standards. Ad Hoc committees (because of their temporary nature and purpose) are excluded from this provision. Special unit commanders and board chairmen are responsible to insure that noduplication among its members exists. They should avoid selecting members who are ineligible due to this rule. In case of conflict, Bureau Chiefs will have the responsibility to determine which assignment is in the best interest of the department and the individual and shall make the final determination if a conflict arises.

209.2 APPEARANCE AT DEPARTMENTAL COMMITTEES AND BOARDS
Any employee directed to appear at any Department committee or board shall do so as a mandatory requirement. If it requires an employee's presence during his own time, he shall be reimbursed as per union contract dealing with overtime. Officers shall appear in the uniform of their current assignment or appropriate attire prescribed for court attendance.

209.3 PURPOSE OF SAFETY COMMITTEE
The Department shall maintain two Safety Committees; one representing the Corrections Bureau, the second representing the Operations and Services Bureaus. The purpose of these committees is to collaboratively work with the employees and employer in maintaining a safe and healthy work environment for all employees. The prevention of occupational injuries and illnesses is a top priority of the County. We acknowledge it is the responsibility of each employee to assist in accident prevention and incorporating safety consideration awareness into all job tasks.

209.4 OPERATIONS OF SAFETY COMMITTEE
The Safety Committees shall operate under the Pierce County Safety Program, coordinated by the Pierce County Safety Officer. Additional statutory requirements are listed in the Washington Administrative Code (WAC) Occupational Health and Safety Guidelines.

The Safety Committee is charged with receiving input from employees, promoting safety in their work area, conducting safety inspections, taking on the spot corrective action when an unsafe act is occurring, working collaboratively to develop safe working practices, maintaining the safety bulletin board, and disseminating safety information.

The Safety Committee will meet quarterly at a minimum. The Corrections Safety Officer will provide the Corrections Bureau Chief with a copy of the Corrections meeting minutes.

A representative of each safety committee will attend the monthly County Safety Committee meetings and provide an update to their respective committee.
Safety Committee members’ terms are for one year. Annually, Safety Committee members will be either appointed by administration or appointed or elected by the respective bargaining units to sit on the Safety Committee. At least 50 percent of the membership will be appointed or elected by the bargaining unit. There is no limit to the number of terms a member can serve on the committee.

Each fixed worksite with eight (8) or more employees shall have a safety bulletin board. This bulletin board will be maintained by the worksite Safety Committee Representative.

The Administrative Lieutenant and Corrections Safety Officer will be responsible for advising the Sheriff and his management staff on issues related to workplace safety and compliance with County, State and Federal guidelines, regulations and laws for their respective areas of responsibility. (Revised Per General Order 04-003)

209.4.1 LAW ENFORCEMENT SAFETY COMMITTEE REPRESENTATIVES
The Law Enforcement Safety Committee will consist of one representative from each of the following units or classifications:

HQ Admin Lieutenant
HQ Admin OA
Dept. wide Support Staff
Sergeant
CIB Detective
South Hill Patrol Deputy
University Place Patrol Deputy
Traffic Deputy
Property Officer
Forensics Tech or Officer
SIU Commissioned
Edgewood Commissioned
Transit Commissioned
Mountain Det Commissioned
Foothills Det Commissioned
Peninsula Det Commissioned
Training Div. Commissioned

Note: Commissioned means in the rank of Deputy or Detective
209.4.2 CORRECTIONS SAFETY COMMITTEE REPRESENTATIVE
The Corrections Safety Committee will consist of one representative from each of the following units or classifications:

Shift Lieutenant
C/D Day Shift
C/D Swing Shift
C/D Grave Shift
C/D Safety Officer
C/D Support Squad
C/D Courts
Food Services
Medical Unit
Mental Health Unit
Maintenance

209.5 VEHICLE COMMITTEE PURPOSE
The Vehicle Committee is responsible for making written recommendations to the Sheriff and staff regarding the selection and acquisition of Department vehicles, accessories, and vehicle-related equipment.

Membership consists of two Deputies, appointed by the Sheriff, two bargaining unit members appointed by the Guild President, and the Administrative Lieutenant who chairs the committee. The committee may also have one non-voting representative from Pierce County Fleet Management, and one non-voting representative from Pierce County Communications. A majority recommendation must be filed prior to the acquisition of vehicles by lease, purchase, or other means. This prerequisite does not apply to vehicles leased for use by Special Investigations or Special Operations Units. Refer to the Guild Contract for full details of this agreement.
Accident Review Board

210.1 PURPOSE AND SCOPE
The Department's Accident Review Board is established to review accidents involving County owned or leased vehicles operated by Sheriff's Department employees.

The functional purpose of the Board is to determine if an employee's accident was preventable, by review of the actions which took or should have taken place to avoid the accident.

The Board will review each accident with the objective of creating, within the Department, the highest level of professional standards for operation of police vehicles, so as to reduce the incidence and severity of accidents, related injuries and/or costs.

210.2 AUTHORITY & RESPONSIBILITY
Review of cases by the Accident Review Board will include, but not be limited to, the following type of incidents where a County owned or leased vehicle is considered to be involved in an accident:

(a) Those incidents where a Department vehicle sustains any accidental damage from any source, and regardless of whether the vehicle was moving when the damages occurred;

(b) Those incidents where a Department vehicle, while moving or not, is involved or allegedly involved in the accidental damage of another vehicle or any other property, by being identified or listed as a principal or contributing factor or cause in any investigative report, regardless of whether the involved Department vehicle sustained any damage;

(c) Any incident where a Department vehicle, while moving or not, is involved or allegedly involved in the accidental injury or death of any person, including a Department personnel, by being identified or listed as a principal or contributing factor or cause in any investigative report.

Except for incidents involving injury or death, the Accident Review Board shall not routinely review accidents which occur during Department-authorized training.

Whenever any reported incident of accidental damage or injury involves a Department vehicle, and there is a question as to whether the case should be referred to or reviewed by the Accident Review Board or any other board, the case report will be submitted to the Accident Review Board for an administrative review. An administrative review by the Board will determine whether the case should be heard by Accident Review Board and/or whether the case should be referred to the Board of Professional Standards.

210.2.1 REVIEW
The Board will generally schedule each case for review within ninety (90) days of the date of the accident.

The Accident Review Board shall review all accidents involving Department vehicles in keeping with the functional purpose of the Board and the objectives of the review process.
Accident Review Board

For those cases scheduled for review within the defined time limit, where the operator of the involved vehicle cannot be notified, or cannot, or does not, appear after being notified, the Board may, on administrative review either postpone the case setting a new review date beyond the defined time limit if necessary, or fully review the case as scheduled and make determinations. The Board Chair will notify the Operations Chief of any unacceptable excuse for non-appearance. Nothing in these procedures shall be interpreted to deny an employee's right to appear when available.

The Board shall determine whether each accident was preventable or non-preventable. The Board shall obtain and evaluate all pertinent information for each case, and make a determination based on, but not limited to, the following:

(a) All written descriptions provided by the operator of the involved vehicle
(b) Reports of passengers, investigating officers and supervisors, and other witnesses, as deemed pertinent
(c) Verbal presentation of the operator and any witnesses, unless the employee has requested an Expedited Review, then the employee waives their right to appear before the Board.

The Board shall classify each accident and assign points in accordance with current and established procedures for the Board.

The Board shall determine if the operator, or any other employee involved, needs appropriate training and/or disciplinary measures, and make recommendations in accordance with current and established disciplinary procedures for the Department.

The Board shall be alert to any negative accident trends or patterns of operational behavior, and forward those findings, together with recommendations of the Board, to the Training section.

210.3 APPEARANCE
When a Department employee is notified to appear before the Accident Review Board, the employee's appearance is mandatory, unless the attendance is excused because the employee is eligible for expedited resolution under Section 210.7. Any employee who attends the ARB may attend with and be assisted by a union representative in accordance with Policy 340.

Employees will appear in the uniform of their assignment.

Exceptions to appearance will include, but not be limited to serious illness or injury, board direction or termination from employment with the Department.

210.4 BOARD COMPOSITION
Board membership will be comprised as follows:

(a) One Administrative Services Bureau Captain
(b) One Traffic Lieutenant
(c) One Sergeant
Accident Review Board

(d) One uniformed Law Enforcement Patrol Deputy (includes Central Patrol, Detachments, or Contracts)
(e) One Law Enforcement Deputy at large
(f) One Corrections Deputy
(g) One Driving Instructor
(h) One Technical Accident Investigator.

Representation by rank and function may overlap; that is, the requirement of having a sergeant and a technical accident investigator may be fulfilled by appointment of a technical accident investigator in the grade of sergeant. All members of the Board shall be voting members. All appointments to the Board shall be made by the Sheriff.

An alternate Board member will be designated by the Board Chair when necessary to replace an absent Board member. In selecting alternate Board members, the Board Chair shall ensure that, whenever practical, all functional and rank requirements for initial composition are maintained.

210.5 ROTATION OF BOARD MEMBERS

A. The designated Traffic Lieutenant and Administrative Services Bureau Captain will serve for a term specifically directed by the Sheriff.

B. All other appointed members will serve on a two-year basis after the expiration of terms served by members on the originating Board.

210.6 BOARD MEMBER FUNCTIONS

A. Board Chair: The Administrative Services Bureau Captain shall serve as Chair of the Board and preside over all meetings. The Chair shall set the date, time, and place for each meeting, and notify members of same. He will prepare and distribute an agenda in advance of each meeting.

B. Board Secretary: The Traffic Lieutenant shall serve as the Secretary of the Board, and will be responsible for recording the events of all business at each Board meeting. He shall have responsibility for maintaining an appropriate records system for all Board activity. These files will be maintained by the Board Secretary. Additionally, the Secretary will take the chair in the absence of the Board Chair.

C. All Members: All Board members shall attend each meeting unless excused by the Chair, and provide assistance in Board matters as requested.

D. Training Officer (non-voting): Unless excused by the Chair, a Training Officer shall attend for the purpose of advisement and training. He will carry out Board recommendations for various driving skill courses and provide feedback to the Board on the effects of corrective actions.

E. Traffic Sergeant (non-voting): Unless excused by the Chair, a Traffic Sergeant shall attend for the purpose of advisement and evaluation of the traffic collision investigations. He will carry out Board recommendations regarding requested changes to collision investigations.
F. Voting: A quorum will consist of the appointed members of the Board, or qualified alternate member(s) appointed by the Board Chair, with no more than one voting member absent; PROVIDED that under no circumstance will the Accident Review Board meet without the participation and attendance of a driving instructor and a technical accident investigator. All Board decisions shall be by a majority vote. Each voting member shall have the authority of one (1) vote.

210.7 EXPEDITED RESOLUTION
The Board Secretary will review each packet to determine if the accident is eligible for expedited resolution. In order to meet these requirements the accident:

(a) Must be minor or non-injury;
(b) The employee must not have had any other “preventable” accidents within the prior 2 years.

If the accident meets the criteria above, the employee may request expedited resolution (0 – 3 points) once he or she has received notice of the Board. The Board Secretary can then either grant or deny the request for expedited resolution. If the employee’s request is denied, the employee must appear before the Board as scheduled. If the employee’s request is granted, then the Board will conduct an administrative review. If the Board determines that the accident qualifies for expedited resolution, then the Board will decide if the accident was preventable or non-preventable and the points (0 – 3). If the Board determines that the accident should receive more than 3 points, then the employee will be required to appear at the next Board.

210.8 ACCIDENT CLASSIFICATION
The Board shall make a determination whether an accident was "PREVENTABLE" or "NON-PREVENTABLE" by a majority vote of Board members. In cases of an unresolved tie vote, the accident will be deemed non-preventable.

All previous Department records of accidents by the same operator shall be considered by the Board. The Board shall consider the circumstances of all previous accidents by the same operator to determine if a pattern of error is apparent.

An accident is considered non-preventable if the Board determines that:

(a) The operator/employee was aware of the impending hazard, alert to its potential consequences, and took proper action to minimize the effect of accident; or
(b) The operator/employee was not able to avoid the accident under the circumstances existing at the time; or
(c) The operator/employee left the vehicle standing in the performance of work activities, or the vehicle was legally parked, and the accident was unavoidable due to extenuating circumstances.


210.9 DISCIPLINARY PROCEDURES
The Board shall determine who is subject to discipline in each case. The Board shall not be limited to recommending discipline and/or retraining for an operator/employee.

Following a determination by the Board that an accident was preventable the Board may recommend training and/or disciplinary action for the employee in accordance with the following procedures:

(a) After considering the circumstances of the case, the Board shall recommend the type of training and/or measure of disciplinary action deemed advisable to the Operations Chief.

(b) If the recommendation of the Board includes, or consists of, assignment to an approved driving course or retraining through the Department's own training facilities, such assignment shall be arranged and completed as soon as practicable.

(c) The Accident Review Board shall make its written findings and recommendations to the Operations Chief. The affected employee will be given a copy of these findings and recommendations within ten (10) days of the date of the Board meeting.

The statement "You have the right to appeal the Board action within five (5) working days" will appear in the Accident Review Board Recommendation letter to the employee.

210.10 POINT SYSTEM
The Chair of the Board will assign points based upon the finding of the voting members of the Board (preventable or non-preventable), the recommendation of each voting member, and the circumstances of each case before the Board.

The Chair will assign points in conjunction with the following guidelines:

(a) 0 - 3 points=Non-preventable or preventable with minor damage (drivable with no structural physical damage), minor injury, or minor degree of employee error.

(b) 4 - 5 points=Preventable with property damage (not drivable) or injury, medium degree of employee error.

(c) 6 -10 points =Preventable with major injury, major property damage or major degree of employee error.

In each accident no more than ten points will be assessed to each employee involved. An accumulation of ten points by an employee in a two-year period will result in the loss of an assigned vehicle to that employee for one (1) year. This action will be in addition to any other disciplinary action taken by the Board. An employee assigned to Patrol will either have his vehicle appropriately reassigned to another employee or placed in the department motor pool. An employee in a non-uniform unit shall be required to leave his vehicle parked in an assigned Department parking space during off-duty hours, and he will be required to drive his privately-owned vehicle during off-duty hours during the one-year period. The effective date of this determination will be when the Operations Chief or their designee makes an official finding in writing.
Those employees who presently have one or more preventable accidents and face the loss of an assigned vehicle in the event of another preventable accident will remain in that status until two (2) years elapse from the date of official findings of the original preventable accident.

210.11 APPEAL
If the employee wishes to appeal the determination of his case, the Operations Chief will meet with the employee and/or consider their written information on their behalf before taking action on the Board's recommendations. The employee must provide a written request for such a meeting within (5) days of receipt of the Board's written findings and recommendations. If the employee wishes to provide written information only, it must be submitted to the Operations Chief within (5) days of receipt of the Board's written findings and recommendations.

The employee has the right to a union representative at the meeting with the Operations Chief.

The Operations Chief may consider the imposition of different sanctions than those recommended by the Board.

A copy of the Board's findings, together with any additional or different rulings or sanctions by the Operations Chief, shall become a permanent part of the employee's personnel file and accident review file.
Electronic Mail

212.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the proper use and application of the Department electronic email system by employees of this department. Email is a communication tool available to employees to enhance efficiency in the performance of job duties and is to be used in accordance with generally accepted business practices and current law (e.g., Washington Public Disclosure Act). Messages transmitted over the email system must only be those that involve official business activities or contain information essential to employees for the accomplishment of business-related tasks and/or communication directly related to the business, administration, or practices of the Department. Occasional and incidental personal use of email may be permitted on a limited basis if the content of such email is professional, and where the use of the email system does not impact department systems or work time, or negatively affect the workplace.

212.2 EMAIL RIGHT OF PRIVACY
All email messages, including any attachments, that are transmitted over department networks are considered department records and therefore are the property of the department. The Department reserves the right to access, audit or disclose, for any lawful reason, any message, including any attachment, that is transmitted over its email system or that is stored on any department system.

The email system is not a confidential system and therefore is not appropriate for confidential communications. If a communication must be confidential, an alternative method to communicate the message should be used. Employees using the department email system shall have no expectation of privacy concerning communications transmitted over the system.

Employees should not use personal accounts to exchange email or other information that is related to the official business of the Department.

212.3 PROHIBITED USE OF EMAIL
Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, and harassing or any other inappropriate messages on the email system will not be tolerated and may result in discipline.

Email messages addressed to the entire department are only to be used for official business related items that are of particular interest to all users and must be approved by the Sheriff or a Bureau Chief. Personal advertisements are not acceptable.

It is a violation of this policy to transmit a message under another user’s name. Users are strongly encouraged to log off the network when their computer is unattended. This added security measure would minimize the misuse of an individual’s email, name and/or password by others.
212.4 MANAGEMENT OF E-MAIL
E-mail messages are public records when they are created or received in the transaction of public business and retained as evidence of official policies, actions, decisions or transactions.

All email that is sent and received using department issued equipment is automatically archived and retained electronically for six years from the date the email was sent or received. The following Pierce County IT policies establish the specific guidelines for Email Retention Policy and the Email/ Electronic Records Policy.

Employees may delete emails at any time to manage their email folders. The act of deleting email does not remove or destroy that email from the system. Employees are encouraged to retain no more than 60 days of email on their PC.
Administrative Communications

214.1 PURPOSE AND SCOPE
Administrative communications of this department are governed by the following policies.

214.2 OFFICIAL DOCUMENT PUBLICATIONS
The following documents, issued by the Sheriff or designee, establish an interdepartmental communication system used to announce and document change. Questions about official document publications should be directed to your immediate supervisor:

PERSONNEL ORDER
Personnel Orders are concerned with assignments, rank, announcements of mandatory attendance, and other matters relevant to personnel and their status as employees of the Department.

GENERAL ORDER
General Orders denote permanent policies, procedures, and regulations issued for the purpose of making additions, revisions, and amendments to the Department Manual. General Orders are applicable to the entire Department and have the same status as directives contained in the Department Manual.

SPECIAL ORDER
Special Orders are used to announce policies or direct procedures concerning a specific circumstance or event, or those policies and procedures which are of a temporary or self-canceling nature and which involve only specific segments of Department activities.

TRAINING BULLETIN
Training Bulletins provide detailed descriptions of procedures and techniques relevant to the Department's operations.

214.2.1 MEMORANDA
Memoranda will be used to distribute information or instructions which do not warrant a formal order; to direct the actions of subordinates in specific situations or circumstances under a level of command not authorized to issue General or Special Orders; to explain or emphasize portions of previously issued orders; or to inform personnel of actions or policies of other agencies.

214.3 CORRESPONDENCE
In order to ensure that the letterhead and name of the Department are not misused, all external correspondence shall be on department letterhead. Personnel should use department letterhead only for official business and with approval of their supervisor.
214.4 SURVEYS
All surveys made in the name of the Department shall be authorized by the Sheriff or a Bureau Chief.
Criminal Justice Information & ACCESS

215.1 CRIMINAL JUSTICE INFORMATION
All Criminal Justice Information (CJI) is accessed in accordance with the terms of the FBI Criminal Justice Information Services (CJIS) Security Policy.

CJI data is accessed primarily via the Washington State ACCESS System.

215.2 USE OF THE ACCESS SYSTEM
A Central Computerized Enforcement Service System (ACCESS) is a computer controlled communications system operated and maintained for all law enforcement and criminal justice agencies within the state. The Chief of the Washington State Patrol (WSP) administers all operating phases of the ACCESS System.

The ACCESS System shall only be used for official law enforcement business. This policy ensures proper and efficient use of the ACCESS system. All users will conform to this policy and other applicable policies.

215.3 ACCESS CERTIFICATION
All system users, including mobile data terminal users, must be certified at their appropriate level as required.

215.4 CJI FROM ACCESS AND DISSEMINATION
Each user must observe all restrictions placed on the use or dissemination of information received through ACCESS. Policies contained within the ACCESS Operations Manual, and other related manuals must be adhered to. Some records may be public information; however, if the information is obtained through ACCESS it must only be used for criminal justice purposes. Those records that may be considered public would have to be released through a formal public disclosure request.

Queries or messages not pertaining to law enforcement business (e.g., personal inquiries) are prohibited.

Law enforcement may provide vehicle records to tow operators as specified by Washington State Law.

Persons shall not use any information obtained through the ACCESS system, including all Department of Licensing (DOL) and Department of Corrections (DOC) information, for private business or personal reasons or furnish any information so obtained to any other person for such use.

215.5 TERMINAL SECURITY
Terminal locations must be secure from unauthorized access, and all employees authorized to use the system shall be instructed on the proper use of equipment and the dissemination of information received. Federal and state laws protect the information provided by ACCESS.
CJI or ACCESS data may not be queried or accessed from any unsecure location.

215.6  SYSTEM MISUSE
Access of all CJI and ACCESS data is subject to Department Policy 342 and Department Policy 216.

Violations of the rules, regulations, policies, or procedures developed by NCIC and adopted by the WSP or any other misuse or abuse of the ACCESS system may result in disciplinary measures and/or criminal prosecution. Disciplinary measures imposed by the WSP may include revocation of individual certification, discontinuance of system access to the department, or purging the department’s records.

If the PCSD initiates an internal investigation for ACCESS misuse, an ACCESS Violation Incident Report must be filled out and sent to the ACCESS Manager. If the allegations are founded, the PCSD will choose the level of discipline. The violation report can be found on the ACCESS website.

The WSP will work in conjunction with the PCSD to impose additional sanctions if warranted.

   (a) This may include, but is not limited to, additional training, revocation of individual certification, or termination of system access to the department.

215.7  DISPOSING OF MEDIA
Per IT Security Policy -01.17.04 “IT Security Standards and Guidelines”, the following process will be used to dispose of materials and media.

Users are encouraged to seek assistance of the PCSD IT Unit in ensuring proper disposal of materials and media.

215.7.1 DISPOSAL DEFINITION
“Disposal” means removing it from use either permanently or for non-Pierce County purposes. For example a computer which is surplussed or donated to another approved agency would be disposing it to be used for a non-Pierce County purpose. Devices which will be re-used (repurposed) or kept for archival reasons do not apply.

215.7.2 BACKUP TAPES AND TAPE MEDIA
Magnetic tape will be degaussed thoroughly with a tape demagnetizer, before discarding or removed from service. Contact your IT representative or IT Service desk to arrange to have the media destroyed in this way. In the case of media that contains sensitive data under Federal regulations such as CJIS or HIPA, the departmental approved staff should hand deliver the tapes and remain while the media is destroyed.

215.7.3 OPTICAL DATA (CD’S & DVD’S)
Optical data should be destroyed by either breaking the disk(s) or otherwise making the disk(s) unusable and the data unrecoverable.
215.7.4 PORTABLE MEDIA
Portable media such as USB “thumb drives” will be wiped as in the case of hard disks or otherwise made unreadable through physical destruction of the device.

215.7.5 PAPER MEDIA
Paper media will be shredded either immediately after use or deposited in provided locked containers for later shredding.
Concealed Pistol License

218.1 PURPOSE AND SCOPE
The Sheriff is given the statutory responsibility to issue, monitor, and revoke a license to carry a concealed pistol to residents within the community (RCW 9.41.070). The Sheriff has designated the SouthSound 911 Law Enforcement Records as his agent to receive and process Concealed Pistol License applications or renewals.

218.2 SUSPENSION OF LICENSES
The Sheriff shall suspend any license issued pursuant to this policy immediately upon notice from the Department of Licensing that the person has been detained under RCW 71.05.150 or RCW 71.05.153 on the grounds that the person presents a likelihood of serious harm due to a mental disorder or substance use disorder (RCW 9.41.049).

The license shall remain suspended for a period of six months from the date the person was released from the 72-hour detention or upon notice from the Department of Licensing of a restoration order (RCW 71.05.182; RCW 9.41.047(3)(f)).
Retiree Concealed Firearms

220.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Pierce County Sheriff's Department identification cards under the Law Enforcement Officers’ Safety Act (LEOSA) (18 USC § 926C).

220.2 POLICY
It is the policy of the Pierce County Sheriff's Department to provide identification cards to qualified former or retired deputies as provided in this policy.

220.3 LEOSA
The Sheriff will issue an identification card for LEOSA purposes to any qualified former deputy of this department who (18 USC § 926C(c)):

(a) Separated from service in good standing from this department as a deputy.

(b) Before such separation, had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.

(c) Has not been disqualified for reasons related to mental health.

(d) Has not entered into an agreement with this department where the deputy acknowledges that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.

(e) Is not prohibited by federal law from receiving or possessing a firearm.

220.3.1 LEOSA IDENTIFICATION CARD FORMAT
The LEOSA identification card should contain a photograph of the former deputy and identify him/her as having been employed as a a deputy.

220.3.2 FIREARMS QUALIFICATION
If the Pierce County Sheriff's Department qualifies the former deputy, a separate certification should indicate the date the former deputy was tested or otherwise found by the Department to meet the active duty standards for qualification to carry a firearm.

220.3.3 AUTHORIZATION
Any qualified former law enforcement officer, including a former deputy of this department, may carry a concealed firearm under 18 USC § 926C when he/she is:

(a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and one of the following:

1. An indication from the person’s former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement
Retiree Concealed Firearms

agency to meet agency-established active duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.

2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.

(b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.

(c) Not prohibited by federal law from receiving a firearm.

(d) Not in a location prohibited by Washington law or by a private person or entity on his/her property if such prohibition is permitted by Washington law.

220.4 WASHINGTON STATE EXCEPTION TO CPL REQUIREMENT
The Sheriff may issue an identification card to a retired law enforcement deputy of this department for the purposes of carrying a concealed weapon within the State of Washington under RCW 9.41.060 who:

(a) Has retired from this department.

(b) Did not retire because of a mental or stress-related disability.

(c) Has not been convicted or found not guilty by reason of insanity of a crime making him/her ineligible for a concealed pistol license.

If issued, the identification card must document all of the above qualifications (RCW 9.41.060).

Note: Retired Corrections Deputies are not eligible for this exception.

220.5 FORMER DEPUTY RESPONSIBILITIES
A former deputy with a card issued under this policy shall immediately notify the Sheriff or the Sheriff's designee of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order preventing the former deputy from possessing a firearm. It is the sole responsibility of the former deputy to ensure he/she complies with 18 USC 926C and/or 9.41 RCW, and other relevant state laws before carrying a concealed handgun in Washington or another state.

220.5.1 RESPONSIBILITIES UNDER LEOSA AND STATE LAW
By obtaining a LEOSA identification card, the former deputy acknowledges that he/she:

(a) Is responsible for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA, and/or state law, and also that these acts are not taken as an employee or former employee of the Department.

(b) Must remain in compliance with all applicable department policies and federal, state and local laws.
Retiree Concealed Firearms

(c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.

(d) Must not be convicted of a crime which would prohibit him/her by law from receiving or possessing a firearm.

220.6 FIREARM QUALIFICATIONS
The Rangemaster may provide former deputies from this department, and retired law enforcement members from other departments, an opportunity to qualify time permitting. Written evidence of the qualification and the weapons used will be provided and will contain the date of the qualification. The Rangemaster will maintain a record of the qualifications and weapons used. Anyone qualifying under this provision is required to provide his/her own ammunition for the qualification and sign the Firearms Training Hold Harmless agreement prior to the qualification.

The qualification shall include the firearms course and certificate developed by the Washington Association of Sheriffs and Police Chiefs (RCW 36.28A.090).
Chapter 3 - General Operations
Use of Force

300.1 PURPOSE AND SCOPE
This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner. It is the intent of this policy that LEO's adhere to all applicable federal, state and local laws during use of force applications.

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

300.1.1 DEFINITIONS
Definitions related to this policy include:

**Deadly force** - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

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

**Force** - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed, or restrained.

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

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

300.1.2 DUTY TO INTERCEDE
Any LEO present and observing another LEO using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of such excessive force. Such LEO's should also promptly report these observations to a supervisor.

300.2 USE OF FORCE
Law Enforcement Officers shall use only that amount of force that reasonably appears necessary, given the facts and circumstances perceived by the LEO at the time of the event, to accomplish a legitimate law enforcement purpose.
Use of Force

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

Given that no policy can realistically predict every possible situation a LEO may encounter, LEO's are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

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

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

300.2.1 USE OF FORCE TO EFFECT AN ARREST
A Law Enforcement Officer may use all means reasonably necessary to effect an arrest if, after notice of the intention to arrest the person, he/she either flees or forcibly resists. (RCW 10.31.050).

300.2.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE
When determining whether to apply force and evaluating whether a deputy has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include, but are not limited to:

(a) Imminency and severity of the threat to LEO's or others.
(b) The conduct of the individual being confronted, as reasonably perceived by the LEO at the time.
(c) LEO/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of LEO's available vs. subjects).
(d) The effects of drugs or alcohol.
(e) Subject's mental state or capacity.
(f) Proximity of weapons or dangerous improvised devices.
(g) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
(h) The availability of other options and their possible effectiveness.
(i) Seriousness of the suspected offense or reason for contact with the individual.
Use of Force

(j) Training and experience of the LEO.

(k) Potential for injury to the LEO's, suspects and others.

(l) Whether the person appears to be resisting, attempting to evade arrest by flight or is attacking the LEO.

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

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

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

(p) Prior contacts with the subject or awareness of any propensity for violence.

(q) Any other exigent circumstances.

300.2.3 VASCULAR NECK RESTRAINT (VNR)
The proper application of the VNR by a trained LEO may be effective in restraining a violent individual. Only LEO's who have successfully completed department-approved training on the use of the VNR and the department Use of Force Policy are authorized to use the technique as a non-deadly force application. To remain authorized in the use of VNR as a non-deadly force application, LEO's shall complete annual training and recertification on the use of VNR. VNR is not a choke hold. Choke holds are not authorized except as a deadly force application.

After any application of any VNR, the deputy shall ensure the following steps occur:

(a) Any individual who has had the VNR applied, and was rendered unconscious, shall be promptly examined by paramedics or other qualified medical personnel.

(b) The deputy shall inform any person receiving custody, that the individual has been subjected to the VNR and whether the subject lost consciousness as a result.

(c) Individuals rendered unconscious by VNR shall undergo a recommended two-hour visual observation period starting from the time the individual regained consciousness.

(d) The use or attempted use of the VNR shall be thoroughly documented by the LEO in the related incident report.

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

300.3 DEADLY FORCE APPLICATIONS
While the use of a firearm is expressly considered deadly force, other force might also be considered deadly force if the LEO reasonably anticipates and intends that the force applied will
Use of Force

create a substantial likelihood of causing death or serious physical injury. Use of deadly force is justified in the following circumstances:

(a) A LEO may use deadly force to protect himself/herself or others from what he/she reasonably believes would be an imminent threat of death or serious physical injury.

(b) A LEO may use deadly force to effect the arrest or prevent the escape of a suspected felon when the LEO has probable cause to believe that the suspect has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious physical injury or death and the LEO reasonably believes that there is an imminent or future potential risk of serious physical injury or death to others if the suspect is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

300.3.1 SHOOTING AT OR FROM MOVING VEHICLES
Firearms shall not be discharged at a moving vehicle unless:

(a) A person in the vehicle is threatening the officer or another person with deadly force by means other than the vehicle; or

(b) The vehicle is operated in a manner deliberately intended to strike an officer or another person, and all other reasonable means of defense have been exhausted (or are not present or practical), which includes moving out of the path of the vehicle.

Firearms shall not be discharged from a moving vehicle except in exigent circumstances. In these situations, an officer must have an articulable reason for this use of deadly force.

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

300.4 REPORTING USE OF FORCE
Any use of physical force against a resistive individual by a LEO shall be documented, completely and accurately in an incident report and in a PCSD Use of Force report via Blue Team.

If the involved LEO is interviewed by LEO investigators pursuant to Lexipol Policy 310; the involved LEO will not be required to complete an incident report or Blue Team Use of Force Report. The responsibility to complete the Blue Team USE of Force Report will reside with the CIB Lieutenant or his/her designee.
Use of Force

300.4.1 NOTIFICATION TO SUPERVISORS
Supervisory notification shall be made as soon as practical following the application of physical force, under any of the following circumstances:

(a) The application of force appears to have caused physical injury.
(b) The individual has been rendered unconscious.

300.4.2 MEDICAL ATTENTION FOR INJURIES SUSTAINED USING FORCE
Prior to booking or release, medical assistance shall be obtained for any person who has sustained visible injury, expressed a complaint of an injury or continuing pain, or who has been rendered unconscious. Based upon the LEO's initial assessment of the nature and extent of the subject's injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practical, should be witnessed by another LEO and/or medical personnel. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called "excited delirium syndrome or "ExDS"), or who require a protracted physical encounter with multiple LEO's to be brought under control, may be at an increased risk of sudden death and should be examined by qualified medical personnel as soon as practical. Any individual exhibiting signs of distress after such an encounter shall be medically cleared prior to booking.

300.5 SUPERVISORY RESPONSIBILITY
When a supervisor is able to respond to an incident in which there has been a reported application of force requiring an emergency medical response, the supervisor shall be responsible for the following:

(a) Obtain the basic facts from the involved LEO(s).
(b) Ensure that any injured parties are examined and treated.
(c) Ensure that photographs have been taken of any areas involving visible injury or complaint of pain as well as overall photographs of uninjured areas.
(d) Review and approve all related reports.

Should the supervisor determine that any application of force was not within policy, a separate incident performance report (IPR) shall be initiated.
Use of Force

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

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

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

Subject to available resources, deputies should receive periodic training on:

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

(b) De-escalation tactics, including alternatives to force.

300.7 ADMINISTRATION
The Department shall conduct an annual review and analysis of use of force events. The Sheriff shall approve the final report.
Arrests

301.1 PURPOSE AND SCOPE
It is the responsibility of all members to preserve the peace, protect the safety of citizens and their property and enforce the criminal law. When a violation comes to the attention of a member, that member must determine the appropriate action to be taken. Members should understand that serious violations warrant a serious response in the form of arrest.

In making an arrest, members will treat an individual with as much respect as that person will allow. Members will not physically mistreat or verbally harass any individual taken into custody.

Persons taken into custody will be provided with medical treatment if necessary. In making arrests or in taking less serious action, members will use only as much force as is reasonable in the situation. They must also observe the rights of those they place under arrest. Not only will this uphold the constitutional guarantees, which members have sworn to protect, but also it will increase the likelihood that violators will be convicted and punished for their acts.

301.2 ADVISING SUSPECTS OF THEIR RIGHTS
1. Members are responsible for advising suspects of their Miranda rights at the time of arrest. Advising of rights shall also take place prior to any custodial interrogation or the taking of any oral or written statements from the suspect.

2. The language used in advising suspects of their rights will be as directed by the Department, and using forms as provided by the Department. It may be necessary for the member to testify in court as to the precise language used to warn the suspect of his rights and the precise language by which the suspect waived these rights.

3. Volunteered and spontaneous (“res gestae”) statements by suspects are generally admissible as evidence and need not be preceded by a warning. However, any follow-up questioning initiated by the member must be preceded by Miranda warnings.

4. Members may question persons during general on-the-scene investigation as to facts surrounding a crime. Persons questioned during such time need not be forewarned until such a time that circumstances would prompt a reasonable person to believe they were in a "custodial interrogation" situation as defined by current Miranda rulings.

5. Members shall not make any promises in exchange for a suspect making a statement or confession. For example, members shall not tell a suspect he/she will get into drug court, or cooperation will mean a shorter sentence, or he/she will get a reduction in charges by waiving Miranda rights.

6. The law generally: Miranda warnings must be given when two factors are met: a suspect is in custody and a suspect is being questioned. A suspect may knowingly, voluntarily and intelligently waive his or her rights under Miranda. A suspect who has waived his or her (1) right to remain silent; and (2) right to counsel under Miranda may change his/her mind at any time, thus revoking
the waiver. Once a suspect states he/she no longer wants to answer questions, or words to that effect, or requests counsel, members must cease questioning the suspect.

301.2.1 INVOCATION OF RIGHTS

(a) **Silence:** In the case where the suspect invokes the right to remain silent, members cannot resume questioning until the suspect himself/herself reinitiates conversation.

(b) **Attorney:** In the case where an attorney is requested, questioning about any crime by anyone may not resume until counsel is present. It is not enough the suspect spoke to counsel in the interim. If the suspect changes his/her mind and reinitiates conversation with members without an attorney, statements will only be admissible if members made reasonable efforts to put the suspect in contact with counsel. Before resuming questioning, the suspect should be re-advised of Miranda rights.

(c) **Break in Custody:** An exception to this rule (section b) clearly applies where there is a break in custody of at least two weeks in length (a break in custody can include incarceration in prison if the suspect is serving a sentence).

(d) **Separate Investigation:** After the suspect invokes his/her right to counsel, police may not contact the suspect regarding a separate investigation, unless there is a break in custody as described above.

Before questioning an in-custody suspect about a separate crime, members must first contact the arresting officer and/or review reports to rule out the possibility the suspect requested counsel be present during questioning. If there was no request for an attorney the suspect can be questioned, after Miranda, even if suspect refused to answer questions on the other crime.

For more specifics on the law in this area, please see Confessions, Search, Seizure and Arrest – A Guide for Police Officers and Prosecutors, authored by Pamela B. Loginsky, WAPA, pages 1-41, or contact the Legal Advisor.

301.3 WARRANTS

In applying for and executing arrest warrants, members will abide by relevant statutes and Department procedures. In serving warrants on individuals, members will proceed to secure the custody of individuals in an efficient manner and with due regard for safety.

Members shall ensure all warrants are confirmed with South Sound 911 and/or the originating agency prior to the subject being arrested on the warrant. If the warrant was originated by an agency outside the management of South Sound 911 the member shall ensure the warrant, and the originating agency, allows for extradition of the subject and that any extradition arrangements, if necessary, have been made.

Whenever a person is arrested, it is incumbent upon the arresting law enforcement agency to document such an arrest. It is also incumbent upon the law enforcement agency to vigorously investigate a crime. With the service of an arrest warrant the investigation should not cease. It should be continued. The most effective time to continue the investigation is at the time of arrest. With this in mind, the following procedure is immediately implemented on all arrest warrants:
Arrests

1. **Interview of Subjects Arrested on Warrants.** The term "interviewing" shall include the arrested subject’s answers to the following two questions presented by the arresting member:
   a. Do you understand your rights as read to you?
   b. Are you in fact the person described in the information contained in this warrant?
   The interview may include the following question if the arresting member believes it is relevant:
   c. Do you wish to make a verbal or written statement related to this incident at this time?
   The sound judgment of the arresting member should guide the decision to involve additional personnel when question "c" is answered affirmatively. When the warrant charges a serious felony involving violence, an attempt should be made to contact the member or outside agency responsible for issuance to ascertain if that member or agency wishes to participate in the statement process. Experience dictates the advisability of such involvement, as the originating officer is usually the most cognizant of the details of the incident which precipitated the issuance of the warrant.

2. **Traffic Warrants.** A general report will be completed and will include a Pierce County case number. The narrative will include the warrant number, court data, and the advisement of rights.

3. **District Court Warrants.** A general report will be completed and will include a Pierce County case number. The narrative will include the warrant number, court data, the advisement of rights, and whether or not the arrestee was interviewed. (Interviewing on criminal warrant arrests should be a routine procedure—this is in the spirit of the continued investigation.)

4. **Superior Court Warrants.** A general report will be completed, using the Pierce County case number that appears on the warrant. The narrative will include the warrant data, advisement of rights, and the interview.

5. **Other Agency Warrants.** A general report will be completed and will include a Pierce County case number, the advisement of rights, and interview.
Deadly Force Review / Board of Professional Standards (BOPS)

302.1 PURPOSE AND SCOPE
The purpose of this policy is to establish a process to review the use of deadly force by employees of this department.

302.2 POLICY
The Pierce County Sheriff's Department is charged with the important responsibility of objectively evaluating the use of deadly force. It is the policy of this department to convene a Board of Professional Standards when there is a use of deadly force by an employee of this department.

The Board of Professional Standards will also investigate and review the circumstances surrounding every accidental or intentional discharge of a firearm, whether the employee is on or off duty, excluding range training, unless there is an indication of negligence in the discharge.

The Sheriff may convene the Board of Professional Standards to investigate the circumstances surrounding any use of force incident.

302.2.1 COMPOSITION OF THE BOARD
The Board of Professional Standards shall be comprised of the following persons:

- One Bureau Chief (no specific term);
- One Captain or Lieutenant (no specific term- non voting);
- One L.E. Sergeant (2 years);
- One C.D. Sergeant (2 years);
- One Detective or Detective Sergeant (2 years)
- Two Deputies (2 years)
- One Correctional Deputy (2 years)
- One Firearms Instructor (2 years)
- One Driving Instructor (2 years)

The functional and rank requirements set forth above may overlap; that is, the firearms instructor requirement may be fulfilled by appointment of a sergeant who is a certified firearms instructor.

An alternate Board member will be designated by the Board Chairman when necessary to replace an absent Board member. In selecting alternate members, the Board Chairman shall ensure that, whenever practical, all functional and rank requirements for initial composition are maintained. The Training Sergeant should attend all reviews to determine training needs.
The Bureau Chief will serve as chairman. The chairman will convene the Board of Professional Standards as necessary.

The Captain, Lieutenant, or their designee will act as secretary during each meeting, keep minutes, and present the minutes to the Chairman for permanent record.

It will be the responsibility of the bureau or unit commander of the involved employee(s) to notify the appropriate bureau commander of any incidents requiring board review. The bureau or unit commander will also ensure that all relevant reports, documents, and materials are available for consideration and review by the Board.

302.2.2 RESPONSIBILITIES OF THE BOARD
The Board of Professional Standards is empowered to conduct an administrative investigation into the circumstances of an incident. The board members may request further investigation, call persons to present information, and may request that the involved employee appear before the board. The involved employee will be notified of the meeting of the board and may be represented by Union or Guild representation through all phases of the review process.

The review shall be based upon those facts which were reasonably perceived by the employee at the time of the incident, applying legal requirements, department policy and procedures, and approved training to those facts. Facts later discovered but unknown to the employee at the time, can neither justify nor call into question a employee’s decision regarding use of force.

If it appears that the actions of the employee may result in criminal charges or disciplinary action by the Department, the board will conduct the interviews in accordance with department disciplinary procedures. The board does not have the authority to recommend discipline. The board shall make a finding and such finding will be limited to one of the following:

(a) The employee’s actions were within department policy and procedures.
(b) The employee’s actions were in violation of department policy and procedure.

A finding will represent the consensus of the board. After the board has concluded, the board chairperson will submit written findings of the board to the Sheriff for action. At the conclusion of the review process, a copy of all relevant reports and information will be filed with the Sheriff.

Once the board has reached its specific finding, the Training Sergeant may convene a separate training committee to address training needs and to make recommendations for this department without specific reference to the facts of the incident considered by the board.
Handcuffing and Restraints

306.1 PURPOSE AND SCOPE
This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

306.2 POLICY
The Pierce County Sheriff's Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy and department training. Restraint devices shall not be used to punish, to display authority or as a show of force.

306.3 USE OF RESTRAINTS
Only members who have successfully completed Pierce County Sheriff's Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, deputies should carefully balance officer safety concerns with factors that include but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

306.3.1 RESTRAINT OF DETAINEES
Situations may arise where it may be reasonable to restrain a person who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to ensure the safety of deputies and others. When deciding whether to remove restraints from a detainee, deputies should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

306.3.2 RESTRAINT OF PREGNANT PERSONS
Persons who are known to be pregnant should be restrained in the least restrictive manner available and reasonable under the circumstances, but in no case shall leg irons or waist chains be used. Handcuffs behind the body should not be used unless the deputy has a reasonable suspicion that the person may resist, attempt escape, injure herself or others, or damage property (RCW 70.48.500).
Handcuffing and Restraints

When the person is in labor no restraints of any kind shall be used. This does not prohibit a treating physician licensed under Title 18 RCW from requesting the use of hospital restraints for the medical safety of the person (RCW 70.48.500).

306.3.3 RESTRAINT OF JUVENILES
A juvenile under 14 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the deputy has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the deputy or damage property.

Members who are school resource officers should only use restraints on a student participating in school-sponsored instruction or activity when there is an imminent likelihood of serious harm and pursuant to the school policy for students and staff (RCW 28A.600.485).

306.3.4 NOTIFICATIONS
Whenever a deputy transports a person with the use of restraints other than handcuffs, the deputy shall inform the jail staff upon arrival at the jail that restraints were used. This notification should include information regarding any other circumstances the deputy reasonably believes would be potential safety concerns or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during, transportation to the jail.

306.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS
Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person’s hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Department. Deputies should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, deputies should not conclude that in order to avoid risk every person should be handcuffed regardless of the circumstances.

In most situations handcuffs should be applied with the hands behind the person’s back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the person or may cause unreasonable discomfort due to the person’s size, deputies should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

306.5 APPLICATION OF SPIT HOODS
Spit hoods are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.
Handcuffing and Restraints

Spit hoods may be placed upon persons in custody when the deputy reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Deputies utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Deputies should provide assistance during the movement of a restrained person due to the potential for impairing or distorting that person's vision. Deputies should avoid commingling those wearing spit hoods with others and detainees.

Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated including hair, head, and clothing, prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

306.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES
Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort and mobility.

Only department-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

306.7 APPLICATION OF LEG RESTRAINT DEVICES
Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest, or transportation. Only restraint devices approved by the department shall be used.

In determining whether to use the leg restraint, deputies should consider:

(a) Whether the deputy or others could be exposed to injury due to the assaultive or resistant behavior of a person.

(b) Whether it is reasonably necessary to protect the person from his/her own actions (e.g., hitting his/her head against the interior of the patrol vehicle, running away from the arresting deputy while handcuffed, kicking at objects or deputies).

(c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol vehicle).
306.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS
When applying leg restraints the following guidelines should be followed:

(a) If practical, deputies should notify a supervisor of the application of the leg restraint device.

(b) Once applied, absent a medical or other emergency, restraints should remain in place until the deputy arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.

(c) A restrained person may be transported in a patrol unit seated in an upright position, a side recovery position, or face down positional restraint provided their position does not interfere with their ability to breathe.

(d) The restrained person should be continually monitored by a deputy while in the leg restraint. The deputy should ensure that the person does not roll onto and remain on his/her stomach.

(e) The deputy should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.

(f) When transported by emergency medical services, the restrained person should be accompanied by a deputy when requested by medical personnel. The transporting deputy should describe to medical personnel any unusual behaviors or other circumstances the deputy reasonably believes would be potential safety or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration).

306.8 REQUIRED DOCUMENTATION
If a person is restrained and released without an arrest, the deputy shall document the details of the detention and the need for handcuffs or other restraints.

If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report.

Deputies should document the following information in reports, as appropriate, when restraints other than handcuffs are used on a person:

(a) The factors that led to the decision to use restraints.

(b) Supervisor notification and approval of restraint use (if no supervisor notification was made explain why).

(c) The types of restraint used.

(d) The amount of time the person was restrained.

(e) How the person was transported and the position of the person during transport.

(f) Observations of the person’s behavior and any signs of physiological problems.

(g) Any known or suspected drug use or other medical problems.
306.8.1 SCHOOL RESOURCE OFFICERS
Members working as school resource officers shall prepare a report pursuant to RCW 28A.600.485 and provide a copy to the school administrator whenever a student is restrained in a room or other enclosure or restrained by handcuffs or other restraint devices during school-sponsored instructions or activities.
Opioid Overdose Medication

307.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the Pierce County Sheriff’s Department governing the use of opioid overdose medication such as Nasal Naloxone/Narcan.

307.1.1 DEFINITIONS
Deputy: Refers to any commissioned member employed by the Pierce County Sheriff’s Department, regardless of rank, who is trained in the use of the opioid overdose medication.

Safety Equipment: Includes department authorized or issued face mask or shield, protective latex gloves and hazardous materials disposal container.

307.2 POLICY
It is the policy of the Pierce County Sheriff’s Department that certain sworn deputies will be trained in the use of opioid overdose medication and they will carry the medication in their assigned car while on duty. Those deputies may administer the opioid overdose medication in accordance with protocol specified by the health care practitioner who prescribed the overdose medication for use by the deputy (RCW 69.41.095).

307.3 USE OF OVERDOSE MEDICATION
The medication may be used when responding to a call where the deputy reasonably believes a member of the Pierce County Sheriff’s Department has suffered an accidental exposure to an opioid and is suffering from the symptoms of an overdose.

Deputies will immediately verify with the dispatcher that the closest emergency medical service (EMS) is either on the way or is to be dispatched. Deputies will then place the department member on their side in the “rescue” position and administer the medication. Deputies will continue to render the appropriate first aid until the arrival of EMS to transport the department member to the hospital.

Nothing in this policy prevents a deputy trained in administering the medication from using it on a member of the public regardless if the exposure was accidental or not.

Once the administration is complete and the area is secured, deputies will notify his/her supervisor who will then ensure Command Staff and Risk Management are aware of the use of the medication. The deputy who administered the medication will complete a general report detailing the facts of the incident and ensure a copy is sent to the Training Unit.

307.3.1 GOOD SAMARITAN DRUG OVERDOSE LAW
The Revised Code of Washington 69.50.315 states:

1. A person acting in good faith who seeks medical assistance for someone experiencing a drug-related overdose shall not be charged or prosecuted for possession of a controlled substance pursuant to RCW 69.50.4013, or penalized under RCW 69.50.4014, if the evidence for the charge
of possession of a controlled substance was obtained as a result of the person seeking medical assistance.

2. A person who experiences a drug-related overdose and is in need of medical assistance shall not be charged or prosecuted for possession of a controlled substance pursuant to RCW 69.50.4013, or penalized under RCW 69.50.4014, if the evidence for the charge of possession of a controlled substance was obtained as a result of the overdose and the need for medical assistance.

3. The protection in this section from prosecution for possession crimes under RCW 69.50.4013 shall not be grounds for suppression of evidence in other criminal charges.

307.4 SAFETY
The safety of the victim and deputy are paramount for the medication to be successful, members that expect to use the medication shall, whenever possible employ safety measures to reduce the possibility of blood borne pathogen exposure.

These steps shall at least include wearing safety equipment before administering the medication and disposing of the used container and safety equipment in an approved bio-hazard container immediately following its use.

It is important to remember that a victim can quickly become combative once the medication takes effect. Members must be aware of their surroundings while at these medical scenes and be prepared for secondary threats.

307.5 MAINTENANCE AND REPLACEMENT
Deputies who are qualified to administer opioid overdose medication (such as naloxone) should handle, store, and administer the medication consistent with their training. Deputies should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired (the medication has a lifespan of two (2) years). Any expired medication or unserviceable administration equipment should be removed from service and disposed of at any authorized Drug Take Back location. Deputies should contact their supervisor for replacement kits.

307.6 RECORDS KEEPING
The Training Unit shall maintain a list of all members who have been trained in the use of opioid overdose medication, such as Naloxone/Narcan. The Training Unit shall maintain a file showing each instance when the medication was used, by whom, and the outcome of the administration.
Control Devices and Techniques

308.1 PURPOSE AND SCOPE
To reduce and minimize altercation-related injuries to Law Enforcement Officers (LEO’s) and suspects, the Department authorizes the use of selected control devices. Certain control devices are provided in order to control violent, potentially violent, or resisting suspects. It is anticipated that the use of these devices will generally result in fewer altercation-related injuries to LEO’s and suspects. The procedures listed below are for the use and maintenance of control devices (e.g., baton, oleoresin capsicum (OC) spray, chemical agents and less-lethal munitions). Only those control devices that have been approved by the Sheriff or his/her designee are authorized to be carried by members of this department.

308.1.1 WHEN DEVICES MAY BE USED
When a decision has been made to restrain or arrest a violent, resisting, or threatening suspect, an approved control device may only be used when its use appears reasonable under the totality of the circumstances.

308.1.2 TRAINING FOR CONTROL DEVICES
Only LEO's trained and having shown adequate proficiency in the use of any control device and this agency's Use of Force policy are authorized to carry the device. Proficiency training must be monitored and documented by a certified weapons or defensive tactics instructor. Members will train on all control devices covered under this policy at least once every two years.

All training and proficiency for control devices will be documented in the LEO's training file.

308.2 IMPACT WEAPONS GUIDELINES
Impact weapons are authorized for use when, based upon the circumstances perceived by the LEO, such force reasonably appears justified and necessary to result in the safe control of the suspect.

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury. The head, neck, throat, and spine should not be intentionally targeted except when the LEO reasonably believes the suspect may cause serious bodily injury or death to the LEO or others.

Nothing in this policy is intended to preclude a LEO from using an impact weapon in a manner which would be considered deadly force if the situation is so warranted.

308.2.1 DEPARTMENT AUTHORIZED IMPACT WEAPONS
Impact weapons are a use of force tool designed to induce blunt trauma to impede or defend against an attack, or to overcome resistance offered by a violent, threatening or resistive suspect. Department approved batons and flashlights are examples of impact weapons authorized for use. Batons may only be carried on duty belts by LEO’s who have successfully completed approved Department training on the use of batons.
Control Devices and Techniques

308.3 CHEMICAL AGENT GUIDELINES
The use of chemical agents for crowd control, crowd dispersal or against barricaded suspects shall be based on the totality of the circumstances. Only the Shift Sergeant, Incident Commander or Special Weapon and Tactics (SWAT) Unit Commander may authorize the delivery and use of chemical agents, evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary to result in the safe control of the suspect(s). Only LEO’s or supervisors trained in the use of chemical agent weapons should direct the use or discharge of such devices at the scene.

308.4 OLEORESIN CAPSICUM (OC) SPRAY GUIDELINES
Only authorized personnel may possess and maintain department issued oleoresin capsicum (OC) spray. OC Sprays are weapons used to minimize the potential for injury to LEO's, offenders, or other persons. They should be used only in situations where such force reasonably appears justified and necessary.

308.4.1 PEPPERBALL PROJECTILE SYSTEMS
Pepperball® projectiles are plastic spheres that are filled with a derivative of OC powder. A compressed gas launcher delivers the projectiles with enough force to burst the projectiles on impact, releasing the OC powder. The potential exists for the projectiles to inflict injury if they strike the head, neck, spine or groin. Therefore, personnel deploying a Pepperball® projectile system should not intentionally target those areas, except when the member reasonably believes the individual may cause serious bodily injury or death to the member or others. The use of a Pepperball® projectile system is subject to the following requirements:

(a) Member’s encountering a situation that requires the use of a Pepperball® projectile system shall notify a supervisor as soon as practical. When feasible, a supervisor shall respond to all Pepperball® projectile system deployments where the suspect has been hit. The supervisor shall ensure that all notifications and reports are completed as required by the Policy Manual § 300; Use of Force.

(b) Only personnel certified as having completed department-approved training on the use of Pepperball® projectile systems shall be allowed to deploy and use Pepperball® projectile systems.

(c) Each deployment of a Pepperball® projectile system shall be documented. This includes situations where the launcher was directed toward the suspect, whether or not the launcher was used. Accidental discharges shall be promptly reported to a supervisor and documented on the appropriate report form. Only non-incident deployments, such as training and product demonstrations, are exempt from the reporting requirement.

(d) Currently, Corrections is the only bureau authorized to carry and use Pepperball® projectile systems.

308.4.2 TREATMENT FOR CHEMICAL AGENT EXPOSURE
When it is feasible and safe to do so, persons who have been exposed to a chemical agent should be provided a means to decontaminate and cleanse the affected areas. Generally, this means
Control Devices and Techniques

access to the use of fresh water, and exposure to fresh air. Persons should be cautioned that rubbing or touching the affected areas may worsen and/or prolong the decontamination process. Persons exhibiting or complaining of severe or adverse effects from a chemical agent exposure, which may be inconsistent with the typical chemical agent exposure symptoms, shall be afforded medical examination by qualified medical personnel.

308.4.3 REPORT OF USE
All uses of OC Sprays, control devices, and chemical agents shall be documented in the related arrest/crime report and Use of Force report form.

308.5 KINETIC ENERGY MUNITIONS
This department is committed to reducing the potential for violent confrontations when suspects are encountered. Kinetic energy munitions, when used properly, are less likely to result in death or serious physical injury.

Kinetic energy munitions are approved by the Department and are fired from 12 gauge shotguns or 37/40 mm launchers. Certain munitions can be used in an attempt to de-escalate a potentially deadly situation, with a reduced potential for death or serious physical injury.

308.5.1 DEPLOYMENT
Approved munitions are justified and may be used to compel an individual to cease his/her actions when such munitions present a reasonable option for resolving the situation at hand.

LEO's are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved LEO(s) determine that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons, and LEO's takes priority over the safety of subjects engaged in criminal or suicidal behavior.

308.5.2 EXAMPLES OF CIRCUMSTANCES APPROPRIATE FOR DEPLOYMENT
Examples include, but are not limited to, the following types of situations where the subject:

(a) Is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
(b) Has made credible threats to harm himself/herself or others.
(c) Is engaged in riotous behavior or is throwing rocks, bottles, or other dangerous projectiles at people and/or LEO's.

308.5.3 DEPLOYMENT CONSIDERATIONS
Before discharging munitions, the LEO should consider the following factors:

(a) Severity of the crime or incident.
(b) Subject's capability to pose an imminent threat to the safety of LEO's or others.
(c) If the subject is actively resisting arrest or attempting to evade arrest by flight.
Control Devices and Techniques

(d) The credibility of the subject's threat as evaluated by the LEO's present, and physical capacity/capability.
(e) The proximity of weapons available to the subject.
(f) The LEO's versus the subject's physical factors (e.g., age, size relative strength, skill level, injury/exhaustion, the number of LEO(s) versus subject(s).
(g) The availability of other force options and their possible effectiveness.
(h) Distance and angle to target.
(i) Type of munitions employed.
(j) Type and thickness of subject's clothing.
(k) The subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.
(l) The training and experience of the LEO, and other LEO's at the scene.

308.5.4 SHOT PLACEMENT
The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head and solar plexus should not be intentionally targeted when deadly force is not reasonably justified.

LEO's should generally follow the manufacturer's recommendations regarding minimum deployment distances and target areas however any target area or distance may be considered when it reasonably appears necessary to accomplish immediate incapacitation in order to prevent serious injury or death and other reasonable methods have failed or reasonably appear ineffective.

308.5.5 APPROVED MUNITIONS
Only department approved kinetic energy munitions shall be carried and deployed.

308.5.6 USE OF KINETIC ENERGY PROJECTILES BY SWAT
LEO's assigned to the SWAT Team, who have completed a departmental training course may carry and employ 12-gauge or 37/40 mm munitions while on duty or while performing SWAT missions.

308.5.7 TRAINING REQUIRED FOR USE
LEO's who have successfully completed an approved departmental training course shall be authorized to use kinetic energy munitions. LEO's deploying kinetic energy munitions will complete an annual recertification course.

308.6 RESPONSIBILITIES

308.6.1 SHIFT SERGEANT RESPONSIBILITIES
The Shift Sergeant shall monitor the use of control devices in the same manner as all other use of force incidents.
308.6.2 MAINTENANCE RESPONSIBILITY
All normal maintenance, charging or cleaning of control devices shall remain the responsibility of LEO using the various devices.

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of damage, shall be returned through the appropriate chain of command for disposition.

308.7 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES
Any application of a control device and/or technique listed within this section shall be documented pursuant to Policy Manual §§ 300.4 and 300.5.
Conducted Electrical Weapon

309.1 PURPOSE AND SCOPE
This policy provides guidelines for the issuance and use of a Conducted Electrical Weapon (CEW).

309.2 POLICY
The CEW is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device should result in fewer serious injuries to deputies and suspects.

309.3 ISSUANCE AND CARRYING TASER DEVICES
Only members who have successfully completed department-approved training may be issued and carry the CEW. Members will train on the use of a CEW at least once every two years.

CEWs are issued to a Law Enforcement deputy until he/she no longer needs or requests one, i.e. promotion to CIB or other assignment as determined by the Chief of Patrol. All Corrections Sergeants and Lieutenants are issued a CEW. Corrections Deputies assigned to Court Escort, Reception, and Road Crew are also issued a CEW. Other assignments within the Corrections Bureau that require a CEW will be issued daily. These include, but are not limited to, Floor Escort, Booking Escort, and 3 South. All Animal Control Officers and the Hulk Vehicle Enforcement CSO are issued CEWs.

Members shall only use the CEW and cartridges that have been issued by the Department. Uniformed members who have been issued the CEW shall wear the device in an approved holster on their person. Non-uniformed members may secure the CEW in the driver’s compartment of their vehicle.

Members carrying the CEW should perform a spark/arc test on the unit prior to every shift.

When carried while armed and in uniform deputies shall carry the CEW in a weak-side holster on the side opposite the duty weapon. An exception to the opposite side holster rule has been made for Corrections Bureau members working within the secure perimeter of the jail.

a) All CEWs shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.

b) Whenever practicable, members should carry two or more cartridges on their person when carrying the CEW.

c) Members shall be responsible for ensuring that their issued CEW is properly maintained and in good working order.

d) Members should not hold both a firearm and the CEW device at the same time.
309.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the CEW should precede its application, unless it would otherwise endanger the safety of members or when it is not practicable due to the circumstances. The purpose of the warning is to:

(a) Provide the individual with a reasonable opportunity to voluntarily comply.

(b) Provide other members and individuals with a warning that the CEW may be deployed.

If, after a verbal warning, an individual is unwilling to voluntarily comply with a member's lawful orders and it appears both reasonable and feasible under the circumstances, the member may, but is not required to, display the electrical arc (provided that a cartridge has not been loaded into the device/depending on the type of CEW), or the laser in a further attempt to gain compliance prior to the application of the CEW. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the member deploying the CEW in the related report.

309.4.1 APPLICATION OF THE CEW

Authorized personnel may use the CEW when circumstances known to the individual member at the time indicate that such application is reasonable to control a person in any of the following circumstances:

(a) The subject is violent or physically resisting.

(b) A subject who, by words or action, has demonstrated an intention to be violent or to physically resist and who reasonably appears to present the potential to harm the member him/herself or others. When practicable, the member should give a verbal warning of the intended use of the CEW followed by a reasonable opportunity to voluntarily comply. The member must be able to articulate a reasonable belief that other available options appeared ineffective, impractical or would have presented a greater danger to the member, the subject or others.

(c) Absent meeting the conditions set forth in (a) or (b) above, or a reasonable belief that an individual has committed or threatened to commit a serious offense, mere flight from a pursuing member shall not serve as good cause for the use of the CEW to apprehend an individual.

309.4.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the CEW should generally be avoided in the following situations unless the totality of the circumstances indicate that other available options reasonably appear ineffective, impractical, or would present a greater danger to the member, the subject or others, and the member reasonably believes that the need to control the individual outweighs the risk of using the CEW:

(a) Pregnant females.

(b) Extremely elderly individuals or obvious juveniles.

(c) Individuals who are handcuffed or otherwise restrained.
Conducted Electrical Weapon

(d) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any flammable material.

(e) Individuals whose position or activity may result in collateral injury (e.g. falls from height, operating vehicles).

(f) Corrections Bureau: Except in emergent circumstances, a CEW may not be deployed on Inmates with “Medical Contraindicators” as determined by the Jail Physician (MD).

Because the application of the CEW in the drive-stun mode (i.e., direct contact without darts) relies primarily on pain compliance and requires close proximity to the subject, additional caution should be exercised. The application in drive-stun mode should be limited to brief applications in which pain compliance would reasonably appear necessary to achieve control. The CEW shall not be used to intentionally psychologically torment, elicit statements or to punish any individual.

309.4.3 TARGETING CONSIDERATIONS
While manufacturers generally recommend that reasonable efforts should be made to target lower center mass and to avoid intentionally targeting the head, neck, chest and groin, it is recognized that the dynamics of each situation and member safety may not permit the member to limit the application of the CEW darts to a precise target area. As such, member's should take prompt and ongoing care to monitor the condition of the subject if one or more darts strikes the head, neck, chest or groin until he/she is examined by paramedics or other medical personnel.

309.4.4 MULTIPLE APPLICATIONS OF THE CEW
If the first application of the CEW appears to be ineffective in gaining control of an individual and if circumstances allow, the LEO should consider the following before additional applications of the CEW:

(a) Whether the probes or darts are making proper contact.

(b) Whether the application of the CEW is interfering with the ability of the individual to comply.

(c) Whether verbal commands, other options or tactics may be more effective.

This, however, shall not preclude any member from deploying multiple, reasonable applications of the CEW on an individual. If more than 3 cycles of the CEW are used while taking control of a subject, the subject should be checked by medical aid personnel prior to the booking or release of the subject.

309.4.5 POST DEPLOYMENT/MEDICAL
Removal of CEW probes from the suspect is the member's responsibility. If the probes are removed in the field, members can use their discretion regarding the need for medical aid to respond. The suspect shall be transported to a medical facility in the event the probes are in a sensitive area (eyes, mouth, and groin), so the probes can be removed by a physician.

If an arrestee has been subjected to CEW dart penetration and has not been seen by medical personnel, the LE Deputy will notify the Jail booking desk staff.
Members shall photograph or cause to be photographed any visible injuries to the suspect as a result of the CEW application.

Expended CEW darts which have penetrated the skin shall be treated as biohazards and processed according to department guidelines.

309.4.6 CORRECTIONS BUREAU
Once the Inmate is compliant the Supervisor shall ensure medical attention and a medical examination is completed for the Inmate. Either the member or the clinic staff can remove the CEW probes from the Inmate and process them in accordance with department guidelines. The physical examination should include the possibility of any secondary injuries suffered by the inmate if he/she fell during the application of the CEW. The member shall note in his/her LINX report and Blue Team Use of Force entry when this examination occurred, who performed it, and the results of the examination.

309.5 USE OF THE CEW
The CEW has limitations and restrictions requiring consideration before its use. The CEW should only be used when its operator can safely approach the subject within the operational range of the device. Although the CEW is generally effective in controlling most individuals, members should be aware that the device may not achieve the intended results and be prepared with other options.

309.5.1 TASER® CAM™
The TASER CAM is activated any time the safety is in the off position. The safety should be in the safe position unless the deputy intends to use the device. Because the TASER CAM memory is limited, the video and audio data should be downloaded frequently and retained as required by the department records retention schedule.

309.5.2 DANGEROUS ANIMALS
The CEW may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

309.6 DOCUMENTATION
Members shall document all CEW discharges in the related arrest/crime report and the Blue Team Use of Force entry. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, laser activation and arcing the device will also be documented in the arrest/crime report and the Blue Team Use of Force entry.

Members shall provide their CEW to a Supervisor after any field discharge, drive stun, or unintentional discharge as soon as practicable but no later than 24 hours from the time of discharge. If there is no supervisor available in the member’s work area, the member will provide the CEW to any other on duty supervisor for download. The Supervisor will extract data from the CEW using software provided by the manufacturer and save it to an appropriate file location. All
Conducted Electrical Weapon

CEWs shall have their data extracted and firmware updated on a quarterly basis using software provided by the manufacturer.

Operational tests shall be documented in the member’s department issued notebook/log book/log. Accidental discharges of the CEW cartridge shall be documented in the member’s department issued notebook/log book/log and brought to the attention of the on duty supervisor.
Officer-Involved Traumatic Incident

310.1 PURPOSE AND SCOPE
The Pierce County Sheriff’s Department recognizes that trauma can occur when officers are involved in traumatic incidents. It is the policy of the Department to assist officers in recognizing and dealing with trauma to minimize its negative effects.

The effects of this kind of trauma may seriously affect the way an officer may be able to continue to perform his/her duties. It is in the best interest of the officer and the public for the department to immediately intervene in order to promote the mental and physical well being of the officer; in order to maintain the proper functioning of the officer, for the benefit of the public; and in order to properly investigate all such uses of potentially deadly force.

An officer-involved traumatic incident under this policy is when an officer either uses or becomes a victim of the use of potentially deadly force.

310.2 INVESTIGATION RESPONSIBILITY
This department utilizes the Officer-Involved Traumatic Incident Team for investigating officer-involved traumatic incidents.

310.3 TYPES OF INVESTIGATIONS
Officer-involved traumatic incidents may involve several separate investigations. The investigations may include:

(a) A criminal investigation of the incident by the agency having jurisdiction where the incident occurred. This department may relinquish its criminal investigation to an outside agency with the approval of the Sheriff or designee.

(b) A criminal investigation of the involved officer(s) conducted by an outside agency.

(c) An administrative review conducted by the involved officer's agency, to determine if there were any violations of department policy i.e. - Board of Professional Standards (BOPS).

310.4 JURISDICTION
Jurisdiction is in general determined by the location of the traumatic incident and/or the agency employing the involved officer(s). The following procedure will give guidance to supervisors and administrators to follow in the event of an officer-involved traumatic incident:

310.4.1 INCIDENTS OCCURRING WITHIN PCSD JURISDICTION
Where the Sheriff's Department has primary jurisdiction, the CID traumatic incident team will handle all traumatic incidents, including those involving officers of other agencies.

The Sheriff's Department will coordinate with such other agencies so that they will be able to conduct their internal investigations with the least amount of disruption to either agency.
Officer-Involved Traumatic Incident

The Sheriff's Department acknowledges the Pierce County Medical Examiner's Officer Involved Fatal Incident Protocol. The Sheriff's Department agrees to cooperate in allowing this protocol to be followed in traumatic incidents occurring inside the Sheriff's Department jurisdiction, PROVIDED, HOWEVER, that if there is any conflict between this LAW ENFORCEMENT OFFICER-INVOLVED TRAUMATIC INCIDENT POLICY and the Pierce County Medical Examiner's Officer Involved Fatal Incident Protocol, this policy shall control.

310.4.2 INCIDENTS OCCURRING OUTSIDE OF PCSD JURISDICTION
Any Sheriff's Department officer involved in a traumatic incident while acting as a law enforcement officer outside of the jurisdiction of the Pierce County Sheriff's Department will immediately notify the agency of jurisdiction and an on-duty Sheriff's Department supervisor. The on-duty PCSD supervisor, in turn, will notify the Command Duty Officer (CDO).

In addition to the foregoing Department personnel, Criminal Investigations Division personnel will also be available to respond to assist in the investigation and provide a liaison with the investigating agency if requested by the investigating agency. The officer may also request the assistance of a Union representative (i.e., a Union attorney and/or other Union representatives).

310.5 INVESTIGATION PROCESS
The following procedures are guidelines used in the investigation of an officer-involved shooting or death.

310.5.1 DUTIES OF INITIAL ON SCENE SUPERVISOR
The following shall occur when a Pierce County Sheriff's Department officer is involved in an Officer-Involved Traumatic Incident in Pierce County:

(a) SouthSound 911 Law Enforcement Communications and Dispatch will be immediately notified;
(b) SouthSound 911 Law Enforcement Communications and Dispatch will dispatch a field supervisor to the scene to take control of the scene;
(c) The officer will secure the scene until incident command is assumed by the responding field supervisor.

310.5.2 DUTIES OF INITIAL ON SCENE SUPERVISOR
A. The first supervisor at the scene will assume incident command and is responsible for stabilizing the situation and insuring the integrity of the crime scene. S/he will relieve the officer(s) directly involved in the Officer-Involved Traumatic Incident from all scene-related duties as soon as possible.

B. The incident commander at the scene will contact the Officer Involved Traumatic Incident Team Commander (CID Lieutenant) and CDO.

C. The incident commander will assign an officer to document all personnel at the scene along with any potential witnesses and make sure that they are either interviewed by the Traumatic Incident Investigation Team or that the Team has had an opportunity to review the written reports from the
Officer-Involved Traumatic Incident

uninvolved officers prior to their dismissal (see Section 310.6.1). Reasonable efforts shall be made to keep officers and other witnesses separated prior to making any statements about the incident.

D. The incident commander will treat the officer(s) involved in the traumatic incident with sensitivity and awareness as to the potential of Post Traumatic Stress Syndrome and/or other psychological trauma.

E. The incident commander will insure that the officer(s) are transported as quickly as practicable to the designated precinct or other suitable location and provided with peer support. This assistance will be provided by an officer who was not involved in the incident and who will keep the officer insulated from unnecessary contact. A peer support officer will assist, as appropriate, in contacting the officer's family and/or additional chosen peer officers. If represented, the officer(s) involved in the incident shall be provided a reasonable time to consult with union representatives (legal counsel and/or other union representatives) of their choosing regarding procedural and due process rights prior to their formal interview.

F. In cases involving the use of an officer's primary duty weapon, the involved officer(s) will normally retain their weapons until they are secured by a forensics officer under the direction of the Traumatic Incident Investigation Team. This will limit the chain of custody and unnecessary handling of the weapons. The peer support team supervisor will insure a weapon similar to the one surrendered is provided to the involved officer as quickly as possible and before the officer is released from duty.

G. In cases where the officer is injured, one of the officer's supervisors will respond to the hospital to control the situation there until peer support/hospital response team arrives. If the officer is unconscious or deceased, the officer's immediate chain of command will insure that emergency notifications are made (usually through the use of a chaplain). The supervisor will provide support to the officer and their family and maintain the integrity of the emergency room. The supervisor will insure that the appropriate reports are completed and any clothing or evidence (including the officer's weapon) are secured at the hospital.

H. The involved officer(s) shall be released from normal duties as soon as practical. The officer(s) will be placed on administrative leave for at least seven (7) calendar days, which includes the officer's regularly scheduled days off. The officer(s) shall be returned to regular duty when authorized by the Pierce County Sheriff.

I. The incident commander will transfer incident command to the Criminal Investigations Division (CID) Commander or the CID Commander's designee when the incident is predominantly investigative in nature and there are no longer significant tactical field operations on-going.

310.5.3 COMMAND DUTY OFFICER'S RESPONSIBILITIES
Immediately upon being contacted by the incident commander, the Command Duty Officer shall insure the following notifications are made:

1. The Sheriff and Undersheriff

2. Administrative Services Chief, Operations Chief or Corrections Chief as applicable
3. The PCSD Public Information Officer
4. The CID Commander
5. The Traffic Supervisor (where the facts involve a motor vehicle impact in the course of an incident) for the Technical Accident Investigation Team
6. The Union President or Executive Board Member
7. The Peer Support Team Supervisor

Each officer charged with CDO duties will maintain a current recall roster with the on-duty and off-duty phone numbers and pager numbers of the persons listed above.

The CDO may delegate notifications to another officer. If the CDO does delegate the notifications, the CDO will provide that officer with the recall roster with the on-duty and off-duty phone numbers and pager numbers of the persons listed above.

310.5.4 MEDIA RELATIONS
A press release shall be prepared with input and concurrence from the lead investigator, CDO, Public Information Officer (PIO) and agency representative responsible for each phase of the investigation. This release will be available to the Criminal Investigations Bureau Chief, Public Information Officer and appropriate command staff in the event of inquiries from the media.

It will be the policy of this department to not release the identities of involved deputies absent their consent or as required by law. Moreover, no involved deputy shall be subjected to contact from the media and no involved deputy shall make any comments to the press unless authorized by the Sheriff or a Bureau Chief.

Law enforcement officials receiving inquiries regarding incidents occurring in other agency jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

310.6 TRAUMATIC INCIDENT CRIMINAL INVESTIGATION

310.6.1 CID RESPONSIBILITIES
A. The Criminal Investigations Division commander will be in charge of the traumatic incident team, will insure a thorough investigation is completed, and will either assume incident command or insure a CID supervisor does so when the incident is predominantly investigative in nature and there are no longer significant tactical field operations on-going. The CID commander will insure that sufficient investigative personnel are provided.

B. The Criminal Investigations Division commander shall insure the following notifications are made:

1. The Traumatic Incident Investigation Team
2. The Prosecuting Attorney (or Designee)
3. The Pierce County Medical Examiner (or Designee) (when there is a fatality)
4. An officer trained in using the Total Station, as applicable

310.6.2 DEPUTY INTERVIEWS
A. If represented, the officer(s) involved in the incident will be allowed to have the Union attorney and a Union representative (an uninvolved person) of their choice present during the interview. The absence or unavailability of a particular individual will not be grounds to delay the investigation. A reasonable amount of time to consult representatives will be allowed. The Department allows the officers involved in a traumatic incident to have a representative present in an effort to aid officers through a stressful situation.

B. With the officer’s consent, formal interviews with officers involved in the traumatic incident will be tape recorded and then transcribed. All interviews are voluntary statements.

C. An officer who is a witness and not a subject of the investigation does not have a right to representation during his/her interview unless the officer reasonably believes his/her statement(s) may result in discipline. Under such circumstances, if the officer requests representation he/she will be allowed to have the Union attorney and a Union representative (an uninvolved person) of their choice present during the interview and will be afforded all the rights set forth in paragraph A. above. Subject to the foregoing, officer witnesses will either submit to an interview with the Traumatic Incident Investigation Team or, at the option of the Investigative Team Leader, submit their own written report prior to being released from duty.

310.6.3 WITNESS IDENTIFICATION AND INTERVIEWS
Because potential witnesses to an officer-involved traumatic incident may be lost or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to promptly coordinate with criminal investigators to utilize available personnel for the following:

(a) Identify all persons present at the scene and in the immediate area.

1. When feasible, a statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred. Deputies should seek consent to record such statements whenever possible.

2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, deputies should attempt to identify the witness prior to his/her departure.

(b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a statement. Such witnesses, if willing, may be transported by department personnel.
310.7 ADMINISTRATIVE REVIEW
In addition to all other investigations associated with an officer-involved traumatic incident, all incidents involving the intentional use of deadly force shall be reviewed by the Board of Professional Standards (BOPS).

310.8 POST TRAUMATIC ASSESSMENT
A. The Department will arrange an appointment with a psychologist or psychiatrist of the Department's choosing for a mandatory post traumatic assessment prior to the officer's return to duty. This will be a confidential fitness for duty evaluation post traumatic assessment and even though it will be paid by Pierce County, the only communication to Pierce County and/or the Sheriff's Department by the psychologist or psychiatrist will be the recommendation of whether or not the officer(s) is/are fit to return to duty.

At the time of the incident, the Collective Bargaining Unit will provide the Administrative Services Chief with information regarding the officer's schedule for the next ten (10) calendar days in order to assist with scheduling the post traumatic assessment. This schedule will include the following information:

1. The officer's regularly scheduled days off;
2. Any court appearances;
3. Any training;
4. Any scheduled annual or furlough days;
5. Any scheduled medical appointments;
6. Any other scheduled events.

This appointment will not be scheduled within the first 48 hours of the officer's administrative leave, nor will the officer be contacted about scheduling this appointment within the first 48 hours of the officer's administrative leave.

When the appointment is scheduled, the officer will be contacted directly by the Administrative Services Chief. The day of the appointment will be an administrative leave day.

B. If it is determined that the officer(s) is/are not fit for duty, they will be placed on leave in accordance with the Department guidelines.

C. If it is determined that the Officer(s) is/are fit for duty, the officer(s) may be returned to duty.

D. The Department will provide follow-up to the officer and his/her family at four and six month intervals following the incident. The officer will be directed to see the Department psychologist or psychiatrist at the Department's expense as a follow-up of the initial post traumatic assessment. These follow-up assessments will also be mandatory and confidential. The officer's family may also attend at the option of the officer. Officers are also encouraged to discuss any post traumatic concerns with the Chaplain.
E. The Administrative Services Chief, or designee, will assure that a critical stress debrief is scheduled within seven (7) days of the incident.

310.9 RETURNING TO DUTY
Upon approval by the Sheriff for return to duty and prior to the officer's actual return to duty, the officer(s) directly involved in the Officer-involved Traumatic Incident will report to the Training Section, as directed, for Post Traumatic Incident Confidence Training. Such training may include:

1. Firearms Confidence Training. This training will not be conducted for scoring or weapons qualification purposes (the officer's basic qualifications are unaffected by their involvement in the Traumatic Incident); rather, the sole purpose of the Firearms Confidence Training is to re-acclimate the officer(s) to the feel and sounds of the weapon being discharged. The day of this training will be an administrative leave day. If the officer's weapon has been replaced at the time of the incident, the officer may be required to qualify with that weapon.

2. Other Confidence Training such as Tactical Driver Training and/or Defensive Tactics Training which is related to the circumstances of the Officer-Involved Traumatic Incident. Such training will be conducted for the sole purpose of re-acclimating the officer to aspects of his/her training and/or duty environment which are designed to reinforce the officer's self confidence prior to returning to duty. The day of this training will be an administrative leave day.

3. Supplemental orientation regarding common aspects of post-shooting or other post-lethal force trauma. The day of these events will be an administrative leave day.

310.10 TRAUMATIC INCIDENT INVESTIGATION TEAM
A. The Department will train not less than six (6) Detective/Sergeants and/or Detectives to conduct Officer-involved Traumatic Incident investigations. The officers selected will represent a balance of career experience within the Department so that as members of the Traumatic Incident Investigation Team are promoted, separated or retired, a core of trained, experienced investigators will remain. Additional officers will be trained, as appropriate, in anticipation of the promotion, separation or retirement of current Team members.

B. The Department will also provide Officer-involved Traumatic Incident training for all personnel on an annual basis.

C. A primary Traumatic Incident Investigation Team consisting of at least four (4) trained officers, if available, will be called out to assist in the investigation of each Officer-involved Traumatic Incident for which the Department has primary jurisdiction, or otherwise as directed.

310.11 GUIDING DOCUMENTS
The guidance for the Officer-Involved Traumatic Incident policy and procedures shall be the following documents:

1. 2008 Memorandum of Understanding Between Pierce County and Pierce County Deputy Sheriffs’ Independent Guild, Local No. 1889
2. September 28, 2010 Letter of Understanding Between Pierce County and Pierce County Deputy Sheriffs’ Independent Guild, Local No. 1889

3. Pierce County Medical Examiner's Officer Involved Fatal Incident Protocol
Other Traumatic Incidents

311.1 PURPOSE AND SCOPE
Some situations have a traumatic effect on the individuals involved simply because of the nature and circumstances surrounding the situation. Examples of such situations include, but are not limited to, serious automobile accidents involving the loss of life or serious injury, violent crime scenes, airplane crashes, suicides in the jail, and child death investigations.

It is imperative the involved employee's supervisor, whether it be employee(s) who are first responders (Patrol Deputies) or secondary on the scene (Detectives, Forensics), contact the involved employee(s) in person during the days following the incident and inquire about their wellbeing.

In some of these situations, the involved employee's supervisor may feel the need for employee assistance. The supervisor has the discretion to contact the Peer Support Team and the Department Chaplain whenever he feels the situation calls for such response. The supervisor shall also inform the involved employee(s) of the Employee Assistance Program (EAP). If necessary, the Bureau Chief or CDO may place the involved employee on administrative leave.

311.2 PEER SUPPORT UNIT (PSU)
When law enforcement agency employees become involved in traumatic incidents, they often have severe mental and emotional reactions. The Pierce County Sheriff's Department has recognized the value of providing a way for employees and family members to deal with personal and professional problems. A proven approach to this challenge is providing a peer support program.

The Peer Support Unit is comprised of employees who have volunteered to assist their peers throughout the Department, by providing a way for them to talk confidentially with someone who understands and cares. Peer Support Unit members will not offer legal or contractual advice while acting in the capacity. Department supervisors should make every effort to accommodate Peer Support members who are asked to respond to a request for assistance.

311.2.1 PEER SUPPORT UNIT MEMBER SELECTION
When an opening occurs in the PSU, the current members will evaluate candidates to fill the opening based on the following criteria:

1. Agreement to maintain confidentiality.
2. Demonstrated empathy, interpersonal and communication skills.
3. Complete basic peer support training, and attend scheduled in-service training.

The PSU will recommend suitable candidates to the Sheriff for official appointment to the unit.
311.2.2 DUTIES AND RESPONSIBILITIES OF PEER SUPPORT UNIT
Peer supporters provide support and assistance to employees in time of stress and crisis by doing the following functions:

(a) Maintain an atmosphere of trust, anonymity, and confidentiality for employees who seek PSU assistance, by providing an internal support network within the department.

(b) Recognize that employees are not required to accept peer support services. It is strictly voluntary.

(c) Be available to respond at any hour to provide initial or follow-up support.

(d) Remove affected employees from the scene of a traumatic incident as soon as authorized to do so.

(e) Provide support by being present during investigative interviews, if requested by the affected employee(s).

(f) Provide a replacement duty weapon when appropriate.

(g) Provide transportation of family members and any support needed.

311.3 ON-GOING CRITICAL INCIDENT STRESS DEBRIEFING (CISD) SUPPORT
The Department CISD team will implement support and debriefing sessions throughout and after the traumatic incident for employees and their families. It is recognized that law enforcement work can be traumatic and the future mental health of our employees depends on prompt and professional assistance from our trained CISD team members.
Firearms and Qualification

312.1 PURPOSE AND SCOPE
This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance, and firearms training.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies.

This policy only applies to those members who are authorized to carry firearms.

312.2 POLICY
The Pierce County Sheriff’s Department will equip its members with firearms to address the risks posed to the public and department members by violent and sometimes well-armed persons. The Department will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

312.2.1 LASER SIGHTS
Laser sights may only be installed on a weapon carried on or off-duty after they have been examined and approved by the Rangemaster.

(a) Any approved laser sight shall only be installed in strict accordance with manufacturer specifications.

(b) Once approved laser sights have been properly installed on any weapon, the deputy shall qualify with the weapon to ensure proper functionality and sighting of the weapon prior to carrying it.

Except in an approved training situation, a deputy may only activate a laser sight when the deputy would otherwise be justified in pointing a weapon at an individual or other authorized target.

312.2.2 DUTY WEAPONS
All commissioned deputies will be issued a department firearm and shall be required to carry it while on duty. Commissioned deputies who have requested that they be allowed to carry personally owned firearms may do so only under the conditions set forth in their respective collective bargaining agreement and of the approved caliber.

312.2.3 AUTHORIZED SECONDARY OR "BACK-UP" FIREARMS
Law Enforcement Deputies desiring to carry a back-up firearm must qualify and be authorized/approved by the Armorer.

312.2.4 AUTHORIZED OFF-DUTY CARRY
The carrying of firearms by sworn law enforcement officers (LEO’s) while off-duty is permitted by the Sheriff but may be rescinded should circumstances dictate (e.g., administrative leave). Sworn deputies who choose to carry a firearm while off-duty under the auspices of his/her commission
Firearms and Qualification

must comply with the standards for "on-duty" carry (RCW 9.41.060). Corrections deputies will not be allowed to carry a department issued weapon off duty, except that weapon may be carried to and from the jail or firing range.

312.2.5 AMMUNITION
Only ammunition that meets agency authorized specifications and approved by the Sheriff may be used by deputies in their law enforcement responsibilities.

312.3 EQUIPMENT
Firearms carried on- or off-duty shall be maintained in a clean, serviceable condition. Maintenance and repair of authorized personally owned firearms are the responsibility of the individual member.

312.3.1 REPAIRS OR MODIFICATIONS
Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or the Rangemaster.

Firearms that are the property of the Department or personally owned firearms that are approved for department use may be repaired or modified only by a person who is department-approved and certified as an armorer or gunsmith in the repair of the specific firearm. Such modification or repair must be authorized in advance by the Rangemaster.

Any repairs or modifications to the member’s personally owned firearm shall be done at his/her expense and must be approved by the Rangemaster.

312.3.2 HOLSTERS
Only department-approved holsters shall be used and worn by members. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun.

312.3.3 TACTICAL LIGHTS
Tactical lights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Rangemaster. Once the approved tactical lights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

312.3.4 OPTICS OR LASER SIGHTS
Optics or laser sights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Rangemaster. Any approved sight shall only be installed in strict accordance with manufacturer specifications. Once approved sights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

Except in an approved training situation, a member may only sight in on a target when the member would otherwise be justified in pointing a firearm at the target.
312.4 SAFE HANDLING, INSPECTION AND STORAGE
Members shall maintain the highest level of safety when handling firearms and shall consider the following:

(a) Members shall not unnecessarily display or handle any firearm.

(b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster. Members shall not dry fire or practice quick draws except as instructed by the Rangemaster or other firearms training staff.

(c) Members shall not clean, repair, load or unload a firearm anywhere in the Department, except where clearing barrels are present.

(d) Shotguns or rifles removed from vehicles or the equipment storage room shall be loaded and unloaded in the parking lot and outside of the vehicle, using clearing barrels.

(e) Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing an arrestee, but shall place all firearms in a secured location. Members providing access to the jail section to persons from outside agencies are responsible for ensuring firearms are not brought into the jail section.

(f) Members shall not use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory, except with approval of a supervisor.

(g) Any firearm authorized by the Department to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Department Rangemaster for inspection and repair. Any firearm deemed in need of repair or service by the Rangemaster will be immediately removed from service. If the firearm is the member’s primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

(h) Members shall abide by the four basic safety rules: All guns are always loaded; Never point your weapon at anything you are not willing to shoot; Keep your finger off the trigger until your sights are on target and you are ready to fire; Be sure of your target and the backstop beyond.

312.4.1 INSPECTION AND STORAGE
Handguns shall be inspected regularly and upon access or possession by another person. Shotguns and rifles shall be inspected at the beginning of the shift by the member to whom the weapon is issued. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. Inspection of the shotgun and rifle shall be done while standing outside of the patrol vehicle, shotguns and rifles will be carried without a round in the chamber and safety on. All firearms shall be pointed in a safe direction or into clearing barrels.
Firearms and Qualification

All personal and issued firearms, ammunition, and/or weapons not required for an armed duty post, carried by Corrections staff to and from work will be stored and locked in their assigned locker located in the staff locker rooms.

Weapons loading and clearing tubes have been placed in Corrections locker rooms. Instructions on clearing and loading weapons are posted at each clearing tube location and will be followed by all personnel.

312.4.2 STORAGE AT HOME
Members shall ensure that all firearms and ammunition are secured in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit department-issued firearms to be handled by anyone not authorized by the Department to do so. Members should be aware that negligent storage of a firearm could result in civil liability.

312.4.3 ALCOHOL AND DRUGS
Firearms shall not be carried by any member, either on- or off-duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication, or has taken any combination thereof that would tend to adversely affect the member’s senses or judgment.

312.5 FIREARMS TRAINING AND QUALIFICATIONS
All sworn personnel are required to qualify with their primary duty firearms at least once during a calendar year on an approved range course. Failure to qualify with the primary duty firearm shall be reported to the Training Supervisor and the employee’s Bureau Chief as soon as possible. The Range master shall keep accurate records of qualifications, repairs, maintenance, and training as directed by the Training Unit. A qualification must be completed on any firearm before it can be carried on duty.

312.5.1 NON-CERTIFICATION OR NON-QUALIFICATION
(a) Any Law Enforcement personnel failing to qualify at least once during a calendar year in the practical pistol course (PPC) or who fails to attend scheduled standard firearm proficiency training at least once during a calendar year shall be placed on immediate Administrative Assignment. Upon being placed on Administrative Assignment, the officer shall be permitted to drive their department-issued vehicle from the firing range or other current duty location to their residence. However, for the remainder of the Administrative Assignment the officer shall not use any department issued vehicle or handgun or personally owned handgun in the scope of their duties except as authorized by their supervisor or as necessary for the officer’s self defense. Any Corrections personnel failing to qualify at least once during a calendar year in the practical pistol course (PPC) or who fails to attend scheduled standard firearm proficiency training at least once during a calendar year shall be immediately restricted to assignments in unarmed posts. The foregoing actions shall remain in effect until the officer complies with the Department firearm training requirements and demonstrates the stated minimum shooting proficiency.

(b) In addition to the foregoing actions, the employee’s supervisor, in conjunction with the Training Unit, will ensure that remedial firearm training is scheduled for the
employee as quickly as possible. The employee shall be required to demonstrate two consecutive passing scores according to Department training requirements under the direct observation of the Chief Firearms Instructor (CFI) or the CFI's designee.

(c) Any commissioned law enforcement officer (L.E.O.) who fails to qualify with a long gun at least once during a calendar year shall not use said weapon in the scope of their duties. The foregoing restrictions shall remain in effect until the officer complies with the Department firearm training requirements and demonstrates the stated minimum shooting proficiency.

(d) Any commissioned law enforcement officer in the Pierce County Sheriff's Department who fails to achieve an overall acceptable performance rating in associated (i.e. Tactical) firearms training will be rescheduled for remedial training for the tactical use of their firearm(s).

(e) Failure to attend scheduled remedial firearms training or failure to qualify after remedial firearms training may be grounds for disciplinary action, including dismissal.

(f) It is the employee’s responsibility to provide any documentation which would demonstrate a temporary medical condition which would preclude them from meeting qualification standards.

312.6 FIREARM DISCHARGE
Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Traumatic Incident Policy. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

In all other cases, written reports shall be made as follows:

(a) If on-duty at the time of the incident, the member shall file a written report prior to the end of shift, unless otherwise directed by a supervisor. The on duty supervisor will investigate the matter and file a written supplemental report. The on duty supervisor will also complete the Blue Team Firearms Discharge entry per memo 15-095.

(b) If off-duty at the time of the incident, the member shall file a written report no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor. The on duty supervisor will investigate the matter and file a written supplemental report. The on duty supervisor will also complete the Blue Team Firearms Discharge entry per memo 15-095.

In the case of an unintentional firearms discharge Supervisors shall make notification to the proper chain of command personnel. All unintentional firearms discharges except those on the range shall be reviewed by the Board of Professional Standards. Firearms incidents on the range may be referred to the Board of Professional Standards.

The Internal Affairs Supervisor shall review all unintentional firearms discharges for sufficient information and may request additional investigation of the incident if needed. The Internal Affairs
Unit will ensure that the reports are forwarded to the Board of Professional Standards in a timely manner.

If there is a possible violation of policy or negligence on the part of the Officer, then a “Criticism” report shall be initiated and an investigation shall be conducted in the same manner as any other “Criticism” investigation. Any questions as to who will initiate and author a “Criticism” report will be decided by the Undersheriff if needed.

312.6.1 DESTRUCTION OF ANIMALS
Members are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, TASER device, oleoresin capsicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

312.6.2 INJURED ANIMALS
With the approval of a supervisor, a deputy may dispatch non domesticated animals that are so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical.

Injured domestic animals will be referred to the Animal Control Program. If Animal Control is unavailable, injured domestic animals (with the exception of dogs and cats) may only be dispatched after a reasonable search to locate the owner has been made. Injured dogs and cats found without their owners shall be taken to the facility designated by the Animal Control Program to determine whether the animal should be treated or humanely destroyed.

312.6.3 WARNING AND OTHER SHOTS
Generally, warning shots or shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the member reasonably believes that they appear necessary, effective and reasonably safe.

312.7 RANGEMASTER DUTIES
The range will be under the exclusive control of the Rangemaster. All members attending will follow the directions of the Rangemaster. The Rangemaster will maintain a roster of all members attending the range and will submit the roster to the Training Unit after each range date. Failure of any deputy to sign in and out with the Rangemaster may result in non-participation or non-qualification.

The range shall remain operational and accessible to department members during hours established by the Department.
Firearms and Qualification

The Rangemaster has the responsibility of making periodic inspections, at least once a year, of all duty weapons carried by deputies of this department to verify proper operation. The Rangemaster has the authority to deem any department-issued or personally owned firearm unfit for service. The member will be responsible for all repairs to his/her personally owned firearm; it will not be returned to service until inspected and approved by the Rangemaster.

The Rangemaster has the responsibility for ensuring each member meets the minimum requirements during training shoots and, on at least a yearly basis, can demonstrate proficiency in the care, cleaning and safety of all firearms the member is authorized to carry.

The Rangemaster shall complete and submit to the Training Unit documentation of the training courses provided. Documentation shall include a description of the training provided and, on a form that has been approved by the Department, a list of each member who completes the training. The Rangemaster should keep accurate records of all training shoots, qualifications, repairs, maintenance or other records as directed by the Training Unit.

312.8 FLYING WHILE ARMED
The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to deputies who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

(a) Deputies wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure, and must have a need to have the firearm accessible, as determined by the Department based on the law and published TSA rules.

(b) Deputies must carry their Pierce County Sheriff's Department identification card, bearing the deputy’s name, a full-face photograph, identification number, the deputy’s signature and the signature of the Sheriff or the official seal of the Department and must present this identification to airline officials when requested. The deputy should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver license, passport).

(c) The Pierce County Sheriff's Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the deputy’s travel. If approved, TSA will send the Pierce County Sheriff's Department an NLETS message containing a unique alphanumeric identifier. The deputy must present the message on the day of travel to airport personnel as authorization to travel while armed.

(d) An official letter signed by the Sheriff authorizing armed travel may also accompany the deputy. The letter should outline the deputy’s need to fly armed, detail his/her itinerary, and include that the deputy has completed the mandatory TSA training for a law enforcement officer flying while armed.

(e) Deputies must have completed the mandated TSA security training covering deputies flying while armed. The training shall be given by the department-appointed instructor.
(f) It is the deputy’s responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier’s check-in counter.

(g) Any deputy flying while armed should discreetly contact the flight crew prior to take-off and notify them of his/her assigned seat.

(h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The deputy must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.

(i) Deputies should try to resolve any problems associated with flying armed through the flight captain, ground security manager, TSA representative or other management representative of the air carrier.

(j) Deputies shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

312.9 CARRYING FIREARMS OUT OF STATE

Qualified, active, full-time deputies of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

(a) The deputy shall carry his/her Pierce County Sheriff’s Department identification card whenever carrying such firearm.

(b) The deputy is not the subject of any current disciplinary action.

(c) The deputy may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.

(d) The deputy will remain subject to this and all other department policies (including qualifying and training).

Deputies are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park. Federal authority may not shield a deputy from arrest and prosecution in such locally restricted areas.

Visiting Peace Officers from other states are subject to all requirements set forth in 18 USC § 926B.
Duty Knife Policy

313.1 PURPOSE AND SCOPE
The purpose of this policy is to authorize and define the general and defensive use of duty knives by department commissioned personnel.

313.2 POLICY
The Department authorizes LEO's to possess and use a personal duty knife or knives. It is recognized that LEO's may have many needs for a duty knife, including both general utility needs and for limited defensive purposes. Policy § 300 Use of Force provides LEO's with guidelines on the use of force.

313.3 GENERAL USE
The carrying and use of a duty knife by LEO's shall be done as inconspicuously as possible. It is the individual LEO's responsibility to use the duty knife in a responsible and safe manner and to prevent injuries or property damage during use.

313.3.1 PROHIBITED CARRY IN CORRECTIONS FACILITIES
Duty knives are not authorized in the Correctional facilities.

313.4 DEFENSIVE USE OF A DUTY KNIFE
While not considered to be a primary weapon of choice in a defense-of-life situation, LEO's may, under extraordinary circumstances, respond with a duty knife in defense of their life, and the lives of others.

313.5 TYPES OF KNIVES
LEO's may carry either automatic or manual-opening knives as reference in RCW 9.41.250 and in RCW 9.41.251. Duty knives may be either fixed bladed or folding bladed knives and are limited to a blade length of 5 inches or less.

Fixed bladed knives, and knives commonly referred to as a "tether", "neck" or "Karambit" knives must be carried in a manner inconspicuous to public view.

Folding knives may be carried in a conspicuous manner provided they do not interfere with, or detract from the officer's uniform or professional appearance.

313.6 EXCEPTIONS - SPECIAL UNITS
Specialized Duty Assignments such as SWAT, Lab Team, SIU, Dive Team etc. are exempt from the requirements in section §313.5 while performing duties in the specialized unit. Authorization to carry non-standard knives will be approved by the respective unit commanders.
313.7 USE OF FORCE REPORT - KNIFE
A use of force involving a duty knife shall be documented by the LEO per policy §300.4 Reporting the Use of Force. If the incident is considered a traumatic incident, it will be documented per §310 Officer Involved Traumatic Incident. Notification to a supervisor will be made per §300.4.1 Notification To Supervisors following a use of force incident involving a duty knife.
Vehicle Pursuits

314.1 PURPOSE AND SCOPE
This policy provides guidelines for vehicle pursuits in order to protect the safety of involved deputies, the public and fleeing suspects (RCW 43.101.226(3)).

The primary purpose of this policy is to provide deputies with guidance in balancing the safety of the public and themselves against law enforcement's duty to apprehend violators of the law. Another purpose of this policy is to minimize the potential for pursuit-related collisions. Vehicular pursuits require deputies to exhibit a high degree of common sense and sound judgment.

Deciding whether to pursue a motor vehicle is a critical decision that must be made quickly and under difficult and unpredictable circumstances. In recognizing the potential risk to public safety created by vehicular pursuits, no deputy or supervisor shall be criticized or disciplined for deciding not to engage in a vehicular pursuit because of the risk involved. This includes circumstances where department policy would permit the initiation or continuation of the pursuit. It is recognized that vehicular pursuit situations are not always predictable and decisions made pursuant to this policy will be evaluated according to the totality of the circumstances reasonably available at the time of the pursuit.

Deputies must remember that the most important factors to the successful conclusion of a pursuit are proper self-discipline and sound professional judgment. Deputies' conduct during the course of a pursuit must be objectively reasonable; that is, what a reasonable deputy would do under the circumstances.

314.1.1 DEFINITIONS
Definitions related to this policy include:

**Blocking or vehicle intercept** - A slow-speed coordinated maneuver where two or more pursuing vehicles simultaneously intercept and block the movement of a suspect vehicle, the driver of which may be unaware of the impending enforcement stop. The goal is containment and preventing a pursuit. Blocking is not a moving or stationary road block.

**Boxing-in** - A tactic designed to stop a suspect’s vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

**Pursuit Intervention Technique (PIT)** - A low-speed maneuver designed to cause the suspect vehicle to spin out, stall and come to a stop.

**Ramming** - The deliberate act of contacting a suspect’s vehicle with another law enforcement vehicle to functionally damage or otherwise force the suspect’s vehicle to stop.

**Roadblocks** - A tactic designed to stop a suspect’s vehicle by intentionally placing a law enforcement vehicle or other immovable object in the path of the suspect’s vehicle.

**Terminate** - To discontinue a pursuit or stop chasing fleeing vehicles.

**Tire deflation device** - A device designed to puncture the tires of the pursued vehicle.
Vehicle Pursuits

**Trail** - Following the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing vehicle will maintain sufficient distance from the pursuit vehicles so as to clearly indicate an absence of participation in the pursuit.

**Vehicle pursuit** - An event involving one or more law enforcement officers attempting to apprehend a suspect, who is attempting to avoid arrest while operating a vehicle by using high-speed driving or other evasive tactics, such as driving off a highway, turning suddenly or driving in a legal manner but willfully failing to yield to a deputy’s emergency signal to stop.

### 314.2 POLICY

It is the policy of this department to weigh the importance of apprehending suspects who unlawfully flee from law enforcement against the risks associated with vehicle pursuits.

### 314.3 DEPUTY RESPONSIBILITIES

Vehicle pursuits shall only be conducted using authorized sheriff’s department vehicles that are equipped with and displaying emergency lighting and sirens as required by law.

Deputies shall drive with due regard for the safety of all persons and property. However, deputies may, when in pursuit of a suspect and provided there is no unreasonable risk to persons and property (RCW 46.61.035):

(a) Proceed past a red or stop signal or stop sign but only after slowing down as may be necessary for safe operation.

(b) Exceed the speed limit.

(c) Disregard regulations governing parking, direction of movement or turning in specified directions.

### 314.3.1 WHEN TO INITIATE A PURSUIT

Deputies are authorized to initiate a pursuit when it is reasonable to believe that a suspect, who has been given an appropriate signal to stop by a law enforcement officer, is attempting to evade arrest or detention by fleeing in a vehicle.

Factors that shall be considered, both individually and collectively, when deciding to initiate or continue a pursuit include, but are not limited to:

(a) The seriousness of the known or reasonably suspected crime and its relationship to community safety.

(b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to deputies, innocent motorists and others.

(c) The safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic (e.g., school zones) and the speed of the pursuit relative to these factors.
Vehicle Pursuits

(d) The pursuing deputies’ familiarity with the area of the pursuit, the quality of radio communications between the pursuing vehicles and the dispatcher/supervisor, and the driving capabilities of the pursuing deputies under the conditions of the pursuit.

(e) Whether weather, traffic and road conditions unreasonably increase the danger of the pursuit when weighed against the risks resulting from the suspect’s escape.

(f) Whether the identity of the suspect has been verified and whether there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.

(g) The performance capabilities of the vehicles used in the pursuit in relation to the speed and other conditions of the pursuit.

(h) Emergency lighting and siren limitations on unmarked sheriff's department vehicles that may reduce visibility of the vehicle, such as visor or dash-mounted lights, concealable or temporary emergency lighting equipment and concealed or obstructed siren positioning.

(i) Vehicle speeds.

(j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).

(k) The availability of other resources, such as air support assistance.

(l) Whether the pursuing vehicle is carrying passengers other than on-duty sheriff's deputies. Pursuits should not be undertaken with an arrestee in the pursuit vehicle unless exigent circumstances exist, and then only after the need to apprehend the suspect is weighed against the safety of the arrestee in transport. A vehicle containing more than a single arrestee should not be involved in a pursuit.

314.3.2 WHEN TO TERMINATE A PURSUIT

Pursuits should be terminated whenever the totality of objective circumstances known or which reasonably ought to be known to the deputy or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect’s escape.

When a supervisor directs the pursuit to be terminated, deputies will immediately terminate the pursuit.

The factors listed in this policy on when to initiate a pursuit will apply equally to the decision to terminate a pursuit. Deputies and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves and the public when electing to continue a pursuit.

In addition to the factors that govern when to initiate a pursuit, other factors should be considered in deciding whether to terminate a pursuit, including:

(a) The distance between the pursuing vehicle and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time or distance.
Vehicle Pursuits

(b) The pursued vehicle’s location is no longer definitely known.

(c) The pursuing vehicle sustains damage or a mechanical failure that renders it unsafe to drive.

(d) The pursuing vehicle’s emergency lighting equipment or siren becomes partially or completely inoperable.

(e) Hazards to uninvolved bystanders or motorists.

(f) The danger that the continued pursuit poses to the public, the deputies or the suspect, balanced against the risk of allowing the suspect to remain at large.

(g) The identity of the suspect is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit.

(h) Extended pursuits of violators for misdemeanors not involving violence or weapons (independent of the pursuit) are generally discouraged.

314.4 PURSUIT VEHICLES

Police vehicles that are equipped with red and blue lights and siren, but without an exterior roof top mounted emergency light bar, will participate in pursuits only until relieved by a marked patrol car equipped with an exterior roof top mounted emergency light bar. Once relieved, vehicles without an exterior roof top mounted emergency light bar should discontinue active involvement in pursuing the fleeing vehicle from the rear, but may parallel the pursuit route, unless circumstances necessitate active involvement as a back up vehicle.

Deputies driving motorcycle units will participate in pursuits only until relieved by a marked, emergency-equipped police car, unless the monitoring supervisor determines that the motorcycle unit is a more effective pursuit vehicle.

Vehicle pursuits should be limited to three sheriff’s department emergency vehicles (two pursuit vehicles and K9 Officer’s vehicle). However, the number of vehicles involved will vary with the circumstances.

A deputy or supervisor may request that additional vehicles join a pursuit if, after assessing the factors outlined above, it appears that the number of deputies involved would be insufficient to safely arrest the number of suspects. All other deputies shall stay out of the pursuit but should remain alert to its progress and location and assist with stop sticks and the safety of intersections.

314.4.1 VEHICLES WITHOUT EMERGENCY EQUIPMENT

Deputies operating vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in any pursuit unless exigent circumstances exist. Deputies in such vehicles may provide support to pursuing vehicles as long as the vehicle is operated in compliance with all traffic laws. Those deputies should discontinue such support immediately upon arrival of a sufficient number of authorized emergency sheriff’s department vehicles or any air support.
314.4.2 PRIMARY PURSUIT VEHICLE RESPONSIBILITIES
The initial pursuing deputy will be designated as the primary pursuit vehicle and will be responsible for the conduct of the pursuit unless he/she is unable to remain reasonably close to the suspect’s vehicle. The primary responsibility of the deputy initiating the pursuit is the apprehension of the suspect without unreasonable danger to him/herself or others.
The primary pursuing deputy will immediately notify the South Sound 911 dispatcher, commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated, and as soon as practical provide information including, but not limited to:

(a) The location, direction of travel and estimated speed of the suspect’s vehicle.
(b) The description of the suspect’s vehicle including the license plate number, if known.
(c) The reason for the pursuit.
(d) The use of firearms, threat of force, violence, injuries, hostages or other unusual hazards.
(e) The number of occupants and identity or description.
(f) The weather, road and traffic conditions.
(g) The need for any additional resources or equipment.
(h) The identity of other law enforcement agencies involved in the pursuit.

Until relieved by a supervisor or a secondary pursuing deputy, the deputy in the primary pursuit vehicle shall be responsible for broadcasting the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary pursuing deputy should, as soon as practical, relinquish the responsibility of broadcasting the progress of the pursuit to a deputy in a secondary pursuit vehicle or to air support joining the pursuit to minimize distractions and allow the primary pursuing deputy to concentrate foremost on safe pursuit tactics.

314.4.3 SECONDARY PURSUIT VEHICLE RESPONSIBILITIES
The second deputy in the pursuit will be designated as the secondary pursuit vehicle and is responsible for:

(a) Immediately notifying the dispatcher of his/her entry into the pursuit.
(b) Remaining a safe distance behind the primary pursuit vehicle unless directed to assume the role of primary pursuit vehicle or if the primary pursuit vehicle is unable to continue the pursuit.
(c) Broadcasting information that the primary pursuing deputy is unable to provide.
(d) Broadcasting the progress of the pursuit, updating known or critical information and providing changes in the pursuit, unless the situation indicates otherwise.
(e) Identifying the need for additional resources or equipment as appropriate.
(f) Serving as backup to the primary pursuing deputy once the suspect has been stopped.
314.5 PURSUIT DRIVING
The decision to use specific driving tactics requires the same assessment of the factors the deputy considered when determining whether to initiate and/or terminate a pursuit. The following are tactics for deputies who are involved in the pursuit:

(a) Deputies, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to unusual maneuvers by the fleeing vehicle.

(b) Because intersections can present increased risks, the following tactics should be considered:

1. Available deputies not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.

2. Pursuing deputies should exercise due caution and slow down as may be necessary when proceeding through controlled intersections.

(c) As a general rule, deputies should not pursue a vehicle driving the wrong direction on a roadway, highway or freeway. In the event the pursued vehicle does so, the following tactics should be considered

1. Request assistance from available air support.

2. Maintain visual contact with the pursued vehicle by paralleling the vehicle while driving on the correct side of the roadway.

3. Request other deputies to observe exits available to the suspect.

(d) Notify the Washington State Patrol or other law enforcement agency if it appears that the pursuit may enter its jurisdiction.

(e) Deputies involved in a pursuit should not attempt to pass other pursuing vehicles unless the situation indicates otherwise or they are requested to do so by the pursuing deputy and with a clear understanding of the maneuver process between the involved deputies.

314.5.1 PURSUIT TRAILING
In the event that initial pursuing deputies relinquish control of the pursuit to another agency, the initial deputies may, with the permission of a supervisor, trail the pursuit to the termination point in order to provide information and assistance for the arrest of the suspect and reporting the incident.

314.5.2 AIR SUPPORT ASSISTANCE
When available, air support assistance should be requested. Once the air support crew has established visual contact with the pursued vehicle, they should assume communication control over the pursuit. The primary and secondary ground pursuit vehicles, or involved supervisor, will maintain operational control but should consider whether the participation of air support warrants their continued close proximity and/or involvement in the pursuit.

The air support crew should coordinate the activities of resources on the ground, report progress of the pursuit, and provide deputies and supervisors with details of upcoming traffic congestion, road hazards or other pertinent information to evaluate whether to continue the pursuit. If deputies on
the ground are not within visual contact of the pursued vehicle and the air support crew determines that it is unsafe to continue the pursuit, the air support crew should recommend terminating the pursuit.

314.5.3 DEPUTIES NOT DIRECTLY INVOLVED IN THE PURSUIT
Deputies who are not directly involved in the pursuit should provide assistance with the placement of “stop sticks” or similar tire deflation devices. These same deputies are also authorized to use emergency equipment at intersections along the pursuit path to clear those intersections of vehicular and pedestrian traffic to protect the public.

Those deputies should attempt to place their vehicles in locations that provide some safety or an escape route in the event of an unintended collision or if the suspect intentionally tries to ram the sheriff’s department vehicle.

314.6 SUPERVISORY CONTROL AND RESPONSIBILITY
Available supervisory and management control will be exercised over all vehicle pursuits involving deputies from this department.

The field supervisor of the deputy initiating the pursuit, or if unavailable, the nearest field supervisor will be responsible for the following:

(a) Immediately notifying involved deputies and the dispatcher of supervisory presence and ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit. This is to ensure that the pursuit is conducted within established department guidelines.

(b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.

(c) Exercising management and control of the pursuit even if not engaged in it.

(d) Ensuring that no more than the required law enforcement vehicles are involved in the pursuit under the guidelines set forth in this policy.

(e) Directing that the pursuit be terminated if, in the supervisor’s judgment, it is unjustified to continue the pursuit under the guidelines of this policy.

(f) Ensuring that assistance from air support, canines or additional resources is requested, if available and appropriate.

(g) Ensuring that the proper radio channel is being used.

(h) Ensuring that the Shift Sergeant is notified of the pursuit, as soon as practical.

(i) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this department.

(j) Controlling and managing Pierce County Sheriff's Department deputies when a pursuit enters another jurisdiction.

(k) Preparing post-pursuit review and documentation of the pursuit as required.
(l) Upon becoming aware that a pursuit has been initiated, the Supervisor should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The Supervisor has the final responsibility for the coordination, control and termination of a vehicle pursuit and shall be in overall command.

(m) The Supervisor shall review all pertinent reports and shall prepare the Pursuit Packet per policy which will then be forwarded to the reviewing Lieutenant.

314.7 SOUTH SOUND 911
If the pursuit is confined within the County limits, radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or communications dispatcher. If the pursuit leaves the jurisdiction of this department or such is imminent, involved deputies should switch radio communications, whenever available, to a tactical or emergency channel most accessible by participating agencies.

314.7.1 RESPONSIBILITIES
Upon notification or becoming aware that a pursuit has been initiated, the dispatcher is responsible for:

(a) Clearing the radio channel of nonemergency traffic.
(b) Coordinating pursuit communications of the involved deputies.
(c) Broadcasting pursuit updates as well as other pertinent information as necessary.
(d) Ensuring that a field supervisor is notified of the pursuit.
(e) Notifying and coordinating with other involved or affected agencies as practical.
(f) Notifying the Shift Sergeant as soon as practical.
(g) Assigning an incident number and logging all pursuit activities.

314.8 LOSS OF PURSUED VEHICLE
When the pursued vehicle is lost, the primary unit should broadcast pertinent information to assist other units in locating suspects. The primary unit will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

314.9 INTER-JURISDICTIONAL CONSIDERATIONS
When a pursuit enters another agency’s jurisdiction, the primary pursuing deputy or supervisor, taking into consideration the distance traveled, unfamiliarity with the area and other pertinent facts, should determine whether to request the other agency to assume the pursuit.

Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary pursuing deputy or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether the jurisdiction is expected to assist.
Vehicle Pursuits

314.9.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY
Deputies will relinquish control of the pursuit when another agency has assumed the pursuit, unless the continued assistance of the Pierce County Sheriff's Department is requested by the agency assuming the pursuit. Upon relinquishing control of the pursuit, the involved deputies may proceed, with supervisory approval, to the termination point of the pursuit to assist in the investigation. The supervisor should coordinate such assistance with the assuming agency and obtain any information that is necessary for any reports.

The roles and responsibilities of deputies at the termination point of a pursuit initiated by this department shall be coordinated with appropriate consideration of the needs of the agency assuming the pursuit.

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local law enforcement agencies, a request for another agency’s assistance will mean that its personnel will assume responsibility for the pursuit. For the same reasons, when a pursuit leaves another jurisdiction and a request for assistance is made to this department, the other agency should relinquish control.

314.9.2 PURSUITs EXTENDING INTO THIS JURISDICTION
The agency that initiates a pursuit shall be responsible for conducting the pursuit. Deputies from this department should not directly join a pursuit unless specifically requested to do so by the pursuing agency and with approval from a supervisor. The exception to this is when a single vehicle from the initiating agency is in pursuit. Under this circumstance, a deputy from this department may, with supervisor approval, immediately join the pursuit until sufficient vehicles from the initiating agency join the pursuit or until additional information is provided allowing withdrawal from the pursuit. This policy does not restrict deputies from this agency providing assistance with Tire Deflation devices and it does not restrict K9 officers from directly assisting as part of the Interagency Metro K9 Agreement.

When a request is made for this department to assist or take over a pursuit that has entered the jurisdiction of the Pierce County Sheriff's Department, the supervisor should consider:

(a) The public’s safety within this jurisdiction.
(b) The safety of the pursuing deputies.
(c) Whether the circumstances are serious enough to continue the pursuit.
(d) Whether there is adequate staffing to continue the pursuit.
(e) The ability to maintain the pursuit

As soon as practical, a supervisor or the Shift Sergeant should review a request for assistance from another agency. The Shift Sergeant or supervisor, after considering the above factors, may decline to assist in or assume the other agency’s pursuit.
Vehicle Pursuits

Assistance to a pursuing agency by deputies of this department will conclude at the County limits, provided that the pursuing agency has sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

In the event that the termination point of a pursuit from another agency is within this jurisdiction, deputies shall provide appropriate assistance including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

314.10 PURSUIT INTERVENTION
Pursuit intervention is an attempt to stop the suspect’s ability to continue to flee in a vehicle through tactical application of technology, tire deflation devices, blocking or vehicle intercept, boxing-in, the PIT, ramming or roadblock procedures.

314.10.1 WHEN USE AUTHORIZED
In deciding whether to use intervention tactics, deputies/supervisors should balance the risks of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the deputies and persons in or on the pursued vehicle. With these risks in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances confronting the deputy at the time of the decision.

314.10.2 USE OF FIREARMS
The use of firearms to disable a pursued vehicle is not generally an effective tactic and involves all the dangers associated with discharging firearms. Deputies should not utilize firearms during an ongoing pursuit unless the conditions and circumstances meet the requirements authorizing the use of deadly force. Nothing in this section shall be construed to prohibit any deputy from using a firearm to stop a suspect from using a vehicle as a deadly weapon.

314.10.3 INTERVENTION STANDARDS
Any intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the deputies, the public or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of force, including deadly force, and are subject to policies guiding such use. Deputies shall consider these facts and requirements prior to deciding how, when, where and if an intervention tactic should be employed.

(a) Blocking or vehicle intercept should only be considered in cases involving felony suspects or impaired drivers who pose a threat to public safety, and when deputies reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved, this intervention tactic should only be employed by properly trained deputies and after giving consideration to the following:

1. The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risks of injury or death to occupants of the suspect vehicle, deputies, or other members of the public.
Vehicle Pursuits

2. All other reasonable intervention techniques have failed or reasonably appear ineffective.

3. Employing the blocking or vehicle intercept maneuver does not unreasonably increase the risk of danger to those involved or the public.

4. The suspect vehicle is stopped or traveling at a low speed.

5. Only law enforcement vehicles should be used in this tactic

(b) The PIT technique is available to use by PIT Certified deputies at speeds 40mph or less without Supervisor approval. When practical, supervisory approval should be obtained for the use of the PIT technique at speeds over 40mph, but is not required if exigent circumstances exist.

(c) Ramming a fleeing vehicle should be done only after other reasonable tactical means at the deputy's disposal have been exhausted or would not be effective, and immediate control is necessary. Ramming should be reserved for situations where there does not appear to be another reasonable alternative method. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not authorized. When ramming is used as a means to stop a fleeing vehicle, the following factors should be present:

1. The suspect is an actual or suspected felon, who reasonably appears to represent a serious threat to the public if not apprehended.

2. The suspect is driving with willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner or using the vehicle as a weapon.

(d) Boxing-in a suspect vehicle should only be attempted upon approval by a supervisor. The use of such a tactic must be carefully coordinated with all involved vehicles, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to deputies, the public and occupants of the pursued vehicle. Deputies and supervisors should weigh the potential consequences against the need to immediately stop the vehicle.

(e) Tire deflation devices should be deployed only after notification of pursuing deputies and the supervisor of the intent and location of the intended deployment, and in a manner that:

1. Should reasonably only affect the pursued vehicle.

2. Provides the deploying deputy adequate cover and escape from intentional or unintentional exposure to the approaching vehicle.

3. Takes into account the limitations of such devices as well as the potential risk to deputies, the public and occupants of the pursued vehicle.

4. Takes into account whether the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials or a school bus transporting children.

(f) Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks
in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor. If roadblocks are deployed, it should only be done under extraordinary conditions when all other reasonable intervention tactics have failed or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to the occupants of the pursued vehicle, deputies or the public.

314.11 CAPTURE OF SUSPECTS
Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Deputies shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the deputy at the time of the event to accomplish a legitimate law enforcement purpose.

Unless relieved by a supervisor, the primary pursuing deputy should coordinate efforts to apprehend the suspect following the pursuit. Deputies should consider the safety of the public and the involved deputies when formulating plans for setting up perimeters or for containing and capturing the suspect.

314.12 REPORTING REQUIREMENTS
All appropriate reports shall be completed to comply with appropriate laws and policies or procedures.

(a) The primary pursuing deputy shall complete appropriate crime/arrest reports.
(b) The Pursuit Supervisor shall complete the appropriate pursuit report.
(c) The Pursuit Report (Blue Team) should include, at a minimum:
   1. Date and time of the pursuit.
   2. Initial reason and circumstances surrounding the pursuit.
   3. Length of pursuit in distance and time, including the starting and termination points.
   4. Involved vehicles and deputies.
   5. Alleged offenses.
   6. Whether a suspect was apprehended, as well as the means and methods used.
      (a) Any use of force shall be reported and documented in compliance with the Use of Force Policy.
   7. Arrestee information, if applicable.
   8. Any injuries and/or medical treatment.
   9. Any property or equipment damage
   10. Name of supervisor at the scene or who handled the incident.
   11. A preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.
(d) After receiving copies of reports, logs and other pertinent information, the Sheriff or the authorized designee shall conduct or assign the completion of a post-pursuit review, as appropriate.

(e) Annually, the Sheriff should direct a documented review and analysis of department vehicle pursuits to minimally include policy suitability, policy compliance and training needs.

314.13 REGULAR AND PERIODIC PURSUIT TRAINING
In addition to initial and supplementary training on pursuits, all deputies will participate, no less than bi-annually, in regular and periodic training addressing this policy and the importance of vehicle safety and protecting the public. Training will include recognition of the need to balance the known offense and the need for immediate capture against the risks to deputies and others.

314.14 POLICY REVIEW
Deputies of this department shall certify in writing that they have received, read and understand this policy initially, upon any amendments and whenever training on the policy is provided.

314.15 ADMINISTRATION
The Department shall conduct an annual review and analysis of vehicle pursuits. The Sheriff shall approve the final report.
Deputy Response to Calls

316.1 PURPOSE AND SCOPE
This policy provides deputies with guidelines for the safe and appropriate vehicular response to emergency and non-emergency incidents or requests for assistance, whether these are dispatched or self-initiated.

316.2 POLICY
It is the policy of this department to appropriately respond to emergency and non-emergency calls for service or requests for assistance, whether these are dispatched or self-initiated.

316.3 RESPONSE TO CALLS
Deputies responding to an emergency call shall proceed immediately as appropriate and shall operate the emergency vehicle lighting and siren as required by law (RCW46.61.035). Deputies should only respond to a call as an emergency response when circumstances reasonably indicate an emergency response is required. This includes, but is not limited to:

- When in pursuit or apprehending a violator or suspected violator.
- When responding to a reported emergency involving possible personal injury, death or significant property damage.
- When immediate assistance is requested by an officer or other law enforcement agency.

Deputies not responding to a call as an emergency response shall observe all traffic laws and proceed without the use of emergency lights and siren.

316.4 SAFETY CONSIDERATIONS
Responding with emergency lights and siren does not relieve the operator of an emergency vehicle of the duty to continue to drive with due regard for the safety of all persons and property, and does not protect the operator from the consequences of reckless disregard for the safety of others. However the deputy may, when responding to a call with an emergency response, and provided there is no endangerment or unnecessary risk to persons and property (RCW 46.61.035):

- Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
- Exceed the speed limit.
- Disregard regulations governing parking, direction of movement or turning in specified directions.

316.4.1 NUMBER OF DEPUTIES ASSIGNED
The number of deputies assigned to respond to an emergency call or request for assistance should be limited to that which is reasonably necessary.
Deputy Response to Calls

316.5 DEPUTY RESPONSIBILITIES
The decision to initiate or continue an emergency response is at the discretion of the deputy. If, in the deputy's judgment, the weather, traffic and road conditions do not permit such a response without unreasonable risk, the deputy may elect to respond to the call without the use of emergency lights and siren at the legal speed limit. A deputy shall also discontinue an emergency response when directed by a supervisor or as otherwise appropriate.

The first deputy arriving at the emergency call should determine whether to increase or reduce the level of the response of additional deputies and shall notify the dispatcher of his/her determination. Any subsequent change in the appropriate response level should be communicated to the dispatcher by the deputy in charge of the scene unless a supervisor assumes this responsibility.

316.6 FAILURE OF EMERGENCY EQUIPMENT
If the emergency equipment on the vehicle should fail to operate, the deputy must terminate the priority response and respond accordingly. In all cases, the deputy shall notify the Shift Sergeant, field supervisor, or South Sound 911 of the equipment failure so that another unit may be assigned to the emergency response.

316.7 SUPERVISOR RESPONSIBILITIES
When monitoring an emergency response, the Shift Sergeant or the field supervisor should consider:

- The type of call or crime involved.
- The type and circumstances of the request.
- The necessity of a timely response.
- Weather, traffic and road conditions.
- The location of the responding deputies and the location of the incident.

It is the supervisor's responsibility to terminate an emergency response that, in his/her judgment is inappropriate due to the circumstances.
Canines

318.1 PURPOSE AND SCOPE
This policy establishes guidelines for the use of canines to augment law enforcement services in the community including, but not limited to, locating individuals and contraband and apprehending criminal offenders.

318.2 POLICY
It is the policy of the Pierce County Sheriff's Department that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

318.3 ASSIGNMENT
Canine teams should be assigned to assist and supplement the Patrol to function primarily in assist or cover assignments. However, they may be assigned by the Shift Sergeant to other functions, such as routine calls for service, based on the current operational needs.

Canine teams should generally not be assigned to handle routine matters that will take them out of service for extended periods of time. If such assignment is necessary, it should only be made with the approval of the Shift Sergeant.

318.4 CANINE MASTER TRAINER
The canine coordinator shall be appointed by and directly responsible to the Operations Chief or the authorized designee.

The responsibilities of the coordinator include, but are not limited to:

(a) Maintaining a liaison with the vendor kennels.
(b) Maintaining a liaison with command staff and functional supervisors.
(c) Maintaining a liaison with other agency canine coordinators.
(d) Maintaining accurate records to document canine activities.
(e) Recommending and overseeing the procurement of equipment and services for the teams of handlers and canines.
(f) Scheduling all canine-related activities.
(g) Ensuring the canine teams are scheduled for regular training to maximize their capabilities.

318.4.1 CANINE ALTERNATE MASTER HANDLER
The alternate master handler shall be appointed by a competitive process pursuant to department policy 1004 and 1028.8. The applicant must meet the Canine Trainer qualifications set forth by WAC and CJTC to be eligible.
Canines

The responsibilities of the alternate master handler include, but are not limited to:

(a) Assist the Master Trainer in performing certifications and re-certifications on an annual basis for K9 teams in Washington State.

(b) Assist Master Trainer in his/her responsibilities listed above.

(c) Assist Master Trainer with the training of new canine/handler teams as requested.

318.4.2 NARCOTICS DETECTION
A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

(a) The search of vehicles, buildings, bags, and other articles.

(b) Assisting in the search for narcotics during a search warrant service.

(c) Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause.

A narcotics-detection trained canine will not be used to search a person for narcotics unless the canine is trained to passively indicate the presence of narcotics.

318.4.3 BOMB/EXPLOSIVE DETECTION
Because of the high risk of danger to the public and deputies when a bomb or other explosive device is suspected, the use of a canine team trained in explosive detection may be considered. When available, an explosive-detection canine team may be used in accordance with current law and under certain circumstances, including:

(a) Assisting in the search of a building, structure, area, vehicle, or article where an actual or suspected explosive device has been reported or located.

(b) Assisting with searches at transportation facilities and vehicles (e.g., buses, airplanes, trains).

(c) Preventive searches at special events, VIP visits, official buildings, and other restricted areas. Searches of individuals should remain minimally intrusive and shall be strictly limited to the purpose of detecting explosives.

(d) Assisting in the search of scenes where an explosion has occurred and an explosive device or secondary explosive device is suspected.

At no time will an explosive-detection trained canine be used to render a suspected device safe or clear.

318.5 REQUEST FOR CANINE TEAMS
Personnel within the Department are encouraged to solicit the use of a K-9 Team. Requests for a K-9 team will be made through South Sound 911 Law Enforcement Communications and Dispatch. If a PCSD K-9 Unit is not available, South Sound 911 Law Enforcement Communications and Dispatch will request assistance from a Pierce County Metro K-9 Unit (per Pierce County Metro Canine Agreement). If no K-9 teams are on the air, one may be called-out if requested.
Canines

318.5.1 OUTSIDE AGENCY REQUEST
Requests for assistance from outside agencies will be made through South Sound 911 Law Enforcement Communications and Dispatch in accordance with the Pierce County Metro Canine Agreement and the following provisions:

(a) K9 teams shall not be used for any assignment that is not consistent with this policy.
(b) The handler has the ultimate authority to decide whether the canine should be used for any specific assignment.
(c) K9 teams shall not be called out while off-duty or used outside the boundaries of the County of Pierce unless authorized by the Shift Sergeant or the Unit Coordinator.
(d) It shall be the responsibility of the K9 handler to coordinate with outside agency personnel in order to minimize the risk of unintended injury.

318.5.2 REQUEST FOR PUBLIC DEMONSTRATION
All public requests for a K-9 team shall be approved by the K-9 Unit Sergeant prior to making any commitment.

318.6 GUIDELINES FOR THE USE OF CANINES
A canine may be used to locate and apprehend a suspect if the K-9 handler reasonably believes the individual has committed a serious offense and if any of the following conditions exist:

(a) There is a reasonable belief that the individual poses an imminent threat of violence or serious harm to the public, any deputy or the handler.
(b) The individual is physically resisting and the use of a canine reasonably appears to be necessary to overcome such resistance.
(c) The individual is believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of deputies or the public.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. In any such case, a standard of objective reasonableness shall be used to review the decision to use a canine in view of the totality of the circumstances.

Absent reasonable belief that an individual has committed a serious offense, the mere flight from pursuing deputy(s) shall not serve as good cause for the use of a canine to apprehend the individual.

318.6.1 PREPARATIONS FOR UTILIZING A CANINE
Prior to the use of a canine to search for or apprehend any individual, the K-9 handler and/or the supervisor on scene shall carefully consider all pertinent information that is reasonably available at the time. The information should include, but is not limited to, the following:

(a) The individual’s age or estimate thereof.
(b) The nature of the suspected offense.
(c) Any potential danger to the public and/or other deputies at the scene if the canine is released.
(d) The degree of resistance or threatened resistance, if any, the subject has shown.

(e) The potential for escape or flight if the canine is not utilized.

(f) The potential for injury to deputies or the public caused by the suspect if the canine is not utilized.

As circumstances permit, the K-9 handler should make every reasonable effort to communicate and coordinate with other involved personnel to minimize the risk of unintended injury.

A K-9 handler shall have the ultimate authority not to deploy the canine. The handler will evaluate each situation and determine if the use of a canine is technically feasible. Generally, the decision to deploy the canine shall remain with the handler. However, a supervisor sufficiently apprised of the situation may decide not to deploy the canine.

318.6.2 WARNINGS GIVEN TO ANNOUNCE THE USE OF A CANINE
Unless it would otherwise increase the risk of injury or escape, a clearly audible warning to announce that a canine will be released if the person does not come forth, shall be made prior to releasing a canine.

318.6.3 REPORTING CANINE USE, BITES, AND INJURIES
Whenever the canine is deployed, and suspect apprehended, the incident shall be documented in the K-9 Log Book.

If a bite or injury results from the use of the canine, that information shall be documented in the general report narrative/supplemental report.

(a) In all cases of bites or injury resulting from the use of a canine, photographs shall be taken of the bite or injury after first tending to the immediate needs of the injured party. The photographs will be loaded into Case Images. If the injury requires medical attention, the subject should be transported to an appropriate medical facility. In the event an in-custody suspect requires medical attention, a deputy should standby with the suspect until treatment has been rendered.

(b) If a subject alleges an injury that is not visible, the alleged injury should be photographed and documented.

318.7 NON-APPREHENSION GUIDELINES
Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The canine handler is responsible for determining the canine’s suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply.

(a) Absent a change in circumstances that present an immediate threat to deputies, the canine or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.
Canines

(b) Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

(c) Throughout the deployment the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make him/herself known.

(d) Once the individual has been located, the handler should secure the canine as soon as reasonably practical.

318.8 TRAINING AND CERTIFICATION
Before assignment in the field, each canine team shall be trained and certified to meet current Criminal Justice Training Commission (CJTC) standards. Cross-trained canine teams or those canine teams trained exclusively for the detection of narcotics and/or explosives also shall be trained and certified to meet current CJTC standards (WAC 139-05-915).

The canine coordinator shall be responsible for scheduling periodic training for all department members in order to familiarize them with how to conduct themselves in the presence of department canines. Because canines may be exposed to dangerous substances such as opioids, as resources are available, the canine coordinator should also schedule periodic training for the canine handlers about the risks of exposure and treatment for it.

All canine training shall be conducted while on-duty unless otherwise approved by the canine coordinator or Shift Sergeant.

318.8.1 CONTINUED TRAINING
Each canine team shall be recertified to current CJTC standards. A canine team’s certification will automatically expire if the handler and canine originally paired at the time of certification are no longer working together, or if the function for which the team was certified changes (WAC 139-05-915). Additional training considerations are as follows:

(a) Canine handlers are encouraged to engage in additional training with approval of the Master Trainer or canine Sergeant.

(b) To ensure that all training is consistent, no handler, trainer or outside vendor is authorized to train to a standard that is not reviewed and approved by this department.

318.8.2 FAILURE TO SUCCESSFULLY COMPLETE TRAINING
No K-9 team failing CJTC police service dog certification, and if cross-trained, certification in established standards, shall be deployed in the field until certification is achieved. When practical, pending successful certification, the K-9 handler shall be temporarily reassigned to regular patrol duties.

318.8.3 TRAINING RECORDS
A record for each canine that includes training, performance and identification records, and that meets CJTC requirements, shall be created and maintained in the canine handler’s and the canine’s training file.
Canines

318.8.4  TRAINING AIDS
Training aids are required to effectively train and maintain the skills of canines. Deputies possessing, using or transporting controlled substances or explosives for canine training purposes must comply with federal and state requirements. Alternatively, the Pierce County Sheriff's Department may work with outside trainers with the applicable licenses or permits.

318.8.5  CONTROLLED SUBSTANCE TRAINING AIDS
Deputies acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics-detection canine training in compliance with state and federal laws. (21 USC § 823(f); RCW 69.50.302; RCW 69.50.508; WAC 246-887-200).

The Sheriff or the authorized designee may authorize controlled substances seized by the Pierce County Sheriff's Department to be possessed by the Master Trainer who is working under the direction of this department for training purposes, provided the controlled substances are no longer needed as criminal evidence.

As an alternative, the Sheriff or the authorized designee may request narcotics training aids from the Drug Enforcement Agency (DEA).

These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled narcotics.

318.9  CANINE INJURY AND MEDICAL CARE
In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the Master Trainer or Canine Sergeant as soon as practical and appropriately documented.

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained in the handler’s personnel file.
Domestic Violence

320.1 PURPOSE AND SCOPE
The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of this department to take enforcement action when appropriate, to provide assistance to victims and to guide deputies in the investigation of domestic violence.

320.1.1 DEFINITIONS
Definitions related to this policy include:

**Court order** - All forms of orders related to domestic violence, that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

**Domestic violence** - Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, sexual assault, or stalking of one intimate partner by another intimate partner; or physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, sexual assault, or stalking of one family or household member by another family or household member (RCW 10.99.020; RCW 26.50.010).

320.2 POLICY
The Pierce County Sheriff's Department’s response to incidents of domestic violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic violence is criminal behavior. It is also the policy of this department to facilitate victims’ and offenders’ access to appropriate civil remedies and community resources whenever feasible.

320.3 OFFICER SAFETY
The investigation of domestic violence cases often places deputies in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all deputies to exercise due caution and reasonable care in providing for the safety of any deputies and parties involved.

320.4 INVESTIGATIONS
The following guidelines should be followed by deputies when investigating domestic violence cases:

(a) Calls of reported, threatened, imminent, or ongoing domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.

(b) When practicable, deputies should obtain and document statements from the victim, the suspect, and any witnesses, including children, in or around the household or location of occurrence.
Domestic Violence

(c) Deputies should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.

(d) When practicable and legally permitted, video or audio record all significant statements and observations.

(e) All injuries should be photographed, regardless of severity, taking care to preserve the victim’s personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Criminal Investigations Bureau in the event that the injuries later become visible.

(f) Deputies should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.

(g) If the suspect is no longer at the scene, deputies should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement, and make an arrest or seek an arrest warrant if appropriate.

(h) Collect and/or photograph evidence.

(i) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence.

1. Deputies who have probable cause that a crime has been committed shall lawfully seize all firearms and ammunition that they reasonably believe were used or threatened to be used in the commission of the offense. Deputies shall also seize all firearms in plain sight or discovered in a lawful search. Deputies shall request consent to take temporary custody of any other firearms and ammunition that the alleged suspect may have access to (RCW 10.99.030).

2. Deputies shall separate the victim and inquire whether there are any firearms or ammunition in the home, whether the suspect has access to any firearms either on the premises or stored elsewhere, whether the suspect has a concealed pistol license, and whether a firearm has ever been used by the suspect under other circumstances that could be threatening or coercive (RCW 10.99.030).

(j) When completing an incident or arrest report for violation of a court order, deputies should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order, and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting deputy should attach a copy of the order to the incident or arrest report.

(k) Deputies should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:

1. Whether the suspect lives on the premises with the victim.

2. Claims by the suspect that the victim provoked or perpetuated the violence.
Domestic Violence

3. The potential financial or child custody consequences of arrest.
4. The physical or emotional state of either party.
5. Use of drugs or alcohol by either party.
6. Denial that the abuse occurred where evidence indicates otherwise.
7. A request by the victim not to arrest the suspect.
8. Location of the incident (public/private).
9. Speculation that the complainant may not follow through with the prosecution.
10. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or marital status of the victim or suspect.
11. The social status, community status, or professional position of the victim or suspect.

(l) Unless doing so would jeopardize the criminal investigation, the victim should be apprised of investigative plans such as when the suspect or witnesses are going to be interviewed and any plans for making an arrest.

320.4.1 HOSPITALIZED VICTIM
When responding to a medical facility regarding an injured person, deputies should make a reasonable attempt to determine whether the injury was a result of domestic violence prior to contacting the victim or person who reported the incident.

If domestic violence is suspected, contact should be made with the medical facility representatives out of the view and hearing of the victim and any potential suspects when practical.

320.4.2 IF A SUSPECT IS ARRESTED
If a suspect is arrested, deputies should:

(a) Advise the victim that there is no guarantee the suspect will remain in custody.
(b) Advise the victim to contact the jail and register for the Victim Information and Notification Everyday (VINE) Program.
(c) Advise the victim whether any type of court order will be in effect when the suspect is released from jail.

320.4.3 IF NO ARREST IS MADE
If no arrest is made, the deputy should:

(a) Advise the parties of any options, including but not limited to:
   1. Voluntary separation of the parties.
   2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness unit).
(b) Document the resolution in a report.
320.5 VICTIM ASSISTANCE
Victims may be traumatized or confused. Deputies should:

(a) Recognize that a victim’s behavior and actions may be affected.
(b) Provide the victim with the department’s domestic violence information handout, even if the incident may not rise to the level of a crime.
(c) Alert the victim to any available victim advocates, shelters and community resources.
(d) Stand by for a reasonable amount of time when an involved person requests law enforcement assistance while removing essential items of personal property.
(e) Seek medical assistance as soon as practicable for the victim if he/she has sustained injury or complains of pain.
(f) Ask the victim whether he/she has a safe place to stay. Assist in arranging to transport the victim to an alternate shelter if the victim expresses a concern for his/her safety or if the deputy determines that a need exists.
(g) Make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
(h) Seek or assist the victim in obtaining an emergency order if appropriate.

320.6 DISPATCH ASSISTANCE
All calls of domestic violence, including incomplete 9-1-1 calls, should be dispatched as soon as practicable.

Dispatchers are not required to verify the validity of a court order before responding to a request for assistance. Deputies should request that dispatchers check whether any of the involved persons are subject to the terms of a court order.

320.7 FOREIGN COURT ORDERS
Various types of orders may be issued in domestic violence cases. Any foreign court order properly issued by a court of another state, Indian tribe or territory shall be enforced by deputies as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court order shall be enforced, regardless of whether the order has been properly registered with this state.

320.7.1 CANADIAN COURT ORDERS
Any foreign court order properly issued in Canada shall be enforced by a deputy as a foreign court order above. Any notice, if required, should be made in compliance with RCW 26.55.020.
320.8  VERIFICATION OF COURT ORDERS
Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, deputies should carefully review the actual order when available, and, where appropriate and practicable:

(a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms, and efforts to respond to the order.

(b) Check available records or databases that may show the status or conditions of the order.

(c) Contact the issuing court to verify the validity of the order.

(d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

(e) if unable to verify a foreign order's validity, and the order is available and appears valid upon review, enforce as if valid.

Deputies should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Deputies should contact a supervisor for clarification when needed.

320.9  STANDARDS FOR ARRESTS
Deputies investigating a domestic violence report should consider the following:

(a) The primary duty of deputies when responding to a domestic violence situation is to enforce the laws allegedly violated and to protect the complaining party (RCW 10.99.030(1)).

(b) When a deputy responds to a domestic violence call and has probable cause to believe that a crime has been committed, he/she shall make an arrest pursuant to the criteria in RCW 10.31.100 and RCW 10.99.030(2)(a).

(c) When a deputy has confirmed that a valid court order exists and has probable cause to believe the defendant has violated that order, the deputy shall make a physical arrest (RCW 10.99.055; RCW 10.31.100(2)). Whenever a member of this department serves or assists in serving a court order and that service is completed, a return of service form shall be completed and submitted to South Sound 911 Records for entry into the Washington Crime Information Center (WACIC)/NCIC.

320.10  FIREARMS IDENTIFICATION / SURRENDER PROGRAM
The Weapons Identification / Surrender Program is designed to promote victim safety and batterer accountability. Studies have identified that firearms present in households that experience domestic violence raises the likelihood of them being used in future Domestic Violence incidents in that household. By identifying and ordering these firearms surrendered as part of a criminal case, victims, as well as officers responding to future incidents are safer.
The Domestic Violence Unit is responsible for this program and for collecting firearms that are ordered surrendered by the court. District Court and the Prosecutor's Office will be responsible for the defendants' compliance with court orders to surrender any and all firearms. Identifying firearms in the home is crucial to the success of this effort. Deputies responding to domestics where an arrest is made, or where a report is taken, are instructed to expand their investigative questioning to determine if firearms are present in the household and to identify those firearms if possible. This will allow the Prosecutor's Office and District Court to identify those suspects who have the access to a firearm(s). See PCSD Training Bulletin 09-01 for specific procedures regarding this program.

320.11 REPORTS AND RECORDS
(a) Deputies responding to a domestic violence call shall take a complete offense report, including the disposition of the case (RCW 10.99.030(2)(b)).
   1. The report shall include all information about firearms and concealed pistol licenses and be properly coded to alert any officials reviewing the report to the existence of the information concerning firearms (RCW 10.99.030).
(b) All such reports should be documented under the appropriate crime classification and should use the distinction “Domestic Violence” in the Type of Crime box of the crime report form (RCW 10.99.035). Additionally, the Department's Domestic Violence Supplemental Form shall be completed,
(c) Whenever there is probable cause to believe that a crime has been committed and unless the case is under active investigation, the Criminal Investigations Supervisor shall ensure that all domestic violence crime reports are forwarded to the County Prosecutor’s Office within 10 days of the date the incident was reported (RCW 10.99.035).
(d) The Records Manager shall ensure that accurate records of domestic violence incidents are maintained and submitted to the Washington Association of Sheriffs and Police Chiefs, in accordance with state law (RCW 10.99.035).
(e) The Records Manager should ensure that the original receipt issued for any firearm, dangerous weapon, or pistol license surrendered after service of a protection order is filed with the court within 24 hours of service of the order and retain a copy of the receipt electronically if available (RCW 9.41.801).

320.12 COURT ORDERS
The Records Manager shall ensure that no-contact orders received from the court are entered into the WACIC or other applicable criminal intelligence information system for one year or until the expiration date specified on the order (RCW 10.99.040; RCW 10.99.050).

320.13 SERVICE OF COURT ORDERS
The deputy serving a protection order, no-contact order, or restraining order that includes an order to surrender all firearms, dangerous weapons, and a concealed pistol license under RCW 9.41.800 shall (RCW 9.41.801):
Domestic Violence

(a) Advise the subject that the order is effective upon service.

(b) Request that any firearms, dangerous weapons, and any concealed pistol license be immediately surrendered. Deputies shall take possession of any firearms discovered in plain view, lawful search, or consent from the subject.

1. If the subject indicates by word or action that he/she will not comply with a request to surrender firearms, dangerous weapons, or a concealed pistol license, consideration should be given to obtaining a search warrant for seizure.

(c) Issue a receipt for any surrendered items.

1. The deputy should ensure the original receipt is forwarded to the Records Manager as soon as practicable for filing with the court.

All firearms and weapons collected shall be handled and booked in accordance with the Property and Evidence Policy.

320.14 ORDERS TO SHOW CAUSE

When the Department receives notice from the court of an order to show cause regarding the surrender of weapons, the Criminal Investigations Bureau supervisor should consult with legal counsel, as appropriate, to address any requirements involving the Department, including the following (RCW 9.41.801):

(a) Fulfilling any additional service requirements for the order to show cause.

(b) Providing the court a complete list of firearms and other dangerous weapons surrendered by the person pursuant to the court order that are in the possession of the Department.

(c) Providing the court with verification that any concealed pistol license was surrendered by the person pursuant to the court order and that the agency with authority to revoke the license has been notified.

(d) Filing an affidavit with the court where there is reasonable suspicion that the person who is subject to the court order is not in full compliance with the terms, including the basis for the belief.
Search and Seizure

322.1 PURPOSE AND SCOPE
Both the federal and state Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Pierce County Sheriff's Department personnel to consider when dealing with search and seizure issues.

322.2 POLICY
It is the policy of the Pierce County Sheriff's Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to deputies as guidance for the application of current law and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

322.3 SEARCHES
The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Exigent circumstances

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.

Whenever practicable, deputies are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.
Search and Seizure

322.3.1 RESTRICTIONS ON CELL SITE SIMULATOR USE
A member may only install or use a pen register, trap and trace device or cell site simulator device with a supporting court order or when there is both coordination with a prosecuting attorney or Assistant US Attorney and joint determination of probable cause to believe an emergency situation exists that involves immediate danger of death or serious bodily injury to a person. A court order must be obtained within 48 hours after installation of the pen register, trap and trace device or cell site stimulator device when an emergency situation exists (RCW 9.73.260).

322.4 DOCUMENTATION
Deputies are responsible to document any search and to ensure that any required reports are sufficient including, at minimum, documentation of the following:

- Reason for the search
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
- What, if any, injuries or damage occurred
- All steps taken to secure property
- The results of the search, including a description of any property or contraband seized
- If the person searched is the opposite sex, any efforts to summon a deputy of the same sex as the person being searched and the identification of any witness deputy

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.
Temporary Custody of Juveniles

324.1 PURPOSE AND SCOPE
This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Pierce County Sheriff's Department (34 USC § 11133).

324.2 POLICY
Juveniles may be taken into custody (RCW 13.40.040(1)):

(a) Pursuant to a court order.
(b) Without a court order, by a deputy if grounds exist for the arrest of an adult in identical circumstances.

Response to crimes involving juveniles does not differ from that of adult crimes. Members may use any reasonable means to protect themselves when a juvenile is a threat to personal or public safety.

324.2.1 CONSTITUTIONAL RIGHTS ADVISEMENT
In any case where a juvenile is taken into temporary custody, the juvenile should be promptly advised of his/her constitutional rights to ensure the admissibility of any spontaneous statements, whether or not questioning is intended.

324.3 JUVENILES WHO SHOULD NOT BE HELD
Juveniles who exhibit any of the following conditions should not be held at the Pierce County Sheriff's Department:

(a) Unconscious
(b) Seriously injured
(c) A known suicide risk or obviously severely emotionally disturbed
(d) Significantly intoxicated
(e) Extremely violent or continuously violent

Deputies taking custody of a juvenile who exhibits any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and notify a supervisor of the situation.

These juveniles should not be held at the Pierce County Sheriff's Department unless they have been evaluated by a qualified medical and/or mental health professional.

If the deputy taking custody of the juvenile believes the juvenile may be a suicide risk, the juvenile shall be under continuous direct supervision until evaluation, release or a transfer is completed.
Temporary Custody of Juveniles

324.4 CUSTODY OF JUVENILES
Deputies should take custody of a juvenile and temporarily hold the juvenile at the Pierce County Sheriff's Department when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile who is suspected of being a victim.

No juvenile should be held in temporary custody at the Pierce County Sheriff's Department without authorization of the arresting deputy's supervisor or the Shift Sergeant.

Any juvenile taken into custody shall be released to the care of the juvenile’s parent or other responsible adult or transferred to a juvenile custody facility or to other authority as soon as practicable and in no event shall a juvenile be held beyond six hours from the time of his/her entry into the Pierce County Sheriff's Department (34 USC § 11133; RCW 13.04.116(b)).

324.4.1 FORMAL BOOKING/TRANSPORTATION
Any juvenile, 12-years of age or older, who is taken into custody for a felony, or any juvenile whose acts amount to a sex crime, shall be booked, fingerprinted, and photographed.

Members shall not transport any juvenile under 18 years of age, regardless of sex, without first calling in their mileage and location via radio. Members shall call in ending mileage and location via radio immediately upon reaching their destination.

324.4.2 DISPOSITIONS
Any juvenile not transferred to a juvenile facility shall be released to one of the following:

(a) Parent or legal guardian.
(b) An adult member of his/her immediate family.
(c) An adult person specified by the parent/guardian.
(d) An adult person willing to accept responsibility, when the juvenile's parents are unavailable.

324.5 JUVENILE CONTACTS AT SCHOOL FACILITIES
Absent exigent circumstances, deputies should make every reasonable effort to notify responsible school officials prior to contacting a student on campus while school is in session.

(a) Whenever circumstances warrant the temporary detention or interview of a juvenile student on campus, the deputy should:

1. If contacted, the selected parent, other responsible adult, or school official may be permitted to be present during any interview.
   (a) An adult suspected of child abuse or other criminal activity involving the juvenile, or an adult, who in the opinion of the deputy appears to be under the influence or otherwise unable or incompetent to exercise parental rights on behalf of the juvenile, will not be permitted to be present.
Temporary Custody of Juveniles

(b) If the deputy reasonably believes that exigent circumstances exist which would materially interfere with the deputy's ability to immediately interview the juvenile, the interview may proceed without the parent or other responsible adult. In such circumstances, the exigent circumstances should be set forth in a related report.

(b) Any juvenile student who is a suspected victim of child abuse shall be afforded the option of being interviewed in private or selecting any qualified available adult member of school staff to be present.

(a) To ensure that each case is investigated thoroughly while minimizing the trauma to child victims and to facilitate collaborative and thorough investigations of child sexual abuse cases, the County Child Sexual Abuse Investigation Protocol should be adhered to (RCW 26.44.180).

Absent exigent circumstances or authority of a court order, deputies should not involuntarily detain a juvenile who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian. In all such cases deputies should adhere to guidelines and requirements set forth in Policy 330 Child Abuse Reporting.

324.6 RELEASE OF INFORMATION CONCERNING JUVENILES

Court decisions and legislation have combined to carefully specify situations in which information may be given out or exchanged when a case involves a juvenile. Deputies of this department shall not divulge any information regarding juveniles in situations where they are uncertain of the legal authority to do so.
Abuse of Vulnerable Adults

326.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Pierce County Sheriff's Department members as required by law.

326.1.1 DEFINITIONS
Definitions related to this policy include:

Adult abuse - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult’s care, or any other act that would mandate reporting or notification to a social service agency or law enforcement.

326.2 POLICY
The Pierce County Sheriff's Department will review all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

326.3 MANDATORY NOTIFICATION
Members of the Pierce County Sheriff's Department shall notify the Washington State Department of Social and Health Services (DSHS) when there is reasonable cause to believe that abandonment, abuse, financial exploitation or neglect of a vulnerable adult has occurred. Members shall also notify DSHS when there is reason to suspect sexual assault or physical assault or reasonable cause to believe that an act has caused fear of imminent harm. The medical examiner shall also be notified when there is reason to suspect that the death of a vulnerable adult was caused by abuse, neglect or abandonment by another person (RCW 74.34.035).

For purposes of notification (RCW 74.34.020):

- Abandonment is action or inaction by a person or entity with a duty of care for a vulnerable adult that leaves the person without the means or ability to obtain necessary food, clothing, shelter or health care.
- Abuse is willful action or inaction that inflicts injury, unreasonable confinement or restraint, sexual abuse, physical abuse, financial exploitation, mental abuse, intimidation or punishment as provided.
- A vulnerable adult is a person who is:
  (a) 60 years or older who has the functional, mental or physical inability to care for himself/herself.
  (b) Is found by the superior court to be incapacitated under RCW 11.88.005 et seq.
  (c) Has a developmental disability as defined under RCW 71A.10.020.
  (d) Is admitted to any facility as defined in RCW 74.34.020 (assisted living facility, nursing home or other facility licensed by DSHS).
Abuse of Vulnerable Adults

(e) Is receiving services from an individual provider or licensed home health, hospice or home care agency.

(f) Self-directs his/her own care and receives services from a personal aide under RCW 74.39.001 et seq.

326.3.1 NOTIFICATION PROCEDURE
Notification should occur as follows (RCW 74.34.035):

(a) All notification to DSHS shall be made immediately or as soon as practicable by telephone.

(b) Information provided shall include, if known:
   1. The name and address of the person making the report.
   2. The name and address of the vulnerable adult.
   3. The name and address of the facility or agency providing care for the vulnerable adult.
   4. The name and address of the legal guardian or alternate decision maker.
   5. The nature and extent of the abandonment, abuse, financial exploitation, neglect or self-neglect.
   6. Any history of previous abandonment, abuse, financial exploitation, neglect or self-neglect.
   7. The identity of the alleged perpetrator, if known.
   8. Any other information that may be helpful in establishing the extent of abandonment, abuse, financial exploitation, neglect or the cause of death of the deceased vulnerable adult.

326.4 QUALIFIED INVESTIGATORS
Qualified investigators should be available to investigate cases of adult abuse. These investigators should:

(a) Conduct interviews in appropriate interview facilities.

(b) Be familiar with forensic interview techniques specific to adult abuse investigations.

(c) Present cases of alleged adult abuse to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.

(e) Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.

(f) Participate in or coordinate with multidisciplinary investigative teams as applicable.
326.5 INVESTIGATIONS AND REPORTING
All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated. If the investigation reveals that a crime may have been committed, the County prosecutor shall be provided a written report of the incident (RCW 74.34.063(3)).

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

(a) The overall basis for the contact. This should be done by the investigating deputy in all circumstances where a suspected adult abuse victim is contacted.
(b) Any relevant statements the victim may have made and to whom he/she made the statements.
(c) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.
(d) Whether the victim was transported for medical treatment or a medical examination.
(e) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.
(f) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.
(g) Previous addresses of the victim and suspect.
(h) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim’s environment.

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

326.6 PROTECTION ORDERS
In any situation which a deputy reasonably believes that an elder or dependent adult is in immediate and present danger of abuse based on an allegation of a recent incident of abuse or threat of abuse (other than financial abuse alone), the deputy should make an attempt to obtain a protective order against the person alleged to have committed or threatened such abuse pursuant to RCW 74.34.110; RCW 74.34.210; or other applicable statutes.

326.7 INTERVIEWS
326.7.1 PRELIMINARY INTERVIEWS
Absent extenuating circumstances or impracticality, deputies should audio record the preliminary interview with a suspected adult abuse victim. Deputies should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating deputies should defer interviews until a person who is specially trained in such interviews is available.
326.8 MEDICAL EXAMINATIONS
When an adult abuse investigation requires a medical examination, the investigating deputy should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The deputy should also arrange for the adult’s transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, deputies should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for deputies to take the adult for a medical examination, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

326.9 DRUG-ENDANGERED VICTIMS
A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

326.9.1 DEPUTY RESPONSIBILITIES
Deputies responding to a drug lab or other narcotics crime scene where an adult abuse victim is present or where there is evidence that an adult abuse victim lives should:

(a) Document the environmental, medical, social and other conditions of the adult, using photography as appropriate and the checklist or form developed for this purpose.

(b) Notify the Criminal Investigations Bureau supervisor so an interagency response can begin.

326.10 STATE MANDATES AND OTHER RELEVANT LAWS
Washington requires or permits the following:

326.10.1 ARREST WITHOUT WARRANT
When a deputy has confirmed that a valid court order for protection, including a temporary order, exists and has probable cause to believe that a person has violated that order, he/she has the authority to arrest the person without a warrant (RCW 10.31.100; RCW 26.50.110).

326.10.2 SOUTH SOUND 911 RECORDS RESPONSIBILITIES
The South Sound 911 Records is responsible for:

(a) Providing a copy of the adult abuse report to DSHS as required by law.

(b) Retaining the original adult abuse report with the initial case file.

326.10.3 RELEASE OF REPORTS
Information related to incidents of adult abuse or suspected adult abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (RCW 74.34.035(9); RCW 74.34.095).
Abuse of Vulnerable Adults

326.11 TRAINING
The Department should provide training on best practices in adult abuse investigations to members tasked with investigating these cases. The training should include:

(a) Participating in multidisciplinary investigations, as appropriate.
(b) Conducting interviews.
(c) Availability of therapy services for adults and families.
(d) Availability of specialized forensic medical exams.
(e) Cultural competence (including interpretive services) related to adult abuse investigations.
(f) Availability of victim advocates or other support.
Discriminatory Harassment

328.1 PURPOSE AND SCOPE
This policy is intended to prevent department members from being subjected to discrimination or sexual harassment.

328.2 POLICY
The Pierce County Sheriff's Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against employees in hiring, promotion, discharge, compensation, fringe benefits and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights it is designed to protect.

The Pierce County Equal Employment Opportunity Policy applies to the Sheriff's Department. See Pierce County Code, Chapter 3.16. In addition the non-discrimination policies of the Department may be more comprehensive than county, state, or federal law. Conduct that violates this policy may not violate county, state, or federal law but still could subject a member to discipline.

328.3 DISCRIMINATION PROHIBITED

328.3.1 DISCRIMINATION
The Department prohibits all forms of discrimination, including any unwarranted employment-related action by a member that adversely affects an applicant or member and is based on race, color, religion, sex, age, national origin or ancestry, genetic information, disability, military service, sexual orientation and other classifications protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual’s protected class. It may have the effect of interfering with an individual’s work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment, can include making derogatory comments, crude and offensive statements or remarks, making slurs or off-color jokes, stereotyping, engaging in threatening acts, making indecent gestures, pictures, cartoons, posters or material, making inappropriate physical contact, or using written material or department equipment and/or systems to transmit or receive offensive material, statements or pictures. Such conduct is contrary to department policy and to the department’s commitment to a discrimination free work environment.

328.3.2 SEXUAL HARASSMENT
The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person’s sex.
Discriminatory Harassment

Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors or other verbal, visual or physical conduct of a sexual nature when:

(a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment position or compensation.

(b) Submission to, or rejection of, such conduct is used as the basis for employment decisions affecting the member.

(c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

328.3.3 ADDITIONAL CONSIDERATIONS
Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles or standards, including:

(a) Acts or omission of acts based solely upon bona fide occupational qualifications under regulations of the Equal Employment Opportunity Commission (EEOC) and the Washington State Human Rights Commission.

(b) Bona fide requests or demands by a supervisor that a member improve his/her work quality or output, that the member report to the job site on time, that the member comply with County or department rules or regulations, or any other appropriate work-related communication between supervisor and member.

328.3.4 RETALIATION
Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because he/she has engaged in protected activity, filed a charge of discrimination, participated in an investigation or opposed a discriminatory practice. Retaliation is prohibited.

328.4 RESPONSIBILITIES
This policy applies to all department personnel. All members shall follow the intent of these guidelines in a manner that reflects department policy, professional law enforcement standards and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory or harassing conduct or known violations of this policy to a supervisor, who will document and report it to the Human Resources Department in accordance with the Pierce County EEO Policy. Any member who is not comfortable with reporting violations of this policy to his/her immediate supervisor may bypass the chain of command and make the report to a higher ranking supervisor or manager. Complaints may also be filed with the Sheriff, Director of Human Resources or the County EEO/ADA Specialist.

Any member who believes in good faith that he/she has been discriminated against, harassed, subjected to retaliation, or who has observed harassment or discrimination, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.
Discriminatory Harassment

Supervisors and managers receiving information regarding alleged violations of this policy shall proceed as stated below.

328.4.1 SUPERVISOR RESPONSIBILITY
Each supervisor and manager shall:

(a) Continually monitor the work environment and strive to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.

(b) Take prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment or retaliation.

(c) Ensure their subordinates understand their responsibilities under this policy.

(d) Ensure that employees who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.

(e) Upon notification of alleged treatment in violation of this policy and/or the EEO policy, document the notification and immediately notify their Chain of Command in writing of the circumstances surrounding any reported allegations or observed acts of discrimination/harassment. The Chain of Command shall immediately contact the County's EEO/ADA Specialist or the Human Resources Director.

328.4.2 SUPERVISOR’S ROLE
Because of differences in individual values, supervisors and managers may find it difficult to recognize that their behavior or the behavior of others is discriminatory, harassing or retaliatory. Supervisors and managers shall be aware of the following considerations:

(a) Behavior of supervisors and managers should represent the values of the Department and professional law enforcement standards.

(b) False or mistaken accusations of discrimination, harassment or retaliation have negative effects on the careers of innocent members.

(c) Supervisors and managers must act promptly and responsibly in the handling of such situations.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling members or issuing discipline, in a manner that is non-discriminatory and consistent with established procedures.

328.5 INVESTIGATION OF COMPLAINTS
All complaints, written or verbal, alleging violation of this policy and/or the EEO policy must be reported to the County EEO/ADA Specialist or Human Resources Director pursuant to Pierce County Code 3.16.080. Upon receipt of any such complaint and during the pendency of any
Discriminatory Harassment

related investigation, the supervisor of the involved members must take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. Supervisors are encouraged to work with their superiors in consultation with a human resources professional to determine the appropriate steps. It is the policy of the Department that all complaints of discrimination or harassment shall be fully documented and promptly referred for investigation. The participating or opposing member must be protected against retaliation, and the complaint and related investigation should be kept confidential to the extent possible.

328.5.1 SUPERVISORY RESOLUTION
Members who believe they are experiencing discrimination, harassment or retaliation should be encouraged to inform the individual that his/her behavior is unwelcome, offensive, unprofessional or inappropriate. However, if the member feels uncomfortable, threatened or has difficulty expressing his/her concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

Members who believe they have been discriminated against, harassed, or retaliated against because of their protected status are encouraged to follow the chain of command but may also file a complaint directly with the Sheriff, Director of Human Resources, or the County EEO Specialist.

328.5.2 FORMAL INVESTIGATION
In coordination with the County’s EEO Specialist and Internal Affairs or their designees, a formal investigation will be conducted. If the complaint is regarding a member of the command staff (Captain or higher), the Sheriff will determine an appropriate designee outside the Sheriff’s Department to fulfill the IA role. If the complaint is regarding the Sheriff, the Human Resources Director will determine an appropriate designee outside the Sheriff’s Department to fulfill the IA role.

While the County’s Human Resources Department has primary responsibility to investigate alleged Equal Employment Opportunity complaints, the IA member assigned to assist HR with investigation of the complaint will have full authority to investigate all non-EEO aspects of the complaint. Investigative authority of the Human Resources Department and IA includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint or for offering testimony or evidence in any investigation.

Any recommended disciplinary actions resulting from investigation of such a complaint shall be handled in accordance with Sheriff's Department protocols.

Formal investigation of the complaint will be confidential to the extent possible and will include, but not be limited to, details of the specific incident, frequency and dates of occurrences and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.
Discriminatory Harassment

Members who believe they have been discriminated against, harassed or retaliated against because of their protected status are encouraged to follow the chain of command but may also file a complaint directly with the Sheriff, Director of Human Resources, or the County EEO Specialist.

328.5.3 ALTERNATIVE COMPLAINT PROCESS
No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed, discriminated or retaliated against are entitled to bring complaints of employment discrimination to federal, state and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

328.6 NOTIFICATION OF DISPOSITION
The complainant and/or victim will be notified in writing of the disposition of the investigation and the action taken to remedy or address the circumstances giving rise to the complaint.

328.7 DOCUMENTATION OF COMPLAINTS
All complaints or allegations shall be thoroughly documented on forms and in a manner designated by the Sheriff. The outcome of all reports shall be:

- Approved by the Sheriff, County Executive or the Director of Human Resources, if more appropriate.
- Maintained for the period established in the department’s records retention schedule.

328.8 TRAINING
All new members shall be provided with a copy of the Pierce County EEO policy and the Sheriff's Department policy as part of their orientation. These policies shall be reviewed with each new member.

All members shall certify by acknowledging this policy on the Pierce County Sheriff's Department designated manual web site that they have reviewed this policy, understand its contents and agree that they will abide by its provisions.

All members shall receive periodic and reoccurring training on this policy.

328.8.1 QUESTIONS OR CLARIFICATION
Members with questions regarding what constitutes discrimination, sexual harassment or retaliation are encouraged to contact a supervisor, manager, the Sheriff, Director of Human Resources or the County Executive for further information, direction or clarification.
Child Abuse

330.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Pierce County Sheriff's Department members are required to notify the Department of Children, Youth, and Families, Child Protective Services (CPS) of suspected child abuse.

330.1.1 DEFINITIONS
Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child’s care or any other act that would mandate notification to a social service agency.

330.2 POLICY
The Pierce County Sheriff's Department will review all reported incidents of alleged criminal child abuse and ensure CPS is notified as required by law.

330.3 MANDATORY NOTIFICATION
Members of the Pierce County Sheriff's Department shall notify CPS when a report of abuse or neglect of a child is received or when there is reasonable cause to believe that a child has suffered abuse or neglect (RCW 26.44.030).

For purposes of notification, abuse or neglect of a child includes sexual abuse, sexual exploitation, or injury inflicted by any person under circumstances that cause harm to the child's health, welfare or safety, excluding lawful discipline, or the negligent treatment or maltreatment by a person who is responsible for, or providing care to, a child (RCW 26.44.020).

Deputies shall promptly notify CPS whenever a child under 16 years of age is in a vehicle being driven by the child’s parent, guardian, legal custodian, sibling or half-sibling and that person is being arrested for a drug or alcohol-related driving offense (RCW 46.61.507).

If, during an investigation of drug manufacturing, a deputy discovers that a child is present at the investigation site, the deputy shall notify CPS immediately (RCW 26.44.200).

330.3.1 NOTIFICATION PROCEDURE
Notification should occur as follows (RCW 26.44.030(5)):

(a) In emergency cases, notification to CPS should be made immediately when the child's welfare is endangered but in all such cases within 24 hours.
(b) In non-emergency cases, notification to CPS shall be made within 72 hours after a report is received.

(c) Notification, when possible, should include (RCW 26.44.040):
   1. The name, address and age of the child.
   2. The name and address of the child’s parents, stepparents, guardians or other persons having custody of the child.
   3. The nature and extent of the alleged injury or injuries.
   4. The nature and extent of the alleged neglect.
   5. The nature and extent of the alleged sexual abuse.
   6. Any evidence of previous injuries, including the nature and extent of the injury.
   7. Any other information that may be helpful in establishing the cause of the child’s death, injury or injuries, and the identity of the alleged perpetrator or perpetrators.

330.4 INVESTIGATORS
Investigators should be available for child abuse investigations. These investigators should:

(a) Conduct interviews in child appropriate interview facilities.

(b) Be familiar with forensic interview techniques specific to child abuse investigations.

(c) Present cases of alleged child abuse to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.

(e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.

(f) Participate in or coordinate with multidisciplinary investigative teams as applicable (RCW 26.44.180 et seq.)

330.4.1 INTERVIEWING CHILD VICTIMS
Child Forensic Interviews in Pierce County are qualified under RCW 74.14B.010 and 43.101.224.

- Child Forensic Interviews are generally conducted by trained Forensic Interviewers.
- In most situations children between the ages of 3-15 will be interviewed by Child Forensic Interviewers.
- In most situations individuals 16 and over who are developmentally delayed that fall within the cognitive profile of age 3-15 will be interviewed by a Child Forensic Interviewer.
330.4.2 CHILD SAFETY INTERVIEWS
CPS and/or Law Enforcement will conduct safety interviews as part of their community care-taking function in cases where a child has disclosed to another child, the disclosure is vague, or if the allegation of physical or sexual abuse is not clear.

The location and presence of the other persons should be documented. Participants in safety interviews shall avoid leading or coercive questions. The interview should be accurately documented.

Patrol Deputies are encouraged in most situations to gather information necessary for their report of abuse from parents, school personnel, or other witnesses in lieu of interviewing children.

330.5 INVESTIGATIONS AND REPORTING
In all reported or suspected cases of child abuse, a report will be written. Deputies shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

(a) The overall basis for the contact. This should be done by the investigating deputy in all circumstances where a suspected child abuse victim was contacted.

(b) The exigent circumstances that existed if deputies interviewed the child victim rather than a Forensic Interviewer.

(c) Any relevant statements the child may have made and to whom he/she made the statements.

(d) If a child was taken into protective custody, the reasons, the name and title of the person who the child was turned over to.

(e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practical.

(f) Whether the child victim was transported for medical treatment or a medical examination.

(g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.

(h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.

(i) Previous addresses of the victim and suspect as reasonably known.

(j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim’s environment.

(k) Applicable local protocol regarding child abuse investigations (RCW 26.44.180 et seq.).
Child Abuse

All cases of the unexplained death of a child should be investigated as thoroughly as possible.

If the child has serious bruising or other suspected trauma or had been the victim of sexual abuse, the deputy should arrange for transportation, if necessary, to an appropriate hospital, usually Mary Bridge Children's Hospital. Deputies should consider the child's age and potential for injury based on the circumstances presented.

330.6 PROTECTIVE CUSTODY
A law enforcement officer may take, or cause to be taken, a child into custody without a court order if there is probable cause to believe that the child is abused or neglected and that the child would be injured or could not be taken into custody if it were necessary to first obtain a court order pursuant to RCW 13.34.050. The law enforcement agency or the department of social and health services investigating such a report is hereby authorized to photograph such a child for the purpose of providing documentary evidence of the physical condition of the child.

Once a Deputy places a child into protective custody he/she shall contact CPS for placement.

Children may only be removed from a parent or guardian in the following situations (RCW 26.44.050):

(a) A court order has been issued authorizing the removal of the child.

(b) There is probable cause to believe that the child is abused or neglected and that the child would be injured or could not be taken into custody if it were necessary to first obtain a court order (e.g., the child could be taken and concealed).

330.6.1 SAFE HAVEN LAW
A parent is not guilty of abandonment when leaving a newborn 72 hours old or younger with a qualified person at the emergency department of a licensed hospital or a fire station while personnel are present (RCW 13.34.360). The qualified person shall notify CPS. CPS shall assume custody of the newborn.

330.7 ARREST WITHOUT WARRANT
When a deputy responds to a call alleging that a child has been subjected to sexual or physical abuse or criminal mistreatment and has probable cause that a crime has been committed or responds to a call alleging that a temporary restraining order or preliminary injunction has been violated, the deputy has the authority to arrest the person without a warrant (RCW 10.31.100 and 26.44.130).

330.7.1 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW
A deputy should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

(a) Exigent circumstances exist, such as:
Child Abuse

1. A reasonable belief that medical issues of the child need to be addressed immediately.

2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.

3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.

(b) A court order or warrant has been issued.

330.7.2 TRAINING REQUIREMENT
Only those members who have successfully completed Washington State Criminal Justice Training Commission (WSCJTC) sponsored training on interviewing child victims of sexual abuse shall participate in or conduct such interviews. Interviews of children who are suspected victims of sexual abuse will be conducted in compliance with the training standards set forth in RCW 43.101.224.

330.8 COUNTY PROTOCOL
To ensure that each case is investigated thoroughly while minimizing the trauma to child victims and to facilitate collaborative and thorough investigations of child abuse, physical abuse and maltreatment cases, the County Child Sexual and Physical Abuse Investigation Protocol should be adhered to (RCW 26.44.180).

330.9 DRUG-ENDANGERED CHILDREN
A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

330.9.1 SUPERVISOR RESPONSIBILITIES
The Criminal Investigations Bureau Supervisor should ensure that the Child Meth Lab Protocol is followed.

330.9.2 DEPUTY RESPONSIBILITIES
Deputies responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

(a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.

(b) Notify the Criminal Investigations Bureau Supervisor so an interagency response can begin.

330.10 STATE MANDATES AND OTHER RELEVANT LAWS
Washington requires or permits the following:
330.10.1 RELEASE OF REPORTS
Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (RCW 42.56.240).

Records and information may be made available to multidisciplinary investigative team members as necessary for the performance of the member’s duties as a member of the team. Records and information are subject to the same privacy and confidentiality restrictions as the person providing the information or records (Chapter 82 § 3, 2019 Laws).

330.10.2 ARREST WITHOUT WARRANT
When a deputy responds to a call alleging that a child has been subjected to sexual or physical abuse or criminal mistreatment and has probable cause that a crime has been committed, or the deputy responds to a call alleging that a temporary restraining order or preliminary injunction has been violated, he/she has the authority to arrest the person without a warrant (RCW 10.31.100; RCW 26.44.130).

330.10.3 CASE SUBMISSION TO PROSECUTOR
The Pierce County Sheriff’s Department shall forward all cases of child abuse to the appropriate prosecutor when a crime may have been committed and (RCW 26.44.030):

(a) A child has died or has had a physical injury.
(b) Injuries were inflicted upon a child other than by accidental means.
(c) A child has been subjected to alleged sexual abuse.

330.10.4 AGENCY COORDINATION
If this department responds to a complaint of alleged child abuse and discovers that another agency has also responded to the complaint, this department shall notify the other agency of its presence. The agencies shall coordinate the investigation and keep each other apprised of progress (RCW 26.44.035).

330.10.5 LOCAL CHILD ABUSE PROTOCOLS
The Criminal Investigations Bureau Supervisor should ensure that local child abuse protocols for the investigation of child abuse are available to those department members who have a role in child abuse investigations (RCW 26.44.180 et seq.).

330.10.6 CONFLICT OF INTEREST IN INVESTIGATIONS
A deputy shall not participate as an investigator in a child abuse case concerning a child for whom he/she is, or has been, a parent, guardian or foster parent (RCW 26.44.190).

330.10.7 POSTING OF MANDATED REPORTER REQUIREMENTS
The Shift Sergeant shall ensure that the Department of Children, Youth, and Families poster regarding mandated reporting requirements for child abuse and neglect is posted in a member common area (RCW 26.44.030).
Missing Persons

332.1 PURPOSE AND SCOPE
This policy describes the procedure for acceptance, reporting, documenting, and investigating missing persons. RCW 13.60 et seq., as well as 42 USC § 5779(a), specify certain requirements relating to missing persons. This department will adopt protocols for the investigation of reported missing persons developed pursuant to RCW 36.28A.100.

This department should accept and file an official missing person report and enter biographical information into the state missing person computerized network without delay after notification of a missing child is received under RCW 13.32A.050(1)(a), (c) and (d). The name, date of birth, social security number, fingerprint classification, relevant physical descriptions, and known associates and locations shall also be provided to the Washington State Patrol by Criminal Investigations Bureau on appropriate forms. Access to the preceding information shall be available to appropriate law enforcement agencies, and to parents and legal guardians, when appropriate (RCW 36.28A.120).

332.1.1 DEFINITIONS
Definitions related to this policy include:

At risk - This includes persons who:
(a) Are 13 years of age or younger.
(b) Regardless of age, are believed or determined to be experiencing one or more of the following circumstances:
   1. Missing under unexplained, involuntary or suspicious circumstances and is believed to be in danger because of age, health, mental or physical disability, in combination with environmental or weather conditions, or it is believed that the person is unable to return to safety without assistance.
   2. Out of the zone of safety for his/her chronological age and developmental stage.
   3. Mentally or behaviorally disabled.
   4. Drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
   5. Absent from home for more than 24 hours before being reported to law enforcement as missing.
   6. In a life-threatening situation.
   7. In the company of others who could endanger his/her welfare.
   8. Absent in a way that is inconsistent with established patterns of behavior and cannot be readily explained. Most children have an established and reasonably predictable routine.
   9. Involved in a situation that would cause a reasonable person to conclude the person should be considered at risk.
**Missing Persons**

**Missing person** - Any person who is reported missing to law enforcement when that person’s location is unknown.

**Missing person networks** - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC) and the Washington Crime Information Center (WACIC).

### 332.2 POLICY

The Pierce County Sheriff's Department does not consider any report of a missing person be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The Pierce County Sheriff's Department gives missing person cases priority over property-related cases and does not require a specific amount of time to have passed before beginning a missing person investigation. The Department will not take missing person reports to secure or furnish any information or evidence for a civil action to include divorce and child custody, to locate persons with financial obligations, to locate deserting spouses for any individual or public welfare agency or to locate heirs.

### 332.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS

The Criminal Investigations Bureau Chief or his/her designee shall ensure the following forms and kits are developed and available:

- Missing person investigation checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation (RCW 43.43.876)
- Request for Dental Records/Release form
- Biological sample collection kits

### 332.4 ACCEPTANCE OF REPORTS

All personnel should accept any report, including any telephone report, of a missing person, including runaways, without delay and shall give priority to the handling of these reports over the handling of reports relating to crimes involving property. Reports should be taken on missing persons regardless of jurisdiction.

Patrol personnel should handle the initial missing person report. Department personnel shall promptly assist any person who is attempting to make a report of a missing person or runaway. In cases involving a person at-risk or a child under 16-years of age, the Criminal Investigations Bureau will assess the case to determine the appropriate level of investigation after an initial search by patrol personnel.

In all cases involving a person at-risk, or a child under 16-years of age the handling member shall ensure that the Shift Sergeant is notified. Circumstances will dictate if the Shift Sergeant needs to consult with the Criminal Investigations Bureau and/or a Search and Rescue (SAR) coordinator to determine if SAR or investigative resources should be called out.
Missing Persons

In cases involving at-risk adults consideration should be given whether to issue an Endangered Missing Person Alert (EMPA) or a Silver Alert for adults 60 years of age or older.

In cases involving missing children where the child is missing under undetermined circumstances but is believed to be endangered consideration should be given whether to issue an AMBER alert and/or to activate the Pierce County Regional Child Abduction Response Team (PCCART) for investigative assistance.

332.4.1 AT RISK AND RUNAWAY JUVENILES
Deputies shall take a juvenile into custody whenever (RCW 13.32A.050):

(a) The juvenile is a runaway from home or official child placement.

(b) If there is reason to believe, based upon the totality of the circumstances that the juvenile would be in danger if not taken into custody. In such case the deputy shall report the circumstance and custody to the Department of Social and Health Services.

(c) A juvenile court has determined that the juvenile has violated a placement order or has issued a court order to take custody of a juvenile.

(d) There is reasonable suspicion that a child is being unlawfully harbored in violation of RCW 13.32A.080.

Whenever practical, the deputy should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practical, deputies should contact a supervisor promptly after taking a child into protective custody. The deputy should also inform the juvenile of the reason for the custody.

Deputies shall not extend beyond the amount of time reasonably necessary to transport the child to a destination authorized under RCW 13.32A.060. Deputies should maintain custody of a juvenile until the person, agency or entity to whom the child is released agrees to accept custody.

Deputies who transport juveniles to a crisis residential center who were either a runaway or endangered child shall, write a general report on the situation.

Endangered and runaway juveniles, except when in custody for separate criminal offenses, are status offenders. Status offenders may not be detained in police jails or lockups. They may not be held in a detention environment or come into contact with adults in custody in the station.

In the event a youth is listed as a runaway for over 30 days, the Juvenile Unit Supervisor will assign the case to an investigator within the Juvenile Unit. The assigned investigator will then order the youth’s dental records and investigate the case accordingly until the juvenile is located.

332.4.2 CRIME INFORMATION CENTER
The Washington State Patrol (WSP) Missing and Unidentified Persons Unit (MUPU) assists law enforcement agencies and parents in locating missing persons. At the request of a parent, legal custodian or guardian who has reported a child as having run away from home, WSP will make the information about the runaway child available on its website (RCW 43.43.510(2)(a)).
Missing Persons

At the time a report is taken for a missing or runaway child, deputies should inform parents of the service provided by WSP and direct them to the WSP Missing Persons website for more information.

332.5 INITIAL INVESTIGATION

Members conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

(a) Respond to a dispatched call as soon as practicable.

(b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.

(c) Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see the Public Alerts Policy).

(d) Broadcast a “Be on the Look-Out” (BOLO) bulletin if the person is under 16 years of age or there is evidence that the missing person is at risk. The BOLO should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 16 years of age or may be at risk.

(e) Ensure that South Sound 911 Records is advised so entries are made into the appropriate missing person networks, as follows: Immediately, when the missing person is at risk. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.

(f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.

(g) Collect and/or review: A photograph and fingerprint card of the missing person, if available. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush). Document any reported civil actions/status that may assist in the investigation such as court orders regarding custody. Consideration should be given regarding collecting other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).

(h) When circumstances permit and if appropriate, attempt to determine the missing person’s location through his/her telecommunications carrier (RCW 80.36.570). Information may only be sought from a carrier in an emergency situation that involves the risk of death or serious physical harm. Information received from a carrier is restricted and should only be released to first responders responding to the emergency situation. Members shall check NCIC and other available databases for a history of domestic violence or court order restricting contact between the reporting person and the missing person.

(i) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.
Missing Persons

(j) Consider contacting the WSP Missing and Exploited Children’s Task Force (MECTF) if additional resources are needed (RCW 13.60.110).

332.6 REPORT PROCEDURES AND ROUTING
Members should complete all missing person reports and forms promptly. Members shall also promptly notify SS911 Records of the missing or runaway person so they may make entries in the appropriate computer networks.

332.6.1 SUPERVISOR RESPONSIBILITIES
The responsibilities of the supervisor shall include, but are not be limited to:

(a) Reviewing and approving missing person reports upon receipt.
   1. The reports should be promptly sent to the South Sound 911 Records.
(b) Ensuring resources are deployed as appropriate.
(c) Initiating a command post as needed.
(d) Ensuring applicable notifications and public alerts are made and documented.
(e) Ensure the General Report documents the missing person has been entered into the appropriate database via South Sound 911.
(f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.
   (a) If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

332.7 CRIMINAL INVESTIGATIONS BUREAU FOLLOW-UP
In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

(a) If the missing person is a child enrolled in school, the investigator should contact the school for any possible leads. The school should be asked to "flag" the missing child's record and immediately notify law enforcement of an inquiry or request for the missing child's records.
(b) Should consider contacting other agencies involved in the case to determine if any additional information is available.
(c) Shall verify and update WACIC, NCIC and any other applicable missing person networks within 30 days of the original entry into the networks (34 USC § 41308).
(d) Should continue to make reasonable efforts to locate the missing person and document these efforts.
(e) Should make appropriate inquiry with the Medical Examiner.
(f) Should obtain and forward medical and dental records, photos, X-rays and biological samples, as applicable.
Missing Persons

(g) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously and forward the photograph to the WSP Missing and Unidentified Persons Unit (MUPU) and enter the photograph into applicable missing person networks (34 USC § 41308).

(h) Will make appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).

332.7.1 MISSING OVER 30 DAYS OR WHEN CRIMINAL ACTIVITY SUSPECTED
When a person reported missing has not been found within 30 days of the report or at any time when criminal activity is suspected, the handling detective shall contact the medical examiner to determine if that office has any information concerning the missing person. If, after conferring with the coroner or medical examiner, the person is still determined to be missing, the handling detective shall:

(a) File a missing person's report with Washington State Patrol's Missing and Unidentified Persons Unit MUPU

(b) Initiate the collection of biological samples from the known missing person and his/her family members for nuclear and mitochondrial DNA testing along with the necessary consent forms, if not previously obtained during the investigation.

(c) Ask the missing person's family or next of kin to give written consent to request the person's dental records.

1. Whenever possible, obtain diagnostic quality copies or original records of the missing person’s dental records. As soon as possible, biological samples shall be submitted to the appropriate lab; dental records shall be submitted to MUPU (RCW 43.43.751; RCW 68.50.320).

When practicable in missing person cases, the assigned detective should attempt contact with the reporting party no less than every 30 days in order to verify the status of the reported missing person. All verifications should be reported to WSP via A Central Computerized Enforcement Service System (ACCESS).

332.8 WHEN A MISSING PERSON IS FOUND
When any person reported missing is found, the assigned investigator shall document in the appropriate report that the missing person has been found, notify the relatives and/or reporting party, as appropriate, and other involved agencies, and refer the case for additional investigation if warranted.

SS911 Records shall immediately be notified when a missing person has been found so they may update the appropriate missing person networks.

332.8.1 UNIDENTIFIED PERSONS
Department members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

(a) Obtain a complete description of the person.
(b) Request that SS911 Records enter the unidentified person's description into the NCIC Unidentified Person File.

(c) Use available resources, such as those related to missing persons, to identify the person.

332.9  CASE CLOSURE
Criminal Investigations Bureau investigators may authorize the closure of a missing person case after considering the following:

(a) Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.

(b) If the missing person resides within the jurisdiction of the Pierce County Sheriff's Department or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.

(c) A Missing Person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

(d) A Missing Person case may be closed by the supervisor of the Missing Person Unit, with the approval of the Investigations Lieutenant, if the report is determined to have been filed in an attempt to locate the missing individual for personal reasons not related to public safety. This section would apply to any individual over the age of 18 years who has been reported as missing, where the report was not filed out of concern for the missing person's welfare or safety, but rather for matters such as legal service, civil litigation, to include child support and custody, and/or location of individuals who have previously declined to maintain a relationship with the complainant for personal reasons. Closure of the case under these circumstances must include a supplemental report documenting facts that show (1) the case is not a bona fide Missing Person case; (2) the case is motivated by private/personal interests; and (3) that public funds should not be expended due to lack of safety or welfare concerns.

332.10  TRAINING
Subject to available resources, the CIB Lieutenant should ensure that members of this department whose duties include missing person investigations and reports receive training that includes:

(a) The initial investigation:
   1. Assessments and documentation
   2. Evaluating the need for a heightened response
   3. Identifying the zone of safety based on chronological age and developmental stage

(b) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile and catastrophe).

(c) Initiating a neighborhood canvas when the missing person is an at risk individual.
Missing Persons

(d) Investigating any relevant family dynamics.
(e) Addressing conflicting information.
(f) Key investigative and coordination steps.
(g) Managing a missing person case.
(h) Additional resources and specialized services.
(i) Preserving scenes.
(j) Internet and technology issues (e.g., Internet use, cell phone use).
Search and Rescue Response

333.1 PURPOSE AND SCOPE
Pierce County is a geographic region that presents a variety of hazards and inherent dangers with respect to human survival. To a lost person, the terrain itself is a formidable foe. Because human life may very well be in danger, Department personnel will respond to requests for assistance in locating lost or missing persons as well as to rescue missions.

The Department assigns deputies as coordinators of the Search and Rescue (SAR) function. They have been assigned to teams for management control and availability, which follows the national standard of care for managing search and rescue operations.

It is the Department's policy that whenever a SAR call-out is initiated, the shift supervisor will request SS911 contact a SAR Team Member. Due to the demands of managing an incident, three SAR Coordinators will be activated. While managing an incident, the Incident Command System will be used to coordinate, manage, and document all actions taken.

It is the responsibility of the SAR-Incident Commander to notify the Command Duty Officer of the mission and any updates as necessary.

It will be the responsibility of the ranking SAR supervisor to ensure that a current SAR call-out list is available. It is the responsibility of the SAR supervisor to ensure that all Special Occurrence Plans are reviewed and updated yearly.

As Search and Rescue is dependent upon organized and individual volunteers, the Department recognizes the Pierce County Search and Rescue Council as the governing body within the Pierce County SAR volunteer community. Whenever possible, the Department will use only SAR units which are active and in good standing with the SAR Council.

333.2 LOST PERSONS
Upon receipt of a lost person call, a Patrol unit will be dispatched on a priority basis to contact the reporting party. If the reportee is at or near the "point last seen" (P.L.S.), care should be taken not to disturb the area due to the potential use of man trackers and K-9 units.

An on-call SAR Deputy will be advised of the situation as soon as possible by the shift supervisor. The closest on-call or on-duty SAR Deputy will respond and make contact with the reporting party and patrol officer. The SAR Deputy will also complete the standard SAR Lost Person Questionnaire. Whenever possible, the SAR Deputy should be in contact with the reportee within one hour of initial notice. The SAR Deputy on the scene will be responsible for decisions related to level of response and timing of the SAR effort.

The Patrol unit making initial contact with the reportee will be responsible for initiation of a General Report which shall be completed and submitted to the responding SAR unit. Unless otherwise directed, in no case will the field unit clear the scene until relieved by a SAR coordinator.
333.3 RESCUE
Upon receipt of a request for rescue assistance, SS911 will immediately notify the supervisor and ACB the call. SS911 may also dispatch whichever medical/rescue units are immediately available. The general rule shall be to notify SAR resources for any rescue where accessibility is difficult or technical in nature. By law the Sheriff is responsible to conduct rescue activity within the county. Fire rescue units should be used for the more traditional, local and non-technical rescue incidents, if they are equipped and trained for the task.

333.4 NATURAL DISASTER/MAJOR STORM
In the event Pierce County experiences a major natural disaster such as an earthquake or storm with widespread damage, the on-call SAR team should be activated. They will establish an appropriate command post and coordinate with the county E.O.C. (Emergency Operations Center) to direct rescue and assistance efforts of civilian volunteers. This allows for the normal patrol force to continue as near normal operations as possible.

333.5 SWIFTWATER
Pierce County has several major rivers. The Sheriff is responsible for all responses on these waterways which require certified personnel to take action. Personnel who have not been trained in Swiftwater Response should not place themselves in moving water. Generally any personnel within 10 feet of a river bank are required to be wearing a properly sized and secured Personal Flotation Device (PFD).

Those assigned to the Swiftwater Team are members of SAR, DIVE and MSU. Upon receiving a call for an event in a river, SS911 shall inquire in there are any Swiftwater members available. Details of the call will be relayed and a determination of the type of response decided. If no on duty Swiftwater members are available, SS911 will immediately send an Everbridge Alert with the details of the call. Swiftwater events are manpower intensive; the initial response should be large, it can be downsized as needed.

333.6 RESPONSE PROTOCAL
The on-call SAR coordinating team has the following responsibilities:

1. Initiation of the SAR operation:
   a. One coordinator to scene for lost person questionnaire;
   b. Two coordinators to precinct for equipment and resource readiness;

2. Obtain search number from Department of Emergency Management if volunteers are utilized for the mission;

3. Determine initial SAR volunteer units to be used and call out appropriate units via pager system;

4. Continuing update of supervisor to minimize media relations’ problems;

5. Set up of base camp operations and telecommunication functions;
6. Committing resources to the field and documentation of areas covered and probability of success;

7. Termination of the SAR mission;

8. Accounting for all SAR personnel and equipment;

9. Upon securing the mission, the base camp area will be left in a clean orderly fashion, and all equipment will be fueled and otherwise returned to operational readiness;

10. Cancel the SAR mission number by notifying State Department of Emergency Management;

11. Complete all reports and records and send copies to both Pierce County and State Departments of Emergency Management (D.E.M.);

12. Update administrative staff as needed.
Public Alerts

334.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

334.2 POLICY
Public alerts may be employed using the Emergency Alert System (EAS), Pierce County Department of Emergency Management (DEM) Citizen Notification System, local radio, television, social media and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria.

334.3 RESPONSIBILITIES

334.3.1 MEMBER RESPONSIBILITIES
Members of the Pierce County Sheriff's Department should notify their supervisor, Shift Sergeant or Criminal Investigations Bureau Supervisor as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person or gathering information.

334.3.2 SUPERVISOR RESPONSIBILITIES
A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the Sheriff, the appropriate Bureau Chief, or Command Duty Officer (CDO) if after duty hours, and the Public Information Officer when any public alert is generated.

Based upon the incident type, a supervisor may draw upon the following resources to assist in the incident:

- Child Abduction Response Team (CART)
- TIPS LEADS Collection and Management System team members
- AMBER Alert System
- Endangered Missing Person Advisory System
- PCSD and PC DEM Search and Rescue teams

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

(a) Updating alerts
(b) Canceling alerts
Public Alerts

(c) Ensuring all appropriate reports are completed
(d) Preparing an after-action evaluation of the investigation to be forwarded to the Bureau Chief

334.3.3 PUBLIC ALERT REPORTING OFFICER RESPONSIBILITIES
The Sheriff should designate a public alert reporting officer, who is responsible for:
(a) Remaining familiar with the protocols for activating, maintaining and cancelling all applicable public alerts.
(b) Being the point of contact with the Washington AMBER Alert Advisory Committee.
(c) Ensuring the Department has members who have completed the appropriate training.

334.4 WASHINGTON STATEWIDE AMBER ALERT™ PLAN
The AMBER Alert™ Plan is a voluntary partnership between law enforcement, state government agencies, broadcasters and other participants to rapidly disseminate information to enhance the public’s ability to assist in recovering abducted children (RCW 13.60.010).

The Pierce County Sheriff’s Department participates in this partnership and may initiate an AMBER Alert to disseminate information to the public when the criteria for an AMBER Alert are met.

334.4.1 ALERT CRITERIA
The following criteria must exist prior to requesting an AMBER Alert:

(a) The child is under 18 years of age and is known to have been abducted. The child is not a runaway.
(b) The abducted child is believed to be in danger of death or serious bodily injury.
(c) The AMBER Alert activation should occur within four hours of the qualifying event unless circumstances or the timeliness of the information warrant otherwise.
(d) Although not all of the criteria listed below needs to be determined before AMBER is activated, there must be enough descriptive information to believe that an AMBER Alert activation will assist in the recovery of the child, including:
   1. Where the abduction took place.
   2. A physical description of the child: height, weight, age, hair color and length, eye color, clothing worn when the child was last seen, and any distinguishing physical characteristics.
   3. A physical description of the abductor: height, weight, age, hair color and length, eye color, clothing worn when the suspect last seen, and any distinguishing physical characteristics.
   4. Place last seen.
Public Alerts

5. Description of the vehicle: color, make, model, license number, approximate year.

(e) The incident must be reported to and investigated by a law enforcement agency.

334.4.2 PROCEDURE
Should the Shift Sergeant or supervisor determine that the incident meets the criteria of the Washington Statewide AMBER Alert Plan, the Shift Sergeant or supervisor should contact the on-duty Public Information Officer (PIO) and officers trained in Amber Alert who are part of Pierce County CART. Cart Officers shall work with detectives and on-scene officers to:

(a) Collect the information required by the plan.
(b) Contact the Washington State Patrol (WSP) to activate the Washington Statewide AMBER Alert Plan and the Portal.
   1. The WSP initiates the state AMBER Alert process at the request of local law enforcement and notifies the Washington State Department of Transportation (WSDOT), Emergency Management Division (EMD) and Washington State Patrol ACCESS (A Central Computerized Enforcement Service System).
   2. The WSP provides AMBER Alert cancellation notification to WSDOT, EMD and ACCESS.
(c) Provide the information required in the plan.
(d) Designate or assume the role of point of contact.

334.4.3 INITIAL NOTIFICATIONS
Upon initiation of an AMBER Alert, the AMBER/CART Team Officer and the PIO shall work together to:

(a) Ensure prompt entry of information into the Washington Crime Information Center (WACIC) and National Crime Information Center (NCIC) databases.
(b) Promptly notify the Sheriff and the appropriate Bureau Chief of any AMBER Alert activation.
(c) Ensure the preparation of an initial press release that includes all the information required by the Washington Statewide AMBER Alert Plan, and any other available information that might aid in locating the child, such as:
   1. A photograph.
   2. Detail regarding location of incident, direction of travel, potential destinations, etc., if known.
3. Name and telephone number of the Public Information Officer or other authorized point of contact to handle media and law enforcement liaison.

4. A telephone number and point of contact for the public to call with leads or information.

(d) Consider the following resources or contacts if direct action is dictated by the circumstances.

1. National Center for Missing and Exploited Children (NCMEC):
   (a) Provides and monitors the Cyber Tip Link.
   (b) Posts missing children alerts.
   (c) Provides educational materials for children, teachers, and the public.
   (d) Provides statistical information.

2. Local allied law enforcement agency resources

3. FBI local office

4. Washington State Department of Transportation (WSDOT):
   (a) Utilizes the Roadway Reader Board System to provide information to the public on the AMBER Alert.
   (b) Utilizes the Highway Advisory Radio System to provide information to the public on the AMBER Alert.
   (c) Terminates the WSDOT alert systems when advised by WSP to cancel the AMBER Alert.

5. Washington State Emergency Management Division (EMD):
   (a) Notifies statewide media through the state EAS network.
   (b) Provides technical support to the local jurisdiction.
   (c) Cancels EAS AMBER Alerts when advised by WSP and/or the originating law enforcement entity.

6. State Emergency Communications Committee (SECC):
   (a) Governs use of EAS in the state.
   (b) Provides guidance for the Local Area Emergency Communications Committee (LAECC) in developing the local EAS Plan and AMBER Alert Plan Appendix.

7. National Oceanic Atmospheric Administration (NOAA):
   (a) Maintains the Weather Radio System.
Public Alerts

(b) Rebroadcasts the AMBER Alert over Weather Radio.

334.4.4 POST-INCIDENT REPORTING
The Sheriff shall be responsible for submitting the AMBER Alert Report (prepared by the CART Team Supervisor) to the Washington State Police Chiefs (WASPC) in a timely fashion. The Sheriff or the authorized designee from the CART Team shall be responsible for representing the Department during the AMBER Alert Review Committee’s after-action review of the alert.

334.5 ENDANGED MISSING PERSON ADVISORY
The Endangered Missing Person Advisory is a voluntary partnership between law enforcement, other government agencies and local broadcasters to rapidly disseminate information to law enforcement agencies, the media and the public about a missing and endangered person in circumstances that do not qualify for an AMBER Alert (RCW 13.60.050).

The Pierce County Sheriff’s Department participates in this partnership and may initiate the required notifications whenever a person is reported missing from this jurisdiction and meets the criteria of an Endangered Missing Person. An endangered missing person advisory may be termed a "silver alert" when initiated to assist in the recovery of a missing endangered person age 60 or older.

334.5.1 ADVISORY CRITERIA
All of the following criteria must exist prior to initiating an Endangered Missing Person Advisory:

(a) The person is missing under unexplained, involuntary or suspicious circumstances.

(b) The person has a developmental disability, is a vulnerable adult or is believed to be in danger because of age, health, mental or physical disability, in combination with environmental or weather conditions, or is believed to be unable to return to safety without assistance. This also includes a person diagnosed as having Alzheimer’s disease or other age-related dementia (RCW 13.60.010).

(c) There is enough information that could assist the public in the safe recovery of the missing person (e.g., photo or description, clothing worn when last seen, vehicle, location last seen).

(d) The incident has been reported to and investigated by a law enforcement agency.

334.5.2 PROCEDURE
Should the Shift Sergeant or supervisor determine that the incident meets the criteria of an Endangered Missing Person Advisory, the Shift Sergeant or supervisor should contact a member of the Pierce county Search and Rescue Team. Officers shall:

(a) Direct South Sound 911 Records personnel to prepare the Endangered Missing Person Advisory administrative message through ACCESS. The words "Endangered Missing Person Advisory" should be included in the title of the message.

(b) Contact the WSP Missing Persons Unit (MPU) to verify that it received the advisory.
Public Alerts

(c) Direct South Sound 911 Records personnel to enter the information into the WACIC and NCIC databases using the proper message key: Missing (MNP), Endangered (EME), or Involuntary (EMI).

(d) Advise [the Communications Center] of the advisory and ensure that it is prepared to handle a high volume of telephone calls.

(e) Ensure that the handling deputy attempts to obtain a photograph of the missing person and/or suspect as soon as possible.

(f) Direct the South Sound 911 Records to enter the photograph into WACIC and NCIC, then send an e-mail to the WSP MPU.

(g) Contact the Public Information Officer to handle the media.
   1. The Public Information Officer should notify the media through appropriate channels regarding the Endangered Person Advisory. Upon request, the WSP MPU can provide electronic posters with details of the missing person.
   2. If the Endangered Missing Person is 21 years of age or younger, NCMEC should be notified as soon as practicable.

(h) The South Sound 911 Records personnel should promptly cancel the advisory after an Endangered Missing Person is located by sending an administrative message through ACCESS, noting that the person has been found.

334.6 BLUE ALERTS

The Blue Alert system is a voluntary cooperation between law enforcement, state government agencies and local broadcasters to enhance the public’s ability to assist in locating and apprehending persons suspected of killing or seriously injuring a law enforcement officer (RCW 10.108.030).

The Pierce County Sheriff's Department participates in this partnership and may initiate a Blue Alert to disseminate information to the public when the criteria for a Blue Alert are met.

334.6.1 CRITERIA

All of the following criteria are required to exist prior to initiating a Blue Alert (RCW 10.108.030):

(a) The suspect has not been apprehended.

(b) The suspect poses a serious threat to the public.

(c) Sufficient information is available to disseminate to the public to assist in locating and apprehending the suspect.

(d) The release of the information will not compromise the investigation.

(e) The release of the information will not improperly notify a deputy’s next of kin.
334.6.2 PROCEDURE
Should the Shift Sergeant or supervisor determine that the incident meets the criteria of a Blue Alert, the Shift Sergeant or supervisor should contact the on-duty Public Information Officer (PIO) and officers trained in Amber Alert. They will work with detectives and on scene officers to:

(a) Prepare a Blue Alert administrative message through ACCESS. The words, “Blue Alert Advisory” should be included in the title of the message.

(b) Contact WSP Communications to verify that the advisory was received and, if available, provide the suspect’s vehicle information and request the Washington Department of Transportation (WSDOT) to activate variable message signs.

(c) Ensure that descriptive information about the suspect, the suspect’s whereabouts and the suspect’s method of escape is disseminated.

(d) Appoint a Public Information Officer to issue press releases and handle media inquiries.

   1. The Public Information Officer should be updated continually and be in constant contact with all media outlets to obtain maximum media exposure, provide updates and cancel the Blue Alert when appropriate.

(e) Advise South Sound 911 of the Blue Alert and ensure that it is prepared to handle a high volume of telephone calls.

(f) Ensure that a press release is issued cancelling the Blue Alert.
Victim Witness Assistance

336.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

336.2 POLICY
The Pierce County Sheriff's Department is committed to providing guidance and assistance to the victims and witnesses of crime. The employees of the Pierce County Sheriff's Department will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

336.3 CRIME VICTIMS
Deputies should provide all victims with the applicable victim information handouts.

Deputies should never guarantee a victim’s safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Deputies should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written department material or available victim resources.

336.3.1 RIGHT OF IMMEDIATE MEDICAL ASSISTANCE
Victims have the right to immediate medical assistance and should not be detained for an unreasonable length of time before having such assistance administered. The deputy may accompany the victim to a medical facility to question the victim about the criminal incident if the questioning does not hinder the administration of medical assistance (RCW 7.69.030).

336.4 VICTIM INFORMATION
The Criminal Investigations Bureau Chief shall ensure that victim information handouts are available and current. These should include as appropriate:

(a) Shelters and other community resources for victims including domestic violence and sexual assault victims.
(b) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage, and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109; RCW 70.125.110).
(c) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.
(d) A clear explanation of relevant court orders and how they can be obtained.
(e) Information regarding available compensation for qualifying victims of crime.
(f) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender’s custody status and to register for automatic notification when a person is released from jail.

(g) Notice regarding U-Visa and T-Visa application processes.

(h) Resources available for victims of identity theft.

(i) A place for the deputy’s name, badge number, and any applicable case or incident number.

(j) A written statement enumerating the rights of victims (RCW 7.69.030; RCW 7.69A.030; RCW 7.69B.020).

(k) The name, address, and telephone number of the local victim/witness program, or contact information for the Washington Coalition of Crime Victim Advocates.

(l) An advisement notifying victims of domestic violence of their right to personally initiate a criminal proceeding when a deputy does not exercise arrest powers or initiate criminal proceedings by citation (RCW 10.99.030).

(m) Information about the address confidentiality program (RCW 40.24.030). A victim who seeks to have his/her address remain confidential should be referred to the Office of the Secretary of State to submit an application to participate in the address confidentiality program.

336.5 WITNESSES

Deputies should never guarantee a witness’ safety from future harm or that his/her identity will always remain confidential. Deputies may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Deputies should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

336.6 WITNESS INFORMATION

Any person who has been or expects to be summoned to testify for the prosecution in a criminal action, or who is subject to call or is likely to be called as a witness, has rights to specific information about the case (RCW 7.69.030).

The Criminal Investigations Bureau Chief shall ensure that witness information handouts are available and current. These should include information regarding witness rights (RCW 7.69.030).
Hate Crimes

338.1 PURPOSE AND SCOPE
This department recognizes and places a high priority on the rights of all individuals guaranteed under the Constitution and the laws of this state. When such rights are infringed upon by violence, threats or other harassment, this department will utilize all available resources to see that justice is served under the law. This policy has been developed to provide members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

338.2 DEFINITIONS
Except where otherwise noted, the following definitions are provided per RCW 9A.04.110:

**Bodily injury, physical injury, or bodily harm** - Physical pain or injury, illness, or an impairment of physical condition.

**Gender expression or identity** - Having, or being perceived as having, a gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to that person at birth (RCW 9A.36.080).

**Malice and maliciously** - To import an evil intent, wish, or design to vex, annoy, or injure another person. Malice may be inferred from an act done in willful disregard of the rights of another, or an act wrongfully done without just cause or excuse, or an act or omission of duty betraying a willful disregard of social duty.

**Reasonable person** - A reasonable person who is a member of the victim's race, color, religion, ancestry, national origin, gender, or sexual orientation, or who has the same gender expression or identity, or the same mental, physical, or sensory disability as the victim (RCW 9A.36.080).

**Sexual orientation** - Heterosexuality, homosexuality, or bisexuality (RCW 9A.36.080).

**Threat** - To communicate, directly or indirectly, the intent to cause bodily injury immediately or in the future to any other person or to cause physical damage immediately or in the future to the property of another person.

338.3 CRIMINAL STATUTES

338.3.1 HATE CRIME OFFENSES
A person is guilty of a hate crime offense if he/she maliciously and intentionally commits one of the following acts because of his/her perception of the victim's race, color, religion, ancestry, national origin, ethnicity, gender, sexual orientation, gender expression or identity, or mental, physical, or sensory disability (RCW 9A.36.080):

(a) Causes physical injury to the victim or another person.
Hate Crimes

(b) Causes physical damage to or destruction of the property of the victim or another person.

(c) Threatens a specific person or group of persons and places that person, or members of the specific group of persons, in reasonable fear of harm to person or property. The fear must be a fear that a reasonable person would have under the circumstances.

Prima facie acts of hate are described in RCW 9A.36.080(2).

338.3.2 THREATS TO BOMB OR INJURE PROPERTY
It is unlawful for any person to threaten to bomb or otherwise injure any public or private school building, any place of worship or public assembly, any governmental property, or any other building, common carrier, or structure, or any place used for human occupancy; or to communicate or repeat any information concerning such a threatened bombing or injury, knowing such information to be false and with intent to alarm the person or persons to whom the information is communicated or repeated (RCW 9.61.160).

338.3.3 FEDERAL JURISDICTION
The federal government has the power to investigate and prosecute bias-motivated violence by giving the U.S. Department of Justice jurisdiction over crimes of violence where the perpetrator has selected the victim because of the person's actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity or disability (18 USC § 245).

338.4 CIVIL STATUTES
In addition to the criminal penalty provided in RCW 9A.36.080 for committing a hate crime offense, the victim may bring a civil cause of action for the hate crime offense against the person who committed the offense. A person may be liable to the victim of the hate crime offense for actual damages, punitive damages of up to one hundred thousand dollars, and reasonable attorneys' fees and costs incurred in bringing the action (RCW 9A.36.083).

338.5 PREVENTING AND PREPARING FOR LIKELY HATE CRIMES
While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely hate crimes by among other things:

(a) Deputies should make an affirmative effort to establish contact with persons and groups within the community who are likely targets of hate crimes to form prevention and response networks.

(b) Providing victim assistance and follow-up as outlined below, including community follow-up.

338.6 PROCEDURE FOR INVESTIGATING HATE CRIMES
Whenever any member of this department receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, the following should occur:
(a) Deputy(s) will be promptly assigned to contact the victim, witness, or reporting party to investigate the matter further as circumstances may dictate.

(b) A supervisor should be notified of the circumstances as soon as practical.

(c) Once “in progress” aspects of any such situation have been stabilized (e.g., treatment of victims, apprehension of present suspects, etc.), the assigned deputy(s) will take all reasonable steps to preserve available evidence that may tend to establish that a hate crime was involved.

(d) The assigned deputy(s) will interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.

(e) Depending on the situation, the assigned deputy(s) or supervisor may request additional assistance from detectives or other resources to further the investigation.

(f) The assigned deputy(s) will include all available evidence indicating the likelihood of a hate crime in the relevant report(s). All related reports will be clearly marked as “Hate Crimes” and, absent prior approval of a supervisor, will be completed and submitted by the assigned deputy(s) before the end of the shift.

(g) The assigned deputy(s) and supervisor should take reasonable steps to insure that any such situation does not escalate further.

(h) Notify the Command Duty Officer and Public Information Officer if the scene is such that the public and media are responding.

(i) Notify the CID Lieutenant if appropriate for follow-up investigation.

338.6.1 CRIMINAL INVESTIGATIONS BUREAU RESPONSIBILITY
If a case is assigned to the Criminal Investigations Bureau, the assigned detective will be responsible for following up on the reported hate crime as follows:

(a) Coordinate further investigation with the County Prosecutor and other appropriate law enforcement agencies, as appropriate.

(b) Maintain contact with the victim(s) and other involved individuals as needed.

(c) SouthSound 911 Law Enforcement Records shall maintain statistical data on suspected hate crimes and tracking as indicated and report such data to the Washington Association of Sheriffs and Police Chiefs (WASPC) (RCW 36.28A.030).

338.7 TRAINING
All members of this department will receive CJTC approved training on hate crime recognition and investigation (RCW 43.101.290).
Standards of Conduct-Corrections Deputies and Corrections Sergeants

339.1 PURPOSE AND SCOPE
This policy establishes standards of conduct that are consistent with the values and mission of this department and are expected of its employees. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning employee conduct. Employees are also subject to provisions contained throughout this manual as well as any additional guidance on conduct that may be disseminated by the Department or the employee’s supervisors.

This policy applies to all Corrections Deputies and Corrections Sergeants.

339.2 DISCIPLINE POLICY
The continued employment of every employee of this department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure of any employee to meet the guidelines set forth in this policy, whether on-duty or off-duty, may be cause for disciplinary action.

An employee's off-duty conduct shall be governed by this policy to the extent that it is related to act(s) that may materially affect or arise from the employee’s ability to perform official duties or to the extent that it may be indicative of unfitness for his/her position.

339.2.1 PROGRESSIVE DISCIPLINE
The administration of discipline is generally expected to be progressive in nature, with relatively minor violations of rules resulting in minor disciplinary action for first offenders. Additional violations would generally result in progressively more serious forms of discipline being administered. Various and/or more severe discipline will be utilized when necessary and when appropriate. This policy does not imply that all situations will be dealt with by utilizing every step in the system.

Nothing in this policy is intended to preclude the administration of more serious forms of discipline, including discharge, for a first offense when warranted by the seriousness of the offense.

339.3 CONDUCT WHICH MAY RESULT IN DISCIPLINE
The following list of causes for disciplinary action constitutes a portion of the disciplinary standards of this department. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for specific action or inaction that is detrimental to efficient department service:

339.3.1 ATTENDANCE
(a) Leaving job to which assigned during duty hours without proper approval.
(b) Unexcused or unauthorized absence or tardiness on scheduled day(s) of work.
(c) Failure to report to work or to place of assignment at time specified and fully prepared to perform duties.
Standards of Conduct-Corrections Deputies and Corrections Sergeants

(d) Failure to notify the Department within 24 hours of any change in residence address or telephone number.

(e) Failure to comply with attendance-related policies.

(f) All employees of the Department shall have a telephone in their residence, and will ensure that their current telephone number is on file with the department. Any employee who is unable to secure a telephone shall report this fact in writing to his Bureau Chief, giving the reason.

339.3.2 CONDUCT

(a) Failure of any employee to obey all laws of the United States, of the State of Washington, and of local jurisdictions. If an act committed or allegedly committed in foreign jurisdictions is the equivalent of a felony violation of Washington or United States law, then it will be dealt with in the same manner as if it were a violation of Washington State or United States law. Department members who have committed or are accused of committing a criminal violation, or are the subject of a criminal investigation, by any jurisdiction, domestic or foreign, shall notify the department as soon as practical. A criminal conviction of any law shall be prima facie evidence of a violation of this section.

(b) Unauthorized or unlawful fighting, threatening, or attempting to inflict unlawful bodily injury on another.

(c) Using Departmental resources in association with any portion of their independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non-subpoenaed records.

(d) Engaging in horseplay resulting in injury or property damage or the reasonable possibility thereof.

(e) Using or disclosing one's status as an employee with the Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-departmental business or activity (RCW 9A.80.010).

(f) The use of any information, photograph, video or other recording obtained or accessed as a result of employment with the Department for personal or financial gain or without the expressed authorization of the Sheriff or his/her designee.

(g) Failure of any employee to report suspected criminal activity regarding any other employee.

(h) Unwelcome solicitation of a personal or sexual relationship while on duty or through the use of official capacity.

(i) Engaging in on-duty sexual relations.

(j) Seeking restraining orders against individuals encountered in the line of duty without notice to the Sheriff.

(k) Discourteous or disrespectful treatment of any member of the public or any member of this department or another law enforcement agency.
Standards of Conduct-Corrections Deputies and Corrections Sergeants

(l) Employees shall not cheat or tamper in any manner with an official examination, either conducted by or sponsored by the Department, by obtaining, furnishing, accepting, or attempting to obtain, furnish, or accept answers or questions to such examinations.

Furthermore, employees shall not copy, photograph, or otherwise remove examination content; nor shall they use any misrepresentation or dishonest method while preparing, administering, or participating in such examinations.

339.3.3 DISCRIMINATION

(a) Discrimination against any person because of age, race, color, creed, religion, sex, sexual orientation, national origin, ancestry, marital status, physical or mental disability or medical condition.

(b) Violation of Departmental or County policies prohibiting discrimination and harassment.

339.3.4 USE OF ALCOHOL OR DRUGS

(a) **ALCOHOLIC BEVERAGES AND/OR DRUGS IN DEPARTMENT FACILITIES:** Pierce County is a Drug and Alcohol-Free Workplace. Employees shall not store or bring into any police facility or vehicle alcoholic beverages, controlled substances, narcotics or hallucinogens, except those which are held as evidence or as provided by law.

(b) **USE OF ALCOHOL ON DUTY OR IN UNIFORM:** Employees shall not consume alcoholic beverages while wearing any part of the uniform or while on-duty, except while acting under proper and specific orders from a supervisor. Employees shall not appear for work, nor be on duty while under the influence of intoxicants.

(c) **USE OF ALCOHOL OFF DUTY:** Employees, while off duty, shall refrain from consuming intoxicating beverages to the extent that it results in impairment, intoxication, or obnoxious or offensive behavior which discredits them or the Department, or renders them unfit to report for their next regular tour of duty.

(d) **POSSESSION/USE OF MARIJUANA:** It is the intent of the department to abide by federal laws in relation to the use of marijuana. Marijuana is federally classified as a Schedule I controlled substance. Except in otherwise authorized execution of their official duties (i.e., evidentiary handling), employees shall not use, possess, distribute, or be under the influence of marijuana while on duty or off duty, regardless of if the employee has a prescription or medical authorization for its use, possession, etc. The department does not grant an exemption to this policy as a form of accommodation.

(e) **POSSESSION/USE OF DRUGS OTHER THAN MARIJUANA:** Employees shall not use or possess, outside of duty requirements, any narcotic, dangerous drug, controlled substance, or prescription drug whether on or off duty, except at the direction of a physician, dentist, or other medical authority for legal medical purposes. Employees who are directed by licensed medical authority to legally use a narcotic, dangerous drug, controlled substance or prescription drug shall not use such medication to the extent that their performance is affected while on duty. Employees shall provide a note from a physician, dentist or other medical authority to Human Resources for any
duty limitations resulting from the use of such drugs. Human Resources shall then determine whether employees will be allowed to perform regular duties, be reassigned to limited duties, or placed on sick leave.

(f) **Suspicion of Intoxication-Must Submit to Test**: If a supervisor has reasonable grounds to believe that an employee is adversely affected by the use of an intoxicating beverage and/or drugs while on duty, that employee shall be required to submit to tests for intoxication, and may request assistance of a union representative prior to the test. Results of the tests will be reported on an Alcohol Influence Report form and will be supplemented by a Breathalyzer or other test determined appropriate by the supervisor, for the measurement of either alcohol or drugs. The time lapse between the initial report of the employee's condition and the intoxication test shall be accurately recorded. If it is determined from the test that the employee is under the influence of alcohol and/or drugs, or if the employee fails to submit to testing, the employee may receive an emergency suspension.

### 339.3.5 Performance

- **(a)** Unauthorized sleeping during on-duty time or assignments.
- **(b)** Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or instructions of supervisors.
- **(c)** Failure to promptly obey all lawful orders issued by supervisors or superior officers, including orders relayed from supervisors or superior officers. Deliberate failure to carry out or follow any proper order from any supervisor or person in authority or by disputing the supervisor's lawful orders shall be deemed insubordination.
- **(d)** The wrongful or unlawful exercise of authority on the part of any employee for malicious purpose, personal gain, willful deceit or any other improper purpose.
- **(e)** The falsification of any work-related records, the making of misleading entries or statements with the intent to deceive, or the willful and unauthorized destruction/deletion and/or mutilation of any department record, book, paper or document.
- **(f)** Wrongfully loaning, selling, giving away or appropriating any department property for the personal use of the employee or any unauthorized person.
- **(g)** The unauthorized use of any badge, uniform, identification card or other department equipment or property for personal gain or any other improper purpose.
- **(h)** Any violation of the provisions of the department manual, operating procedures or other written directive of an authorized supervisor. The Department shall make this manual available to all employees. Employees shall familiarize themselves with and be responsible for compliance with each of the policies contained herein.
- **(i)** Work-related dishonesty, including attempted or actual theft of department property, services or the property of others.
- **(j)** Unauthorized removal or possession of Departmental property or the property of another employee.
Standards of Conduct-Corrections Deputies and Corrections Sergeants

(k) Failure to disclose material facts or the making of any false or misleading statement on any application, examination form or other official document, report, form, or during the course of any work-related investigation.

(l) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when a department member knows or reasonably should have known of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by the Department.

(m) Misappropriation or misuse of public funds.

(n) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.

(o) Knowingly engaging in any form of illegal gambling at any time, except in the performance of duty and while acting under proper and specific orders from a superior officer.

(p) Associations or dealings with parties they know to have been incarcerated in the Pierce County Jail, or other jail/correctional facility, or persons whom they know, or reasonably should know, are persons under criminal investigation or indictment, or who have a reputation within the community or the Department for involvement in felonious or criminal behavior, except as necessary to the performance of official duties, or where unavoidable because of family or other personal relationships of the employees.

(q) Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty, on department property or while in any way representing him/herself as a member of this agency.

(r) Engaging in political activities while on duty.

(s) Any other conduct which any employee knows or reasonably should know is unbecoming a member of the Department or which is contrary to good order, efficiency or morale, or which tends to reflect unfavorably upon the Department or its members.

(t) Failure to maintain required and current licenses and certifications per department standards.

(u) Soliciting or accepting from any person, business or organization, any gift, gratuity, reward, etc., (including money, tangible or intangible personal property, food, beverage, loan, promise, service or entertainment) for the benefit of the employees or the Department, if it may reasonably be inferred that the person, business or organization:

1. seeks to influence action of an official nature or seeks to affect the performance or non-performance of an official duty, or

2. has an interest which may be substantially affected directly or indirectly by the performance or nonperformance of an official duty.
Employees shall not accept any reward, gift, gratuity, etc. for the detection or apprehension of any criminal or unauthorized military absentee, or the recovery of any stolen or lost articles, except upon Special Order of the Sheriff.

339.3.6 SECURITY
Unauthorized, intentional release of designated confidential information, materials, data, forms or reports.

339.4 INVESTIGATION OF DISCIPLINARY ALLEGATIONS
Regardless of the source of an allegation of misconduct, all such matters will be investigated in accordance with the Personnel Complaint Procedure Policy for Corrections Deputies and Corrections Sergeants (Policy 1019).

339.4.1 DISCIPLINE FINDINGS
A. Informal Discipline and Management Control
Informal discipline and management control is corrective action taken to educate and correct minor unacceptable acts or omissions by an employee. Supervisors should be documenting the corrective actions taken in the form of a Criticism, Performance Tracking Form (PTF), evaluation, or notation in divisional file.

The following forms of informal corrective action may be utilized by an employee’s immediate supervisor or higher in the chain of command and should take into consideration the nature and magnitude of the problem as well as the employee’s past performance.

Counseling: Counseling is a discussion between a supervisor and a subordinate for the purpose of clarifying a rule or procedure, correcting a problem, or developing an understanding of proper procedures. Counseling is appropriate when the situation involves a lack of understanding rather than an intentional disregard of rules, regulations, or proper procedures.

The supervisor issuing the counseling shall document the fact that counseling was given on a certain date and that the employee was notified of the consequences of continuing to exhibit such behavior in the bureau file, or other appropriate non personnel file. The affected employee may request that this notation be removed from such file a year or more after the notation is made. Such requests shall be made in writing to the Bureau Chief, who shall grant all such requests unless corrective action has already been commenced for the same or similar behavior.

Verbal Warning: A verbal warning is an admonishment by a supervisor indicating that an act, conduct or performance is not proper or acceptable. Like counseling, it is intended to correct behavior. The supervisor’s role is to determine the underlying causes and solutions, and to assist and encourage the employee to perform appropriately.

Verbal warnings should be used in instances of minor infractions. More serious infractions or continuing infractions should be dealt with by more formal types of discipline and management control.
Standards of Conduct-Corrections Deputies and Corrections Sergeants

The supervisor issuing the verbal warning shall document the fact that a verbal warning was given on a certain date and that the employee was notified of the consequences of continuing to exhibit such behavior in the bureau file. The affected employee may request that this notation be removed from such file a year or more after the notation is made. Such requests shall be made in writing to the Bureau Chief, who shall grant all such requests unless corrective action has already been commenced for the same or similar behavior.

Verbal Reprimand: A verbal reprimand is also an admonishment by a supervisor for infractions not considered by the supervisor to require formal disciplinary action (i.e., written reprimand), but which cautions the individual employee that his behavior cannot continue. The employee should be informed that if such behavior continues, the employee will likely receive a written reprimand which will be permanently placed in the employee’s personnel file.

The supervisor issuing the verbal reprimand shall document the fact that a verbal reprimand was given on a certain date and that the employee was notified of the consequences of continuing to exhibit such behavior in the bureau file, or other appropriate non personnel file. The affected employee may request that this notation be removed from such file a year or more after the notation is made. Such requests shall be made in writing to the Bureau Chief, who shall grant all such requests unless corrective action has already been commenced for the same or similar behavior.

Letter of Expectation (LOE): A letter of expectation is an informal discipline option that can be issued at any time by any supervisor to state what the deficiency is and what the specific expectation is for the employee’s notification.

B. Formal Discipline and Management Control

Formal discipline and management control consists of corrective action in the form of written reprimands, letters of expectations, suspension, demotion, and/or discharge. These corrective actions will be made a permanent part of the employee's personnel file. The employee will acknowledge receipt of any discipline prior to the time it is placed in his personnel file.

Written Reprimand: A written reprimand is a formal censure of an employee's actions and/or conduct, which may be issued by a Bureau Chief or higher in the chain of command.

Any reviewer in the employee's chain of command may recommend a written reprimand. Such recommendations shall be in writing and will specify the reasons the written reprimand is justified along with the specifics of the incident or performance. This may include applicable dates, times, and places. Such recommendations shall in the case of repeated misconduct, state what steps have been taken to assist the employee in correcting the problem.

Each reviewer will give a copy of his/her written recommendations regarding disciplinary action to be taken to the employee prior to any disciplinary action taken against the employee by the Sheriff or his/her designee.

The Bureau Chief, or higher, will advise the employee of the recommendation for a written reprimand. The employee can accept the recommended discipline or appeal to the next higher
Standards of Conduct-Corrections Deputies and Corrections Sergeants

level in the chain of command. If the recommendation is accepted it is forwarded to the next higher level in the chain of command for concurrence.

A written reprimand must specify the conduct or actions which are inappropriate, including date(s) of the violation, type of violation, action that has been taken to correct the situation, and that the written reprimand will be placed in the employee's personnel file.

The employee should acknowledge receipt of the written reprimand prior to the time it is placed in his personnel file.

Performance Improvement Contract: A performance improvement contract (PIC) is utilized to correct or improve employee conduct. PIC's are effective in identifying the problem and putting the employee on notice of what actions are required on his part to improve performance.

PIC's may be issued by a Bureau Chief or higher in the chain of command.

Any reviewer in the employee's chain of command may recommend a PIC to the Sheriff or his/her designee. Such recommendations shall be in writing and will specify the reasons the PIC is recommended along with the specifics of the incident or performance. This may include applicable dates, times, and places. Such recommendations shall in the case of repeated misconduct, state what steps have been taken to assist the employee in correcting the problem.

Each reviewer will give a copy of his/her written recommendations regarding disciplinary action to be taken to the employee prior to any disciplinary action taken against the employee.

The Bureau Chief, or higher, will advise the employee of the recommendation for a PIC. The employee can accept the recommended discipline or appeal to the next higher level in the chain of command. If the recommendation is accepted it is forwarded to the next higher level in the chain of command for concurrence.

The Bureau Chief will meet with the employee and the employee's supervisors to review the PIC and ensure understanding with all parties.

The performance improvement contract should specifically state the names of both parties to the contract, the beginning date, and the terms of the contract. This shall include:

(a) Specific deficiencies, problems, or growth areas;
(b) A suggested and reasonable program for self improvement that will allow the employee to improve his/her performance to an acceptable level;
(c) A specific statement of the assistance that will be provided by the employer to help the employee so improve his/her performance. The employee will be given a reasonable, specified period in which to bring his/her performance up to an acceptable level. During the contract period, the immediate supervisor shall meet with the employee at least twice monthly to supervise and make a written evaluation of the progress made by the employee. This supplemental evaluation period may be terminated at any time by the Sheriff or his/her designee, if the employee has demonstrated improvement to the satisfaction of his/her immediate supervisor in those areas specifically detailed in the initial notice of job deficiency and subsequently detailed in the improvement
Standards of Conduct-Corrections Deputies and Corrections Sergeants

program. Lack of necessary improvement shall be specifically documented in writing with a notification to the employee. PIC's will be drafted within a reasonable time. The employee's bargaining unit, if applicable, will have the opportunity to review this document prior to it becoming effective. The affected employee will also sign for receipt of the contract before it becomes effective. Refusal by an employee to enter into a LOE may be grounds for further disciplinary action.

(d) At the conclusion of the contractual period, both parties to the contract should indicate on the contract itself whether the goals of the contract were accomplished. Failure to satisfactorily complete the contract may be grounds for further disciplinary action. Completed contracts are non expiring and will become part of an employee’s permanent personnel file.

339.4.2 REMOVALS, SUSPENSIONS, AND DEMOTIONS

**Suspension**: Except in the case of emergency administrative leave, suspension generally deprives an employee of pay for a period up to 30 days. Suspension is often given when serious misconduct or repetition of misconduct requires a strong management response. The nature of the offense, its severity and the circumstances, are factors considered in determining the imposition of suspension. Recurrence of the same or similar offenses can result in a suspension of increased duration or in demotion or discharge.

Suspensions may be issued by Bureau Chiefs or higher in the chain of command.

Any reviewer in the employee’s chain of command may recommend suspension. Such recommendations shall be in writing and will specify the reasons the suspension is recommended along with the specifics of the incident or performance. This may include applicable dates, times, and places. Such recommendations shall, in the case of repeated misconduct, state what steps have been taken to assist the employee in correcting the problem.

Each reviewer will give a copy of his/her written recommendations regarding disciplinary action to be taken to the employee prior to any disciplinary action taken against the employee by the Sheriff or his/her designee.

Suspensions can be imposed as follows:

**Bureau Chief**: Can issue discipline up to and including suspensions up to one (1) day.

**Undersheriff**: Can issue discipline up to and including suspensions up to three (3) days.

**Sheriff**: Can issue all aspects of discipline.

The Bureau Chief, or higher in the chain of command will advise the employee of the recommendation for a Suspension. The employee can accept the recommended discipline or appeal to the next higher level in the chain of command. If the recommendation is accepted it is forwarded to the next higher level in the chain of command for concurrence.

A letter of suspension signed by the Sheriff or his designee must specify the conduct or actions which are inappropriate; including dates, times, places of the violation, and type of violation. The
Standards of Conduct-Corrections Deputies and Corrections Sergeants

Letter will be made a part of an employee's permanent record. A copy of the letter shall be filed with the Civil Service Commission and the appropriate employee bargaining unit.

**Investigative Suspension/Investigative Discharge:** The Sheriff or his designee may temporarily suspend an employee without pay who is under investigation. Prior to the investigative suspension without pay, the Sheriff or his designee shall notify the employee in writing of the general nature of the reason for the temporary suspension. The Sheriff or designee shall meet with the employee to allow the employee to respond to the allegations. The employee may request of the Sheriff or his designee reconsideration at the time of the notice, and the Sheriff or his designee will accept supportive material and comments prior to that reconsideration.

Where felony charges have been filed against an employee, and until the felony charges have been resolved and are no longer at issue, the Sheriff may suspend the employee without pay, or discharge the employee. Should the employee be found not guilty, or the charge is somehow otherwise disposed of, and if the Department finds that there is no other cause for dismissal apart from the criminal action, the employee may be returned to duty while the internal investigation/disciplinary process is completed.

The employee shall also have regular recourse to appeal the temporary suspension through the normal Civil Service process, or through the grievance process outlined in the employee's collective bargaining agreement. The employee must give notice of appeal within ten days of the temporary suspension, as provided under the Civil Service Rules.

The employee may, upon the Sheriff or his designee's final determination in the matter under investigation, petition the Sheriff for reinstatement of any loss of compensation.

**Demotion:** Demotion is an action which can only be taken by the Sheriff. Factors considered include the nature of the offense, its severity, past performance, likelihood of recurrence of the problem, and what steps have been taken to assist the employee in correcting the problem.

Any reviewer in the employee's chain of command may recommend demotion to the Sheriff. Such recommendation shall be in writing and must specify the actions or conduct which is inappropriate, including date(s) of the violation, type of violation, and action that has been taken to correct the situation. Such recommendation shall also, in the case of repeated misconduct, state the efforts taken to resolve the situation.

Each reviewer will give a copy of his/her written recommendations regarding disciplinary action to be taken to the employee prior to any formal disciplinary action against the employee.

A letter of demotion shall be signed by the Sheriff and will be made a part of the employee's permanent record. Copies shall be furnished to the Civil Service Commission and the appropriate employee bargaining unit.

**Discharge:** Discharge is the most extreme penalty which can be given to an employee. Such action is taken where the offense or violation is of such severity that it warrants removal from the Sheriff's Department. Discharge may also be appropriate when it becomes apparent that the imposition of disciplinary and management control actions have not resulted in the required
Standards of Conduct-Corrections Deputies and Corrections Sergeants

performance. Factors to be considered include the seriousness of the offense, along with past performance, and, where applicable, previous efforts to correct the problem.

The Sheriff has the sole authority to discharge an employee. Any reviewer in the employee's chain of command may recommend discharge to the Sheriff. Such recommendation shall be in writing and must specify the actions or conduct which is inappropriate, including date(s) of the violation, type of violation, and action that has been taken to correct the situation. Such recommendations shall also, in the case of repeated misconduct, state the efforts taken to resolve the situation.

Each reviewer will give a copy of his/her written recommendations regarding disciplinary action to be taken to the employee prior to any formal disciplinary action against the employee by the Sheriff or his/her designee.

The Sheriff shall sign all letters of discharge and shall notify the employee of the specific conduct or actions which were inappropriate, including dates, times, places of violation and type of violation, the effective date of the dismissal and advisement of the appeal and hearings process.

The letter will become part of an employee's permanent record. Copies shall be given to the Civil Service Commission and the appropriate bargaining unit.

ACCEPTANCE OF RECOMMENDATION

During the disciplinary process whenever an employee accepts a recommendation which is then approved by the next level in the chain of command, that employee has then waived his right to appeal or grieve the discipline issued.

339.5 INVESTIGATIVE PROCEDURES
Post Investigation Procedures

339.5.1 RESPONSIBILITIES OF THE SHERIFF
Upon receipt of any written recommendation for disciplinary action, the Sheriff or his/her designee shall review the recommendation and all accompanying materials. The Sheriff or his/her designee may modify any recommendations and/or may return the file to the Bureau Chief for further investigation or action.

(a) In the event disciplinary action is recommended, which, if implemented, would result in the deprivation of a property or liberty interest, the Sheriff or his/her designee shall provide the employee with written (Loudermill) notice of the following information:

1. Specific charges set forth in separate counts, describing the conduct underlying each count.
2. A separate recommendation of proposed discipline for each charge.
3. An opportunity to respond orally or in writing to the Sheriff or his/her designee.
4. A statement that the employee is entitled to union representation, if represented by a union.
Standards of Conduct-Corrections Deputies and Corrections Sergeants

(b) If the employee elects to respond orally, the presentation shall be recorded by the Department. Upon request, the employee shall be provided with a copy of the recording.

1. The Loudermill response is not intended to be an adversarial or formal hearing.
2. Although the employee may be represented by an uninvolved representative or legal counsel, the Loudermill response is not designed to accommodate the presentation of testimony or witnesses.
3. In the event that the Sheriff or his/her designee elects to cause further investigation to be conducted, the employee shall be provided with the results of such subsequent investigation prior to the imposition of any discipline.
4. The employee may thereafter have the opportunity to further respond orally or in writing to the Sheriff or his/her designee on the limited issue(s) of information raised in any subsequent materials.
5. Once the employee has completed his/her Loudermill response or, if the employee has elected to waive any such response, the Sheriff or his/her designee shall consider all information received in regard to the recommended discipline. The Sheriff or his/her designee shall thereafter render a timely written decision to the employee imposing, modifying or rejecting the recommended discipline.
6. Once the Sheriff or his/her designee has issued a written decision, the discipline shall become effective.

339.6 EMPLOYEE RESPONSE
Any person so removed, suspended, demoted or discharged may within ten days from the time of his/her removal, suspension, demotion or discharge, may appeal the decision through the Civil Service Commission (Pierce County Civil Service Commission Rules 10.4) or through the contractual grievance procedure outlined in their respective Collective Bargaining Agreement, but not both.

339.7 RESIGNATION/RETIREMENTS PRIOR TO DISCIPLINE
In the event that an employee tenders a written retirement or resignation prior to the imposition of discipline, it shall be noted in the file.

The tender of a retirement or resignation prior to a decision by the Sheriff or his/her designee, places the investigative file in a pending status.

339.8 NOTIFICATION TO CJTC CERTIFICATION BOARD
Upon discharge of a peace officer for any reason, including resignation, the agency of discharge shall, within fifteen days of the discharge, notify CJTC on a personnel action report form provided by the commission. The agency of discharge shall, upon request of CJTC, provide such additional documentation or information as the commission deems necessary to determine whether the discharge provides grounds for revocation of the peace officer's certification (RCW 43.101.135).
Standards of Conduct-Corrections Deputies and Corrections Sergeants

339.9 ADMINISTRATION
The Department shall conduct an annual review and analysis of personnel complaints. The Sheriff shall approve the final report.
Standards of Conduct

340.1 PURPOSE AND SCOPE
This policy establishes standards of conduct that are consistent with the values and mission of the Pierce County Sheriff's Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member’s supervisors.

340.2 POLICY
The continued employment or appointment of every member of the Pierce County Sheriff's Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

340.2.1 PROGRESSIVE DISCIPLINE
The administration of discipline is generally expected to be progressive in nature, with relatively minor violations of rules resulting in minor disciplinary action for first offenders. Additional violations would generally result in progressively more serious forms of discipline being administered. Various and/or more severe discipline will be utilized when necessary and when appropriate. This policy does not imply that all situations will be dealt with by utilizing every step in the system.

Nothing in this policy is intended to preclude the administration of more serious forms of discipline, including discharge, for a first offense when warranted by the seriousness of the offense.

340.3 CONDUCT WHICH MAY RESULT IN DISCIPLINE
The following list of causes for disciplinary action constitutes a portion of the disciplinary standards of this department. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for specific action or inaction that is detrimental to efficient department service:

340.3.1 ATTENDANCE
(a) Leaving job to which assigned during duty hours without proper approval.
(b) Unexcused or unauthorized absence or tardiness on scheduled day(s) of work.
(c) Failure to report to work or to place of assignment at time specified and fully prepared to perform duties.
(d) Failure to notify the Department within 24 hours of any change in residence address or telephone number.
(e) Failure to comply with attendance-related policies.
Standards of Conduct

(f) All employees of the Department shall have a telephone in their residence, and will ensure that their current telephone number is on file with the department. Any employee who is unable to secure a telephone shall report this fact in writing to his Bureau Chief, giving the reason.

340.3.2 CONDUCT

(a) Failure of any employee to obey all laws of the United States, of the State of Washington, and of local jurisdictions. If an act committed or allegedly committed in foreign jurisdictions is the equivalent of a felony violation of Washington or United States law, then it will be dealt with in the same manner as if it were a violation of Washington State or United States law. Department members who have committed or are accused of committing a criminal violation, or are the subject of a criminal investigation, by any jurisdiction, domestic or foreign, shall notify the department as soon as practical. A criminal conviction of any law shall be prima facie evidence of a violation of this section.

(b) Unauthorized or unlawful fighting, threatening, or attempting to inflict unlawful bodily injury on another.

(c) Using Departmental resources in association with any portion of their independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non-subpoenaed records.

(d) Engaging in horseplay resulting in injury or property damage or the reasonable possibility thereof.

(e) Using or disclosing one’s status as an employee with the Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-departmental business or activity (RCW 9A.80.010).

(f) The use of any information, photograph, video or other recording obtained or accessed as a result of employment with the Department for personal or financial gain or without the expressed authorization of the Sheriff or his/her designee.

(g) Failure of any employee to report suspected criminal activity regarding any other employee.

(h) Unwelcome solicitation of a personal or sexual relationship while on duty or through the use of official capacity.

(i) Engaging in on-duty sexual relations.

(j) Seeking restraining orders against individuals encountered in the line of duty without notice to the Sheriff.

(k) Discourteous or disrespectful treatment of any member of the public or any member of this department or another law enforcement agency.

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

340.3.3 DISCRIMINATION

(a) Discrimination against any person because of age, race, color, creed, religion, sex, sexual orientation, national origin, ancestry, marital status, physical or mental disability or medical condition.

(b) Violation of Departmental or County policies prohibiting discrimination and harassment.

340.3.4 USE OF ALCOHOL OR DRUGS

(a) **ALCOHOLIC BEVERAGES AND/OR DRUGS IN DEPARTMENT FACILITIES:** Pierce County is a Drug and Alcohol Free Workplace. Employees shall not store or bring into any police facility or vehicle alcoholic beverages, controlled substances, narcotics or hallucinogens, except those which are held as evidence or as provided by law.

(b) **USE OF ALCOHOL ON DUTY OR IN UNIFORM:** Employees shall not consume alcoholic beverages while wearing any part of the uniform or while on-duty, except while acting under proper and specific orders from a supervisor. Employees shall not appear for work, nor be on duty while under the influence of intoxicants.

(c) **USE OF ALCOHOL OFF DUTY:** Employees, while off duty, shall refrain from consuming intoxicating beverages to the extent that it results in impairment, intoxication, or obnoxious or offensive behavior which discredits them or the Department, or renders them unfit to report for their next regular tour of duty.

(d) **POSSESSION/USE OF MARJUANA:** It is the intent of the department to abide by federal laws in relation to the use of marijuana. Marijuana is federally classified as a Schedule I controlled substance. Except in otherwise authorized execution of their official duties (i.e., evidentiary handling), employees shall not use, possess, distribute, or be under the influence of marijuana while on duty or off duty, regardless of if the employee has a prescription or medical authorization for its use, possession, etc. The department does not grant an exemption to this policy as a form of accommodation.

(e) **POSSESSION/USE OF DRUGS OTHER THAN MARJUANA:** Employees shall not use or possess, outside of duty requirements, any narcotic, dangerous drug, controlled substance, or prescription drug whether on or off duty, except at the direction of a physician, dentist, or other medical authority for legal medical purposes. Employees who are directed by licensed medical authority to legally use a narcotic, dangerous drug, controlled substance or prescription drug shall not use such medication to the extent that their performance is affected while on duty. Employees shall provide a note from a physician, dentist or other medical authority to Human Resources for any duty limitations resulting from the use of such drugs. Human Resources shall then
determine whether employees will be allowed to perform regular duties, be reassigned to limited duties, or placed on sick leave.

(f) **SUSPECTED INTOXICATION-MUST SUBMIT TO TEST**: If a supervisor has reasonable grounds to believe that an employee is adversely affected by the use of an intoxicating beverage and/or drugs while on duty, that employee shall be required to submit to tests for intoxication, and may request assistance of a union representative prior to the test. Results of the tests will be reported on an Alcohol Influence Report form and will be supplemented by a Breathalyzer or other test determined appropriate by the supervisor, for the measurement of either alcohol or drugs. The time lapse between the initial report of the employee's condition and the intoxication test shall be accurately recorded. If it is determined from the test that the employee is under the influence of alcohol and/or drugs, or if the employee fails to submit to testing, the employee may receive an emergency suspension.

340.3.5 PERFORMANCE

(a) Unauthorized sleeping during on-duty time or assignments.

(b) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or instructions of supervisors.

(c) Failure to promptly obey all lawful orders issued by supervisors or superior officers, including orders relayed from supervisors or superior officers. Deliberate failure to carry out or follow any proper order from any supervisor or person in authority or by disputing the supervisor's lawful orders shall be deemed insubordination.

(d) The wrongful or unlawful exercise of authority on the part of any employee for malicious purpose, personal gain, willful deceit or any other improper purpose.

(e) The falsification of any work-related records, the making of misleading entries or statements with the intent to deceive, or the willful and unauthorized destruction/deletion and/or mutilation of any department record, book, paper or document.

(f) Wrongfully loaning, selling, giving away or appropriating any department property for the personal use of the employee or any unauthorized person.

(g) The unauthorized use of any badge, uniform, identification card or other department equipment or property for personal gain or any other improper purpose.

(h) Any violation of the provisions of the department manual, operating procedures or other written directive of an authorized supervisor. The Department shall make this manual available to all employees. Employees shall familiarize themselves with and be responsible for compliance with each of the policies contained herein.
Standards of Conduct

(i) Work-related dishonesty, including attempted or actual theft of department property, services or the property of others.

(j) Unauthorized removal or possession of Departmental property or the property of another employee.

(k) Failure to disclose material facts or the making of any false or misleading statement on any application, examination form or other official document, report, form, or during the course of any work-related investigation.

(l) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when a department member knows or reasonably should have known of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by the Department.

(m) Misappropriation or misuse of public funds.

(n) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.

(o) Knowingly engaging in any form of illegal gambling at any time, except in the performance of duty and while acting under proper and specific orders from a superior officer.

(p) Associations or dealings with parties they know to have been incarcerated in the Pierce County Jail, or other jail/correctional facility, or persons whom they know, or reasonably should know, are persons under criminal investigation or indictment, or who have a reputation within the community or the Department for involvement in felonious or criminal behavior, except as necessary to the performance of official duties, or where unavoidable because of family or other personal relationships of the employees.

(q) Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty, on department property or while in any way representing him/herself as a member of this agency.

(r) Engaging in political activities while on duty.

(s) Any other conduct which any employee knows or reasonably should know is unbecoming a member of the Department or which is contrary to good order, efficiency or morale, or which tends to reflect unfavorably upon the Department or its members.

(t) Failure to maintain required and current licenses and certifications per department standards.

(u) Soliciting or accepting from any person, business or organization, any gift, gratuity, reward, etc., (including money, tangible or intangible personal property, food, beverage, loan, promise, service or entertainment) for the benefit of the employees.
Standards of Conduct

or the Department, if it may reasonably be inferred that the person, business or organization:

1. seeks to influence action of an official nature or seeks to affect the performance or non-performance of an official duty, or

2. has an interest which may be substantially affected directly or indirectly by the performance or nonperformance of an official duty.

Employees shall not accept any reward, gift, gratuity, etc. for the detection or apprehension of any criminal or unauthorized military absentee, or the recovery of any stolen or lost articles, except upon Special Order of the Sheriff.

340.3.6 SECURITY
Unauthorized, intentional release of designated confidential information, materials, data, forms or reports.

340.4 INVESTIGATION OF DISCIPLINARY ALLEGATIONS
Regardless of the source of an allegation of misconduct, all such matters will be investigated in accordance with Personnel Complaint Procedure Policy Manual § 1020.

340.4.1 DISCIPLINE FINDINGS
A. Informal Discipline and Management Control
Informal discipline and management control is corrective action taken to educate and correct minor unacceptable acts or omissions by an employee. Supervisors should be documenting the corrective actions taken in the form of an Incident Performance Report (IPR), Performance Tracking Form (PTF), evaluation, or notation in bureau file.

The following forms of informal corrective action may be utilized by an employee's immediate supervisor or higher in the chain of command and should take into consideration the nature and magnitude of the problem as well as the employee's past performance.

**Counseling:** Counseling is a discussion between a supervisor and a subordinate for the purpose of clarifying a rule or procedure, correcting a problem, or developing an understanding of proper procedures. Counseling is appropriate when the situation involves a lack of understanding rather than an intentional disregard of rules, regulations, or proper procedures.

The supervisor issuing the counseling shall document the fact that counseling was given on a certain date and that the employee was notified of the consequences of continuing to exhibit such behavior in the bureau file, or other appropriate non personnel file. The affected employee may request that this notation be removed from such file a year or more after the notation is made. Such requests shall be made in writing to the Bureau Chief, who shall grant all such requests unless corrective action has already been commenced for the same or similar behavior.

**Verbal Warning:** A verbal warning is an admonishment by a supervisor indicating that an act, conduct or performance is not proper or acceptable. Like counseling, it is intended to correct
Standards of Conduct

behavior. The supervisor’s role is to determine the underlying causes and solutions, and to assist and encourage the employee to perform appropriately.

Verbal warnings should be used in instances of minor infractions. More serious infractions or continuing infractions should be dealt with by more formal types of discipline and management control.

The supervisor issuing the verbal warning shall document the fact that a verbal warning was given on a certain date and that the employee was notified of the consequences of continuing to exhibit such behavior in the bureau file. The affected employee may request that this notation be removed from such file a year or more after the notation is made. Such requests shall be made in writing to the Bureau Chief, who shall grant all such requests unless corrective action has already been commenced for the same or similar behavior.

**Verbal Reprimand**: A verbal reprimand is also an admonishment by a supervisor for infractions not considered by the supervisor to require formal disciplinary action (i.e., written reprimand), but which cautions the individual employee that his behavior cannot continue. The employee should be informed that if such behavior continues, the employee will likely receive a written reprimand which will be permanently placed in the employee's personnel file.

The supervisor issuing the verbal reprimand shall document the fact that a verbal reprimand was given on a certain date and that the employee was notified of the consequences of continuing to exhibit such behavior in the bureau file, or other appropriate non personnel file. The affected employee may request that this notation be removed from such file a year or more after the notation is made. Such requests shall be made in writing to the Bureau Chief, who shall grant all such requests unless corrective action has already been commenced for the same or similar behavior.

**Letter of Expectation (LOE)**: A letter of expectation is an informal discipline option that can be issued at any time by any supervisor to state what the deficiency is and what the specific expectation is for the employee's notification.

B. Formal Discipline and Management Control

Formal discipline and management control consists of corrective action in the form of written reprimands, letters of expectations, suspension, demotion, and/or discharge. These corrective actions will be made a permanent part of the employee's personnel file. The employee will acknowledge receipt of any discipline prior to the time it is placed in his personnel file.

**Written Reprimand**: A written reprimand is a formal censure of an employee's actions and/or conduct, which may be issued by a Bureau Chief or higher in the chain of command.

Any reviewer in the employee’s chain of command may recommend a written reprimand. Such recommendations shall be in writing and will specify the reasons the written reprimand is justified along with the specifics of the incident or performance. This may include applicable dates, times, and places. Such recommendations shall in the case of repeated misconduct, state what steps have been taken to assist the employee in correcting the problem.
Standards of Conduct

Each reviewer will give a copy of his written recommendations regarding disciplinary action to be taken to the employee prior to any disciplinary action taken against the employee by the Sheriff or his designee.

The Bureau Chief, or higher, will advise the employee of the recommendation for a written reprimand. The employee can accept the recommended discipline or appeal to the next higher level in the chain of command. If the recommendation is accepted it is forwarded to the next higher level in the chain of command for concurrence.

A written reprimand must specify the conduct or actions which are inappropriate, including date(s) of the violation, type of violation, action that has been taken to correct the situation, and that the written reprimand will be placed in the employee's personnel file.

The employee should acknowledge receipt of the written reprimand prior to the time it is placed in his personnel file.

Performance Improvement Contract: A performance improvement contract (PIC) is utilized to correct or improve employee conduct. PIC's are effective in identifying the problem and putting the employee on notice of what actions are required on his part to improve performance.

PIC's may be issued by a Bureau Chief or higher in the chain of command.

Any reviewer in the employee's chain of command may recommend a PIC to the Sheriff or his designee. Such recommendations shall be in writing and will specify the reasons the PIC is recommended along with the specifics of the incident or performance. This may include applicable dates, times, and places. Such recommendations shall in the case of repeated misconduct, state what steps have been taken to assist the employee in correcting the problem.

Each reviewer will give a copy of his written recommendations regarding disciplinary action to be taken to the employee prior to any disciplinary action taken against the employee.

The Bureau Chief, or higher, will advise the employee of the recommendation for a PIC. The employee can accept the recommended discipline or appeal to the next higher level in the chain of command. If the recommendation is accepted it is forwarded to the next higher level in the chain of command for concurrence.

The Bureau Chief will meet with the employee and the employee's supervisors to review the PIC and ensure understanding with all parties.

The performance improvement contract should specifically state the names of both parties to the contract, the beginning date, and the terms of the contract. This shall include:

1. Specific deficiencies, problems, or growth areas;
2. A suggested and reasonable program for self improvement that will allow the employee to improve his/her performance to an acceptable level;
3. A specific statement of the assistance that will be provided by the employer to help the employee so improve his/her performance. The employee will be given a reasonable, specified period in...
Standards of Conduct

which to bring his/her performance up to an acceptable level. During the contract period, the
immediate supervisor shall meet with the employee at least twice monthly to supervise and make
a written evaluation of the progress made by the employee. This supplemental evaluation period
may be terminated at any time by the Sheriff or his designee, if the employee has demonstrated
improvement to the satisfaction of his/her immediate supervisor in those areas specifically detailed
in his initial notice of job deficiency and subsequently detailed in his improvement program. Lack
of necessary improvement shall be specifically documented in writing with a notification to the
employee.

PIC’s will be drafted within a reasonable time. The employee's bargaining unit, if applicable, will
have the opportunity to review this document prior to it becoming effective. The affected employee
will also sign for receipt of the contract before it becomes effective. Refusal by an employee to
enter into a LOE may be grounds for further disciplinary action.

At the conclusion of the contractual period, both parties to the contract should indicate on the
contract itself whether the goals of the contract were accomplished. Failure to satisfactorily
complete the contract may be grounds for further disciplinary action.

Completed contracts are non expiring and will become part of an employee's permanent personnel
file.

340.4.2 REMOVALS, SUSPENSIONS, AND DEMOTIONS

Suspension: Except in the case of emergency administrative leave, suspension generally
deproves an employee of pay for a period up to 30 days. Suspension is often given when serious
misconduct or repetition of misconduct requires a strong management response. The nature of the
offense, its severity and the circumstances, are factors considered in determining the imposition
of suspension. Recurrence of the same or similar offenses can result in a suspension of increased
duration or in demotion or discharge.

Suspensions may be issued by Bureau Chiefs or higher in the chain of command.

Any reviewer in the employee's chain of command may recommend suspension. Such
recommendations shall be in writing and will specify the reasons the suspension is recommended
along with the specifics of the incident or performance. This may include applicable dates, times,
and places. Such recommendations shall, in the case of repeated misconduct, state what steps
have been taken to assist the employee in correcting the problem.

Each reviewer will give a copy of his written recommendations regarding disciplinary action to be
taken to the employee prior to any disciplinary action taken against the employee by the Sheriff
or his designee.

Suspensions can be imposed as follows:

Bureau Chief: Can issue discipline up to and including suspensions up to one (1) day.

Undersheriff: Can issue discipline up to and including suspensions up to four (4) days.
Standards of Conduct

Sheriff: Can issue all aspects of discipline.

The Bureau Chief, or higher in the chain of command will advise the employee of the recommendation for a Suspension. The employee can accept the recommended discipline or appeal to the next higher level in the chain of command. If the recommendation is accepted it is forwarded to the next higher level in the chain of command for concurrence.

A letter of suspension signed by the Sheriff or his designee must specify the conduct or actions which are inappropriate; including dates, times, places of the violation, and type of violation. The letter will be made a part of an employee's permanent record. A copy of the letter shall be filed with the Civil Service Commission and the appropriate employee bargaining unit.

Investigative Suspension/Investigative Discharge: The Sheriff or his designee may temporarily suspend an employee without pay who is under investigation. Prior to the investigative suspension without pay, the Sheriff or his designee shall notify the employee in writing of the general nature of the reason for the temporary suspension. The Sheriff or designee shall meet with the employee to allow the employee to respond to the allegations. The employee may request of the Sheriff or his designee reconsideration at the time of the notice, and the Sheriff or his designee will accept supportive material and comments prior to that reconsideration.

Where felony charges have been filed against an employee, and until the felony charges have been resolved and are no longer at issue, the Sheriff may suspend the employee without pay, or discharge the employee. Should the employee be found not guilty, or the charge is somehow otherwise disposed of, and if the Department finds that there is no other cause for dismissal apart from the criminal action, the employee may be returned to duty while the internal investigation/disciplinary process is completed.

The employee shall also have regular recourse to appeal the temporary suspension through the normal Civil Service process, or through the grievance process outlined in the employee's collective bargaining agreement. The employee must give notice of appeal within ten days of the temporary suspension, as provided under the Civil Service Rules.

The employee may, upon the Sheriff or his designee's final determination in the matter under investigation, petition the Sheriff for reinstatement of any loss of compensation.

Demotion: Demotion is an action which can only be taken by the Sheriff. Factors considered include the nature of the offense, its severity, past performance, likelihood of recurrence of the problem, and what steps have been taken to assist the employee in correcting the problem.

Any reviewer in the employee's chain of command may recommend demotion to the Sheriff. Such recommendation shall be in writing and must specify the actions or conduct which is inappropriate, including date(s) of the violation, type of violation, and action that has been taken to correct the situation. Such recommendation shall also, in the case of repeated misconduct, state the efforts taken to resolve the situation.

Each reviewer will give a copy of his written recommendations regarding disciplinary action to be taken to the employee prior to any formal disciplinary action against the employee.
Standards of Conduct

A letter of demotion shall be signed by the Sheriff and will be made a part of the employee's permanent record. Copies shall be furnished to the Civil Service Commission and the appropriate employee bargaining unit.

Discharge: Discharge is the most extreme penalty which can be given to an employee. Such action is taken where the offense or violation is of such severity that it warrants removal from the Sheriff's Department. Discharge may also be appropriate when it becomes apparent that the imposition of disciplinary and management control actions have not resulted in the required performance. Factors to be considered include the seriousness of the offense, along with past performance, and, where applicable, previous efforts to correct the problem.

The Sheriff has the sole authority to discharge an employee. Any reviewer in the employee's chain of command may recommend discharge to the Sheriff. Such recommendation shall be in writing and must specify the actions or conduct which is inappropriate, including date(s) of the violation, type of violation, and action that has been taken to correct the situation. Such recommendations shall also, in the case of repeated misconduct, state the efforts taken to resolve the situation.

Each reviewer will give a copy of his written recommendations regarding disciplinary action to be taken to the employee prior to any formal disciplinary action against the employee by the Sheriff or his designee.

The Sheriff shall sign all letters of discharge and shall notify the employee of the specific conduct or actions which were inappropriate, including dates, times, places of violation and type of violation, the effective date of the dismissal and advisement of the appeal and hearings process.

The letter will become part of an employee's permanent record. Copies shall be given to the Civil Service Commission and the appropriate bargaining unit.

Acceptance of Recommendation

During the disciplinary process whenever an employee accepts a recommendation which is then approved by the next level in the chain of command, that employee has then waived his right to appeal or grieve the discipline issued.

340.5 Investigation Procedures

Refer to the Personnel Complaints policy 1020 for guidelines regarding the reporting, investigation, and disposition of complaints.

340.6 Administration

The Department shall conduct an annual review and analysis of personnel complaints. The Sheriff shall approve the final report.
Rules of Conduct

341.1 PURPOSE AND SCOPE
Each individual employee is an official representative of the Department. An employee's personal attitude and approach in the performance of duties must be consistent with fellow employees and the policies of the Department. Throughout the operation of the Department there exists a need for adherence to Department policies and a necessity for understanding Department policies.

341.2 CONFORMANCE WITH RULES
The rules and regulations throughout this Manual shall govern the actions of all Department employees. Employees shall at all times act in conformance with the rules, regulation, orders and policies of the Department. Ignorance shall not be considered justification for any violation.

A violation of any Department rule, regulation, order, or policy may be sufficient cause for disciplinary action.

341.3 INDUCEMENT TO COMMIT ILLEGAL ACTS OR VIOLATIONS
Employees shall not attempt to induce any individual to commit any illegal act or to act in violation of any Department rule, regulation, order or policy.

341.4 IDENTIFICATION
Commissioned employees shall carry their badge and identification/commission card on their persons at all times while armed, except when impractical or dangerous to their safety or to an investigation. They shall furnish their name and personnel number or business card to any person requesting that information whenever they are on duty or while representing themselves as having an official capacity, except when the withholding of such information is necessary for the performance of police duties.

The business card shall contain identifying information including, but not limited to, the deputy's name, unit, badge or other identification number, and a telephone number.

No employee of the Pierce County Sheriff's Department will use any departmental business card other than those authorized by the Department. No employee of this Department shall utilize any business card, or any other form of communication, or inscribe any message thereon, for the purpose of granting the bearer any special privileges not enjoyed by all citizens.

341.5 ABUSE OF POSITION
Employees shall not use their official position, official identification/commission card or badge, for personal or financial gain, or to avoid consequences of illegal acts.

Employees shall not lend to another person their identification/commission card or badge, or conspire to have them photographed or reproduced without the approval of the Sheriff.
Rules of Conduct

Employees shall not authorize the use of their names, photographs or official titles which identify them as employees, in connection with testimonials or advertisements of any commodity or commercial enterprise without the approval of the Sheriff.

341.6 ENDORSEMENTS AND REFERRALS
Employees shall not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional service or commercial service (such as a specific attorney, bondsman, mortician, alarm monitoring company, etc.).

341.7 BAIL
Employees may become surety or guarantor, post bond, or furnish bail for themselves and members of their immediate families or domestic partners only.

341.8 VISITING PROHIBITED ESTABLISHMENTS
Except in the performance of duty or while acting under proper and specific orders from a supervisor, employees shall not knowingly visit, enter or frequent an establishment wherein the laws of the United States, the state, or the local jurisdiction are regularly violated.

341.9 USE OF TOBACCO
This policy applies to employees while on duty and in no way prohibits the use of tabacco by an employee when off duty. Employees shall not smoke or chew tobacco while engaged in the performance of any official duty or while in contact with the general public. Employees shall not smoke or chew tobacco while operating or as a passenger in any Pierce County Vehicle. Employees shall not smoke in violation of Pierce County Ordinances.

341.10 NEGLECT OF DUTY
Employees shall not play games, watch television or movies or otherwise engage in entertainment while on duty, except as may be required in the performance of their duties, for training purposes or while on authorized breaks. Employees shall not sleep or engage in any activities or personal business which would cause them to neglect or be inattentive to duty.

Employees shall immediately notify their supervisor if they are unable to continue to perform their duties or will be unable to report for duty as scheduled or assigned.

341.11 SOLICITATION FOR ADVANCEMENT, ETC.
Employees shall not solicit intervention or influence of persons outside the Department for personal promotion or advancement and/or change of assignment or duty station, for themselves or any other employee, unless directed or requested to do so by higher authority.
341.12 CONFLICTING OR ILLEGAL ORDERS
Employees who are given an otherwise proper order which is in conflict with a previous order, rule or regulation shall respectfully inform the supervisor or superior officer issuing the order of the conflict. If the superior officer or supervisor issuing the order does not alter or retract the conflicting order the order shall stand. Under these circumstances, the responsibility for the conflict shall be upon the superior officer or supervisor. Employees shall obey the conflicting order, and shall not be held responsible for disobedience of the previously issued order, rule or regulation.

Employees shall not obey any order which they know or should know would require them to commit any illegal act. If in doubt as to the legality of an order, employees shall request the issuing supervisor to clarify the order or confer with higher authority.

341.13 MEDICAL EXAMINATIONS, TESTS, PHOTOGRAPHS, LINE-UPS POLYGRAPHS
Upon the order of the Sheriff or his designee, employees shall submit to any medical, ballistic, chemical or other tests, photographs, or line-ups. All such tests shall be specifically directed and narrowly related to a particular investigation being conducted by the Department.

In the event that a violation of law is being investigated, employees will be afforded the same rights and restrictions as a private citizen.

Employees shall not be required to take a polygraph tests or similar tests unless permitted by RCW 49.44.120. No employee shall be required to take a polygraph test or similar test as a condition of continued employment, unless permitted by RCW 49.44.120. If the employee is required to take a polygraph test under the authority of RCW 9.44.120, or if the employee voluntarily consents to a polygraph test, the employee shall have the right to request the assistance of a union representative who shall be present, if requested by the employee, during the pre-examination interview and during any interview conducted following the administration of the polygraph test. At the pre-examination interview and post-examination interview, the employee shall be free to confer privately with the guild representative, upon request.

341.14 SUSPENDED EMPLOYEES / EMPLOYEES ON ADMIN LEAVE OR ASSIGNMENT
Employees that are on Suspension, Admin Leave or Assignment are subject to all of the rules and regulations of this Department. Suspended employees shall not wear any part of the official uniform or act in the capacity of a commissioned deputy.

341.15 NOTIFICATION OF SUSPENSION OR DENIAL OF DRIVING PRIVILEGES
Employees shall immediately notify their supervisor in writing of any arrest or administrative action which results or may result in the revocation, suspension or denial of their driving privileges.

341.16 PUBLIC PRONOUNCEMENTS
While employees of the Department are encouraged to participate in community activities, including public speaking events, it must be understood that the Sheriff has the ultimate responsibility for formulating and/or interpreting Department policies and procedures.
Rules of Conduct

Employees, while engaged in community relations activities or public speaking events, shall be responsible for accurately stating Department policy and procedure.

341.17 NO STRIKE – NO LOCKOUT
Employees shall not engage in any strike, work stoppage, slowdown, boycott, sympathy strike, or refusal to cross a picket line or lockout for any reason. “Strike” includes the concerted failure to report for full duty, willful absence from one’s position, unauthorized holidays, sickness unsubstantiated by a physician’s statement, or the abstinence in whole or in part from the full, faithful and proper performance of the duties of employment for the purposes of inducing, influencing, or coercing a change in conditions, compensation, rights, privileges or obligations of employment.

341.18 SUBJECT TO CALL
Employees shall have regularly scheduled hours assigned for activity duty and when not so employed shall be considered, “Off duty”. Employees shall be subject to being called to duty in emergencies if needed.

341.19 NO PRIVATE BUSINESS WHILE ON DUTY
It is the obligation of employees to devote their on-duty time to official matters only. Therefore, private business shall not be engaged in during a tour of duty, unless expressed permission is granted by a supervisor.

341.20 REPORTING VIOLATIONS OF LAW, RULES OR ORDERS
Employees who know of or observe violation of laws, ordinances, rules, or official Department orders by other Department personnel shall report such incidents at once to their immediate supervisor.

Employees who believe that they possess information of such gravity that it must be brought to the immediate attention of Command Staff may contact the affected Bureau Chief or the Command Duty Officer.

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

341.21 SEEKING PUBLICITY
Employees shall not directly, or indirectly, seek publicity for themselves through the press, radio, television, or other news media; nor shall they furnish information to the news media for the purpose of gaining personal recognition.
341.22  INTERFERENCE WITH DISCIPLINE
No employee shall exert or attempt to exert any influence on any of the participants in a Departmental disciplinary procedure, except in accordance with Department procedure.

341.23  ATTENDANCE AT PUBLIC FUNCTIONS
Employees are prohibited from attending any of the following functions while on duty without prior approval of their commanding officers, unless their attendance has been requested as part of their official duties or is in accordance with applicable union agreements:

(a) Court trials and hearings;
(b) Public hearings, city council, legislature, etc;
(c) Guild or union meetings;
(d) Public demonstrations

This section does not preclude employees from carrying out their normal work assignments but does prohibit their attendance at the above functions solely as spectators while on duty.

341.24  LOITERING
Employees, when on duty, may enter or frequent public places only for the purposes of transacting official business, or to take rest breaks or regular meals or to obtain goods or services.

341.25  QUARRELING OR FIGHTING
On or off duty employees shall never use threatening or insulting language toward any other employee. Employees shall not: draw or lift a weapon toward, offer violence against, strike or attempt to strike any other employee.

341.26  INTERFERENCE WITH LEGAL PROCESS; UNAUTHORIZED INVESTIGATIONS
Employees shall not interfere with cases assigned to other employees for investigation, nor with any arrest or prosecution brought by other employees, persons, or agencies without authorization of their supervisors. Employees shall not undertake any investigation or other official action outside their regular duties without obtaining permission from their supervisors, except in an emergency.

341.27  DISPOSITION OF PENDING CRIMINAL CASES
Employees shall not make any recommendations regarding the disposition of pending criminal court cases to any court unless requested by a judge; nor shall they directly ask any court for a continuance of any trial in court or otherwise interfere with the courts of justice for any reason. The Prosecuting Attorney represents the Department in court and should be contacted regarding continuances, dispositions, etc..
341.28 CRIMINAL CASE TESTIMONY
Employees appearing for the prosecution shall not discuss the testimony which they would give in any criminal court action, nor shall they sign any statements concerning any criminal case with a person not officially connected with the Department, except for or at the direction of official agencies, such as the prosecuting official having jurisdiction of the case.

Employees subpoenaed by the defense in criminal cases shall contact the Prosecuting Attorney handling the case prior to trial.

341.29 TESTIFYING IN CIVIL CASES
Employees shall not testify in any civil case in which the Department may have an interest without prior approval of the Sheriff, unless they are parties to the action or have been legally summoned or subpoenaed to do so, in which case their commanding officers shall be notified.

341.30 CIVIL ACTIONS BY EMPLOYEES
Employees who initiate civil actions for damages sustained in the line of duty shall advise their supervisors in writing and forward all available reports and information to the County Risk Management Department. In such actions employees must conform to established County and Departmental tort claim procedures.

341.31 CONFIDENTIALITY OF INFORMATION
Employees shall treat the official business of the Department as confidential. Information regarding official business shall be disseminated only to those for whom it is intended.

341.32 PROCESSING PROPERTY AND EVIDENCE
Property or evidence which has been discovered, gathered, or received in connection with Departmental responsibility shall be processed in accordance with established Departmental procedures. Employees shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with, or withhold any property or evidence in connection with an investigation or other police action, except in accordance with established Departmental procedures.

341.33 CITIZEN COMPLAINTS
Employees shall courteously and promptly accept any complaint made by a citizen against any employee or the Department. Employees may attempt to resolve the complaint, but shall never attempt to dissuade any citizen from lodging a complaint against any employee or the Department. Employees shall follow established Departmental procedures for recording and processing complaints.

341.34 REQUEST FOR ASSISTANCE
When any person requests assistance or advice, or makes complaints or reports, either by telephone or in person, all pertinent information shall be obtained in an official and
courteous manner, and shall be properly and judiciously acted upon consistent with established Departmental procedures.

341.35 POLITICAL ACTIVITY
Employees shall have the right to vote and to express their opinions on all political subjects and candidates and to hold any political party office or participate in the management of a partisan, political campaign. Nothing in this Manual shall prohibit an employee from participating fully in campaigns relating to non-partisan offices, constitutional amendments, referenda, initiatives, and similar issues.

An employee shall not hold a part-time public office in a political subdivision of the state of Washington when the holding of such office is incompatible with, in conflict with, or substantially interferes with the discharge of his official duties.

Department employees shall not be required to contribute to any political fund or render any political service to any person or party whatsoever, and they shall not be removed, reduced in grade or salary, or otherwise prejudiced for refusing to do so.

No public officer, whether elected or appointed, shall discharge, demote, or in any manner change the official rank, employment, or compensation of any employee, or promise or threaten to do so, for giving or withholding, or neglecting to make any contribution of money, or service, or any other valuable thing, for any political purpose.
Information Technology Use

342.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

342.1.1 DEFINITIONS
Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the Pierce County Sheriff's Department that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Department or Department funding.

Hardware - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones, including cellular and satellite, pagers, modems or any other tangible computer device or accessory generally understood to comprise hardware.

Software - Includes, but is not limited to, all computer programs, systems and applications, including shareware. This does not include files created by the individual user.

Temporary file, permanent file or file - Any electronic document, information or data residing or located, in whole or in part, on the computer or network system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

342.2 POLICY
It is the policy of the Pierce County Sheriff's Department that members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

342.3 PRIVACY EXPECTATION
Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any department computer system.

The Department reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network and/or any information placed into storage on any department system or device. This includes records of all keystrokes or Web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices or networks.
Information Technology Use

Employees may not be asked or required to disclose logon information for their personal social networking accounts or to provide access to their personal social networking accounts unless otherwise allowed under RCW 49.44.200 (RCW 49.44.200).

342.4 RESTRICTED USE
Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors or Shift Sergeants.

342.4.1 SOFTWARE
Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes in accordance with the software company’s copyright and license agreement.

Members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software onto any department computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Sheriff or the authorized designee.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer systems or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as part of the automated maintenance or update process of department- or County-approved or installed programs by the original manufacturer, producer or developer of the software.

Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

342.4.2 HARDWARE
Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation or who otherwise have a legitimate law enforcement or department-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

342.4.3 INTERNET USE
Internet access provided by or through the Department shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed include, but are not limited to,
adult forums, pornography, gambling, chat rooms and similar or related Internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

Downloaded information shall be limited to messages, mail and data files.

342.4.4 OFF-DUTY USE
Members shall only use technology resources provided by the Department while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email or any other "off the clock" work-related activities.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

342.5 PROTECTION OF AGENCY SYSTEMS AND FILES
All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information and other individual security data, protocols and procedures are confidential information and are not to be shared. Password length, format, structure and content shall meet the prescribed standards required by the computer system and shall be changed at intervals as directed by IT staff or a supervisor.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the Internet) to a supervisor.

342.6 INSPECTION OR REVIEW
A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.
Report Preparation

344.1 PURPOSE AND SCOPE
Report preparation is a major part of each deputy's job. The purpose of reports is to document sufficient information to refresh the deputy's memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formalized training and on-the-job training.

Employees shall officially report all arrests and other matters pertaining to the activities of the Department. This shall be done in accordance with Departmental procedures.

344.1.1 REPORT PREPARATION
Employees should ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during their shift and before going off-duty unless permission to hold the reports for completion at a later time has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads, or arrest reports where the suspect remains in custody should not be held over for completion at a later date.

Handwritten reports and non-electronic attachments completed by employees must be prepared legibly and without errors. If the document is not legible or has errors, the submitting employee may be required by the reviewing supervisor to promptly make corrections and resubmit the documents. Employees who are authorized to dictate reports shall use appropriate grammar, as content is not the responsibility of the transcriptionist. Employees who generate reports with the aid of computers and authorized software applications are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense, statements of parties involved and any actions taken. Employees shall not intentionally suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports. If an employee's opinion is included in a report it must be for a justifiable reason and specifically identified within the report as an opinion.

344.1.2 DISSEMINATION
Because much of the information coming to the attention of the Department is of a confidential nature, employees will not divulge the content of reports, records or other Department information except as authorized. RCW chapter 40.14 shall be complied with in the handling of records. All Public Information Act (PDA) requests for documents or reports shall be referred to the SouthSound Law Enforcement Records for processing according to law or to the Sheriff's Legal Advisor.

344.2 REQUIRED REPORTING
Written reports are required in all of the following situations on the appropriate department approved forms, whether written or electronic, unless otherwise approved by a supervisor.
Report Preparation

344.2.1 CRIMINAL ACTIVITY REPORTING
When an employee responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the employee is required to document the activity. The following are examples of required documentation:

(a) In every instance where a felony has occurred, or is suspected to have occurred, the documentation shall take the form of a written or electronic incident report.

(b) In every instance where a misdemeanor crime has occurred, or is suspected to have occurred, and the victim desires a report, the documentation shall take the form of a written or electronic incident report. If the victim does not desire a report, the incident will be recorded within CAD/MDC.

(c) In every case where any physical force is used against any person by sheriff's department personnel. Compliant handcuffing and the lawful display or pointing a firearm is not considered physical force as related to this policy section.

(d) All reported incidents involving alleged domestic violence. All domestic violence incidents will be documented regardless of type of offense or if the victim desires prosecution.

(e) All arrests, to include custodial arrests, an arrest and subsequent release or an arrest by criminal citation.

344.2.2 NON-CRIMINAL ACTIVITY
Incidents that require documentation on the appropriate approved report include:

(a) Any use of force against any person by a member of this department (see the Use of Force Policy).

(b) Any firearm discharge (see the Shooting Policy).

(c) Any time a person is reported missing (per the Missing Persons Reporting Policy §332).

(d) Any found property with apparent value not promptly returned to the owner or found evidence.

(e) Any traffic collisions above the minimum reporting level of $1,500 in damages (see Traffic Collision Reporting Policy).

(f) Suspicious incidents that may indicate a potential for crimes against children and other vulnerable persons.

(g) All protective custody detentions or placements.

(h) Suspicious incidents that may place the public or others at risk.

(i) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor.
344.2.3 DEATH CASES
Death investigations require specific investigation methods depending on circumstances and should be handled in accordance with the Death Investigation Policy. A deputy handling a death investigation should notify and apprise a supervisor of the circumstances surrounding the incident and a determination will be made on how to proceed. The following cases shall be appropriately investigated and documented using the approved report:

(a) Sudden or accidental deaths.
(b) Suicides
(c) Homicide or suspected homicide.
(d) Unattended deaths (No physician in attendance within 36 hours preceding death).
(e) Found dead bodies or body parts.

344.2.4 INJURY OR DAMAGE BY COUNTY PERSONNEL
Reports shall be taken if an injury occurs that is a result of an act of a County employee. Additionally, reports shall be taken involving damage to County property or County equipment.

344.2.5 MISCELLANEOUS INJURIES
Any injury that is reported to this department shall require a report when:

(a) The injury is a result of drug overdose.
(b) Attempted suicide.
(c) The injury is major/serious, whereas death could result.
(d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event.

The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident he/she deems necessary.

344.3 GENERAL POLICY OF EXPEDITIOUS REPORTING
In general, all deputies and supervisors shall act with promptness and efficiency in the preparation and processing of all reports using effective time management skills. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

344.3.1 GENERAL POLICY OF HANDWRITTEN REPORTS
Some incidents and report forms lend themselves to block print rather than typing. In general, the narrative portion of those reports where an arrest is made or when there is a long narrative should be typed or dictated.

Supervisors may require, with the foregoing general policy in mind, block printing or typing of reports of any nature for departmental consistency.
344.3.2 GENERAL USE OF OTHER HANDWRITTEN FORMS
County, state and federal agency forms may be block printed as appropriate. In general, the form itself may make the requirement for typing apparent.

344.4 REPORT CORRECTIONS
Supervisors shall review reports in a timely manner for content and accuracy. If a correction is necessary, the reviewing supervisor will change the progression status of the report to Return for "Further Action" and send an e-mail from TRACED advising the reporting employee of the reason(s) for rejection. It shall be the responsibility of the reporting employee to ensure that any report returned for "Further Action" is corrected and resubmitted promptly.

Reports that successfully pass the supervisor's review are then checked for federal Incident Based Reporting (IBR) compliance by Records. Reports requiring IBR Correction have their progression status changed to "IBR Return", and a Records Specialist sends an e-mail through TRACED advising the reporting employee of the reason(s) for the "IBR Return". It shall be the responsibility of the reporting employee to ensure that any report returned to "IBR Return" status is corrected and resubmitted promptly so it can be re-reviewed by a supervisor before it is rechecked by a Records Specialist for IBR compliance.

344.5 REPORT CHANGES OR ALTERATIONS
Reports that have been reviewed by a supervisor and IBR approved through Records for filing and distribution shall not be modified or altered except by way of a supplemental report. Reports that have not yet been IBR Approved may be corrected or modified by the entering or reporting employee and resubmitted to a supervisor for re-review before it is rechecked by Records for final IBR compliance Approval.

344.6 ELECTRONIC SIGNATURES
The Pierce County Sheriff's Department has established an electronic signature procedure for use by all employees of the Pierce County Sheriff's Department. The Undersheriff shall be responsible for ensuring that each employee follows current security policies and procedures that creates a unique, confidential password for his/her electronic signature.

Each employee shall be responsible for the security and use of his/her electronic signature and shall promptly notify a supervisor if their authentication factors have or may have been compromised or misused.
## Notebooks

### 345.1 PURPOSE AND SCOPE
Deputies shall carry Department issued notebooks for recording matters of importance relative to their official duties, and shall record such matters in a manner allowing the recollection of facts when required.

### 345.2 NOTEBOOKS
Upon receipt of a notebook, deputies shall place their name, rank, and identification number in the space provided on the cover. The dates of the first and last entries in the notebook shall be recorded for easy reference.

Such notebooks are and shall remain the property of the Department and shall contain a chronological diary of the officer's daily activities.

The notebook shall be filled out in ink and maintained in a neat and orderly manner. Writing shall be sufficiently legible so that it may be easily read by supervisory or command officers.

The notebook shall be updated regularly considering other required duties. All entries shall be made prior to going off duty.

Deputies can retain the notebooks in their possession for a period of six months after each notebook is completed. After the six-month time period has elapsed, deputies must turn in their notebooks to Property Management for safekeeping, deputies will not destroy the notebooks. Property Management will retain the notebooks for not less than three years from the date of the last entry and then destroy them unless a specific request is made to keep a notebook longer. The notebooks remain the property of the Sheriff's Office and will be surrendered at termination or upon demand.

### 345.3 REQUIRED INFORMATION
Minimum informational requirements are listed below. These requirements should not be construed as prohibiting an officer from recording more detailed information. Specific information or data captured by a deputy with the MDC/MDS/MPS system and retained in the South Sound 911CAD system that is redundant and that may be queried is not required to be documented in the Deputy Notebook.

1. **Date: Starting and ending time:** An entry shall be made for each day of the month and the shift worked, except when two or more days off occur together, or during vacation time. Example: July 11-12, 2014, would be shown for regular days off. July 1-30, 2014, would be shown for vacation time.

2. **Weather:** Conditions of weather shall be indicated at the start of each day's duty. Notation of major weather changes during the shift shall be made.

3. **Enforcement Activities:**
Notebooks

(a) Notice of Infraction/Citation (NOI/C): Any information necessary for court.

(b) Correction Notice: Any information necessary for future reference. If a copy is attached, the number shall be entered in the notebook.

(c) Verbal Warning: Any information necessary for future reference.

4. Collision Investigations: The date, time, driver's last names (Dow vs. Jones), location of the collision shall be entered in the notebook, and case number.

5. General Reports: Names of victims, suspects, case number, location of incident and other identifying information.

6. Dispatched calls: type of call, times of dispatch, arrival, and in-service, names of those contacted, disposition, case number, etc.

7. Any additional information necessary for future reference, such as the following:

   (a) Emergencies;
   (b) Assistance given;
   (c) Court;
   (d) Travel expenses
Media Relations

346.1 PURPOSE AND SCOPE
This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

346.2 RESPONSIBILITIES
The ultimate authority and responsibility for the release of information to the media shall remain with the Sheriff, however, in situations not warranting immediate notice to the Sheriff and in situations where the Sheriff has given prior approval, Bureau Chiefs, Lieutenants, Shift Sergeants and designated Public Information Officer(s) may prepare and release information to the media in accordance with this policy and the applicable law.

346.2.1 MEDIA REQUEST
Any media request for information or access to a law enforcement situation shall be referred to the designated department media representative, or if unavailable, to an available Bureau Chief, Lieutenant, or Shift Sergeant. Prior to releasing any information to the media, employees shall consider the following:

(a) At no time shall any employee of this department make any comment or release any official information to the media without prior approval from a supervisor or the designated department media representative.

(b) In situations involving multiple law enforcement agencies, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.

(c) Under no circumstance should any member of this department make any comment(s) to the media regarding any law enforcement incident not involving this department without prior approval of the other agencies involved.

346.3 MEDIA ACCESS
Authorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions:

(a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.

(b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.

1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should
be coordinated through the department Public Information Officer or other designated spokesperson.

2. Whenever the presence of media or other aircraft pose a threat to public or officer safety or significantly hampers incident operations, the media agency will be contacted by the PIO or designee informing them of aircraft interference and asking for cooperation. The field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Shift Sergeant. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration should be contacted (14 CFR 91.137).

(c) No member of this Department who is under investigation shall be subjected to media visits or interviews without the consent of the involved employee.

(d) Media interviews with individuals who are in custody shall not be permitted without the approval of the Sheriff and the express consent of the person in custody.

A tactical operation should be handled in the same manner as a crime scene, except the news media should be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a tactical operation in order to accommodate the news media. All comments to the media shall be coordinated through a supervisor or the Public Information Officer.

346.3.1 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of deputies and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the news media, nor should media representatives be invited to be present at such actions except with the prior approval of the Sheriff and PIO.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception the Sheriff or PIO will consider, at minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person or is otherwise prohibited by law.

346.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

When requested, additional information may be made available (RCW 42.56.070(1)). This information will generally contain the following:

(a) The date, time, location, case number, type of crime, extent of injury or loss and names of individuals (except confidential informants) involved in crimes occurring within this
jurisdiction unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.

(b) The date, time, location, case number, name, date of birth and charges for each person arrested by this department unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.

(c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident subject to the restrictions of this policy and applicable law.

At no time shall identifying information pertaining to a juvenile arrestee, victim, or witness be publicly released except as permitted under RCW 13.50.010 and .050, or with prior approval of a competent court.

Information concerning incidents involving certain sex crimes and other offenses shall be restricted in accordance with applicable statutory provisions.

Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or otherwise cleared through the Medical Examiner's Office.

Any requests for copies of related reports or additional information shall be referred to the designated department Public Disclosure representative, or the custodian of records. Such requests will generally be processed in accordance with the provisions of the Public Records Act (RCW Chapter 42.56.001 et seq).

346.4.1 RESTRICTED INFORMATION

It shall be the responsibility of the authorized employee dealing with media requests to ensure that restricted information is not inappropriately released to the media by this department (see the Records Maintenance and Release and Personnel Files policies). When in doubt, authorized and available legal counsel should be obtained.
Subpoenas and Court Appearances

348.1 PURPOSE AND SCOPE
This policy establishes the guidelines for department members who must appear in court. It will allow the Pierce County Sheriff's Department to cover any related work absences and keep the Department informed about relevant legal matters.

348.2 COURT SUBPOENAS
Employees who receive subpoenas related to their employment with this department are subject to the provisions of this policy. Employees should be aware that their compliance is mandatory on all cases for which they have been properly subpoenaed, or properly notified. This policy applies to civil and criminal subpoenas. Employees are expected to cooperate with the prosecution to ensure the successful conclusion of a case.

348.2.1 SERVICE OF SUBPOENA
A subpoena may be served by any suitable person over eighteen years of age, by reading it to the witness, or by delivering to him/her a copy at his/her residence. (RCW 12.16.020, WA CR 45).
Service of a subpoena on a law enforcement officer may be effected by serving the subpoena upon the officer's employer.

When service is made by any person other than an officer authorized to serve process, proof of service shall be made by affidavit or declaration under penalty of perjury.

Employees will receive criminal subpoena's from the Pierce County Prosecuting Attorney's Office on the electronic subpoena system. (Memorandum Number 02-055)

348.2.2 VALID SUBPOENAS
No subpoena shall be accepted for an employee of this department unless it has been properly served and verified to have originated from a recognized legal authority.

348.2.3 ACCEPTANCE OF SUBPOENA
Subpoenas from the Pierce County Prosecuting Attorney's Office will arrive via e-mail. The e-mail will have a link to the subpoena web page. Once the employee has viewed that page, they are considered to have been served. Served employees are commanded by the court to appear as described on subpoena, and are expected to work cooperatively with the Prosecuting Attorney's Office.

348.2.4 COURT STANDBY
To facilitate notification from the courts employees shall notify the court of how he/she can be reached by telephone.

348.2.5 OFF-DUTY RELATED SUBPOENAS
Employees subpoenaed in criminal or civil court on matters that have come to their knowledge through performance of official duties shall attend on County time and shall not receive witness
fees. The employee shall be reimbursed by the County for such court appearance according to bargaining agreements in effect at that time.

Any witness fees voluntarily paid to employees shall be forwarded to the Chief of Services. The checks should be made out to "Pierce County". The Chief of Services shall see that the fees are forwarded to the Budget and Finance Department.

348.2.6 FAILURE TO APPEAR
Any employee who fails to comply with the terms of any valid and properly served subpoena may be subject to discipline as well as court imposed civil and/or criminal sanctions.

348.3 CIVIL SUBPOENAS
The Department will compensate employees who appear in their official capacity on civil matters arising out of the employee's official duties as directed by the current bargaining agreement.

The Department will receive reimbursement for the employee's compensation through the civil attorney of record who subpoenaed the employee.

348.4 OVERTIME APPEARANCES
If the deputy appeared on his/her off-duty time, he/she will be compensated per contract of the represented employee.

348.5 COURTHOUSE DECORUM
Commissioned employees in a uniform position will wear the uniform of the day unless otherwise requested by the prosecutor’s office; those commissioned employees in non-uniform positions and Professional Staff shall wear business attire. Suitable business attire for men would consist of a coat, collared shirt, tie, and dress pants. Suitable business attire for female employees would consist of a dress jacket, dress blouse, and skirt or slacks. Forensic Investigators should refer to their SOP.

348.6 TESTIFYING AGAINST THE INTEREST OF THE PEOPLE OF THE STATE
Any employee who is subpoenaed to testify, who has agreed to testify, or who anticipates testifying or providing information on behalf of or at the request of any party other than the People of the State of Washington, any county, any city, or any of their officers and employees in which any of those entities are parties, will notify their immediate supervisor without delay.

Commissioned employees may not dress in uniform, except when testifying for the interest of the people of the State.

348.6.1 EMPLOYEE COMMUNICATIONS WITH ADVERSE ATTORNEYS OR INVESTIGATORS
Employees who are named in civil or criminal cases should request the assistance of legal counsel from the Prosecutor's Office prior to speaking with adverse attorneys or investigators.
Subpoenas and Court Appearances

Employees who are not named parties in civil or criminal cases may speak with adverse attorneys or investigators without an attorney present, unless these employees are "speaking agents" or "managing agents" of the Department. In case of doubt, the determination of whether an employee is a "speaking agent" or "managing agent" of the Department will be made by the Prosecutor's Office or the Risk Management Department.

Employees who are not named in lawsuits may, if they so choose, request the assistance of legal counsel from the Prosecutor's Office prior to speaking with the adverse attorneys or investigators. Any employee, whether or not a "speaking agent" or a "managing agent" who is contacted concerning any potential or pending lawsuit against the County shall notify their supervisor, and inform the risk Management Department or the Prosecuting Attorney's Office of the nature and extent of the communications made within 24 hours of such contact.

348.6.2 REQUEST FOR DEFENSE
1. Employees who are served with a lawsuit and/or claim in a civil action arising out of their employment with the Department, and employees who are named defendants in any criminal action, shall immediately notify their Bureau Chief and deliver a copy of the action to the Chief of Services.

2. Employees shall make a notation of the date and time of receipt of all lawsuits and/or claims, along with their initials, on the face of each document received.

3. Employees shall make written request for defense of civil actions or claims to the Risk Manager and to the Prosecuting Attorney within seven days of receipt of notice of the lawsuit or action. The written request shall include the following:
   (a) date, time, place and circumstances of the incident;
   (b) names and addresses of all persons involved, including all injured parties and witnesses to the incident;
   (c) all written reports, notes, and records regarding the incident; and
   (d) copies of every demand, notice, summons or other legal papers received by the employee.

Forms for such requests can be obtained from the Chief of Services.

348.6.3 LEGAL REPRESENTATION
In accordance with Pierce County Ordinance No. 84-57, Pierce County agrees to defend all claims and actions for damages brought against Department employees arising out of acts, errors or omissions in the performance or good faith attempt to perform their official duties.

348.6.4 LAWSUITS AND CLAIMS AGAINST DEPARTMENT EMPLOYEES
All Department employees shall cooperate fully with the County Risk Manager, Prosecuting Attorney, or their agents or designees.
Reserve Deputies

350.1 PURPOSE AND SCOPE
The Sheriff's Department Reserve Unit was established to supplement and assist regular sworn sheriff's deputies in their duties. This unit provides professional, sworn volunteer reserve deputies who assist in various assignments within the department.

350.2 SELECTION AND APPOINTMENT OF SHERIFF'S RESERVE DEPUTIES
The Pierce County Sheriff's Department shall endeavor to recruit and appoint to the Reserve Unit only those applicants who meet the high ethical, moral and professional standards set forth by this department.

350.2.1 PROCEDURE
All applicants shall be required to meet and pass the same pre-employment procedures as regular sheriff's deputies before appointment (RCW 43.101.095).

Before appointment to the Sheriff's Reserve Unit, an applicant must have completed, or be in the process of completing, a CJTC approved basic academy or reserve academy (WAC 139-05-810).

350.2.2 UNIFORMS AND EQUIPMENT
All reserve deputy appointees are issued uniforms and all designated attire and safety equipment. All property issued to the reserve deputy shall be returned to the Department upon termination or resignation.

350.3 DUTIES OF RESERVE DEPUTIES
Reserve deputies assist regular deputies in the enforcement of laws and in maintaining peace and order within the community. The primary mission of reserve deputies is to assist the Patrol Bureau. Reserve deputies may be assigned to other areas within the Department as needed. Reserve deputies are required to work a minimum of 20 hours per month.

350.3.1 POLICY COMPLIANCE
Sheriff's reserve deputies shall be required to adhere to all departmental policies and procedures. Whenever a rule, regulation, or guideline in this manual refers to a sworn regular full-time deputy, it shall also apply to a sworn reserve deputy unless by its nature it is inapplicable.

350.3.2 RESERVE COORDINATOR
The Sheriff shall delegate the responsibility for administering the Reserve Deputy Program to a Reserve Coordinator.

The Reserve Coordinator shall have the responsibility of, but not be limited to:

(a) Assignment of reserve personnel.
(b) Conducting reserve meetings.
Reserve Deputies

(c) Establishing and maintaining a reserve call-out roster.
(d) Maintaining and ensuring performance evaluations are completed.
(e) Monitoring individual reserve deputy performance.
(f) Monitoring the overall Reserve Program.
(g) Maintaining liaison with other agency Reserve Coordinators.

350.4 FIELD TRAINING
All Reserve Deputies will complete a Field Training Officer (FTO) program, as designated by the training unit.

350.4.1 COMPLETION OF THE FORMAL TRAINING PROCESS
When a reserve deputy has satisfactorily completed all requirements of the formal training, he/she will no longer be required to ride with a reserve field training officer and will be authorized to operate in a solo capacity.

350.4.2 IN-SERVICE TRAINING
All reserve deputies will successfully complete an annual in-service training program which will be identified at the beginning of each year. The minimum amount of training hours will be 24 hours, which shall begin on Jan. 1 of the calendar year following appointment (WAC 139-05-300).

350.5 SUPERVISION OF RESERVE DEPUTIES
Except while in training, Reserve Deputies shall report to the shift supervisor. While in a training environment, Reserve Deputies will report to the Reserve Coordinator or training instructor.

350.5.1 SPECIAL AUTHORIZATION REQUIREMENTS
Reserve deputies may, with prior authorization of the Reserve Coordinator and on approval of the Bureau Chief, be authorized solo status. In the absence of the Reserve Coordinator and the Bureau Chief, the Shift Sergeant may assign a certified reserve deputy to function without immediate supervision for specific purposes and duration.

350.5.2 IDENTIFICATION OF RESERVE DEPUTIES
All reserve deputies will be issued a uniform badge and a Department identification card. The uniform badge shall say "Reserve Deputy". The identification card will be the standard department identification card with the exception that "Reserve Deputy Commission" will be indicated on the card.

350.5.3 UNIFORM
Reserve deputies shall conform to all uniform regulation and appearance standards of this department.

350.6 FIREARMS REQUIREMENTS
Reserve Deputies

350.6.1 RESERVE DEPUTY FIREARM TRAINING
All reserve deputies shall participate in the same required in-service training as a full time patrol officer, unless modified and approved by the Bureau Chief.

350.7 EMERGENCY CALL-OUT FOR RESERVE PERSONNEL
The Reserve Coordinator shall develop a plan outlining an emergency call-out procedure for reserve personnel.

350.8 TERMINATION OF RESERVE DEPUTY
If a reserve deputy is terminated for any reason, including resignation, the Pierce County Sheriff's Department shall notify the CJTC on a CJTC personnel action form within 15 days of the termination (WAC 139-05-810).
Outside Agency Assistance

352.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

352.2 POLICY
It is the policy of the Pierce County Sheriff's Department to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this department.

352.3 ASSISTING OUTSIDE AGENCIES
Generally, requests for any type of assistance from another agency should be routed to the Shift Sergeant’s office for approval. In some instances, a mutual aid agreement or other established protocol may exist that eliminates the need for approval of individual requests.

When another law enforcement agency requests assistance from this department, the Shift Sergeant may authorize, if available, an appropriate number of personnel to assist. Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this department.

Deputies may respond to a request for emergency assistance, however, they shall notify a supervisor of their activity as soon as practicable.

Arrestees may be temporarily detained by this department until arrangements for transportation are made by the outside agency. Only in exceptional circumstances, and subject to supervisor approval, will this department provide transportation of arrestees to other facilities on behalf of another agency.

When transportation assistance is rendered, a report shall be prepared and submitted by the handling member unless otherwise directed by a supervisor.

352.3.1 INITIATED ACTIVITY
Any on-duty deputy who engages in law enforcement activities of any type that are not part of a mutual aid request and take place outside the jurisdiction of the Pierce County Sheriff's Department shall notify his/her supervisor or the Shift Sergeant and South Sound 911 as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

352.4 REQUESTING OUTSIDE ASSISTANCE
If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.
The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

352.5 MANDATORY SHARING

Equipment and supplies purchased with federal funds or grants that require such equipment and supplies to be shared with other agencies should be documented and updated as necessary by the Administrative Services Captain or the authorized designee.

The documentation should include:
(a) The conditions relative to sharing.
(b) The training requirements for:
   1. The use of the supplies and equipment.
   2. The members trained in the use of the supplies and equipment.
(c) Any other requirements for use of the equipment and supplies.

Copies of the documentation should be provided to South Sound 911 and the Shift Sergeant to ensure use of the equipment and supplies is in compliance with the applicable sharing agreements.

The Training Unit should maintain documentation that the appropriate members have received the required training.
Registered Offender Information

356.1 PURPOSE AND SCOPE
This policy establishes guidelines by which the Pierce County Sheriff's Department will address issues associated with certain offenders who are residing in the jurisdiction and how the Department will disseminate information and respond to public inquiries for information about registered offenders.

356.2 POLICY
It is the policy of the Pierce County Sheriff's Department to register felony firearm offenders and register and verify addresses of registered sex and kidnapping offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

356.3 REGISTRATION
The Criminal Investigations Bureau Chief shall establish a process to reasonably accommodate the registration of certain offenders. The process should rebut any allegation on the part of the offender that the registration process was too confusing, burdensome or difficult for compliance. Those assigned to register offenders should receive appropriate training regarding the registration process.

Upon conclusion of the registration process, the employee shall ensure that the registration information of sex and kidnapping offenders is provided to the Washington State Patrol (WSP) within five working days in accordance with RCW 43.43.540.

If a sex or kidnapping offender with a duty to register fails to register, refuses to provide any of the required information, fails to complete the process, or update their registration pursuant to RCW 9A.44.130 a criminal investigation for failure to register may be initiated. Notice shall be sent to the Washington State Patrol (WSP) for registered sex or kidnapping offenders who are in non-compliant status.

356.3.1 CONTENTS OF REGISTRATION FOR SEX OR KIDNAPPING OFFENDERS
Sex or kidnapping offenders who are required to register must appear in person and provide the following (RCW 9A.44.130):

- Name
- Complete residential address or where he/she plans to stay
- Date and place of birth
- Place of employment
- School of attendance
- Crime for which the person has been convicted
- Date and place of conviction
Registered Offender Information

- Aliases
- Social Security number
- Biological sample if one has not already been submitted to the WSP (see the Biological Samples Policy for collection protocol) (RCW 43.43.754)

Offenders lacking a fixed residence must report weekly, in person, to the sheriff's office where he/she is registered. Forms used to record where the offender stayed during the week should include an expressed request for offenders to provide an accurate accounting of where they stayed to the county sheriff.

The registering member shall take photographs and fingerprints, which may include palmprints, of all sex/kidnapping offenders.

356.3.2 CONTENTS OF REGISTRATION FOR FELONY FIREARM OFFENDERS
Felony firearm offenders who are required to register must appear in person and provide the following (RCW 9.41.330; RCW 9.41.333):

- Name and any aliases
- Complete residential address or where he/she plans to stay
- Identifying information, including a physical description
- Crime for which the person has been convicted
- Date and place of conviction
- Names of any other county where the firearm offender may have registered

The registering member may take photographs and fingerprints of the felony firearm offender.

356.4 VERIFICATION OF REGISTERED SEX AND KIDNAPPING OFFENDERS
The Sex Offender Registration Unit Sergeant should establish a system to periodically, and at least once annually, verify that a registrant remains in compliance with his/her registration requirements after the initial registration. This verification should include, as applicable:

Efforts to verify the offender is residing at the registered address in accordance with RCW 9A.44.135. When notice is received that a sex offender is moving outside the jurisdiction of the Pierce County Sheriff's Department, the Sex Offender Registration Unit Sergeant is responsible for address verification until the registrant completes registration with a new residential address (RCW 9A.44.130(5)).

Any discrepancies with sex/kidnapping offenders should be reported to the Washington State Patrol (WSP).

The Criminal Investigations Bureau Chief or his/her designee should also establish a procedure to routinely disseminate information regarding registered offenders to impacted police agencies including timely updates regarding new or relocated registrants.
356.4.1 SEX AND KIDNAPPING OFFENDERS TRAVELING OUT OF THE COUNTRY
When written notice is received from a registrant who intends to travel outside of the United States, the Sheriff shall notify the United States Marshals Service as soon as practicable after receipt of notification and also of any further notice of changes or cancellation of travel plans (RCW 9A.44.130(3)).

356.5 DISSEMINATION OF PUBLIC INFORMATION
Members of the public requesting information on sex/kidnapping registrants should be provided the WASPC Sex Offender Information website or the Pierce County Sheriff's Department website. The appropriate employees shall release local sex/kidnapping registered offender information to residents in accordance with RCW 4.24.550 and in compliance with a request under the Public Records Act (RCW 42.56.001 et seq.).

Information pertaining to felony firearm offenders should not be disseminated to the public. All inquiries should be referred to WSP.

356.5.1 RELEASE NOTIFICATIONS FOR SEX OR KIDNAPPING OFFENDERS
Community notification bulletins should include notification that:
(a) The offender registry includes only those persons who have been required by law to register.
(b) The offender in the bulletin is not wanted and is compliance with the registration laws.
(c) The information is provided as a public service.
(d) Persons should not rely solely on the offender registry as a safeguard against offenses in their communities.
(e) Anyone who uses information contained in the registry to harass registrants or commit any crime may be subject to criminal prosecution.
(f) The Pierce County Sheriff's Department has no authority to direct where an offender may live.

356.5.2 MANDATORY NOTIFICATION
The Criminal Investigations Bureau Chief shall ensure that:
(a) A public notification is made for sex offenders who are classified as Risk Level III and who register in the County. The notice shall conform to the guidelines established in RCW 4.24.5501.
(b) All information on sex/kidnapping offenders registered in the County is regularly updated and posted on the sheriff's department website and the WASPC Sex Offender Information website (RCW 4.24.550(5)).

Offenders published on the websites shall include all level III and level II registered sex offenders, level I registered sex offenders during the time they are out of compliance with registration requirements under RCW 9A.44.130, or if lacking a fixed residence as provided in RCW 9A.44.130, and all registered kidnapping offenders.
Registered Offender Information

356.5.3 DISCRETIONARY DISSEMINATION FOR SEX OFFENDERS
Dissemination should be predicated upon the levels detailed below (RCW 4.24.550(3)):

(a) Offenders classified as Risk Level I: The Department may disclose, upon request, relevant, necessary and accurate information to any victim or witness to the offense and to any individual community member who lives near the residence where the sex offender resides, expects to reside or is regularly found, and to any individual who requests information regarding a specific offender.

(b) Offenders classified as Risk Level II: In addition to the dissemination for Level I, the Department may also disclose relevant, necessary and accurate information to public and private schools, child day care centers, family day care providers, public libraries, businesses and organizations that serve primarily children, women or vulnerable adults, and neighbors and community groups near the residence where the sex offender resides, expects to reside or is regularly found.

(c) Offenders classified as Risk Level III: In addition to the dissemination of Level I and Level II, the Department may also disclose relevant, necessary and accurate information to the public at large.

(d) Homeless and transient sex offenders may present unique risks to the community due to the impracticality of localized notification. The Department may also disclose relevant, necessary and accurate information to the public at large for sex offenders registered as homeless or transient.

356.5.4 SCHOOL NOTIFICATIONS
The Sheriff has the responsibility of notifying the appropriate person at a school or other educational institution as set forth in RCW 9A.44.138 of any sex/kidnapping offender who attends or is employed there, and for providing the following information about the offender:

- Name
- Complete residential address
- Date and place of birth
- Place of employment
- Crime for which the person has been convicted
- Date and place of conviction
- Aliases
- Photograph
- Risk level classification
356.6 SEX OFFENDER RISK ASSESSMENT
The Criminal Investigations Bureau Chief shall establish a procedure to review and assign an initial risk level classification of sex offenders who have moved or are released into this jurisdiction and the risk assessment level has not already been assigned by the Washington Department of Corrections or the Department of Social and Health Services. That procedure shall address (RCW 4.24.550(6)):

- The circumstances under which the Pierce County Sheriff's Department is authorized to assign its own risk level.
- Risk level classification criteria.
- What risk assessment tools may be used and how such tools are scored.
- Assessment of known aggravating or mitigating factors related to the risk posed by the offender to the community.
- Notification process following a change in the risk level classification.
- The process for an offender to petition for review of the risk level classification.
Major Incident Notification

358.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance to members of this department in determining when, how and to whom notification of major incidents should be made.

358.2 POLICY
The Pierce County Sheriff's Department recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed. In order to provide Department supervisors with the capability and the means to locate and consult a command level officer immediately when needed, and at all times when a commanding officer may not be assigned to duty, the Department utilizes the position of Command Duty Officer (CDO).

358.3 COMMAND DUTY OFFICER (CDO) NOTIFICATION
A designated CDO is available and subject to call when needed for operational or administrative reasons by an on-duty supervisor, on a 24-hour basis both in Corrections and Operations. During normal business hours the CDO will be consulted after on-duty chains of command have been exhausted. The CDO will also be notified of unusual events or major crimes, as prescribed by specific department directives.

The Law Enforcement CDO will be responsible for overall department CDO issues and may be notified by the Corrections CDO regarding events in the jail.

358.3.1 LAW ENFORCEMENT CDO NOTIFICATIONS
The following list of incident types is provided as a guide for notification and is not intended to be all-inclusive:

- Domestic Violence incidents involving Department personnel, Commissioned L/E form other agencies, persons of power, prominent community leaders, or public officials
- Officer-involved shootings
- Crime scenes requiring extraordinary response by the department
- Complex incidents involving multiple agencies
- Serious on the job injuries to a department member
- Any major incident where media attention is likely to be immediate and intense
- When requested by an on-duty supervisor
- Any time when the on-site presence appears necessary to satisfy the responsibilities of the CDO
Major Incident Notification

358.3.2 CORRECTIONS CDO NOTIFICATIONS
The Corrections CDO will be notified of unusual events or incidents in the jail facilities, including, but not limited to those described below:

- Assault or injury on staff members
- In-custody deaths
- Escape or attempted escape
- Riot
- Serious injury of an Inmate
- Incident that may draw strong media attention or notification of a Public Information Officer
- Any time when CDO's presence appears necessary

The Corrections CDO will notify the Law Enforcement CDO if appropriate.

358.4 SHIFT SUPERVISOR RESPONSIBILITY
The Shift Supervisor is responsible for ensuring appropriate notifications are made. Reasonable attempts to obtain as much information on the incident as possible should be made before notification. The Shift Supervisor shall attempt to make the notifications as soon as practical by calling the contact numbers supplied on the CDO notification memo.

358.5 INCIDENT COMMANDER
All incident where notification of the CDO has occurred or any other significant call should normally have an Incident Commander assigned.

Incident Commanders may be deputies, sergeants, or lieutenants or other command staff depending on the nature and size of the incident.

Incident Commanders have overall responsibility for all aspects of the incident and have the authority to direct, request, and utilize all available resources needed to bring the incident to conclusion. For incidents occurring in a contract city, the Incident Commander shall notify the contract city chief or his designee, and work in conjunction with that chief.
Death Investigation

360.1 PURPOSE AND SCOPE
The investigations of cases involving death include those ranging from natural cause to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appeared to be initially. The thoroughness of death investigations cannot be emphasized enough.

360.2 INVESTIGATION CONSIDERATIONS
Death investigation cases require certain actions be taken. Paramedics shall be called in all suspected death cases unless the death is obvious (decapitated, decomposed, etc.). Deputies are not authorized to pronounce death. A supervisor shall be notified in all death investigations.

360.2.1 CORONER JURISDICTION OVER REMAINS
The medical examiner has jurisdiction of bodies of all deceased persons who come to their death suddenly in any of the following cases (RCW 68.50.010):

(a) When in apparent good health without medical attendance within the thirty-six hours preceding death.
(b) Where the circumstances of death indicate death was caused by unnatural or unlawful means.
(c) Where death occurs under suspicious circumstances.
(d) Where a medical examiner’s autopsy or post mortem or medical examiner’s inquest is to be held.
(e) Where death results from unknown or obscure causes.
(f) Where death occurs within one year following an accident.
(g) Where the death is caused by any violence whatsoever.
(h) Where death results from a known or suspected abortion; whether self-induced or otherwise.
(i) Where death apparently results from drowning, hanging, burns, electrocution, gunshot wounds, stabs or cuts, lightning, starvation, radiation, exposure, alcoholism, narcotics or other addictions, tetanus, strangulations, suffocation or smothering.
(j) Where death is due to premature birth or still birth.
(k) Where death is due to a violent contagious disease or suspected contagious disease which may be a public health hazard.
(l) Where death results from alleged rape, carnal knowledge or sodomy.
(m) Where death occurs in a jail or prison.
Death Investigation

(n) Where a body is found dead or is not claimed by relatives or friends.

The body or human remains shall not be disturbed or moved from the position or place of death without permission of the medical examiner (RCW 68.50.050).

360.2.2 DEATH NOTIFICATION
The Medical Examiner is responsible for making death notifications to the next-of-kin of the deceased person. As a practical matter the Sheriff's Department frequently assists the Medical Examiner's Office in making death notifications.

In the case of deaths that are not believed to be homicides, suicides or suspicious, and when practical, and if not handled by the Medical Examiner's Office, notification of the next-of-kin of the deceased person shall be made, in person, by the deputy or detective assigned to the incident. It is recommended that the deputy contact a Tacoma Pierce County Chaplain to assist in making the notification (or to make the notification). If the next-of-kin lives in another jurisdiction and the Medical Examiner's Office cannot make the notification, a law enforcement official from that jurisdiction shall be requested to make the notification. The Medical Examiner needs to know if the notification has been made. Assigned detectives may need to talk to the next-of-kin.

360.2.3 DEATH INVESTIGATION REPORTING
With the exception of medically attended deaths (within a Medical Facility / Hospice), a General Report is required for all deaths that come to the attention of the Sheriff's Department.

360.2.4 SUSPECTED HOMICIDE
If the initially assigned deputy suspects that the death involves a homicide or other suspicious circumstances, the Criminal Investigations Bureau shall be notified to determine the possible need for a detective to respond to the scene for further immediate investigation.
Identity Theft

362.1 PURPOSE AND SCOPE
Identity theft is a growing trend that frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for the reporting and investigation of such crimes.

362.2 REPORTING
This department will initiate an incident report whenever a person reasonably suspects that a person's financial information or means of identification has been unlawfully obtained, used, or transferred to another person or entity in all cases where the victim resides or works within this jurisdiction, or where any part of the crime occurred within this jurisdiction. The employee initiating the report will provide the complainant with a case number and information on how to access a copy of the incident report (RCW 9.35.050).

In cases where the reporting party does not reside or work within this jurisdiction and there is no known or suspected criminal activity occurring within this jurisdiction the reporting party may be referred to the appropriate law enforcement agency having jurisdiction. If it is not reasonably practical for the reporting party to file a timely report with his/her home jurisdiction, a courtesy incident report will be taken and forwarded to the agency having jurisdiction.

Reports should include all known incidents of fraudulent activity. If a suspect uses a credit card or financial access device stolen in an incident, like a car prowl, burglary or mail theft, a separate case number is needed for the unauthorized use. If a victim is reporting multiple frauds and it is evident that these frauds were conducted by separate suspects and at separate times or locations, then each unauthorized transaction is to be documented as independent incidents with separate reports and case numbers. The case number from the original theft of the credit card or financial access device should be referenced in the fraud report(s).

The employee preparing the report should also cross-reference all other known reports made by the victim (e.g., US Secret Service, credit reporting bureaus, US Postal Service and DOL) with all known report numbers.
Limited English Proficiency Services

368.1 PURPOSE AND SCOPE
Language barriers can sometimes inhibit or even prohibit individuals with limited English proficiency (LEP) from gaining meaningful access to, or an understanding of important rights, obligations and services. It is therefore the policy of this department to take all reasonable steps to ensure timely and equal access to all individuals, regardless of national origin or primary language (Title VI of the Civil Rights Act of 1964, § 601, 42 USC 2000d).

368.2 TYPES OF LEP ASSISTANCE AVAILABLE
This department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services, where available. LEP individuals may elect to accept interpreter services offered by the Department at no cost or choose to provide their own interpreter services at their own expense. Department personnel should document in any related report whether the LEP individual elected to use interpreter services provided by the Department or some other source. Department-provided interpreter services may include, but are not limited to the following assistance methods.

368.2.1 TELEPHONE INTERPRETER SERVICES
The department contracts with LanguageLine Services© to assist department personnel in communicating with LEP individuals via telephones.

368.3 LEP CONTACT SITUATIONS AND REPORTING
Whenever any member of this department is required to complete a report or when other documentation and interpretation or translation services are provided to any involved LEP individual, such services should be noted in the related report.
Communications with Persons with Disabilities

370.1 PURPOSE AND SCOPE
This policy provides guidance to members when communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind.

370.1.1 DEFINITIONS
Definitions related to this policy include:

**Auxiliary aids** - Tools used to communicate with people who have a disability or impairment. They include but are not limited to, the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; qualified readers; or a qualified interpreter.

**Disability or impairment** - A physical or mental impairment that substantially limits a major life activity, including hearing or seeing, regardless of whether the disabled person uses assistive or adaptive devices or auxiliary aids. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102).

**Qualified interpreter** - A person who is able to interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary, given the deaf or hard of hearing individual's language, skills, and education. Qualified interpreters include oral interpreters, transliterators, sign language interpreters and intermediary interpreters. Qualified interpreters should be certified pursuant to RCW 2.42.110. Due to the requirements of impartiality, no member of this Department should serve as an interpreter, except in exigent or emergent circumstances.

370.2 POLICY
It is the policy of the Pierce County Sheriff's Department to ensure that people with disabilities, including victims, witnesses, suspects and arrestees have equal access to law enforcement services, programs and activities, including those entered involuntary such as arrest and detention. Members must make efforts to communicate effectively with individuals with disabilities.

The Department will ensure that appropriate Auxiliary Aids and Services, including Qualified Interpreters, are made available to individuals who are deaf or hard of hearing, free of charge, when such aids and services are necessary to ensure effective communication -- including during interactions in the field, at the precincts, and at the jail. This requirement applies to all members of the public who have interactions with Department employees, including but not limited to arrestees, detainees, suspects, victims, witnesses, companions, complainants, and visitors.

Effective communication means communication with individuals who are deaf or hard of hearing that is as effective as communication with others. Effective communication is achieved by furnishing appropriate auxiliary aids and services where necessary to afford individuals with
disabilities an equal opportunity to participate in or benefit from the services, programs, or activities of a public entity

The Department will not discriminate against or deny any individual access to services, rights or programs based upon disabilities.

370.3 FACTORS TO CONSIDER
Because the nature of any law enforcement contact may vary substantially from one situation to the next, members of this department should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully balance all known factors in an effort to reasonably ensure people who are disabled have equal access to services, programs and activities. These factors may include, but are not limited to:

(a) Members should not always assume that effective communication is being achieved and must evaluate whether communication is effective throughout the course of their communication. The fact that an individual appears to be nodding in agreement does not always mean he/she completely understands the message. When there is any doubt, members should ask the individual to communicate back or otherwise demonstrate their understanding.

(b) The nature of the disability (e.g., deafness or blindness vs. hard of hearing or low vision).

(c) The nature of the law enforcement contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact).

(d) The availability of auxiliary aids. The fact that a particular aid is not available does not eliminate the obligation to ensure access. However, in an emergency, availability may factor into the type of aid used.

(e) If understanding seems inhibited, Members should seek another form of communication, such as a qualified interpreter.

In determining the type of aid or service provided will depend on the individual’s usual method of communication, and the nature, importance, and duration of the communication at issue. In some circumstances, oral communication supplemented by gestures and visual aids, an exchange of written notes, use of a computer, or use of an assistive listening device may be effective. In other circumstances, qualified sign language or oral interpreters are needed to communicate effectively with persons who are deaf or hard of hearing. The more lengthy, complex, and important the communication, the more likely it is that a qualified interpreter will be required for effective communication with a person whose primary means of communication is sign language.

In determining what type of Auxiliary Aids and Services are necessary, Members must give primary consideration to the expressed preference for a particular auxiliary aid or service by an individual who is deaf or hard of hearing. “Primary consideration” means that Members will inquire as to the choice of Auxiliary Aid and Service of the individual who is deaf or hard of hearing and will honor the expressed choice unless the PCSD can demonstrate that another means of communication was provided that was equally
Communications with Persons with Disabilities

effective. Members should make such inquiry using the Field Assessment Form https://my.co.pierce.wa.us/DocumentCenter/View/37903/370-Field-Assessment-Form (Section 370.11) and the In Custody Communication Form https://my.co.pierce.wa.us/DocumentCenter/View/37904/370-Booking-Communication-Assessement-Form (Section 370.13).

370.4 TYPES OF ASSISTANCE AVAILABLE
Pierce County Sheriff’s Department members shall never refuse to assist an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall they require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make every reasonable effort to provide equal access and timely assistance to individuals who are disabled through a variety of services.

A person who is disabled may choose to accept department-provided auxiliary aids or services or they may choose to provide their own.

If a person typically communicates using sign language or speechreading (lip-reading), the Pierce County Sheriff’s Department member must request a qualified interpreter (see definition in 370.3 and Obtaining Qualified Interpreter in 370.6) to assist with any complex or lengthy communications with such individuals, including but not limited to interviews of any such person (whether they be a victim, witness, suspect, or arrestee).

Department-provided auxiliary aids or services may include, but are not limited to, the assistance methods described in this policy.

370.5 AUDIO RECORDINGS AND ENLARGED PRINT
The Department may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, members may read aloud from the appropriate form, for example a personnel complaint form, or provide forms with enlarged print.

370.6 QUALIFIED INTERPRETERS
A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect or arrestee), if the individual to be interviewed normally relies on sign language or speechreading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the case or the investigation. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a court proceeding.

Qualified interpreters should be:

(a) Available within a reasonable amount of time but in no event longer than one hour if requested.
(b) Experienced in providing interpretation services related to law enforcement matters.
(c) Familiar with the use of VRS and/or video remote interpreting services.
Communications with Persons with Disabilities

(d) Certified in either American Sign Language (ASL) or Signed English (SE) depending upon the language used by the person with the disability.

(e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser, while being impartial, unbiased, and without significant relationship to the persons or events at issue.

(f) Knowledgeable of the ethical issues involved when providing interpreter services.

In addition, in circumstances where using video-remote interpreting would not interfere with effective communication interpretation may be provided through In-Site Video Remote Interpreting, which is available at the South Hill Precinct, the Spanaway-Parkland Precinct, Sound View, Headquarters, the three detachment offices, 4 locations within the Pierce County Jail, and on the newer laptops with cameral capability. As older laptops are replaced, VRI will be available on the replacement laptops. For questions, please contact the ADA Coordinator, who is the Administrative Services Chief.

Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. No individual who is disabled shall be required to provide his/her own interpreter (28 CFR 35.160).

In situations where only in-person translation will allow effective communication, members should call for an in-person interpreter to be supplied by Universal Language Services (ULS). The ULS can be reached 24/7/365 at: (425) 450-7020. The Sheriff’s Department has entered into an Agreement for Interpretation Services with ULS for use in these situations.

A person who is disabled may choose to accept department-provided auxiliary aids or services or they may choose to provide their own, however, members may only rely upon interpreters outside of the PCSD contract in the circumstances described in Section 370.7.

370.7 TTY AND RELAY SERVICES

In situations where an individual without a disability would have access to a telephone (e.g., booking or attorney contacts), members must also provide those who are deaf, hard of hearing or have impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD) or using Video Relay Services (VRS) through videophone(s) available at the Jail. Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY, TDD, or VRS communications.

The Department will accept all TTY, TDD, or VRS calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

370.8 COMMUNITY VOLUNTEERS

The Department will not use Community Volunteers to provide interpreter services.
370.9 FAMILY AND FRIENDS
Members will not require an individual who is deaf or hard of hearing to bring another member of the public to interpret for him or her.

Members will not rely on an adult accompanying an individual who is deaf or hard of hearing to interpret or facilitate communication except (28 CFR 35.160):

(a) In an emergency involving an imminent threat to safety or welfare of an individual or the public where there is no interpreter available; or

(b) Where the individual who is deaf or hard of hearing specifically requests that the accompanying adult interpret or facilitate communication, the accompanying adult agrees, and reliance on that adult for assistance is appropriate under the circumstances.

Members will not rely on a minor child to interpret or facilitate communication except in an emergency involving an imminent threat to the safety or welfare of an individual or the public where no interpreter is available.

370.10 REPORTING
Whenever any member of this department is required to complete a report or other documentation, and communication assistance has been provided (including any use of the Field Communication Assessment Form), such requests and/or provision should be noted in the related report. Members should document the type of communication services utilized and whether the individual elected to use services provided by the Department or some other identified source. If the individual’s express preference is not honored, the member must document why another method of communication was used.

All written communications exchanged in a criminal case shall be attached to the report or placed into evidence.

370.11 FIELD ENFORCEMENT
Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary. Likewise, the type of auxiliary aid or service necessary to ensure effective communication will vary in accordance with the method of communication used by the individual; the nature, length, and complexity of the communication involved; and the context in which the communication is taking place. Members must conduct this assessment by incorporating the Factors to Consider (370.3), giving primary consideration to the request of the individual with a disability. When communicating with persons with disabilities that effect communication, members will inquire as to the form of communication preferred by the individual using the Field Assessment Form https://my.co.pierce.wa.us/DocumentCenter/View/37903/370-Field-Assessment-Form.
Members working at the precincts will also apply the Factors to Consider (370.3) and will use the Field Assessment Form to assess the communication needs of individuals with disabilities interacting with members at the precincts, including victims, witnesses, companions, complainants, and visitors.

Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

370.11.1 FIELD RESOURCES
Examples of methods that may be sufficient for transactions, such as checking a license or giving directions to a location or for urgent situations such as responding to a violent crime in progress, may, depending on the circumstances, include such simple things as:

(a) Hand gestures or visual aids with an individual who is deaf, hard of hearing or has impaired speech.
(b) Exchange of written notes or communications.
(c) Verbal communication with an individual who can speechread by facing the individual and speaking slowly and clearly.
(d) Use of computer, word processing, personal communication device or similar device to exchange texts or notes.
(e) Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

Members should be aware that these techniques may not provide effective communication as required by law and this policy depending on the circumstances.

370.12 CUSTODIAL INTERROGATIONS
In an effort to ensure that the rights of individuals who are deaf, hard of hearing or have speech impairment are protected during a custodial interrogation, this department will provide interpreter services before beginning an interrogation, unless exigent circumstances exist. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. Miranda warnings shall be provided to suspects who are deaf or hard of hearing by a qualified interpreter.

In order to ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

Members will document whenever an in-custody interrogation of an individual with a disability is conducted. Members will also document whether a qualified interpreter was provided and, if not, what, if any, exigent circumstances existed and what alternative form of communication was provided.

Video Remote Interpreting Service is available at the Pierce County Jail (4 stations), the Spanaway-Parkland Precinct and the South Hill Precinct, Sound View, Headquarters, the three
Communications with Persons with Disabilities

...detachment offices, and on the newer laptops with cameral capability. As older laptops are replaced, VRI will be available on the replacement laptops. For questions, please contact the ADA Coordinator, who is the Administrative Services Chief.

370.13 ARRESTS AND BOOKINGS

If an individual with speech or hearing disabilities is arrested, the arresting deputy shall use department-approved procedures to provide a qualified interpreter at the place of arrest or booking as soon as reasonably practicable, unless the individual indicates that he/she prefers a different auxiliary aid or service or the deputy reasonably determines another effective method of communication exists under the circumstances.

Members will use the Booking Communication Assessment Form [insert link here] as soon as is practicable when booking an individual who is deaf or hard of hearing and shall apply the Factors to Consider (370.3) in determining what auxiliary aids or services to provide, including during the booking process itself. When gathering information during the booking process, members should remain alert to the impediments that often exist when communicating with those who are deaf, hard of hearing, who have impaired speech or vision, are blind, or have other disabilities. In the interest of the arrestee’s health and welfare, the safety and security of the facility and to protect individual rights, it is important that accurate medical screening and booking information be obtained. If necessary, members should seek the assistance of a qualified interpreter whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by the individual.

Members shall re-evaluate the communication needs of an individual who is deaf or hard of hearing throughout the term of his or her custody, in particular whenever there are changes to the communication needs of the individual or the length or condition of their custody.

Individuals who require and possess personally owned communication aids (e.g., hearing aids, cochlear processors) should be permitted to retain them while in custody.

Deputies arresting a person who uses sign language as their primary form of communication should, when the situation is safe enough to do so, evaluate whether switching the handcuffs to the front of the person’s body would present an immediate safety risk. If the deputy determines that it would not, the deputy will switch the handcuffing position to accommodate speech during the period the person is handcuffed and there is a communication need.

370.14 COMPLAINTS

The Department shall ensure that individuals with disabilities who wish to file a complaint regarding members of this department are able to do so. Members must refer complaints received verbally or in writing to the department ADA Coordinator, who is the Chief of Administrative Services, as soon as is practicable after their receipt.
Communications with Persons with Disabilities

Investigations into such complaints shall be handled in accordance with the Pierce County Grievance Procedure under the Americans with Disabilities Act https://www.piercecountywa.gov/1222/ADA-Grievance-Process, and may also be investigated as an Internal Affairs investigation in accordance with the Personnel Complaints Policy.

370.15 COMMUNITY OUTREACH
Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.
Chaplains

376.1 PURPOSE AND SCOPE
This policy establishes the guidelines for Pierce County Sheriff's Department chaplains to provide counseling or emotional support to members of the Department, their families and members of the public (RCW 41.22.030; RCW 41.22.040).

376.2 POLICY
The Pierce County Sheriff's Department shall ensure that department chaplains are properly appointed, trained and supervised to carry out their responsibilities without financial compensation.

376.3 GOALS
Members of the Chaplain Program shall fulfill the program's purpose in the following manner:

(a) By serving as a resource for department personnel when dealing with the public in such incidents as deaths, suicidal subjects, serious accidents, drug and alcohol abuse, and other such situations that may arise.

(b) By providing an additional link between the community, other chaplain programs and the Department.

(c) By providing counseling, spiritual guidance and insight for department personnel and their families.

(d) By being alert to the spiritual and emotional needs of department personnel and their families.

(e) By familiarizing themselves with the role of law enforcement in the community.

376.4 DUTIES AND RESPONSIBILITIES
Chaplains may not proselytize or attempt to recruit members of the department or the public into a religious affiliation while on-duty unless the receiving person has solicited spiritual guidance or teaching. If there is any question as to the receiving person's intent, chaplains should verify that the person is desirous of spiritual counseling or guidance before engaging in such discussion.

Where possible, communications made to department chaplains by department members shall be confidential, regardless of the existence or non-existence of a legal privilege. Where lawful, chaplains shall report communications by department members of an intent to harm themselves or others.

Chaplains may not accept gratuities for any service or follow-up contact that were provided while functioning as a chaplain for the Pierce County Sheriff's Department.

No person who provides chaplain services to members of the department may work or volunteer for the Pierce County Sheriff's Department in any capacity other than that of chaplain.
376.5 CLERGY-PENITENT AND PEER SUPPORT PRIVILEGES
Department chaplains shall be familiar with state evidentiary laws and rules pertaining to the limits of the clergy-penitent privilege and peer support counselor privilege. Chaplains shall inform department members when it appears reasonably likely that the department member is discussing matters that are not subject to the clergy-penitent/peer support counselor privilege. In such cases, the department chaplain should consider referring the member to a non-department counseling resource. RCW 5.60.030(3); RCW 5.60.060(6).

No chaplain shall provide counsel to or receive confidential communications from any Pierce County Sheriff's Department employees concerning an incident personally witnessed by the chaplain or concerning an incident involving the chaplain.

376.5.1 ASSISTING DEPARTMENT MEMBERS
The responsibilities of a chaplain related to department members include, but are not limited to:

(a) Assisting in making notification to families of members who have been seriously injured or killed and, after notification, responding to the hospital or home of the member.

(b) Visiting sick or injured members in the hospital or at home.

(c) Attending and participating, when requested, in funerals of active or retired members.

(d) Serving as a resource for members when dealing with the public in incidents, such as accidental deaths, suicides, suicidal subjects, serious accidents, drug and alcohol abuse and other such situations that may arise.

(e) Providing counseling and support for members and their families.

(f) Being alert to the needs of members and their families.

376.5.2 ASSISTING THE DEPARTMENT
The responsibilities of a chaplain related to this department include, but are not limited to:

(a) Assisting members in the diffusion of a conflict or incident, when requested.

(b) Responding to natural and accidental deaths, suicides and attempted suicides, family disturbances and any other incident that in the judgment of the Shift Sergeant or supervisor aids in accomplishing the mission of the Department.

(c) Responding to all major disasters, such as natural disasters, bombings and similar critical incidents.

(d) Being on-call and, if possible, on-duty during major demonstrations or any public function that requires the presence of a large number of department members.

(e) Attending department and academy graduations, ceremonies and social events and offering invocations and benedictions, as requested.

(f) Willingness to train others to enhance the effectiveness of the Department.
376.5.3 ASSISTING THE COMMUNITY
The duties of a chaplain related to the community include, but are not limited to:

(a) Fostering familiarity with the role of law enforcement in the community.
(b) Providing an additional link between the community, other chaplain coordinators and the Department.
(c) Providing liaison with various civic, business and religious organizations.
(d) Promptly facilitating requests for representatives or leaders of various denominations.
(e) Assisting the community in any other function as needed or requested.
(f) Making referrals in cases where specialized attention is needed or in cases that are beyond the chaplain's ability to assist.

376.5.4 COMPLIANCE
Chaplains are volunteer members of this department, and except as otherwise specified within this policy, are required to comply with the Volunteer Program Policy and other applicable policies.

376.6 COMMAND STRUCTURE
(a) Under the general direction of the Sheriff or his/her designee, chaplains shall report to the Senior Chaplain and/or Shift Sergeant.
(b) The Sheriff shall make all appointments to the Chaplain Program and will designate a Senior Chaplain/Chaplain Commander.
(c) The Senior Chaplain shall serve as the liaison between the Chaplain Unit and the Sheriff. He/she will arrange for regular monthly meetings, act as chairman of all chaplain meetings, prepare monthly schedules, maintain records on all activities of the Chaplain Unit, coordinate activities that may concern the members of the Chaplain Unit and arrange for training classes for chaplains.
Child and Dependent Adult Safety

380.1 PURPOSE AND SCOPE
This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department.

This policy does not address the actions to be taken during the course of a child abuse or dependent adult investigation. These are covered in the Child Abuse and Adult Abuse policies.

380.2 POLICY
It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when their parent or caregiver is arrested. The Pierce County Sheriff's Department will endeavor to create a strong cooperative relationship with local, state and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected, including call-out availability and follow-up responsibilities.

380.2.1 REPORTING
For all arrests where children are present or living in the household, the reporting employee will include information about the children, including names, gender, age and how they were placed.

380.3 PROCEDURES DURING AN ARREST
When encountering an arrest or prolonged detention situation, deputies should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases this may be obvious, such as when children or dependent adults are present. However, deputies should inquire if the arrestee has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken:

(a) Inquire about and confirm the location of any children or dependent adults.

(b) Look for evidence of children and dependent adults. Deputies should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.

(c) Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

Whenever reasonably possible, deputies should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of his/her child or dependent adult. Removing children or dependent adults from the scene in advance of the arrest will generally ensure the best outcome for the individual.

Whenever it is safe to do so, deputies should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be non-productive, the deputy at the scene should
explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that he/she will receive appropriate care.

380.3.1 AFTER AN ARREST
Whenever an arrest is made, the deputy should take all reasonable steps to ensure the safety of the arrestee’s disclosed or discovered, children or dependent adults.

Deputies should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases the following guidelines should be followed:

(a) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.
   1. Deputies should consider allowing the person to use his/her cell phone to facilitate arrangements through access to contact phone numbers, and to lessen the likelihood of call screening by the recipients due to calls from unknown sources.

(b) Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), deputies should respect the parent or caregiver’s judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts because familiarity with surroundings and consideration for comfort, emotional state and safety are important.
   1. Except when a court order exists limiting contact, the deputy should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.

(c) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.

(d) Notify the Department of Social and Health Services, if appropriate.

(e) Notify the field supervisor or Shift Sergeant of the disposition of children and dependent adults.

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting deputy should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver’s arrest and of the arrangements being made for the care of the arrestee’s dependent. The result of such actions should be documented in the associated report.

Deputies shall promptly notify Child Protective Services (CPS) whenever a child under 13 years of age is present in a vehicle and his/her parent, guardian or legal custodian is arrested for a drug or alcohol driving offense in accordance with the department Child Abuse Policy (RCW 26.44.250).
380.3.2 REPORTING

(a) For all arrests where children are present or living in the household, the reporting member will document the following information:

1. Name
2. Sex
3. Age
4. Special needs (e.g., medical, mental health)
5. How, where and with whom or which agency the child was placed
6. Identities and contact information for other potential caregivers
7. Notifications made to other adults (e.g., schools, relatives)

(b) For all arrests where dependent adults are present or living in the household, the reporting member will document the following information:

1. Name
2. Sex
3. Age
4. Whether he/she reasonably appears able to care for him/herself
5. Disposition or placement information if he/she is unable to care for him/herself

380.3.3 SUPPORT AND COUNSELING REFERRAL
If, in the judgment of the handling deputies, the child or dependent adult would benefit from additional assistance, such as counseling services, contact with a victim advocate or a crisis telephone number, the appropriate referral information may be provided.

380.4 TRAINING
The Training Unit is responsible to ensure that all members of this department who may be involved in arrests affecting children or dependent adults receive approved training on effective safety measures when a parent, guardian or caregiver is arrested.
Volunteer Program

384.1 PURPOSE AND SCOPE
It is the policy of this department to use qualified volunteers for specified tasks and duties in order to create efficiencies for the Department and improve services to the community. Volunteers are intended to supplement and support sworn deputies and professional staff. Volunteers can be an important part of any organization and have proven to be a valuable asset to law enforcement agencies. Volunteers help to increase departmental responsiveness, delivery of services and information input, and provide new program opportunities.

384.1.1 DEFINITION OF VOLUNTEER
An individual who performs a service for the Department without promise, expectation or receipt of compensation for services rendered. This may include unpaid chaplains, unpaid reserve deputies, interns, persons providing administrative support and youth involved in a law enforcement Explorer Post, among others.

384.2 VOLUNTEER MANAGEMENT

384.2.1 VOLUNTEER COORDINATOR
The Volunteer Coordinator shall be appointed by the Sheriff. The function of the Volunteer Coordinator is to provide a central administrative coordinating point for effective volunteer management within the Department, and to direct and assist staff and volunteer efforts to jointly provide more productive services.

384.2.2 RECRUITMENT
Volunteers should be recruited on a continuous and ongoing basis consistent with department policy on equal opportunity nondiscriminatory employment.

All prospective volunteers should complete the citizen pre-application form. The Volunteer Coordinator or designee should conduct an interview with the applicant under consideration.

A documented background investigation shall be completed by the background unit on each volunteer applicant according to departmental standards.

A polygraph exam may be required of each applicant depending on the type of assignment.

384.2.3 TRAINING
Volunteers will be provided with an orientation program to acquaint them with the Department, personnel, policies and procedures that have a direct impact on their work assignment by the Volunteer Coordinator before beginning any volunteer tasks.

384.3 PROPERTY AND EQUIPMENT
Volunteers will be issued an identification card that must be worn at all times while on-duty.
Any fixed and portable equipment issued by the Department shall be for official and authorized use only. Any property or equipment issued to a volunteer shall remain the property of the Department and shall be returned at the termination of service.

384.3.1 VEHICLE USE
Volunteers assigned to duties that require the use of a vehicle must first complete the following:

(a) A driving safety briefing and department approved driver safety course.

(b) Verification that the volunteer possesses a valid Washington Driver's License.

(c) Verification that the volunteer carries current vehicle insurance.

The on-site supervisor should insure that all volunteers receive safety briefing updates and license and insurance verification at least once a year.
Off-Duty Law Enforcement Actions

386.1 PURPOSE AND SCOPE
The decision to become involved in a law enforcement action when off-duty can place a law enforcement deputy as well as others at great risk and must be done with careful consideration. This policy is intended to provide guidelines for law enforcement deputies with respect to taking law enforcement action while off-duty.

386.2 POLICY
Initiating law enforcement action while off-duty is generally discouraged. Deputies should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers, reckless driving or minor property crimes. Such incidents should be promptly reported to the appropriate law enforcement agency.

Deputies are not expected to place themselves in unreasonable peril. However, any sworn member of this department who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage may take reasonable action to minimize the threat.

When public safety or the prevention of major property damage requires immediate action, deputies should first consider reporting and monitoring the activity and only take direct action as a last resort.

386.3 FIREARMS
LEO’s of this department may carry firearms while off-duty in accordance with federal regulations, collective bargaining agreements, and department policy. All firearms and ammunition must meet guidelines as described in the department Firearms and Qualification Policy. When carrying firearms while off-duty deputies shall also carry their department-issued badge and identification.

Deputies should refrain from carrying firearms when the consumption of alcohol is likely or when the need to carry a firearm is outweighed by safety considerations. Firearms shall not be carried by any member, either on- or off-duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication or any combination thereof that would tend to adversely affect the deputy’s senses or judgment.

386.4 DECISION TO INTERVENE
There is no legal requirement for off-duty deputies to take law enforcement action. However, should deputies decide to intervene, they must evaluate whether the action is necessary or desirable, and should take into consideration the following:

(a) The tactical disadvantage of being alone and the fact there may be multiple or hidden suspects.
(b) The inability to communicate with responding units.
(c) The lack of equipment, such as handcuffs, OC or baton.
(d) The lack of cover.
(e) The potential for increased risk to bystanders if the off-duty deputy were to intervene.
(f) Unfamiliarity with the surroundings.
(g) The potential for the off-duty deputy to be misidentified by other peace officers or members of the public.

Deputies should consider waiting for on-duty uniformed deputies to arrive, and gather as much accurate intelligence as possible instead of immediately intervening.

386.4.1 INTERVENTION PROCEDURE
If involvement is reasonably necessary, the deputy should attempt to call or have someone else call 9-1-1 to request immediate assistance. The operator should be informed that an off-duty deputy is on-scene and should be provided a description of the officer if possible.

Whenever practicable, the deputy should loudly and repeatedly identify him/herself as an Pierce County Sheriff's Department deputy until acknowledged. Official identification should also be displayed.

386.4.2 INCIDENTS OF PERSONAL INTEREST
Deputies should refrain from handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances deputies should call the responsible agency to handle the matter.

386.4.3 CIVILIAN RESPONSIBILITIES
Civilian personnel should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

386.4.4 OTHER CONSIDERATIONS
When encountering a non-uniformed deputy in public, uniformed deputies should wait for acknowledgement by the non-uniformed deputy in case he/she needs to maintain an undercover capability.

386.5 REPORTING
Any off-duty deputy who engages in any law enforcement activity, regardless of jurisdiction, shall notify the Shift Sergeant as soon as practical. The Shift Sergeant shall determine whether a report should be filed by the employee.

Deputies should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.
Extreme Risk Protection Orders

387.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for petitioning and serving extreme risk protection orders and accounting for the firearms obtained pursuant to those orders (RCW 7.94.010 et seq.).

387.1.1 DEFINITIONS
Definitions related to this policy include:

Extreme risk protection order – An order prohibiting a named person from controlling, owning, purchasing, possessing, accessing, receiving, or otherwise having custody of any firearms.

Ex parte extreme risk protection order – An extreme risk protection order that has been issued in the absence of or without notification to the named person.

387.2 POLICY
It is the policy of the Pierce County Sheriff's Department to petition for and serve extreme risk protection orders in compliance with state law and to properly account for firearms obtained by the Department pursuant to such orders.

387.3 EXTREME RISK PROTECTION ORDERS
A deputy who reasonably believes a person, including a person under the age of 18, is a present danger to him/herself or another person by controlling, owning, purchasing, possessing, accessing, receiving or otherwise having custody of a firearm may request permission from his/her supervisor to petition the court for an extreme risk protection order (RCW 7.94.030). The supervisor will in turn notify the chain of command.

The petitioning deputy will advise the Sheriff's Legal Advisor, who will review the petition prior to the filing. The petitioning member will also advise the Civil and DV Unit supervisors.

Deputies petitioning the court shall use any standard petition and order forms created by the administrative office of the court (RCW 7.94.030; RCW 7.94.150).

The petition shall (RCW 7.94.030):

(a) Allege that the person poses a significant danger of causing personal injury to him/herself or others by controlling, owning, purchasing, possessing, accessing, receiving or otherwise having custody of a firearm and be accompanied by an affidavit, made under oath, that provides the specific statements, actions or facts that give rise to a reasonable fear of future dangerous acts by the person.

(b) Identify the number, types and locations of any firearms that the deputy believes to be owned, possessed, accessed, controlled, or in the custody of the person.

(c) Identify any other known existing protection orders governing the person.
(d) Identify, if reasonably identifiable, any pending lawsuits, complaints, petitions or other action between the person and the Pierce County Sheriff's Department.

(e) Include an attestation that the deputy provided notice of the intent to seek the order to a family or household member of the person and to any third party who the deputy reasonably believes may be at risk of violence, or an attestation to the steps that will be taken to provide this notice.

A deputy may also seek an ex parte extreme risk protection order, without notice to the person, by including in the petition detailed allegations based on personal knowledge that the person poses a significant danger of causing personal injury to him/herself or others in the near future by having in his/her custody or control, purchasing, possessing or receiving a firearm. If necessary, the ex parte may be petitioned using an on-call, after-hours judge using the same procedures for the after-hours search warrants (RCW 7.94.030; RCW 7.94.050).

387.3.1 NOTICE OF PETITION
When a member of the Pierce County Sheriff's Department petitions for an extreme risk protection order, he/she shall make a good faith effort to provide notice to a family or household member of the person and to any third party who the member reasonably believes may be at risk of violence. The notice shall state the intention to seek an extreme risk protection order or that the order has already been sought and include referrals to appropriate resources, including behavioral health, domestic violence, and counseling (RCW 7.94.030).

387.4 SERVICE
Service of notice of hearing and petitions, ex parte extreme risk protection orders and extreme risk protection orders should take precedence over the service of other documents, unless the other documents are of a similar emergency nature (RCW 7.94.040; RCW 7.94.060). The service will be coordinated by the Civil and DV Units.

Deputies serving a notice of hearing and petition for an extreme risk protection order should make reasonable efforts to personally serve the person no less than five court days prior to the hearing. If an ex parte extreme risk protection order was issued, then the order, notice of hearing and the petition are served together (RCW 7.94.040; RCW 7.94.050).

Deputies assigned to serve an extreme risk protection order should make reasonable efforts to personally serve the order as soon as practicable, but not more than 10 days after the Pierce County Sheriff's Department received the order. If the order is issued against a minor under the age of 18, deputies should also make reasonable efforts to serve a copy of the order on the parent or guardian of the minor at the address where the minor resides, or the Department of Children, Youth, and Families in the case where the minor is the subject of a dependency or court approved out-of-home placement (RCW 7.94.060).

When timely personal service is not completed, the deputy should notify the court and take reasonable steps to notify the petitioner (RCW 7.94.040; RCW 7.94.060).

Department members will follow this procedure for service of an ERPO:
Extreme Risk Protection Orders

(a) The Civil Unit will receive court issued orders from petitioners. If the respondent is a resident of unincorporated Pierce County or a Contract City, PCSD will effectuate the service of the order. If the respondent resides in another jurisdiction within Pierce County, the petitioner will be directed to the appropriate agency.

(b) Upon receiving the court issued order, the Civil Unit supervisor will coordinate with the DV Unit supervisor for service and any follow-up.

(c) Prior to service, the Civil and DV Unit supervisors will ensure a preliminary threat assessment is conducted. This assessment may include, but is not limited to, NetRMS, CHRI, WACIC, CAD history and information available from the petitioner.

(d) The petitioner may provide details that will lead to safest means of service. This may include the respondent’s habits, ability to serve away from residence, history etc.

(e) If, after reviewing appropriate information, the initial service is deemed high risk (offender history, history of violence, difficulty to approach, etc.) the Civil/DV Unit supervisors will notify the Administrative Lieutenant and Legal Advisor to request alternate service by mailing as provided by law.

(f) If the service appears to be lower risk, the Civil and DV Units will coordinate service with the Patrol Division.

(g) Members serving an ERPO, including an ex parte extreme risk protection order, shall request the respondent immediately surrender all firearms in his or her custody, control, or possession and any concealed pistol license issued under RCW 9.41.070. Such members shall conduct any search permitted by law for such firearms.

(h) Members shall take possession of all firearms belonging to the respondent that are surrendered, in plain sight, or discovered pursuant to a lawful search.

(i) Civil deputies will be responsible for serving the documents and completing the Return of Service. If firearms are obtained upon service of the order, the patrol unit will take custody of the firearms and complete a general report detailing the service and itemization of the firearms surrendered. The Civil deputy will complete a supplemental report. This will create documentation of seizure and potential criminal case documentation for the DV unit.

(j) If no firearms are surrendered, the Civil deputy shall complete a general report documenting the service and any statements or observations concerning the respondent and the respondent’s possession of firearms.

(k) If a person other than the respondent claims title to any firearms surrendered and he or she is determined by the department member to be the lawful owner of the firearm, the firearm shall be returned to him or her, provided that:

(l) The firearm is removed from the respondent’s custody, control, or possession and the lawful owner agrees to store the firearm in a manner such that the respondent does not have access to or control of the firearm; and

(m) The firearm is not otherwise unlawfully possessed by the owner.
Extreme Risk Protection Orders

(n) Members taking possession of a firearm or concealed pistol license shall issue the respondent a copy of the property sheet as a receipt identifying all items that have been surrendered/seized.

(o) Within seventy-two hours after service of the order, the Civil or DV Unit member serving the order shall file the original property sheet with the court.

(p) Following the service of the order, the DV unit will be assigned any follow-up or violations of the order.

387.5 SEARCH Warrants
If a person who has been served with an extreme risk protection order refuses to surrender any firearm, the deputy should consider whether to seek a search warrant. If a search warrant is to be obtained, the preparation and service of the search warrant shall be done in accordance with the Warrant Service Policy. A consult with SWAT for the service of the search warrant with case history should occur.

387.6 COURT-ORDERED FIREARMS SURRENDERS
A respondent may be ordered by the court pursuant to the issuance of an ERPO to surrender his/her firearms and/or concealed pistol license in instances where they were not surrendered at the time of the service of the order. In these cases the respondent will be directed by the court to surrender such items at the local law enforcement agency where the respondent resides. No firearms will be surrendered at the County-City Building. Respondents can receive information on how to surrender firearms from the Civil Unit.

Authorized members should accept firearms and a concealed pistol license from any person who is the subject of an extreme risk protection order. When a respondent surrenders firearms and/or a concealed pistol license pursuant to an ERPO at a Pierce County Sheriff’s Department precinct, the department member receiving the firearms will:

(a) Identify the respondent by a government issued photo identification.

(b) Write a report noting the cause number of the ERPO along with the respondent’s identity, date of birth, and contact information. Record the serial number of the firearm(s) and/or number of the concealed pistol license.

(c) Book the firearms and/or concealed pistol license into the evidence room for later pick up by the Property Room Officer.

(d) Provide the respondent with a copy of the property sheet as a receipt showing what items were surrendered.

(e) Notify the Civil Unit Sergeant of the surrender, including the case number of the report.

(f) The Civil Unit Sergeant will ensure a copy of the property sheet (receipt) is filed with the court.
387.7 RELEASE OF FIREARMS
Firearms that were taken into custody or surrendered pursuant to an extreme risk protection order should be returned to the restrained person upon the expiration of the order (RCW 7.94.100) in accordance with the below procedure:

(a) The respondent will complete the Property Claim form (Z-287) on-line or in person at the Property Room.

(b) The Property Room will forward the form to the DV Unit Supervisor who will confirm with the court that the extreme risk protection order has been terminated or has expired without renewal.

(c) The Property Room will confirm through a background check that the respondent is currently eligible to own or possess firearms under federal and state law.

(d) The Property Room will, if requested, provide prior notice of the return of the firearm(s) to family or household members of the respondent in the manner provided in RCW 9.41.340 and 9.41.345.

(e) Any firearm surrendered by a respondent pursuant to RCW 7.94.090 that remains unclaimed by the lawful owner shall be disposed of in accordance with Department policies and procedures for the disposal of firearms in law enforcement custody.

387.8 RENEWAL OF EXTREME RISK PROTECTION ORDER
The Criminal Investigations Bureau supervisor or his/her designee is responsible for review of an extreme risk protection order obtained by the Department, to determine if renewal should be requested within the time prescribed by law (RCW 7.94.080).

387.9 STANDARD FOR ARREST
When a deputy has confirmed that a valid extreme risk protection order exists and has probable cause to believe the person has knowledge of the order and violated that order, the deputy shall make an arrest and take the person into custody (RCW 10.31.100).

387.10 ORDERS TO SHOW CAUSE
When the Department receives notice from the court of an order to show cause, the Criminal Investigations Bureau supervisor should consult with legal counsel, as appropriate, to address any requirements involving the Department, including the following (RCW 7.94.090):

(a) Fulfilling any additional service requirements for the order to show cause

(b) Providing the court a complete list of firearms surrendered by the person pursuant to the extreme risk protection order that are in the possession of the Department

(c) Providing the court with verification that any concealed pistol license was surrendered by the person pursuant to the extreme risk protection order and that the agency with authority to revoke the license has been notified
Extreme Risk Protection Orders

(d) Filing an affidavit with the court where there is reasonable suspicion that the person who is subject to the extreme risk protection order is not in full compliance with the terms, including the basis for the belief
Service Animals

388.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines necessary to ensure the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act of 1990 (ADA).

388.2 DEFINITIONS
A "service animal" is an animal that is individually trained to do work or perform tasks for the benefit of assisting or accommodating an individuals sensory, mental, or physical disability. The animal must be trained to engage in specific actions or tasks to assist the individual with a disability. The work or tasks performed by a service animal must be directly related to the individual's disability. An animal whose sole function is as a pet or to provide comfort or emotional support does not qualify as a service animal under Federal or Washington State law.

388.3 USE OF SERVICE ANIMALS
Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar. Service animals may be used in a number of ways to provide assistance, including but not limited to:

(a) Guiding people who are blind or have low vision.
(b) Alerting people who are deaf or hard of hearing.
(c) Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
(d) Pulling wheelchairs.
(e) Providing physical support and assisting with stability and balance.
(f) Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.
(g) Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

388.4 DEPARTMENT MEMBER RESPONSIBILITIES
Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Members of the Pierce County Sheriff’s Department (PCSD) are expected to treat individuals with service animals with the same courtesy and respect that the PCSD affords to all members of the public.
Service Animals

388.4.1 PERMITTED INQUIRY
If it is apparent or if a PCSD member is aware that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is not apparent that an animal meets the definition of a service animal, the PCSD member may ask the individual only the following questions:

(a) Is the animal required because of a disability? And
(b) What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at a task, the animal meets the definition of a service animal and no further questions as to the animal’s status will be asked. The individual will not be questioned about his/her disability nor will the person be asked to provide any license, certification or identification card for the service animal.

388.4.2 EXCLUSION
If a service animal is not housebroken or is not under control, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, a deputy may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal. Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. When there is a legitimate reason to ask that a service animal be removed, the business must offer the person with the disability the opportunity to obtain goods or services without the animal’s presence.
Chapter 4 - Patrol Operations
Patrol Function

400.1 PURPOSE AND SCOPE
The purpose of this policy is to define the functions of the Patrol Bureau of the Department to ensure intra-department cooperation and information sharing.

400.1.1 FUNCTION
Deputies will generally patrol in clearly marked vehicles, patrol assigned jurisdictional areas of Pierce County, respond to calls for assistance, act as a deterrent to crime, protect life and property, preserve the peace, enforce state and local laws and respond to emergencies 24 hours per day seven days per week.

Patrol will generally provide the following services within the limits of available resources:

(a)  Patrol that is directed at the prevention of criminal acts, traffic violations and collisions, the maintenance of public order, and the discovery of hazardous situations or conditions.
(b)  Crime prevention activities such as residential inspections, business inspections, community presentations, etc.
(c)  Calls for service, both routine and emergency in nature.
(d)  Investigation of both criminal and non-criminal acts.
(e)  The apprehension of criminal offenders.
(f)  Community Oriented Policing and Problem Solving activities such as citizen assists and individual citizen contacts of a positive nature.
(g)  The sharing of information between the Patrol and other bureaus within the Department, as well as other outside governmental agencies.
(h)  The application of resources to specific problems or situations within the community, which may be improved or resolved by Community Oriented Policing and problem solving strategies.
(i)  Traffic direction and control.

400.2 PATROL INFORMATION SHARING PROCEDURES
The following guidelines are intended to develop and maintain intra-department cooperation and information flow between the various bureaus of the Pierce County Sheriff's Department.

400.2.1 CRIME REPORTS
A crime report may be completed by any patrol deputy who receives criminal information. The report will be processed and forwarded to the appropriate bureau for retention or follow-up investigation.
400.3 CROWDS, EVENTS AND GATHERINGS
Deputies may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Deputies should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Deputies responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action. Deputies are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Deputies should consider enforcement of applicable state and local laws, when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.
Patrol - Specialized Units

401.1 PURPOSE AND SCOPE
The purpose of this policy is to define the functions of the Specialized Units of the within the Patrol Bureau. Specialized Units operate primarily in a patrol related responsibility / capacity and fall under the command of the Patrol Bureau Chief. Except where specifically delegated, authority may exist by policy or special assignment.

401.2 PATROL SPECIALIZED UNITS
A. The K-9 Unit assists Patrol by providing trained canine teams to assist the department in locating and apprehending suspects, searching buildings, detecting narcotics, and providing protection and back-up for the line officers. The K-9 Unit also aids outside agencies such as the DEA, Customs, and various task forces throughout the region. For further information, see Policy 318.

B. Deputies assigned as School Resource Officers (SRO) are responsible for law enforcement presence and enforcement in area schools and act as liaisons between the schools and the juvenile officers.

C. The Crime Suppression Team (CST) provides assistance to communities seeking to implement positive changes in their environment. The team works with community crime concerns rather than individual incidents and measures its success with the absence of crime in the community rather than the arrest rate.

D. The Dive Unit responds to a variety of water related circumstances including water rescues, body recoveries, evidence searches, recovery of boats and vehicles, and the evacuation of flood victims. Assignment to the SCUBA Unit is an additional duty assignment.

E. The Marine Services Unit (MSU) is responsible for boating safety education, patrolling and enforcement activities on the over 80,000 acres of water in Pierce County. Members involved in conducting police activities on lakes and waters within Pierce County should be aware that except in matters of navigation, the Sheriff has jurisdiction in all criminal matters committed on navigable waters. In harbor areas so designated by the United States Coast Guard, a provision has been made for local authorities (i.e. County Council) to set speed limits, enforcement of which shall be by either the Sheriff and the Sheriff's Deputies or the Port Authority under its designated Harbor Master. In Pierce County, the designated harbor area of the Port of Tacoma shall be those waters known as Commencement Bay, bordered by a line drawn from Point Defiance to the west, and Brown's Point to the north. Assignment to MSU is an additional duty assignment.

F. The Search and Rescue Unit (SAR) is responsible for coordinating and directing personnel from the numerous organizations which make up the Pierce County Search and Rescue Council. Assignment to SAR is an additional duty assignment.

G. The Hazardous Devices (HDS) Squad officers are responsible for calls where explosives are suspected or located. Assignment to HDS is an additional duty assignment. Reference Policy § 416.
Patrol - Specialized Units

H. The Air Operations Unit provides aerial support to all department operations. This includes assisting patrol in search and rescue, suspect tracking, pursuits, and damage control assessment. Other duties include aerial photography, administrative transport of department personnel and transport of criminals. Assignment to the Air Operations Unit is an additional duty assignment. Reference Policy § 438.

I. The Special Weapons and Tactics Team (SWAT) provides specialized, professional response to hazardous incidents such as hostage situations and high-risk building entries occurring in the county. Assignment to SWAT is an additional duty assignment. Reference Policy § 408.

J. The Hazardous Response Team provides specialized response to Clandestine Laboratory incidents, Weapons of Mass Destruction incidents and Hazardous Material incidents. Officers are trained in high-risk entry on search warrants involving these types of incidents. Assignment to the Hazardous Response Team is an additional duty assignment.

401.2.1 UNIT OPERATING PROCEDURES
Each Unit shall maintain an operating procedures manual which shall have been approved by the responsible Bureau Chief.

401.3 CONTRACT POLICE DEPARTMENT / AGENCY
Contract Police Departments / Agencies may utilize the services of the specialized units as dictated by individual contract.
Bias-Based Policing

402.1 PURPOSE AND SCOPE
This policy provides guidance to department members that affirms the Pierce County Sheriff's Department's commitment to policing that is fair and objective. Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships) (RCW 43.101.410).

402.1.1 DEFINITIONS
Definitions related to this policy include:

Racial-or Bias-based policing - An inappropriate reliance on characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement than would otherwise be provided.

402.2 POLICY
The Pierce County Sheriff's Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

Race, sex (including pregnancy, gender identity, and sexual orientation), age (40 or older), religion, creed, color, national origin, ancestry, disability, marital status, familial status, genetic information, veteran or military status shall not be used as the basis for providing differing levels of law enforcement service or the enforcement of the law.

402.3 RACIAL- OR BIAS-BASED POLICING PROHIBITED
Racial- or Bias-based policing is strictly prohibited. Race alone is insufficient to establish reasonable suspicion or probable cause.

However, nothing in this policy is intended to prohibit a deputy from considering factors such as race or ethnicity in combination with other legitimate factors to establish reasonable suspicion or probable cause (e.g. suspect description is limited to a specific race or group).

402.3.1 OTHER PROHIBITIONS
The Pierce County Sheriff's Department also condemns the illegal use of an individual or group’s attire, appearance, or mode of transportation, including the fact that an individual rides a motorcycle or wears motorcycle-related paraphernalia, as a factor in deciding to stop and question, take enforcement action, arrest, or search a person or vehicle with or without a legal basis under the United States Constitution or Washington State Constitution (RCW 43.101.419).
Additionally, members shall not collect information from a person based on religious belief, practice, or affiliation unless permitted under state law. Members shall not (RCW 42.60.020; RCW 42.60.030):

(a) Provide or disclose to federal government authorities personally identifiable information about a person’s religious belief, practice, or affiliation unless the member is being questioned as a witness to a crime.

(b) Assist federal government authorities in compiling personal information about a person’s religious belief, practice, or affiliation.

(c) Investigate or enforce any requirement that a person register with the federal government or a federal agency based on religion.

### 402.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of racial- or bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

#### 402.4.1 REASON FOR CONTACT

Deputies contacting a person shall be prepared to articulate sufficient reason for the contact independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Information Report (FIR)), the involved deputy should include those facts giving rise to the reasonable suspicion or probable cause for the detention, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any deputy to document a contact that would not otherwise require reporting.

#### 402.4.2 REPORTING TRAFFIC STOPS

Each time a deputy makes a traffic stop, the deputy shall report any demographic information required by the Department (RCW 43.101.410).

### 402.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

(a) Supervisors should discuss any issues with the involved deputy and his/her supervisor in a timely manner.

1. Supervisors should document these discussions, in the prescribed manner.

(b) Supervisors should periodically review Mobile Digital Computer (MDC) data and any other available resource used to document contact between deputies and the public to ensure compliance with this policy.
Bias-Based Policing

(a) Recordings that capture a potential instance of racial- or bias-based policing should be appropriately retained for administrative investigation purposes.

(c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.

(d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

402.6 STATE REPORTING
The Command Staff should review available data related to traffic stops, including demographic data, existing procedures, practices and training, as well as complaints. The data should be analyzed for any patterns or other possible indicators of racial- or bias-based profiling and be included in an annual report for the Washington Association of Sheriffs and Police Chiefs (RCW 43.101.410(3)).

402.7 ADMINISTRATION
The Command Staff should review the efforts of the Department to provide fair and objective policing and submit an annual report, including public concerns and complaints, to the Sheriff. The annual report should not contain any identifying information about any specific complaint, citizen or deputies. It should be reviewed by the Sheriff to identify any changes in training or operations that should be made to improve service.

402.8 TRAINING
Training on fair and objective policing and review of this policy should be conducted as directed by the Training Unit (RCW 43.101.410).
Turnout Briefing

404.1 PURPOSE AND SCOPE
Turnout briefing is generally conducted by a supervisor(s) at the beginning of the deputy's assigned patrol shift. This briefing provides an opportunity for supervisors and employees to exchange information before the shift begins.

At a minimum, turnouts should contain the following:

(a) Review written and online turnout logs.
(b) Review previous shifts significant criminal activities or unusual events.
(c) Specific officer safety information.
(d) Updates to policies or procedures.
(e) Provide training on a variety of subjects.

404.2 PREPARATION OF MATERIALS
The supervisor conducting Turnout is responsible for preparation of the materials necessary for a constructive briefing. Supervisors may delegate this responsibility to a subordinate deputy in his/her absence or for training purposes.

404.3 NON-TURNOUT PRE-SHIFT BRIEFING
In some assignments, deputies may not attend a daily turnout briefing with a supervisor(s). It is important that the deputy begin the shift with sufficient knowledge of safety information and criminal activity in their patrol district. The following is recommended individual pre-shift briefing for deputies in these assignments:

(a) Review written and online turnout logs.
(b) Review CAD logs for previous shifts.
(c) Review LESA Hotsheets.
(d) Review LESA Incident Blotter.
(e) Review LESA HunchLab alerts.
(f) Review LESA Object of Interest.
Major Crime Scene Forensic Policy

405.1 PURPOSE AND SCOPE
Major crime scenes involve numerous units of the department working together for the common purpose of solving and documenting a crime scene. Forensic evidence, when properly handled and preserved, is the most accurate and indisputable evidence to be used in the prosecution of the perpetrator. It is every person’s responsibility at a major crime scene to make sure this is accomplished. This policy is designed to be used at all major crime scenes. The intent is to clarify and assign specific responsibility to personnel regarding the collection and preservation of forensic evidence.

405.2 PATROL DEPUTIES RESPONSIBILITIES

405.2.1 ARRIVING AT THE SCENE
The initial responding deputy(ies) shall promptly, yet cautiously, approach and enter crime scenes, remaining observant of any persons, vehicles, events, potential evidence, and environmental conditions.

The initial responding deputy(ies) should:

(a) Note or log dispatch information (e.g., address/location, time, date, type of call, parties involved).
(b) Be aware of any persons or vehicles leaving the scene.
(c) Approach the scene cautiously, scan the entire area to thoroughly assess the scene, and note any possible secondary crime scenes. Be aware of any persons and vehicles in the vicinity that may be related to the crime.
(d) Make initial observations (look, listen, smell) to assess the scene and ensure officer safety before proceeding.
(e) Remain alert and attentive. Assume the crime is ongoing until determined to be otherwise.
(f) Treat the location as a crime scene until assessed and determined to be otherwise.

405.2.2 EMERGENCY MEDICAL CARE
The initial responding deputy(ies) shall ensure medical attention is provided with minimal contamination of the scene.

The initial responding deputy(ies) should:

(a) Assess the victim(s) for signs of life and medical needs and provide immediate medical attention.
(b) Call for medical personnel.
(c) Guide medical personnel to the victim minimizing contamination/alteration of the crime scene.

(d) Point out potential physical evidence to medical personnel, instruct them to minimize contact with such evidence (e.g., ensure that medical personnel preserve all clothing and personal effects with cutting through bullet holes, knife tears), and document movement of persons or items by medical personnel.

(e) Instruct medical personnel not to “clean up” the scene and to avoid removal or alteration of items originating from the scene.

(f) Obtain the name, unit, and telephone number of attending personnel, and the name and location of the medical facility where the victim or suspect are being taken.

(g) If there is a chance the victim may die, attempt to obtain a “dying declaration.”

(h) Document any statements/comments made by victims, suspects, or witnesses at the scene.

(i) If the victim or suspect is transported to a medical facility, send a law enforcement official with the victim or suspect to document any comments made and preserve evidence. (If no officers are available to accompany the victim/suspect, stay at the scene and request medical personnel to preserve evidence and document any comments made by the victim or suspect.)

405.2.3 SECURE AND CONTROL PERSON AT THE SCENE

The initial responding deputy(ies) shall identify persons at the crime scene and control their movement.

The initial responding deputy(ies) should:

(a) Control all individuals at the scene to prevent individuals from altering/destroying physical evidence by restricting movement, location, and activity while ensuring and maintaining safety at the scene.

(b) Identify all individuals at the scene, such as:
   Suspect: Secure and separate.
   Witnesses: Secure and separate.
   Bystanders: Determine whether witness, if so treat as above, if not, remove from scene.
   Victims/family/friends: Control while showing compassion.
   Medical and other assisting personnel.

(c) Exclude unauthorized and nonessential personnel from the scene (e.g., law enforcement officials not working the case, politicians, chaplains, and media).
405.2.4 CRIME SCENE BOUNDARIES
The initial responding deputy(ies) at the scene shall conduct and initial assessment to establish and control the crime scene(s) and its boundaries.

The initial responding deputy(ies) should:

(a) Establish boundaries of the scene(s), starting at the focal point and extending outward to include:

Where the crime occurred.
Potential points and paths of exit and entry of suspects and witnesses.
Places where the victim/evidence may have been moved (be aware of trace and impression evidence while assessing the scene).

(b) Set up physical barriers (e.g., ropes, cones, crime scene barrier tape, available vehicles, personnel, other equipment) or use existing boundaries (e.g., doors, wall, gates).

(c) Document the entry/exit of all people entering and leaving the scene, once boundaries have been established.

(d) Control the flow of personnel and animals entering and leaving the scene to maintain integrity of the scene.

(e) Effect measures to preserve/protect evidence that may be lost or compromised (e.g., protect from the elements (rain, snow, wind) and from footsteps, tire tracks, sprinklers).

(f) Document the original location of the victim or objects that you observe being moved.

(g) Consider search and seizure issues to determine the necessity of obtaining consent to search and/or obtaining a search warrant.

Persons should note smoke, chew tobacco, use the telephone or bathroom, eat or drink, move any items including weapons (unless necessary for the safety and well-being of persons at the scene), adjust the thermostat or open windows or doors (maintain the scene as found), touch anything unnecessarily (note and document any items moved), reposition moved items, litter, or spit within the established boundaries of the scene.

405.2.5 BRIEFING DETECTIVES
The initial responding deputy(ies) at the scene shall provide a detailed crime scene briefing to the detective(s) in charge of the scene.

The initial responding deputy(ies) should:

(a) Brief the detective(s) taking charge.

(b) Assist in controlling the scene.

(c) Turn over responsibility for the documentation of entry/exit.
Remain at the scene until relieved of duty by the lead detective or designee.

**405.2.6 DOCUMENT ACTIONS AND OBSERVATIONS**

Documentation must be maintained as a permanent record.

The initial responding deputy(ies) should document:

(a) Observations of the crime scene, including the location of persons and items within the crime scene and the appearance and condition of the scene upon arrival.

(b) Conditions upon arrival (e.g., lights on/off; shades up/down; open/closed; doors, windows; smells; ice; liquids; movable furniture; weather; temperature; and personal items.)

(c) Personal information from witnesses, victims, suspects, and any statements or comments made.

(d) Own actions and actions of others, to include their movement and the path within the scene.

**405.3 CRIMINAL INVESTIGATION BUREAU RESPONSIBILITIES**

**405.3.1 CRIME SCENE ASSESSMENT**

The detective(s) in charge shall identify specific responsibilities, share preliminary information, and develop investigative plans in accordance with departmental policy and local, State, and Federal laws.

The detective(s) in charge should:

(a) Converse with the first responders regarding observations/activities.

(b) Evaluate safety issues that may affect all personnel entering the scene(s) (e.g., blood borne pathogens, hazards).

(c) Evaluate search and seizure issues to determine the necessity of obtaining consent to search and/or obtaining a search warrant.

(d) Evaluate and establish a path of entry/exit to the scene to be utilized by authorized personnel.

(e) Evaluate initial scene boundaries.

(f) Determine the number/size of scene(s) and prioritize.

(g) Establish a secure area within close proximity to the scene(s) for purpose of consultation and equipment staging.

(h) If multiple scene exist, establish and maintain communication with personnel at those locations.
Major Crime Scene Forensic Policy

(i) Establish a secure area for temporary evidence storage in accordance with rules of evidence/chain of custody.

(j) Determine and request additional investigative resources as required (e.g., personnel/specialized units, legal consultation/prosecutors, equipment).

(k) Ensure continuous scene integrity (e.g., document entry/exit of authorized personnel, prevent unauthorized access to the scene).

(l) Ensure that witnesses to the incident are identified and separated (e.g., obtain valid ID).

(m) Ensure the surrounding area is canvassed and the results are documented.

(n) Ensure preliminary documentation/photography of the scene, injured persons, and vehicles.

405.3.2 CRIME SCENE WALKTHROUGH
The detective(s) in charge shall conduct a walk-through of the scene. The walk-through shall be conducted with individuals responsible for processing the scene.

During the scene walk-through, the detective(s) in charge should:

(a) Avoid contaminating the scene by using the established path of entry.

(b) Prepare preliminary documentation of the scene as observed.

(c) Identify and protect fragile and/or perishable evidence (e.g., consider climatic conditions, crowds/hostile environment). Ensure that all evidence that may be compromised is immediately documented, photographed, and collected.

The detective(s) in charge shall assess the scene to determine specialized resources required.

Following the walk-through, the detective(s) in charge should:

(a) Assess the need for additional personnel. Be aware of the need of additional personnel in cases of multiple scene, multiple victims, numerous witnesses, or other circumstances.

(b) Assess forensic needs and call forensic investigator(s) to the scene for expertise and/or equipment. Note: At least two forensic investigators are required for any major crime scene.

(c) Ensure that the scene security and the entry/exit documentation continues.

(d) Coordinate with the lead forensic investigator to perform the needed specialized tasks (e.g., photography, sketch, latent prints, and evidence collection). Note: The senior forensic investigator on scene assumes the lead position and works under the direction of the detective in charge of the crime scene.

(e) Document team members and assignments.
405.3.3 CONTAMINATION CONTROL
The detective(s) in charge shall require all personnel to follow procedures to ensure scene safety and evidence integrity.

Other responders and/or team members should:

(a) Limit scene access to people directly involved in the scene processing.
(b) Follow established entry/exit routes at the scene.
(c) Identify first responders and consider collection of elimination samples.
(d) Designate secure area for trash and equipment.
(e) Use personal Protective equipment (PPE) to prevent contamination of personnel and to minimize scene contamination.
(f) Clean/sanitize or dispose of tools/equipment and personal protective equipment between evidence collections and/or scenes.
(g) Utilize single-use equipment when performing direct collection of biological samples.

405.3.4 CRIME SCENE DOCUMENTATION
The detective(s) in charge shall ensure documentation of the scene.

The team member(s) should:

(a) Review assessment of the scene to determine the type of documentation needed.
(b) Coordinate photographs, video, sketches, measurements, and notes.
(c) Photograph:
   Scene utilizing overall, medium, and close-up coverage.
   Evidence to be collected with and without measurement scale and/or evidence identifiers.
   Victims, suspects, witnesses, crowd, and vehicles.
   Additional perspectives (e.g., aerial photographs, witness' view, area under body once body is removed.
(d) Videotape as optional supplement to photos.
(e) Prepare preliminary sketch(es) and measure:
   Immediate area of the scene, noting case identifiers and indicating north on the sketch.
   Relative location of items of evidence and correlate evidence items with evidence records.
   Evidence prior to movement.
   Rooms, furniture, or other objects.
Major Crime Scene Forensic Policy

Distance to adjacent buildings or other landmarks.

(f) Generate notes at the scene:
Documenting location of the scene, time of arrival, and time of departure.
Describing the scene as it appears.
Recording transient evidence (e.g., smells, sounds, sights) and condition (e.g., temperature, weather).
Documenting circumstances that require departures from usual procedures.

405.3.5 PRIORITIZE COLLECTION OF EVIDENCE
The detective(s) in charge and the team members shall determine the order in which evidence is collected.

The team member(s) should:

(a) Conduct a careful and methodical evaluation considering all physical evidence possibilities (e.g., biological fluids, latent prints, and trace evidence).

(b) Focus first on the easily accessible areas in open view and proceed to out-of-view locations.

(c) Select a systematic search pattern for evidence collection based on the size and location of the scene(s).

(d) Select a progression of processing/collection methods so that initial techniques do not compromise subsequent processing/collection methods.
Concentrate on the most transient evidence and work to the least transient forms of physical evidence.
Move from least intrusive to most intrusive processing/collection methods.

(e) Continually assess environmental and other factors that may affect the evidence.

(f) Be aware of multiple scenes (e.g., victims, suspects, vehicles, and locations).

(g) Recognize other methods that are available to locate, technically document, and collect evidence (e.g., alternate light source, enhancement, blood pattern documentation, and projectile trajectory analysis).

405.3.6 COLLECTION OF EVIDENCE
The team members shall ensure the effective collection, preservation, packaging, and transport of evidence.

The team member(s) should:

(a) Maintain scene security throughout processing and until the scene is released.
Major Crime Scene Forensic Policy

(b) Document the collection of evidence by recording its location at the scene, date of collection, and who collected it.

(c) Collect each item identification as evidence.

(d) Establish chain of custody.

(e) Obtain standard/reference samples from scene.

(f) Obtain control samples.

(g) Consider obtaining elimination samples.

(h) Immediately secure electronically recorded evidence (e.g., answering machine tapes, surveillance camera videotapes, and computers) from the vicinity.

(i) Identify and secure evidence in container (e.g., label, date, initial container) at the crime scene. Different types of evidence require different containers (e.g., porous, nonporous, crushproof).

(j) Package items to avoid contamination and cross-contamination.

(k) Document the condition of firearms/weapons prior to rendering them safe for transportation and submission.

(l) Avoid excessive handling of evidence after it is collected.

(m) Maintain evidence at the scene in a manner designed to diminish degradation or loss.

(n) Transport and submit evidence items for secure storage.

405.3.7 CRIME SCENE DEBRIEF
Law enforcement personnel and other responders shall participate in or initiate a crime scene debriefing to ensure the crime scene investigation is complete and to verify post-scene responsibilities.

The detective(s) in charge of the crime scene should establish a crime scene debriefing team. When participating in a scene debriefing, law enforcement personnel and other responders should:

(a) Establish a crime scene debriefing team, which includes the detective(s) in charge of the crime scene, other detective(s), forensic investigators and initial responding deputy(ies) if still present.

(b) Determine what evidence was collected.

(c) Discuss preliminary scene findings with team members.

(d) Discuss potential technical forensic testing and the sequence of tests to be performed.

(e) Initiate any action(s) identified in discussion required to complete the crime scene investigation.
405.3.8 FINAL SURVEY OF CRIME SCENE
The detective(s) in charge shall direct a walk-through at the conclusion of the scene investigation and ensure that the scene investigation is complete.

The detective(s) in charge should ensure that:

(a) Each area identified as part of the crime scene is visually inspected.
(b) All evidence collected at the scene is accounted for.
(c) All equipment and materials generated by the investigation are removed.
(d) Any dangerous materials or conditions are reported and addressed.
(e) The crime scene is released in accordance with jurisdictional requirements.

405.3.9 CRIME SCENE REPORTS/DOCUMENTATION
The detective(s) in charge shall ensure that reports and other documentation pertaining to the crime scene investigation are compiled.

The detective(s) in charge should obtain the following for the crime scene case file:

(a) Initial responding deputy(ies’) documentation.
(b) Emergency medical personnel documents.
(c) Entry/exit documentation.
(d) Photographs/videos.
(e) Crime scene sketches/diagrams.
(f) Evidence documentation.
(g) Other responders’ documentation.
(h) Record of consent form or search warrant.
(i) Reports such as forensic/technical reports should be added to this file when they become available.

NOTE: The above list is limited to crime scene documentation. This should not be considered a comprehensive list of the documents involved in an investigative case file.
Crime and Disaster Scene Integrity

406.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance in securing and maintaining the integrity of a major crime or disaster.

406.2 POLICY
It is the policy of the Pierce County Sheriff's Department to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

406.3 SCENE RESPONSIBILITY
The first responding deputy at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Deputies shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once a deputy has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the deputy shall maintain the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

406.4 FIRST RESPONDER CONSIDERATIONS
The following list generally describes the first responder’s function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

(a) Broadcast emergency information, including requests for additional assistance and resources.
(b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
(c) Locate or identify suspects and determine whether dangerous suspects are still within the area.
(d) Provide first aid to injured parties if it can be done safely.
(e) Evacuate the location safely as required or appropriate.
(f) Secure the inner perimeter.
(g) Protect items of apparent evidentiary value.
(h) Secure an outer perimeter.
(i) Identify potential witnesses.
(j) Start a chronological log noting critical times and personnel allowed access.
Crime and Disaster Scene Integrity

406.5 SEARCHES
Deputies arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once deputies are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Deputies should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

406.5.1 CONSENT
When possible, deputies should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

406.6 CRIMINAL INVESTIGATIONS BUREAU CHIEF RESPONSIBILITIES
The Criminal Investigations Bureau Chief is responsible for ensuring procedures are established that are consistent with the Washington State Patrol Crime Laboratory Division Crime Scene Procedures Manual and the Pierce County Sheriff's Department Major Crime Scene Policy, including, but not limited to:

(a) Ensuring reasonable access to qualified personnel, equipment and supplies for processing crime scenes.

(b) Establishing procedures for collecting, processing and preserving physical evidence in the field.

(c) Establishing procedures for photographing, video-recording and other imaging used to collect and preserve evidence.

(d) Establishing procedures for processing, developing, lifting and labeling fingerprints.

(e) Establishing procedures for the safe collection, storage, transportation and submission of biological and other evidence for DNA testing and evaluation.

406.7 EXECUTION OF HEALTH ORDERS
Sworn members of this department shall enforce all lawful orders of the local health officer, issued for the purpose of preventing the spread of any contagious, infectious or communicable disease (RCW 70.05.070; WAC 246-100-040(2)).
Incident Command System (ICS)

407.1 PURPOSE AND SCOPE
The Incident Command System is a process for senior deputies or supervisors to take control and command of emergency events.

The use of Incident Command System is mandated by Federal law for Hazmat incidents and by the EPA for environmental emergencies. It is mandated by state law for command and control of emergency response during disaster operations and county policy requires its use to coordinate response among other emergency response agencies.

It shall be the policy of the Sheriff to use the Incident Command System to direct and coordinate incidents of significance such as:

- Crime Scenes
- Accidents
- Fires
- Large Planned Events
- Disasters
- Search and Rescue
- SWAT and lab missions

Generally, any call requiring a CDO notification, incidents involving multiple Sheriff's units, multiple jurisdictions or multiple agencies shall use a formal Incident Command structure.

407.1.1 SUPERVISOR RESPONSIBILITY
Supervisors shall respond to incidents listed in 407.1 and assume incident command. A command post shall be established and its location identified. All subsequent communications to the incident shall be directed through the command post.

407.1.2 INCIDENT COMMANDER RESPONSIBILITY
The Incident Commander has the responsibility and authority to carry out all aspects of the incident and bring it to conclusion. At any time, the Incident Commander may request higher authority or more experienced personnel to respond and assume command.

407.1.3 CDO RESPONSIBILITY TO THE INCIDENT COMMANDER
Upon notification of an incident, the CDO will ensure that an appropriate Incident Commander has been identified and determine the location of the incident command post. He will ensure the Incident Commander has established preliminary goals and objectives and has an adequate
command structure in place to manage the incident. He will ensure that the Incident Commander has adequate support from all other bureaus to accomplish the task.

The CDO may request an after action review with the Incident Commander and his incident command staff to evaluate the effectiveness of the Incident Command System as it was utilized. Under no circumstances will this review replace the Board of Professional Standards or be disciplinary in nature.

407.2 INCIDENT COMMAND SYSTEM TRAINING

The National Incident Management System (NIMS) is intended to provide standardized Incident Command System (ICS) training to members of the Pierce County Sheriff's Department.

It is the policy of this department to have member's complete required NIMS training in accordance with established guidelines for department rank and/or position assignment. Training will focus on all personnel with a direct role in the emergency preparedness, incident management or response disciplines.

Required training and compliance reporting will be published annually by the Pierce County Emergency Management Training Coordinator, Department of Emergency Management.
Redacted per RCW 42.56.240(1)
Ride-Along Policy

410.1 PURPOSE AND SCOPE
The Ride-Along Program provides an opportunity for citizens to experience the law enforcement function first hand. This policy provides the requirements, approval process, and hours of operation for the Ride-Along Program.

410.1.1 ELIGIBILITY
The Pierce County Sheriff's Department Ride-Along Program is offered to residents, students and those employed within the County. Every attempt will be made to accommodate interested persons however any applicant may be disqualified without cause.

The following factors may be considered in disqualifying an applicant and are not limited to:

• Being under 15 years of age.
• Prior criminal history.
• Pending criminal action.
• Pending lawsuit against the Department.
• Denial by any supervisor.

410.1.2 AVAILABILITY
The Ride-Along Program is available on most days of the week, with certain exceptions. The ride-along times are from 8:00 a.m. to 11:00 p.m. Exceptions to this schedule may be made as approved by the Sheriff, Bureau Chief, or Shift Sergeant.

410.2 PROCEDURE TO REQUEST A RIDE-ALONG
Generally, ride-along requests will be scheduled by the Patrol Sergeant. The participant will complete a ride-along waiver form. Information requested will include a valid ID or Washington driver’s license, address, and telephone number. If the participant is under 18 years of age, a parent/guardian must be present to complete the Ride-Along Form.

The Patrol Sergeant will schedule a date, based on availability, at least one week after the date of application. If approved, a copy will be forwarded to the respective Shift Sergeant as soon as possible for his/her scheduling considerations.

If the ride-along is denied after the request has been made, a representative of the Department will contact the applicant and advise him/her of the denial.

410.2.1 PROGRAM REQUIREMENTS
Once approved, civilian ride-alongs will be allowed to ride no more than once every six months. An exception would apply to the following: Cadets, Chaplains, Reserves, sheriff's applicants, and all others with approval of the Shift Sergeant.
Ride-Along Policy

An effort will be made to ensure that no more than one citizen will participate in a ride-along during any given time period. Normally, no more than one ride-along will be allowed in the deputy's vehicle at a given time.

Ride-along requirements for sheriff's cadets are covered in the Sheriff's Cadet Program Policy.

410.2.2 SUITABLE ATTIRE
Any person approved to ride along is required to be suitably dressed in collared shirt, blouse or jacket, slacks and shoes. Sandals, T-shirts, tank tops, shorts and ripped or torn blue jeans are not permitted. Hats and ball caps will not be worn in the sheriff's vehicle. The Shift Sergeant or field supervisor may refuse a ride along to anyone not properly dressed.

410.2.3 PEACE OFFICER RIDE-ALONGS
Off-duty members of this department or any other law enforcement agency will not be permitted to ride-along with on-duty deputies without the expressed consent of the Shift Sergeant. In the event that such a ride-along is permitted, the off-duty employee shall not be considered on-duty and shall not represent themselves as a peace officer or participate in any law enforcement activity except as emergency circumstances may require.

410.3 DEPUTY'S RESPONSIBILITY
The deputy shall advise the dispatcher that a ride-along is present in the vehicle before going into service. Deputies shall consider the safety of the ride-along at all times. Deputies should use sound discretion before engaging in a vehicle pursuit or when encountering a potentially dangerous situation, and if feasible, let the participant out of the vehicle in a well-lighted place of safety. The dispatcher will be advised of the situation and as soon as practical have another sheriff's unit respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

The Shift Sergeant is responsible for maintaining and scheduling ride-alongs. Upon completion of the ride-along, the form shall be returned to the Patrol Lieutenant with any comments which may be offered by the deputy.

410.4 CONTROL OF RIDE-ALONG
The deputy shall maintain control over the ride-along at all times and instruct him/her in the conditions that necessarily limit their participation. These instructions should include:

(a) The ride-along will follow the directions of the deputy.

(b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects, or handling any sheriff's equipment.

(c) The ride-along may terminate their ride-along at any time and the deputy may return the observer to their home or to the station if the ride-along interferes with the performance of the deputy's duties.
(d) Ride-alongs may be allowed to continue riding during the transportation and booking process of an arrestee provided this does not jeopardize their safety.

(e) Deputies will not allow any ride-alongs to be present in any residences or situations that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other citizen.

(f) Under no circumstance shall a civilian ride along be permitted to enter a private residence with a deputy without the expressed consent of the resident or other authorized person.

(g) The ride-along will not carry a concealed weapon.

(h) The ride-along shall not make any recordings, audio or video, during the ride-along. Should this occur, the device used to make the recording may be seized and booked into property as evidence after consulting with the on duty supervisor.

410.5 ACCEPTANCE OF RIDE-ALONG’S
As a standard practice, ride-alongs will be assigned only to officers who volunteer to accept them. Assignment of a ride along to a non-volunteer officer will occur in exceptional circumstances and only at the direction of shift supervisor.
Hazardous Material Response

412.1 PURPOSE AND SCOPE
Exposure to hazardous materials present potential harm to Department members and the public. This policy outlines the responsibilities of members who respond to these events and the factors that should be considered while on-scene, including the reporting of exposures and supervisor responsibilities.

412.1.1 DEFINITIONS
Definitions related to this policy include:

**Hazardous material** - A substance characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizer which by its nature, containment, and/or reactivity, has the capability of inflicting harm during exposure and may pose a threat to health when improperly managed. Hazardous materials may include industrial, farming, or manufacturing chemicals, as well as other reactive substances or objects. Hazardous materials may be found in manufacturing facilities, storage facilities, or in transit between these sites. Hazardous materials may also be found as a result of illegal clandestine lab operations involved with the unlawful manufacture of methamphetamine, LSD, PCP, or other drugs, Ricin or other poisons, and homemade explosives such as triacetone triperoxide (TATP), Pentaerythritol tetranitrate (PETN) or any other improvised explosive devices.

412.2 POLICY
It is the policy of the Pierce County Sheriff's Department to respond to hazardous material emergencies with due regard for the safety of the public and those members responding to such incidents.

412.3 HAZARDOUS MATERIAL RESPONSE
Members may encounter situations involving suspected hazardous materials, such as at the scene of a traffic collision, chemical spill, or fire. When members come into contact with a suspected hazardous material, certain steps should be taken to protect themselves and other persons.

The fire department is the agency trained and equipped to properly respond to and mitigate most incidents involving hazardous materials and biohazards.

Responders should not perform tasks or use equipment without proper training. A responder entering the area may require decontamination before he/she is allowed to leave the scene, and should be evaluated by appropriate technicians and emergency medical services personnel for signs of exposure.

412.4 SCENE CONSIDERATIONS
The following steps should be considered at any scene involving suspected hazardous materials:
Hazardous Material Response

(a) Safely attempt to identify the material type, container, and size of the hazardous substance, and the current weather and environmental conditions at the scene. (Substance identification can be determined by placards, container labels, driver's manifest or statements from the person transporting or in possession of the suspected hazardous material).

(b) Notify the Fire Department, Regional Hazmat Response Team, and/or the Pierce County Sheriff Metro Lab Team as appropriate. Be prepared to provide all of the available information as listed above.

(c) Provide first-aid for injured parties if it can be done safely and without self-contamination, further exposure to others, or further dissemination of the hazardous material.

(d) Request decontamination support from responding hazmat units if anyone has been exposed to hazardous materials by contact, inhalation, or ingestion.

(e) Dependent upon the substance and other specific conditions, consider initiating an emergency public notification or evacuation, which may involve coordination through the Pierce County Department of Emergency Management (DEM).

(f) Direct responding units to approach the immediate scene only if necessary, and from a position that is uphill, upwind, and upstream of the hazardous material.

(g) Establish a perimeter around the scene that is consistent with its size and wind direction, and restrict all public access by foot, vehicle, water, or air.

(h) Establish a command post away from the immediate scene that is consistent with a position uphill, upwind, and upstream of the hazardous material.

(i) Assign or assume the position of Incident Commander consistent with the Incident Command System (ICS) or National Incident Management System (NIMS) protocols.

(j) Coordinate emergency first responder units to a staging area away from the scene that is consistent with a position that is uphill, upwind and upstream of the hazardous material.

(k) Establish a separate media staging area if necessary, that is positioned away from the incident scene, command post and emergency first responder staging areas.

(l) Establish joint communications with hazmat and law enforcement agencies, or assign communication liaisons officers to coordinate such.

412.5 REPORTING EXPOSURE

Department members who believe that they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the member in an incident report that shall be forwarded to the Shift Sergeant as soon as practical. Should the affected member be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the report.
Injury or illness caused or believed to be caused from exposure to hazardous materials shall be reported the same as any other on-duty injury or illness in addition to a crime report or incident report.

Hazardous material exposure can include direct clothing or skin contact, ingestion, or inhalation. The severity of contamination can depend on the amount of exposure, the specific substance encountered, and the duration of the exposure to a person or property.

Immediate decontamination by hazmat personnel and medical attention by qualified medical providers should be sought in situations of hazardous material exposure or contamination.

412.5.1 SUPERVISOR RESPONSIBILITIES

When a supervisor has been informed that a member has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action has been taken to mitigate the exposure or continued exposure.

To ensure the safety of members, PPE is available from supervisors. PPE items not maintained by the Department may be available through the appropriate fire department or emergency response team.
Response to Clandestine Drug Labs

413.1 PURPOSE AND SCOPE
CLANDESTINE LABORATORIES POSE AN EXTREME DANGER TO HUMAN LIFE AND THE ENVIRONMENT DUE TO TOXIC, CARCINOGENIC AND EXPLOSIVE SUBSTANCES FOUND IN MOST LABS. THE HEALTH RISKS FROM UNPROTECTED EXPOSURE TO ACTIVE OR INACTIVE LABS, LAB EQUIPMENT OR PERSONS ASSOCIATED WITH THE MANUFACTURE INCLUDE LUNG DISORDERS, CANCER AND DEATH. THEREFORE, ONLY PERSONNEL FROM THE HAZARDOUS RESPONSE TEAM WILL DISMANTLE OR PROCESS AN ACTUAL OR SUSPECTED CLANDESTINE LABORATORY SITE.

Personnel from the Hazardous Response Team will be mobilized when a clandestine laboratory involved in the manufacture of controlled substances is suspected or located. Command staff from the Special Investigation Unit or a HRT coordinator will be notified of any case involving a clandestine lab or the discovery or anticipated seizure of large quantities of methamphetamine. Hazardous Response Team personnel will coordinate their activities with the local, state and federal agencies that are required to dismantle and safely dispose of contraband and hazardous substances found at lab sites.

413.2 OPERATIONAL PROCEDURES
The general procedures set forth below are intended as guidelines for employees of the Pierce County Sheriff's Department. These procedures are not all inclusive, nor will they cover all situations. Although by far the most common clandestine laboratory involves the manufacture of methamphetamine, there are other clandestine drug manufacturing laboratories that may present a health, environmental, or explosive hazard due to the chemicals used or possible reaction by-products that may be improperly stored or discarded. These would include clandestine laboratories involved with the manufacture of such drugs as LSD, PCP, FENTANYL, or Butane Hash Oil. An additional danger is the readiness of some types of drugs which may be inhaled or absorbed through the skin resulting in serious injury or death from overdosing. Persons involved in the manufacture of clandestine drugs should be considered Potentially Dangerous due to the mood-altering effects of some of these drugs.

413.2.1 IMMEDIATE SITE CONSIDERATIONS
Chemicals and materials involved in the manufacture of controlled substances include items that are toxic, carcinogenic, and under certain circumstances, explosive.

Persons suspected of being associated with a clandestine lab should be considered potentially dangerous because of being contaminated and or under the influence of drugs.

Suspects or objects at or used in the operation of a lab may pose a contamination threat to personnel and equipment. The use of booby traps in the form of explosives, contamination traps and/or trip devices, may be present. Light switches and other electrical devices should not be disturbed.
Contamination may extend beyond the immediate environment due to factors such as wind, water run-off, site topography, or other factors. In addition animals, especially pets, coming and going from the scene are a potential contamination problem.

All officers at the scene should be aware of the presence strong odors, any liquids or suspicious containers, and any objects which are off-color or corroding. Officers should be aware that conditions could change as the weather gets warmer. Objects and persons may begin to smell, or give off gas when they are warmed. Changing conditions should be reported immediately.

Officers should be aware of themselves or others feeling nauseous, light-headed, or experiencing respiratory problems and report any symptoms to medical personnel.

413.2.2 GUIDELINES FOR PATROL
Persons that may have been contaminated by a lab, due to the possibility of crosscontamination and/or of unknowingly entering a hazardous contaminated environment are to be identified to the responding Hazardous Response Team Scene Supervisor and decontamination personnel. If needed, request medical aid. Protective equipment should be used as soon as possible.

A. Clear the immediate area and establish a perimeter to minimize further contamination.
B. Provide an accurate description of the scene to the supervisor. Identify an area suitable for a command post.
C. Request the Fire Department to respond to the area to provide support, if necessary.
D. Secure the area until relieved.
E. Stay out of the lab. Touch no more than is needed to safely control the scene.

413.2.3 GUIDELINES FOR THE FIELD SUPERVISOR
A. Contact the patrol unit(s) on the scene to assess the needs for additional support. Determine if department personnel or others have been contaminated.
B. Contact the Fire Department supervisor to coordinate information or support, if necessary.
C. Verify that the HRT supervisor has been notified. Coordinate the needs of the HRT with the HRT supervisor.
D. Insure that the perimeter is secure from unauthorized or unprotected persons and coordinate evacuation if necessary.
E. If a department vehicle has been contaminated, insure that it has been towed to the South Hill Precinct. Call the current decontamination contractor for a response. If a deputy’s uniform has been contaminated, insure that it has been double bagged and placed in a safe storage container at the precinct. Then notify Risk Management of the need for a decontamination pick-up. If any other smaller equipment has been contaminated, then insure that it has been treated for decontamination as appropriate.
413.2.4 GUIDELINES FOR THE COMMAND DUTY OFFICER
A. Notify appropriate command personnel.
B. Contact the patrol supervisor for updates and operational needs.
C. Determine the impact of the lab on other operations. Have operational needs respond or delivered to the scene.

413.2.5 GUIDELINES FOR THE HAZARDOUS RESPONSE TEAM SCENE SUPERVISOR
A. Contact the field supervisor and initial responding units at the scene.
B. Assume control of the laboratory scene and perimeter area and set up a decontamination site.
C. Coordinate activities at the site between the Law Enforcement, Fire, Hazmat, Departments of Ecology and Health or other agencies as needed.
D. See to the needs of suspected contaminated persons or equipment.
E. Organize a plan to process the scene, collect evidence and interview witnesses as necessary to conduct an investigation.

413.2.6 HANDLING OF CONTAMINATED OFFICERS AND OTHER SUBJECTS
A. Protective gloves should be worn when having physical contact with contaminated persons. Physical contact should be limited as much as possible.
B. A certified Hazardous Response Team member should be notified and briefed on the situation. The HRT member will determine whether decontamination by Haz-Mat will be necessary. Medical aid should be summoned.
C. Responding deputies, supervisors, and HRT member will be responsible for the safety and welfare of suspected contaminated persons. Those persons should be isolated from others, preferably outside and up-wind from the contaminated area.
D. If necessary, subjects will be separated from their contaminated clothing in a secure and safe environment prior to transport. If conditions exist that would preclude the subject’s immediate removal of their contaminated clothing in a safe and secure environment, they should be relocated to the nearest precinct in a disposable Tyvek suit and disposable gloves. There they will be separated from their contaminated clothing, using continued sensitivity to privacy and safety. The disposable suits and gloves should be treated as biohazard waste, and should not be used more than once. Transport should be similar to that for blood and airborne pathogens.
E. Contaminated department uniforms should be double-bagged and placed in protective containers at one of the two precincts. Contaminated vehicles will be towed to one of the two precincts and secured to await decontamination. The duty sergeant will insure that the proper procedures are followed for decontamination of equipment.
F. Potentially contaminated personal property found in the direct, immediate control of people located in a suspected lab environment (e.g. wallets, cell phones, cigarette lighters) which is not considered evidence will be double-bagged and returned to their control, or disposed of by
direction of a HRT member or the Department of Ecology. The Sheriff's Department will not seize non-evidentiary property that is in the legal control of its owner.

G. Transport procedures will be similar to that of blood and airborne pathogens, the rear windows cracked to vent air out and the fan on to let air in.
Redacted per RCW 42.56.240(1)
Response to Loud Parties

417.1 PURPOSE AND SCOPE
The purpose of this policy is to direct members regarding the Pierce County Sheriff's Department response to Loud Party complaints.

417.2 SOUTH SOUND 911 RESPONSIBILITY
When a citizen makes a loud party complaint to SS911, the complaint needs to be documented by SS911, whether it is the first or hundredth complaint. This documentation will include the complainant's name, address, phone number, and type of complaint.

417.3 RESPONDING OFFICER'S RESPONSIBILITY
Before a Deputy goes onto private property to handle a loud party complaint, he needs to establish probable cause to believe a crime has been committed.

After the responding officers have established probable cause that a violation of State laws or County ordinances is occurring in their presence, initial contact will be made. The main principals involved in the cause of the complaint should be identified, i.e., the property owner, the ticket takers, the bartenders, the managers of the event, the band, the sound system operators, and anyone who appears to have a part in staging or controlling the loud party. These persons all should be advised that their combined actions are creating a violation of a specific State statute or County ordinance. They should then be advised to quiet the party down. All names and times of notification to these people will be documented by the responding officers. The decision to issue an NOI or Criminal Citation, or warn that a return visit by officers will result in such action, is at the discretion of the responding officer(s).

417.3.1 VIOLATIONS WHICH OCCUR IN THE OFFICER'S PRESENCE
While the responding officers are at the party, whether it is the first or the second contact, officers may cite or arrest for any violations of the law which occur in their presence. Citations are preferable to arrests as they reduce the "downtime" of an officer making an arrest. The following procedures are recommended:

1 Advise the subject of the nature of the crime we suspect him of violating;
2 Advise the subject of your belief he is committing a crime;
3 Advise the subject of his Miranda warnings;
4 Advise him that he will be given a criminal citation for the above offenses;
5 Ask for his name and address, ask for positive identification from the subject, issue a citation;
6. If the subject refuses to give his name, address, etc., advise him that you will have to take him into physical custody. Make the appropriate arrest at that time.
Response to Loud Parties

417.3.2 SUBSEQUENT VISITS TO THE SAME PARTY
Upon receiving additional complaints of a loud party, as specified in applicable PCC and RCW sections, officers will again respond. If probable cause is established on the second visit, all controlling people will then be cited and/or arrested for violations of law, and the party will be closed down. An announcement will be made to all party-goers that the party is over and all must leave, and those who choose not to leave will be cited for Aiding and Abetting, Disturbing the Peace or other applicable ordinances. The people will then be allowed ample time to leave the party site. After that, those remaining will be cited using the procedure outlined above.

417.3.3 MULTIPLE CITATIONS AND/OR ARRESTS
If it appears that several individuals will be cited or arrested at the party site, the supervisor in charge should request a unit with a camera so that each officer can be photographed with the person that he has arrested or cited. A card should indicate the type of incident the person has been arrested or cited for. All responding officers must write a report before they go off shift detailing the actions they took while at the site. The supervisor at the scene will ensure that one person is responsible for gathering all of the evidence and booking the evidence into the Pierce County Property Room. The supervisor will also write a supplementary report indicating how many and what officers were at the scene. He will ensure that all reports are written before these officers go off duty.
Emergent Detentions

418.1 PURPOSE AND SCOPE
This policy provides guidelines for when deputies may place an individual under an emergent detention (RCW 71.05.153).

418.2 POLICY
It is the policy of the Pierce County Sheriff's Department to protect the public and individuals through legal and appropriate use of the emergent detention process.

418.3 MENTAL HEALTH DETENTIONS

(a) A non-emergency detention is defined as one where the mentally disabled subject presents a likelihood of serious harm; or is gravely disabled. In such cases, deputies may take the subject into custody only when:

- The mentally disabled person has been evaluated by a designated mental health professional; and
- Upon determining the need for detention, the mental health professional has filed a petition for initial detention; and
- The mental health professional has requested that the deputy take the subject into custody and have him or her placed in a treatment facility (RCW 71.05.150).

(b) An emergency detention is defined as one where, as the result of a mental disorder a person presents an imminent likelihood of serious harm, or is in imminent danger because of being gravely disabled. In such cases, deputies may take the subject into custody only when:

1. At the written or oral request of a designated mental health professional who has evaluated the subject and determined the need for an emergent detention, or
2. When the deputy has reasonable cause to believe that the person is in need of emergent detention. (RCW 71.05.153)

(c) Emergency detentions based upon the written or oral request of a designated mental health professional evaluation will be 72-hour holds. Emergency detentions based upon the deputy’s reasonable cause will be 12-hour holds.

(d) The Deputy will provide a written summary to an Emergency Department staff member regarding the circumstances leading to the involuntary detention.

(e) In all circumstances where a person is taken into custody on a mental health detention, the deputy shall submit an incident report in accordance with the Report Preparation Policy.
418.4 AUTHORITY
A deputy who has reasonable cause to believe that a person is suffering from a mental disorder or a substance abuse disorder and presents an imminent likelihood of serious harm, or is in imminent danger because of being gravely disabled, may take the person into emergent detention and immediately transport the person to a triage facility, crisis stabilization unit, evaluation and treatment facility, secure detoxification facility, approved substance use disorder treatment program, or the emergency department of a local hospital (RCW 71.05.153).

A deputy may also take a person into emergent detention and deliver the person to an evaluation and treatment facility upon the written or oral request of a crisis responder designated by the county or other authority who has determined that the person, as the result of a mental disorder or substance abuse disorder, presents an imminent likelihood of serious harm, or is in imminent danger because of being gravely disabled (RCW 71.05.153).

A deputy shall take a person who is the subject of a written court order for apprehension issued pursuant to RCW 71.05.201 into initial detention, and transport the person to the designated facility or emergency room as determined by the designated crisis responder (RCW 71.05.201).

418.4.1 VOLUNTARY EVALUATION
If a deputy encounters an individual who may qualify for an emergent detention, he/she may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the individual so desires, the deputies should:

(a) Have the individual transported to an appropriate facility that is able to conduct the evaluation and admit the person pursuant to emergent detention.

(b) If at any point the individual changes his/her mind regarding voluntary evaluation deputies should proceed with the emergent detention, if appropriate.

(c) Document the circumstances surrounding the individual’s desire to pursue voluntary evaluation and/or admission.

418.5 DEPUTY CONSIDERATIONS AND RESPONSIBILITIES
Any deputy responding to or handling a call involving a suspected or actual mentally disabled individual should carefully consider the following (RCW 71.05.010):

(a) Available information which might assist in determining the cause and nature of the mental illness or developmental disabilities.

(b) Conflict resolution and de-escalation techniques for potentially dangerous situations involving mentally disabled person.

(c) Appropriate language usage when interacting with mentally disabled persons.

(d) If circumstances permit, alternatives to deadly force when interacting with potentially dangerous mentally disabled persons.
Emergent Detentions

(e) Community resources which may be readily available to assist with the mentally disabled individual(s).

While these steps are encouraged, nothing in this section is intended to dissuade deputies from taking reasonable action to ensure the safety of the deputies and others.

Emergent detentions should be preferred over arrest for individuals with mental disorders, who are suspected of committing minor crimes or creating other public safety issues.

418.6 TRANSFER TO APPROPRIATE FACILITY
When transporting any individual for a commitment, the handling deputy should have South Sound 911 notify the receiving facility of the estimated time of arrival, the level of cooperation of the patient and whether or not any special medical care is needed.

Deputies may transport patients in the patrol unit and shall secure them in accordance with the handcuffing policy. Violent patients or those that are medically unstable may be restrained if appropriate and transported by ambulance and ambulance personnel. The deputy will escort the patient into the facility and assist the medical staff placing that person in a designated treatment room.

418.6.1 RESTRAINTS
If the patient is violent or potentially violent, the deputy will notify the staff of this concern. The staff member in charge will have discretion as to whether soft-restraints will be used. If these restraints are desired, the deputy will wait while they are being applied to help provide physical control of the patient, if needed.

418.6.2 SECURING OF WEAPONS
If a receiving and secured facility prohibits weapons, deputies shall secure the firearm(s) in the appropriate gun locker at the facility or in the Sheriff's department vehicle.

418.7 DOCUMENTATION
The deputy should complete an application for emergency admission and provide it to the facility staff member assigned to the individual.

When requested the deputy should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary emergent detention.

418.8 CRIMINAL OFFENSES
When a deputy who has reasonable cause to believe that the individual has committed acts constituting a non-felony crime that is not a serious offense, as identified in RCW 10.77.092, and the individual is known to suffer from a mental disorder, the deputy may (RCW 10.31):

(a) Take the individual to a crisis stabilization unit. Individuals delivered to a crisis stabilization unit pursuant to this section may be held by the facility for a period of up to 12 hours.
Emergent Detentions

(b) Refer the individual to a mental health professional for evaluation for initial detention and proceeding under RCW Chapter 71.05.

(c) Release the individual upon agreement to voluntary participation in outpatient treatment.

Deputies are immune from liability for any good faith conduct under this section.

Any person charged with a misdemeanor crime that is not a serious offense as defined in RCW 10.77.092, who also appears to suffer from mental illness or a significant developmental disability requiring high intensity behavior management, should not be booked at the Pierce County Sheriff's Department Jail. An exception to this can occur with a consultation between the Corrections and Law Enforcement Supervisors. In the alternative, the person may be diverted to a crisis stabilization unit or emergency room. If the person has injuries or some other medical condition, he/she may be taken directly to the hospital.

Any person charged with a misdemeanor crime that is a serious offense as defined in RCW 10.77.092, or a felony crime, shall be booked into Pierce County Sheriff's Department Jail.

418.9 FIREARMS AND OTHER WEAPONS

Whenever a person has been detained or apprehended for examination and is found to have in his/her possession or immediate control, any firearm or other dangerous weapon, and the handling deputy reasonably believes the weapon represents a danger to the person or others if the person is released, the firearm or other dangerous weapon may be taken into temporary custody for safekeeping. Any weapon seized shall be booked into property pending disposition.

If the detained subject is prohibited from possessing or carrying a firearm pursuant to RCW 9.41.040, the firearm should be seized as evidence. Deputies shall document the violation in a crime report.

This policy does not provide a deputy with the authority or permission to conduct a search for weapons beyond that allowed under the law. Deputies are cautioned that a search warrant may be needed before entering a residence to search unless lawful, warrantless entry has already been made (e.g., exigent circumstances, valid consent).

Whenever the handling deputy or the assigned detective has cause to believe that the future return of any confiscated weapon might endanger the person or others, the deputy shall detail those facts and circumstances in a report and direct the property officer to hold the weapons pending judicial review. The handling deputy shall further advise the person of the below described procedure for the return of any firearm or other dangerous weapon which has been confiscated.

418.9.1 RETURN OF CONFISCATED FIREARMS AND WEAPONS

Weapons taken into custody for safekeeping under section 418.4 will be returned to the lawful owner upon request unless the seizing deputy or the assigned detective has placed a hold on the weapons pending a petition for retention, the petition has been granted, or is pending before the court. Once the petition has been ruled on by the court, the weapons will be released or disposed of in accordance with the court order.
Emergent Detentions

Prior to releasing any weapon, Property and Evidence Section personnel shall be required to ensure the person is legally eligible to possess the weapon.

In the event that no timely petition is filed with the court or the court denies such a petition, the seized weapon shall be eligible for release to the lawful owner or other authorized individual unless such weapon(s) represent evidence in a criminal matter or there is other independent good cause to continue to retain custody of the weapon. Refer to Department Memo 16-040; Release of Firearms/Notification Protocol.

418.10 TRAINING

This department will endeavor to provide department-approved training on interaction with mentally disabled persons, emergent detentions and crisis intervention.
Citation Releases

420.1 PURPOSE AND SCOPE
The purpose of this policy is to provide members of the Pierce County Sheriff's Department with guidance on when to release adults who are suspected offenders on a citation and notice to appear in court for a criminal offense, rather than having the person held in custody for a court appearance or released on bail.

Response to non-serious violations of law which come to the attention of a member may include arrest, citation, warning or advisement. A member must judge which response is appropriate in light of the circumstances and Department policy, and not by personal feelings of the member.

Members will not issue citations if a subject cannot or will not provide satisfactory identification.

When a citation is issued, it should be clearly understood by the subject that this procedure is not a right, but is issued at the discretion of the member.

420.2 POLICY
The Pierce County Sheriff's Department will consider its resources and its mission of protecting the community when exercising any discretion to release suspected offenders on a citation and notice to appear in court, when authorized to do so.

420.3 RELEASE
A suspected offender may be released on issuance of a citation and notice to appear in court by a deputy whenever a person is arrested or could have been arrested pursuant to statute for a violation of law which is punishable as a misdemeanor or gross misdemeanor (Criminal Rules, CrRLJ 2.1(b)(1)).

420.3.1 JAIL RELEASE
In certain cases, it may be impractical to release a person arrested for misdemeanor offenses in the field. At the arresting Deputy's discretion, the person arrested may instead be released from the jail following the jail protocol for the SIP booking process.

SIP bookings shall be released on his/her written promise to appear after the booking procedure is completed, taking into account the listed considerations.

420.3.2 INSTRUCTIONS TO CITED PERSON
The citing deputy shall, at the time he/she issues the defendant the notice to appear, call attention to the time and place for appearance and take any other steps he/she deems necessary to ensure that the defendant understands his/her written promise to appear.

420.4 PROHIBITIONS
The release of a suspected offender on a citation and notice to appear is not permitted when:

(a) A person has been arrested pursuant to RCW 10.31.100(2) (restraining orders)
(b) An officer has probable cause to believe that the person arrested has violated RCW 46.61.502 (DUI) or RCW 46.61.504 (physical control of a vehicle while DUI) or equivalent local ordinance and the officer has knowledge that the person has a prior offense as defined in RCW 46.61.5055 (alcohol and drug violators) within the last 10 years, or that the person is charged with or is awaiting arraignment for an offense that would qualify as a prior offense under RCW 46.61.5055 if it were a conviction (RCW 10.31.100; Criminal Rules, CrRLJ 3.2(o)(3)).

See the Domestic Violence Policy for release restrictions related to those investigations.

420.5 CONSIDERATIONS
In determining whether to cite and release a person, deputies shall consider whether (Criminal Rules, CrRLJ 2.1(b)(2)):

(a) The suspected offender has identified him/herself satisfactorily.

(b) Detention appears reasonably necessary to prevent imminent bodily harm to the suspected offender or another, property damage or breach of the peace.

(c) The suspected offender has ties to the community reasonably sufficient to assure his/her appearance or whether there is substantial likelihood that he/she will refuse to respond to the citation and notice.

(d) The suspected offender previously has failed to appear in response to a citation and notice issued pursuant to the court rule or to other lawful process.

420.6 JUVENILE CITATIONS
Completion of criminal citations for juveniles (who have not yet reached their eighteenth birthday) is generally not appropriate with the following exceptions:

- Misdemeanor traffic violations of the RCW (Juveniles having reached their sixteenth birthday).
- Violations of the Pierce County codes.

All other misdemeanor violations for juveniles shall be documented with a case number and the case should be referred to the Criminal Investigations Division for further action including diversion.

420.7 ARREST REPORT REQUIRED
Whenever an employee of the Sheriff's Department releases an individual with a criminal citation for a misdemeanor or gross misdemeanor offense, including for traffic situations and local code violations, they must request a case number and document the arrest and release in an official arrest report.
Arrest or Detention of Foreign Nationals

422.1 PURPOSE AND SCOPE
This policy provides guidelines to ensure that members of the Pierce County Sheriff's Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

422.2 POLICY
The Pierce County Sheriff's Department respects international laws and bilateral agreements to which the United States is a party related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

422.3 CLAIMS OF IMMUNITY
If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

(a) Notify a supervisor.
(b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person’s status.
(c) Request the person’s identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.
(d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089, or at another current telephone number and inform the center of the circumstances.
(e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating “US” as the state.

422.3.1 IN-CUSTODY ARRESTS
Diplomatic agents and consular officers are immune from arrest or detention (unless they have no identification and the detention is to verify their diplomatic status). Proper identification of immunity claimants is imperative in potential in-custody situations.
422.4 ENFORCEMENT ACTION
If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

(a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear.

(b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.

(c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.

1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving may proceed but they shall not be compelled.

(d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:

1. Diplomatic-level staff of missions to international organizations and recognized family members
2. Diplomatic agents and recognized family members
3. Members of administrative and technical staff of a diplomatic mission and recognized family members
4. Career consular officers, unless the person is the subject of a felony warrant

(e) The following persons may generally be detained and arrested:

1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
2. Support staff of missions to international organizations
3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
4. Honorary consular officers

422.5 DOCUMENTATION
All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

422.6 DIPLOMATIC IMMUNITY TABLE
Reference table on diplomatic immunity:
## Arrest or Detention of Foreign Nationals

<table>
<thead>
<tr>
<th>Category</th>
<th>Arrested or Detained</th>
<th>Enter Residence Subject to Ordinary Procedures</th>
<th>Issued Traffic Citation</th>
<th>Subpoenaed as Witness</th>
<th>Prosecuted</th>
<th>Recognized Family Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Diplomatic Agent</td>
<td>No (note b)</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Same as sponsor (full immunity &amp; inviolability)</td>
</tr>
<tr>
<td>Member of Admin and Tech Staff</td>
<td>No (note b)</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Same as sponsor (full immunity &amp; inviolability)</td>
</tr>
<tr>
<td>Service Staff</td>
<td>Yes (note a)</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No for official acts. Yes otherwise (note a.)</td>
<td>No immunity or inviolability (note a)</td>
</tr>
<tr>
<td>Career Consul Officer</td>
<td>Yes if for a felony and pursuant to a warrant (note a)</td>
<td>Yes (note d)</td>
<td>Yes</td>
<td>No for official acts. Testimony may not be compelled in any case.</td>
<td>No for official acts. Yes otherwise (note a.)</td>
<td>No immunity or inviolability</td>
</tr>
<tr>
<td>Honorable Consul Officer</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No for official acts. Yes otherwise.</td>
<td>No for official acts. Yes otherwise.</td>
<td>No immunity or inviolability</td>
</tr>
<tr>
<td>Consulate Employees</td>
<td>Yes (note a)</td>
<td>Yes</td>
<td>Yes</td>
<td>No for official acts. Yes otherwise.</td>
<td>No for official acts. Yes otherwise (note a.)</td>
<td>No immunity or inviolability (note a)</td>
</tr>
<tr>
<td>Int'l Org Staff (note b)</td>
<td>Yes (note c)</td>
<td>Yes (note c)</td>
<td>Yes</td>
<td>Yes (note c)</td>
<td>No for official acts. Yes otherwise (note c.)</td>
<td>No immunity or inviolability</td>
</tr>
<tr>
<td>Diplomatic-Level Staff of Missions to Int'l Org</td>
<td>No (note b)</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Same as sponsor (full immunity &amp; inviolability)</td>
</tr>
<tr>
<td>Support Staff of Missions to Int'l Orgs</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No for official acts. Yes otherwise.</td>
<td>No immunity or inviolability</td>
</tr>
</tbody>
</table>

Notes for diplomatic immunity table:
Arrest or Detention of Foreign Nationals

(a) This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.

(b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or in the prevention of serious criminal acts.

(c) A small number of senior officers are entitled to be treated identically to diplomatic agents.

(d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.
428  Immigration Violations

428.1  PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines to members of the Pierce County Sheriff's Department when they encounter individuals who may have violated immigration laws. Undocumented presence, in and of itself, is not a criminal violation.

428.2  POLICY
The Department of Homeland Security has primary jurisdiction for enforcement of the provisions of Title 8, United States Code (U.S.C.) dealing with illegal entry. When assisting DHS at its specific request, or when suspected criminal violations are discovered as a result of inquiry or investigation based on probable cause originating from activities other than the isolated violations of Title 8, U.S.C., §§ 1304, 1324, 1325 and 1326, this department may assist in the enforcement of federal immigration laws.

However, a request from DHS does not provide legal basis to stop or detain an individual, or to prolong the detention of an individual. Deputies must have an independent legal basis to stop or detain any individual. It is the policy of this department that members do not ask about immigration status unless it is directly related to the crime being investigated.

428.3  VICTIMS AND WITNESSES
To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and without regard to race, color or national origin in any way that would violate the United States or Washington Constitutions.

428.4  ENFORCEMENT
A deputy should not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant.

Citizens wishing to report immigration violations should be referred to the local office of the U.S. Immigration and Customs Enforcement (ICE). PCSD staff should not call ICE on their behalf. The Employer Sanction Unit of ICE has primary jurisdiction for enforcement of such immigration violations under Title 8, U.S.C.

428.4.1  CIVIL VS. CRIMINAL FEDERAL OFFENSES
Generally, an alien who initially made a legal entry into the United States but has remained beyond what is a legal period of time has committed a federal civil offense.
428.5 ARREST NOTIFICATION TO IMMIGRATION AND CUSTOMS ENFORCEMENT
Generally, a deputy will not need to notify ICE when booking arrestees at the county jail. Immigration officials routinely interview suspected undocumented aliens who are booked into the county jail on criminal charges. Notification will be handled according to jail operation procedures. An individual who is otherwise ready to be released shall not continue to be detained solely for the purpose of notification.

428.6 ICE REQUEST FOR ASSISTANCE
Requests by ICE, or any other federal agency, for assistance from this department should be directed to a supervisor. The Department may provide available support services, such as traffic control or peacekeeping efforts, to ICE or other federal agencies. Department members will not take an active role in immigration enforcement activities while assisting ICE or other federal agencies.

428.7 INFORMATION SHARING
No member of this department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373):

(a) Sending information to, or requesting or receiving such information from ICE
(b) Maintaining such information in department records
(c) Exchanging such information with any other federal, state or local government entity

428.7.1 IMMIGRATION HOLDS
An individual shall not be held based solely on a federal immigration detainer under 8 CFR 287.7 unless the person has been charged with a federal crime or the detainer is accompanied by a judicial warrant, or removal order. Notification to the federal authority issuing the detainer should be made prior to the release. The appropriate warrant will say "United States District Court" across the top and will be signed by a Federal Judge or Magistrate Judge. A warrant from Immigration Court signed by an Immigration Judge or by an Immigration Officer is not legally sufficient.

428.8 U VISA AND T VISA NON-IMMIGRANT STATUS
Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)). Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)).

Any certification for U visa or T visa status should be forwarded in a timely manner to the Criminal Investigations Bureau supervisor assigned to oversee the handling of any related case. The Criminal Investigations Bureau supervisor should:
Immigration Violations

(a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.

(b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.

(c) Address the request and complete the certification or declaration, if appropriate, in a timely manner.

1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.

(d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.

428.9 TRAINING
The Training Division shall ensure that all appropriate members receive immigration training.
Patrol Rifles

432.1 PURPOSE AND SCOPE
In order to more effectively and accurately address the increasing level of fire power and body armor utilized by criminal suspects, the Sheriff's Department assigns patrol rifles to qualified patrol deputies as an additional and more immediate tactical resource.

432.2 PATROL RIFLE

432.2.1 DEFINITION
A patrol rifle is an authorized weapon which is owned by the Department and which is made available to properly trained and qualified deputies as a supplemental resource to their duty handgun or shotgun.

Commissioned deputies who have requested that they be allowed to carry personally owned rifles may do so only under the conditions set forth in their respective collective bargaining agreement and of the approved caliber.

432.3 SPECIFICATIONS
Only weapons and ammunition that meet agency authorized specifications, approved by the Sheriff may be used by deputies in their law enforcement responsibilities.

432.4 RIFLE MAINTENANCE
(a) The assigned deputy is responsible for the cleaning, maintenance and "serviceability" of the weapon. It is their responsibility to advise the Rangemaster/Armorer if they are having problems with the weapon.

(b) Each patrol deputy carrying a patrol rifle may be required to field strip and clean their patrol rifle as needed.

432.5 TRAINING
Deputies shall not carry or utilize the patrol rifle unless they have successfully completed department training.

Any deputy who fails to qualify with a patrol rifle or shot gun shall not use said weapon in the scope of their duties. The foregoing restrictions shall remain in effect until the officer complies with the Department firearm remedial training requirements and demonstrates the stated minimum shooting proficiency.

432.6 DEPLOYMENT OF THE PATROL RIFLE
Deputies may deploy the patrol rifle in any circumstance where the deputy can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:
Patrol Rifles

(a) Situations where the deputy reasonably anticipates an armed encounter.

(b) When a deputy is faced with a situation that may require the delivery of accurate and effective fire at long range.

(c) Situations where a deputy reasonably expects the need to meet or exceed a suspect's firepower.

(d) When a deputy reasonably believes that there may be a need to deliver fire on a barricaded suspect or a suspect with a hostage.

(e) When a deputy reasonably believes that a suspect may be wearing body armor.

(f) When authorized or requested by a supervisor.

(g) When needed to euthanize an animal.

432.7 DISCHARGE OF THE PATROL RIFLE
When an Officer discharges a patrol rifle at any time, other than at an approved range, they shall immediately notify an on duty supervisor. If the discharge was accidental and no persons were injured and were not in immediate danger the Officer shall complete a written report. If the discharge was during the use of deadly force then the Officer Involved Traumatic Incident Policy (§310) shall be followed.

Supervisors shall make immediate notification to the proper personnel in the case of an unscheduled firearm discharge. All unscheduled firearms discharges except those on the range shall be reviewed by the Board of Professional Standards (§ 302). Firearms incidents on the range may be referred to the Board of Professional Standards.

432.8 PATROL READY
Any qualified deputy carrying a patrol rifle in the field shall maintain the weapon in a patrol ready condition until deployed. A rifle is considered in a patrol ready condition when it has been inspected by the assigned deputy, the fire selector switch is in the safe position, the chamber is empty and a fully loaded magazine is inserted into the magazine well.

432.9 RIFLE STORAGE
The department shall purchase and install locking racks for patrol rifles in deputy's assigned vehicles. When a rack has not been installed in the deputy's department vehicle, the department will purchase and issue a protective case for the patrol rifle. It is the responsibility of the deputy to ensure security of the weapon in their vehicle at all times. This may necessitate the removal of all weapons from their department vehicle at the end of their shift. (MOU - Weapons and Ammunition Policy 4/12/2004)
Aircraft Accidents

434.1 PURPOSE AND SCOPE
The purpose of this policy is to provide department members with guidelines for handling aircraft accidents.

This policy does not supersede, and is supplementary to, applicable portions of the Crime and Disaster Scene Integrity, Continuity of Operations Plan, and Hazardous Material Response policies.

434.1.1 DEFINITIONS
Definitions related to this policy include:

**Aircraft** - Any fixed wing aircraft, rotorcraft, balloon, blimp/ dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle other than those intended for non-commercial recreational use.

**Aircraft accident** - means an occurrence associated with the operation of an aircraft which takes place between the time any person boards the aircraft with the intention of flight and all such persons have disembarked, and in which any person suffers death or serious injury, or in which the aircraft receives substantial damage.

**Unmanned aircraft accident** - means an occurrence associated with the operation of any public or civil unmanned aircraft system that takes place between the time that the system is activated with the purpose of flight and the time that the system is deactivated at the conclusion of its mission, in which:

1. Any person suffers death or serious injury; or
2. The aircraft has a maximum gross takeoff weight of 300 pounds or greater and sustains substantial damage.

434.2 POLICY
It is the policy of the Pierce County Sheriff's Department to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

434.3 ARRIVAL AT SCENE
Deputies or other authorized members tasked with initial scene management should establish an inner and outer perimeter to:

(a) Protect persons and property.
(b) Prevent any disturbance or further damage to the wreckage or debris, except to preserve life or rescue the injured.
(c) Preserve ground scars and marks made by the aircraft.
(d) Manage the admission and access of public safety and medical personnel to the extent necessary to preserve life or to stabilize hazardous materials.
Aircraft Accidents

(e) Maintain a record of persons who enter the accident site.

(f) Establish Incident Command System (ICS).

434.4 INJURIES AND CASUALTIES
Members should address emergency medical issues and provide care as a first priority. Those tasked with the supervision of the scene should coordinate with the National Transportation Safety Board (NTSB)’s 24-hour Response Operations Center (ROC) at 844-373-9922 or NTSB’s Investigator before aircraft debris is moved or destroyed. If that is not possible, the scene supervisor should ensure documentation of what was disturbed, including switch/control positions and instrument/gauge readings.

434.5 NOTIFICATIONS
When an aircraft accident is reported to this department, the responding supervisor shall ensure notification is or has been made to the Federal Aviation Administration (FAA) FAA Duty Officer 425-227-1999 and the NTSB’s 24-hour Response Operations Center (ROC) at 844-373-9922, when applicable, the appropriate branch of the military. Supervisors shall ensure other notifications are made once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and the type of aircraft involved. When an aircraft accident has occurred, it is generally necessary to notify the following:

(a) Fire department
(b) Appropriate airport tower
(c) Emergency medical services (EMS)

434.6 CONTROLLING ACCESS AND SCENE AUTHORITY
Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

(a) FAA.
(b) Fire department, EMS or other assisting law enforcement agencies.
(c) Medical Examiner.
(d) Air Carrier/Operators investigative teams with NTSB approval.
(e) Appropriate branch of the military, when applicable.
(f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.
After the NTSB or military representative arrives on-scene, the efforts of this department will shift to a support role for those agencies.

If NTSB or a military representative determines that an aircraft or accident does not qualify under its jurisdiction, the on-scene department supervisor should ensure the accident is still appropriately investigated and documented.

434.7 DANGEROUS MATERIALS
Members should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

(a) Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordnance.
(b) Pressure vessels, compressed gas bottles, accumulators and tires.
(c) Fluids, batteries, flares and igniters.
(d) Evacuation chutes, ballistic parachute systems and composite materials.

434.8 DOCUMENTATION
All aircraft accidents occurring within the County of Pierce shall be documented in a general report. At a minimum the documentation should include the date, time and location of the incident; any witness statements, if taken; the names of PCSD members deployed to assist; other County resources that were utilized; and cross reference information to other investigating agencies.

434.8.1 WRECKAGE
When reasonably safe, members should:

(a) Obtain the aircraft registration number (N number) and note the type of aircraft.
(b) Attempt to ascertain the number of casualties.
(c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.
   1. Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).
(d) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged or cell phones or other recording devices that are part of the wreckage.
(e) Acquire copies of any recordings from security cameras that may have captured the incident.

434.8.2 WITNESSES
Members tasked with contacting witnesses should obtain:
Aircraft Accidents

(a) The location of the witness at the time of his/her observation relative to the accident site.

(b) A detailed description of what was observed or heard.

(c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.

(d) The names of all persons reporting the accident, even if not yet interviewed.

434.9 MEDIA RELATIONS
The Public Information Officer (PIO) should coordinate a response to the media, including access issues, road closures, detours and any safety information that is pertinent to the surrounding community. Any release of information regarding details of the accident itself should be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims’ names. The PIO should coordinate with other involved entities before the release of information.
Field Training Officer Program

436.1 PURPOSE AND SCOPE
The Field Training Officer Program is intended to provide a standardized program to facilitate transition from the academic setting to the actual performance of general law enforcement or corrections duties of the Sheriff's Department.

436.2 FIELD TRAINING OFFICER SELECTION AND TRAINING
The Field Training Officer (FTO) is an experienced Law Enforcement Officer (LEO) trained in the art of supervising, training and evaluating entry level and lateral LEO's in the application of their previously acquired knowledge and skills.

436.2.1 TRAINING
A LEO selected as a Field Training Officer shall successfully complete a CJTC Certified Field Training Officer's Course prior to being assigned as a FTO.

436.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR

436.3.1 LAW ENFORCEMENT DEPUTIES / ANIMAL CONTROL OFFICERS
The Training Sergeant is the Field Training Officer Programs Manager. Under the direction of the Training Lieutenant, he has supervisory responsibility and authority for the management of the Field Training Officer Program. He will direct and monitor all activities related to the program.

436.3.2 CORRECTIONS DEPUTIES
The Corrections Training Deputy is the Field Training Officer Programs Coordinator. Under the direction of the Captain charged with training, he has supervisory responsibility and authority for the management of the Field Training Officer Program. He will direct and monitor all activities related to the program.

436.4 REQUIRED TRAINING
Entry level LEO's shall be required to successfully complete the Field Training Program.

The training period for LEO's may be modified depending on the trainee's demonstrated performance and level of experience.

436.5 DOCUMENTATION
All documentation of the Field Training Program will be retained in the LEO's training files and will consist of the following:

(a) Daily Observation Reports.
(b) Final Phase Observation Reports.
(c) Field Training and Evaluation Program Requirement Checklist.
(d) LEO's Procedures Checklist.
(e) Completion documentation certifying that the trainee has successfully completed the requirements of the FTO program.
Obtaining Air Support

438.1 PURPOSE AND SCOPE
The use of a police helicopter/fixed wing can be invaluable in certain situations. This policy specifies potential situations where the use of an aircraft may be requested and the responsibilities for making a request.

438.2 REQUEST FOR HELICOPTER ASSISTANCE
If a supervisor or deputy in charge of an incident determines that the use of an aircraft would be beneficial, a request to obtain air assistance may be made.

438.2.1 REQUEST FOR ASSISTANCE FROM ANOTHER AGENCY
After consideration and approval of the request for a helicopter or fixed wing aircraft, attempts should be made to first utilize local assets that are already airborne. If there are no aircraft readily available, the air unit supervisor, chief pilot, or lead Tactical Flight Officer (TFO) should be contacted regarding a call out. Decisions will be made on whether or not to call out a crew based upon aviation weather, crew availability and type of mission.

438.2.2 CIRCUMSTANCES UNDER WHICH AID MAY BE REQUESTED
Law Enforcement Aircraft may be requested under any of the following conditions:

(a) When the aircraft is activated under existing mutual aid agreements.
(b) Whenever the safety of law enforcement personnel is in jeopardy and the presence of the aircraft may reduce such hazard.
(c) When the use of the aircraft will aid in the capture of a suspect fleeing a crime whose continued freedom represents an ongoing threat to the community.
(d) When an aircraft is needed to locate a person who has strayed or is lost and whose continued absence constitutes a serious health or safety hazard.
(e) Vehicle pursuits.
(f) Department aircraft flying scheduled patrol missions may be requested by any patrol deputy for assistance.
(g) Other conditions when requesting the use of an aircraft will be reviewed on a case by case basis.
Contacts and Temporary Detentions

440.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews (FI) and pat-down searches, and the taking and disposition of photographs.

440.1.1 DEFINITIONS
Consensual encounter - When a deputy contacts an individual but does not create a detention through words, actions, or other means. In other words, a reasonable individual would believe that his/her contact with the deputy is voluntary and that he/she is free to leave.

Field interview (FI) - The brief detention of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purposes of determining the individual's identity and resolving the deputy's suspicions.

Field photographs - Posed photographs taken of a person during a contact, detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio Video (MAV) system, body-worn camera, or public safety camera when persons are not posed for the purpose of photographing are not considered field photographs.

Pat-down search - A type of search used by deputies in the field to check an individual for dangerous weapons. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the deputy, the detainee, or others.

Reasonable suspicion - When, under the totality of the circumstances, a deputy has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

Temporary detention - When a deputy intentionally, through words, actions or physical force, causes an individual to reasonably believe he/she is required to restrict his/her movement without an actual arrest. Temporary detentions also occur when a deputy actually restrains a person’s freedom of movement.

440.2 FIELD INTERVIEWS
Based on observance of suspicious circumstances or upon information from investigation, a deputy may initiate the stop of a person, and conduct an FI, when there is articulable, reasonable suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the deputy’s suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the Pierce County Sheriff's Department to strengthen community involvement, community awareness, and problem identification.
440.2.1 INITIATING A FIELD INTERVIEW
When initiating the stop, the deputy should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the stop. Such facts include but are not limited to an individual's:

(a) Appearance or demeanor suggesting that he/she is part of a criminal enterprise or is engaged in a criminal act.
(b) Actions suggesting that he/she is engaged in a criminal activity.
(c) Presence in an area at an inappropriate hour of the day or night.
(d) Presence in a particular area is suspicious.
(e) Carrying of suspicious objects or items.
(f) Excessive clothes for the climate or clothes bulging in a manner that suggests he/she is carrying a dangerous weapon.
(g) Location in proximate time and place to an alleged crime.
(h) Physical description or clothing worn that matches a suspect in a recent crime.
(i) Prior criminal record or involvement in criminal activity as known by the deputy.

440.3 PAT-DOWN SEARCHES
Once a valid stop has been made, and consistent with the deputy’s training and experience, a deputy may pat a suspect’s outer clothing for weapons if the deputy has a reasonable, articulable suspicion the suspect may pose a safety risk. The purpose of this limited search is not to discover evidence of a crime, but to allow the deputy to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include but are not limited to the following:

(a) The type of crime suspected, particularly in crimes of violence where the use or threat of deadly weapons is involved.
(b) Where more than one suspect must be handled by a single deputy.
(c) The hour of the day and the location or neighborhood where the stop takes place.
(d) Prior knowledge of the suspect's use of force and/or propensity to carry weapons.
(e) The actions and demeanor of the suspect.
(f) Visual indications which suggest that the suspect is carrying a firearm or other dangerous weapon.

Whenever practicable, pat-down searches should not be conducted by a lone deputy. A cover deputy should be positioned to ensure safety and should not be involved in the search.

440.4 FIELD PHOTOGRAPHS
All available databases should be searched before photographing any field detainee. If a photograph is not located, or if an existing photograph no longer resembles the detainee, the deputy shall carefully consider, among other things, the factors listed below.
Contacts and Temporary Detentions

440.4.1 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT
Field photographs may be taken without consent only if they are taken during a detention that is based on reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. The deputy must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct. The subject should not be ordered to remove or lift any clothing for the purpose of taking a photograph.

If, prior to taking a photograph, the deputy’s reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted to a supervisor and retained in compliance with this policy.

440.4.2 DISPOSITION OF PHOTOGRAPHS
All detainee photographs must be adequately labeled and submitted to the Shift Sergeant with either an associated FI card or other documentation explaining the nature of the contact. If an individual is photographed as a suspect in a particular crime, the photograph should be submitted as an evidence item in the related case, following standard evidence procedures.

If a photograph is not associated with an investigation where a case number has been issued, the Shift Sergeant should review and forward the photograph to one of the following locations:

(a) If the photo and associated FI or memorandum is relevant to criminal organization/enterprise enforcement, the Shift Sergeant will forward the photo and documents to the designated criminal intelligence system supervisor. The supervisor will ensure the photograph and supporting documents are retained as prescribed in the Criminal Organizations Policy.

(b) Photographs that do not qualify for retention in a criminal intelligence system or temporary information file shall be forwarded to the South Sound 911 Records.

When a photograph is taken in association with a particular case, the investigator may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs shall be retained in accordance with the established records retention schedule.

440.4.3 SUPERVISOR RESPONSIBILITIES
While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph is taken.

Access to, and use of, field photographs shall be strictly limited to law enforcement purposes.

440.5 POLICY
The Pierce County Sheriff’s Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the deputy, the decision to temporarily detain a person and complete an FI, pat-down search, or field
Contacts and Temporary Detentions

photograph shall be left to the deputy based on the totality of the circumstances, officer safety considerations, and constitutional safeguards.

440.6 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, deputies should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available members for the following:

(a) Identifying all persons present at the scene and in the immediate area.

1. When feasible, a recorded statement should be obtained from those who claim not to have witnessed the incident but who were present at the time it occurred.

2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, [officers/deputies] should attempt to identify the witness prior to his/her departure.

(b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by department members.

1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transport.
Mobile Digital Computer Use

447.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Digital Computer (MDC) system in order to ensure appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between department members and South Sound 911.

447.2 POLICY
Pierce County Sheriff's Department members using the MDC shall comply with all appropriate federal and state rules and regulations and shall use the MDC in a professional manner, in accordance with this policy.

447.3 PRIVACY EXPECTATION
Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

447.4 RESTRICTED ACCESS AND USE
MDC use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDC system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDC by another member to their supervisors or Shift Sergeants.

Use of the MDC system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the MDC system is prohibited and may result in discipline.

It is a violation of this policy to transmit a message or access a law enforcement database under another member’s name or to use the password of another member to log in to the MDC system unless directed to do so by a supervisor. Members are required to log off the MDC or secure the MDC when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

447.4.1 USE WHILE DRIVING
Use of the MDC by the vehicle operator should generally be limited to times when the vehicle is stopped. When the vehicle is in motion, the operator should only attempt to read messages
that are likely to contain information that is required for immediate enforcement, investigative or safety needs.

Short transmissions, such as a license plate check, are permitted if it reasonably appears that it can be done safely. In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

447.5 DOCUMENTATION OF ACTIVITY

Except as otherwise directed by the Shift Sergeant or other department-established protocol, all calls for service assigned by South Sound 911 should be communicated by voice over the sheriff’s radio and electronically via the MDC unless security or confidentiality prevents such broadcasting.

MDC and voice transmissions are used to document the member’s daily activity. To ensure accuracy:

(a) All contacts or activity shall be documented at the time of the contact.
(b) Whenever the activity or contact is initiated by voice, it should be documented by a dispatcher.
(c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDC.

447.5.1 STATUS CHANGES

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted over the sheriff's radio or through the MDC system.

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDC when the vehicle is not in motion.

447.6 EQUIPMENT CONSIDERATIONS

447.6.1 MALFUNCTIONING MDC

Whenever possible, members will not use vehicles with malfunctioning MDCs. Whenever members must drive a vehicle in which the MDC is not working, they shall notify South Sound 911. It shall be the responsibility of South Sound 911 to document all information that will then be transmitted verbally over the sheriff's radio.

447.6.2 BOMB CALLS

When investigating reports of possible bombs or bomb threat, members will turn off their MDC’s within 300 feet of the suspected device or threat. Operating the MDC may cause some devices to detonate. Only a Command Officer or Bomb Technician can authorize the use of MDC within a 300 foot perimeter.
Civil Disputes

465.1 PURPOSE AND SCOPE
This policy provides members of the Pierce County Sheriff's Department with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (e.g., civil matters), with the goal of minimizing any potential for violence or criminal acts.

The Domestic Violence Policy will address specific legal mandates related to domestic violence court orders. References in this policy to “court orders” apply to any order of a court that does not require arrest or enforcement by the terms of the order or by Washington law.

465.2 POLICY
The Pierce County Sheriff's Department recognizes that a law enforcement presence at a civil dispute can play an important role in the peace and safety of the community. Subject to available resources, members of this department will assist at the scene of civil disputes with the primary goal of safeguarding persons and property, preventing criminal activity and maintaining the peace.

When handling civil disputes, members will remain impartial, maintain a calm presence, give consideration to all sides and refrain from giving legal or inappropriate advice.

465.3 GENERAL CONSIDERATIONS
When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Members must not become personally involved in disputes and shall at all times remain impartial.

While not intended to be an exhaustive list, members should give considerations to the following when handling civil disputes:

(a) Civil disputes tend to be confrontational and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.

(b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.

(c) Members shall not provide legal advice, however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.

(d) Members are reminded that they shall not enter a residence or other non-public location without legal authority.

(e) Members should not take an unreasonable amount of time assisting in these matters and generally should contact a supervisor if it appears that peacekeeping efforts longer than 30 minutes are warranted.
Civil Disputes

465.4 COURT ORDERS
Disputes involving court orders can be complex. Where no mandate exists for a deputy to make an arrest for a violation of a court order, the matter should be addressed by documenting any apparent court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating deputy should consult a supervisor prior to making any arrest.

If a person appears to be violating the terms of a court order but is disputing the validity of the order or its applicability, the investigating deputy should document the following:

(a) The person’s knowledge of the court order or whether proof of service exists.
(b) Any specific reason or rationale the involved person offers for not complying with the terms of the order.

A copy of the court order should be attached to the report when available. The report should be forwarded to the appropriate prosecutor. The report should also be forwarded to the court issuing the order with a notice that the report was also forwarded to the prosecutor for review.

465.4.1 STANDBY REQUESTS
Deputies responding to a call for standby assistance to retrieve property should meet the person requesting assistance at a neutral location to discuss the process. The person should be advised that items that are disputed will not be allowed to be removed unless specifically named in a court order. The member may advise the person to seek private legal advice as to the distribution of disputed property.

Members should accompany the person to the location of the property. Members should ask if the other party will allow removal of the property or whether the other party would remove the property.

If the other party is uncooperative, the person requesting standby assistance should be instructed to seek private legal advice and obtain a court order to obtain the items (RCW 26.50.080). Deputies should not order the other party to allow entry or the removal of any items. If there is a restraining or similar order against the person requesting standby assistance, that person should be asked to leave the scene or he/she may be subject to arrest for violation of the order.

If the other party is not present at the location, the member will not allow entry into the location or the removal of property from the location.

465.5 VEHICLES AND PERSONAL PROPERTY
Deputies may be faced with disputes regarding possession or ownership of vehicles or other personal property. Deputies may review documents provided by parties or available databases (e.g., vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Generally, deputies should not take any enforcement action unless a crime is apparent. The people and the vehicle or personal property involved should be identified and the incident documented.
465.6 REAL PROPERTY
Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should generally be handled by the person obtaining a court order.

465.6.1 REQUEST TO REMOVE TRESPASSER DECLARATION
Deputies possessing a lawful declaration signed under penalty of perjury and in the form required by law, may take enforcement action to remove a person from a residence when (RCW 9A.52.105):

• The person has been allowed a reasonable opportunity to secure and present evidence that the person is lawfully on the premises
• The deputy reasonably believe he/she has probable cause to believe the person is committing criminal trespass under RCW 9A.52.070

A deputy should give the trespasser a reasonable opportunity to vacate the premises before taking enforcement action.

This procedure should not be confused with the Criminal Trespass Notification/Agency Agreement form, these are two separate situations. Questions should be directed to the Civil Sergeant.

465.7 DEPARTMENT ROLE IN LABOR DISPUTES
Negotiation and collective bargaining are legally recognized methods of peacefully settling labor disputes. In such disputes, it is not the function of the Department to deal with the issues involved; rather, it is the role of the Department to protect the rights of the public and those involved by enforcing the law and maintaining order.

Deputies will not normally be deployed at strike scenes; however, when such deployment becomes necessary, the commanding officer will take necessary action to deter crime and keep the peace. It is emphasized that the use of public sidewalks and roadways, the free access to public places, and the rights of persons to enter and leave private premises are to be preserved. Violations of court orders and injunctions do not ordinarily constitute criminal offenses for which the Department will take enforcement.
Redacted per RCW 42.56.240(1)
Crisis Intervention Incidents

467.1 PURPOSE AND SCOPE
This policy provides guidelines for interacting with those who may be experiencing a mental health or emotional crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires a deputy to make difficult judgments about a person’s mental state and intent in order to effectively and legally interact with the individual.

467.1.1 DEFINITIONS
Definitions related to this policy include:

Person in crisis - A person whose level of distress or mental health symptoms have exceeded the person’s internal ability to manage his/her behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; non-compliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive or dangerous behavior that may be accompanied by impaired judgment.

467.2 POLICY
The Pierce County Sheriff's Department is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Department will provide training to guide its members’ interactions with those experiencing a mental health crisis.

467.3 SIGNS
Members should be alert to any of the following possible signs of mental health issues or crises:

(a) A known history of mental illness
(b) Threats of or attempted suicide
(c) Loss of memory
(d) Incoherence, disorientation or slow response
(e) Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas
(f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt
(g) Social withdrawal
(h) Manic or impulsive behavior, extreme agitation, lack of control
(i) Lack of fear
(j) Anxiety, aggression, rigidity, inflexibility or paranoia

Members should be aware that this list is not exhaustive. The presence or absence of any of these should not be treated as proof of the presence or absence of a mental health issue or crisis.
Crisis Intervention Incidents

467.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS
The Sheriff has designated the Training Unit to develop an education and response protocol. It should include a list of community resources, to guide department interaction with those who may be suffering from mental illness or who appear to be in a mental health crisis.

467.5 FIRST RESPONDERS
Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to deputies; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit a deputy’s authority to use reasonable force when interacting with a person in crisis.

Deputies are reminded that mental health issues, mental health crises and unusual behavior alone are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

A deputy responding to a call involving a person in crisis should:

(a) Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.
(b) Employ tactics to preserve the safety of all participants.
(c) Determine the nature of any crime.
(d) Evaluate any available information that might assist in determining cause or motivation for the person’s actions or stated intentions.

467.6 DE-ESCALATION
Deputies should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

467.7 SUPERVISOR RESPONSIBILITIES
When on scene responding supervisors should:

(a) Attempt to secure appropriate and sufficient resources.
(b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care (see the Handcuffing and Restraints Policy).
(c) Consider strategic disengagement. Absent an imminent threat to the public and, as circumstances dictate, this may include removing or reducing law enforcement resources or engaging in passive monitoring.
(d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.
467.8 INCIDENT REPORTING
Members engaging in any oral or written communication associated with a mental health crisis should be mindful of the sensitive nature of such communications and should exercise appropriate discretion when referring to or describing persons and circumstances.

Members having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to department reporting procedures or other official mental health or medical proceedings.

467.8.1 DIVERSION
Individuals who are not being arrested should be processed in accordance with the Emergent Detentions Policy.

467.8.2 SUICIDE THREATS
Deputies should consider a referral to mental health services when a person has threatened suicide and the person does not qualify for an emergent detention or voluntarily consent to immediate evaluation at a mental health facility (RCW 71.05.457).

(a) Referrals may be made to the person by providing the name and phone number of the mental health agency and any available handouts.

(b) The deputy may notify the mental health agency of the referral by phone or other method.

467.9 CIVILIAN INTERACTION WITH PEOPLE IN CRISIS
Civilian members may be required to interact with persons in crisis in an administrative capacity, such as dispatching, records request, and animal control issues.

(a) Members should treat all individuals equally and with dignity and respect.

(b) If a member believes that he/she is interacting with a person in crisis, he/she should proceed patiently and in a calm manner.

(c) Members should be aware and understand that the person may make unusual or bizarre claims or requests.

If a person's behavior makes the member feel unsafe, if the person is or becomes disruptive or violent, or if the person acts in such a manner as to cause the member to believe that the person may be harmful to him/herself or others, law enforcement should be promptly summoned to provide assistance.

467.10 TRAINING
The Department will provide training to all full time law enforcement members to enable them to effectively interact with persons in crisis.

Training shall include mandated training in crisis intervention, certified by the Criminal Justice Training Commission, as required by Washington law (RCW 43.101.427; WAC 139-09-020 et seq.).
Public Recording of Law Enforcement Activity

468.1 PURPOSE AND SCOPE
This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

468.2 POLICY
The Pierce County Sheriff's Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Deputies should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, obstruction, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

468.3 RECORDING LAW ENFORCEMENT ACTIVITY
Members of the public who wish to record law enforcement activities are limited only in certain aspects.

(a) Recordings may be made from any public place or any private property where the individual has the legal right to be present.

(b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:

1. Tampering with a witness or suspect.
2. Inciting others to violate the law.
3. Being so close to the activity as to present a clear safety hazard to the deputies.
4. Being so close to the activity as to interfere with a deputy’s effective communication with a suspect or witness.

(c) The individual may not present an undue safety risk to the deputies, him/herself or others.

468.4 DEPUTY RESPONSE
Deputies should promptly request that a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practical, deputies should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.
Whenever practical, deputies or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, a deputy could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, deputies shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

**468.5 SUPERVISOR RESPONSIBILITIES**

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should:

(a) Request any additional assistance as needed to ensure a safe environment.

(b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.

(c) When practical, allow adequate time for individuals to respond to requests for a change of location or behavior.

(d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.

(e) Explain alternatives for individuals who wish to express concern about the conduct of Department members, such as how and where to file a complaint.

**468.6 SEIZING RECORDINGS AS EVIDENCE**

Deputies should not seize recording devices or media unless (42 USC § 2000aa):

(a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.

   1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.

(b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.

(c) The person consents.

   1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.
2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practical. The recording party should be permitted to be present while the copy is being made, if feasible. Another way to obtain the evidence is to transmit a copy of the recording from a device to a department-owned device.

Recording devices and media that are seized will be submitted within the guidelines of the Property and Evidence Policy.
Chapter 5 - Traffic Operations
Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE
Traffic law enforcement is the responsibility of all uniformed deputies regardless of assignment, with the ultimate goal of reducing traffic collisions. This may be achieved through the application of such techniques as geographic/temporary assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on collision data, enforcement activity records, traffic volume, and traffic conditions. This department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in collision situations, but also in terms of traffic-related needs.

500.2 TRAFFIC DEPUTY DEPLOYMENT
All deputies assigned to traffic enforcement functions will emphasize enforcement of collision causing violations during high collision hours and at locations of occurrence. Other factors to be considered for deployment are citizen requests, construction zones, or special events. All deputies will take directed enforcement action on request, and random enforcement action when appropriate against violators as a matter of routine. All deputies shall maintain high visibility while working general enforcement, especially at high collision locations.

500.2.1 TRAFFIC MOTORCYCLE OFFICER DEPLOYMENT
The Traffic unit uses motorcycles to more effectively perform the functions of enforcement and collision responses. Traffic Officers who have the required DOL motorcycle endorsement and have successfully completed a CJTC sponsored Motorcycle Operator Course may operate department owned motorcycles and related equipment.

The motorcycle officer’s primary responsibilities are the enforcement of all traffic laws and regulations. Secondary responsibilities include collision investigation, traffic control, dignitary escort, traffic safety and assisting patrol units.

500.3 ENFORCEMENT
Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas and the number of arrests or citations issued by any deputy shall not be used as the sole criterion for evaluating deputy overall performance. The visibility and quality of a deputy’s work effort will be commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions:

500.3.1 SPEED MONITORING DEVICES
In order to ensure the accuracy and integrity of the Radar and Lidar speed measuring devices deployed and to maintain the trust of the public and the courts, there needs to be a regular maintenance and certification schedule.
Traffic Function and Responsibility

All Radar and Lidar speed measuring devices operated by deputies are to be calibrated and certified by a qualified technician;

(a) Prior to the unit being put into service when first acquired
(b) Whenever any repair or service is performed on the unit
(c) At least once every five years.
(d) When the Officer/Deputy states the unit is not operating properly.
(e) Any Error code is indicated rendering the SMD inoperative

Radar or Lidar speed measuring devices that do not meet these standards or fail certification shall not be used for any type of traffic law enforcement. Deputies who have not successfully passed a Washington State Criminal Justice Training Commission approved police Radar or Lidar speed measuring device operator’s certification course shall not use such devices for any type of traffic law enforcement.

RADAR TRAILER

The Traffic Unit shall be responsible for deploying the department owned radar trailer to areas identified as "high speed" within the county in conjunction with speed enforcement activities.

500.3.2 CITATIONS/NOTICE OF INFRACTION (NOI)
Citations/NOI’s may be issued when a deputy believes it is appropriate. It is essential that deputies fully explain the rights and requirements imposed on motorists upon issuance of a citation/NOI for a traffic violation. (Refer to Policy 516 - Traffic Citations and Notices of Infractions (NOI)).

500.3.3 ARRESTS FOR TRAFFIC OFFENSES
Deputies may issue a traffic citation for any criminal traffic offense or infraction when such violations are committed in a deputy’s presence or as allowed pursuant to RCW 10.31.100. With limited exceptions, the detention in such cases may not be for a period of time longer than is reasonably necessary to issue and serve a citation to the violator.

A traffic-related detention may expand to a physical arrest under the following circumstances:

(a) When the deputy has probable cause to believe that a felony has been committed, whether or not it was in the deputy’s presence
(b) When the offense is one or more of the traffic violations listed in RCW 10.31.100
(c) When a driver has been detained for a traffic offense listed in RCW 46.63.020 and fails to provide adequate identification or when the deputy has reasonable grounds to believe that the person to be cited will not respond to a written citation.

500.4 SUSPENDED OR REVOKED DRIVERS LICENSES
If a deputy contacts a traffic violator who is also driving on a suspended or revoked license, the deputy should issue a traffic citation or make an arrest as appropriate.
Traffic Function and Responsibility

If the traffic violator still has his/her license in possession, the license may be seized by the deputy and placed into property.

500.4.1 SUSPENDED, REVOKED OR CANCELED COMMERCIAL LICENSE PLATES
If a deputy contacts a traffic violator who is operating a commercial truck, truck tractor or tractor with registration that a computer check confirms to be revoked, suspended or canceled, the deputy shall confiscate the license plates. The Department may either recycle or destroy the plates (RCW 46.32.100).

500.5 HAZARDOUS ROAD CONDITIONS
The department will make all reasonable efforts to address all reported hazardous road conditions in a timely manner as circumstances and resources permit.

500.6 HIGH-VISIBILITY VESTS
The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of department members who may be exposed to hazards presented by passing traffic, maneuvering or operating vehicles, machinery, and equipment (23 CFR 655.601).

Although intended primarily for use while performing traffic related assignments, high-visibility vests shall be worn at any time increased visibility would improve the safety or efficiency of the member.
Traffic Collision Reporting and Investigation

502.1 PURPOSE AND SCOPE
The Department prepares traffic collision reports and as a public service makes traffic collision reports available to the community with some exceptions.

The investigation and reporting of traffic collisions is a necessary and important function of the Department. The public expects fair and thorough investigation of all collisions to determine traffic law violations as well as care for the injured and protect the rights and property of those involved. A traffic collision can be a traumatic experience for all parties involved and deputies shall conduct the investigation in a professional manner.

502.2 REPORTING SITUATIONS
Deputies shall respond to the scene of all reportable traffic collisions giving priority to the preservation of life and the safety of others. Deputies will respond to all collisions where there is injury or death, hit-and-run, impairment of an operator due to alcohol or drugs, damage to public and department vehicles or property, disputes between individuals, or major traffic congestion.

502.2.1 TRAFFIC COLLISIONS ON ROADWAYS OR HIGHWAYS
Traffic collision reports shall be taken when they occur on a roadway or highway within the jurisdiction of this department under any of the following circumstances:

(a) When there is a death or injury to any persons involved in the collision.
(b) When there is an identifiable violation of the Revised Code of Washington.
(c) Property damage exceeding the dollar amount currently established by WSP.
(d) When a report is requested by any involved driver.

In all cases where a traffic collision report is required by policy, the current state authorized form will be used to document the collision (RCW 46.52.070).

502.2.2 TRAFFIC COLLISIONS ON PRIVATE PROPERTY
Traffic collision reports shall not be taken for traffic collisions occurring on private property, unless there is a death or injury to any person involved, a hit-and-run violation, or RCW violation. An Incident report may be taken at the discretion of any supervisor.

502.3 NOTIFICATION OF TRAFFIC UNIT SUPERVISION
In the event of substantial bodily harm or death related traffic collision, the Shift Sergeant shall notify the Traffic Supervisor to relate the circumstances of the traffic collision and seek assistance from the Traffic Unit. In the absence of a Traffic Supervisor, the Shift Sergeant or any supervisor may assign an Accident Investigator to investigate the traffic collision.

502.3.1 FATAL ACCIDENT REPORTING SYSTEM (FARS)
The primary Traffic Deputy investigating the collision must contact the Washington State Patrol Communications Center in Pierce County in the event of a fatality at the scene of a traffic collision.
Vehicle Towing and Release

510.1 PURPOSE AND SCOPE
This policy provides the procedures for towing a vehicle by or at the direction of the Pierce County Sheriff's Department.

510.2 RESPONSIBILITIES
The responsibilities of those employees storing or impounding a vehicle are as follows.

510.2.1 REMOVAL OF VEHICLE DISABLED IN A TRAFFIC COLLISION
When a vehicle has been involved in a traffic collision and must be removed from the scene, the deputy shall have the driver select a towing company, if possible, and shall relay the request for the specified towing company to the dispatcher. When there is no preferred company requested, a tow will be requested via South Sound 911 based on the Sheriff’s Departments tow contract (510.3). If the owner is incapacitated, or for any reason it is necessary for the Department to assume responsibility for a vehicle involved in a collision, the deputy shall request a tow from the South Sound 911 dispatcher based on the Sheriff’s Departments tow contract (510.3). The deputy shall impound the vehicle using the Department's impound form and procedures.

510.2.2 DRIVING A NON-COUNTY VEHICLE
Vehicles which have been towed by or at the direction of the Department should not be driven by sheriff's personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard in exigent circumstances.

510.2.3 SOUTH SOUND 911 RECORDS RESPONSIBILITIES
Whenever a stolen vehicle is impounded by the Pierce County Sheriff's Department, South Sound 911 Records personnel will promptly attempt to notify the legal owner of the recovery (RCW 7.69.030(7)).

510.3 TOWING SERVICES
The Department periodically selects a firm to act as the official tow service and awards a contract to that firm. This firm will be used in the following situations:

(a) When it is necessary to safeguard a vehicle due to the inability of the owner or operator to take the required action.
(b) When a vehicle is being held as evidence in connection with an investigation.
(c) When the deputy exhausts all other alternatives for the vehicle to be removed from the scene due to a suspended / revoked driver license violation.
(d) When it is otherwise necessary to store a motor vehicle. This would include situations involving the recovery of stolen or abandoned vehicles, and the removal from the streets those vehicles obstructing traffic in violation of state or local regulations.

Nothing in this policy shall require the Department to tow a vehicle.
510.4 STORAGE AT ARREST SCENES
Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide reasonable safekeeping for the arrestee’s vehicle. The vehicle shall be stored whenever it is mandated by law, needed for the furtherance of an investigation or prosecution of the case, or when the Community Caretaker Doctrine would reasonably suggest it. For example, the vehicle would present a traffic hazard if not removed, or due to a high crime area the vehicle would be in jeopardy of theft or damage if left at the scene.

No impound should occur if other alternatives are available that would ensure the vehicle's protection. Factors that should be considered by deputies in determining whether to impound a vehicle pursuant to this policy include:

(a) Whether the offense for which the subject was arrested mandates vehicle impound (e.g., commercial sexual abuse of a minor, promoting commercial sexual abuse of a minor, or promoting travel for commercial sexual abuse of a minor (RCW 9A.88.140(2)).

(b) Whether someone is available at the scene of the arrest to whom the vehicle could be released.

(c) Whether the vehicle is impeding the flow of traffic or is a danger to public safety.

(d) Whether the vehicle can be secured.

(e) Whether the detention of the arrestee will likely be of such duration as to require protection of the vehicle.

(f) Whether there is some reasonable connection between the crime/arrest and the vehicle, or the vehicle is related to the commission of another crime (i.e., the vehicle itself has evidentiary value).

(g) Whether the owner/operator requests that the vehicle be stored.

(h) Whether the vehicle would be in jeopardy of theft or damage if left at the scene in a high-crime area.

In cases where a vehicle is not stored, the handling employee shall note in the report that the owner was informed that the Department will not be responsible for theft or damages to the vehicle.

510.5 SECURITY OF VEHICLES AND PROPERTY
Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, deputies should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g. cash, jewelry, cell phone, prescriptions) which are not considered evidence or contraband.
Vehicle Impound Hearings

512.1 PURPOSE AND SCOPE
This policy establishes a procedure for the requirement to provide vehicle storage or impound validity hearings.

512.2 IMPOUND HEARING
When the registered or legal owner (or their agent) of a vehicle disputes a vehicle impound, the deputy should provide them with the impound information and direct them to District Court for an impound hearing (RCW 46.55.240).
Impaired Driving

514.1 PURPOSE AND SCOPE
This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence (DUI).

514.2 POLICY
The Pierce County Sheriff's Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of Washington's impaired driving laws.

514.3 INVESTIGATIONS
All deputies are expected to enforce these laws with due diligence.

Any DUI investigation will be documented using current DUI packets and/or a Department General Report. Information that should be documented includes:

(a) The Standardized Field Sobriety Tests (SFSTs) administered and the results.
(b) The officer’s observations that indicate impairment on the part of the individual, and the officer’s health-related inquiries that may help to identify any serious health concerns (e.g., diabetic shock).
(c) Sources of additional information (e.g., reporting party, witnesses) and their observations.
(d) Information about any audio and/or video recording of the individual's driving or subsequent actions.
(e) The location and time frame of the individual’s vehicle operation and how this was determined.
(f) Any prior related convictions in Washington or another jurisdiction.
(g) Whether a child under the age of 16 was present in the vehicle (RCW 46.61.507).

514.4 FIELD TESTS
The Standardized Field Sobriety Tests listed in the DUI packet are the field tests to be administered using the NHTSA Standards. No other tests are to be used without approval of the Traffic Lieutenant.

514.5 CHEMICAL TESTS
A person implies consent under Washington law to a chemical test or tests of the person's breath and to providing the associated chemical sample under any of the following (RCW 46.20.308):

(a) The arresting deputy has reasonable grounds to believe the person was driving or in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug.
Impaired Driving

(b) The arresting deputy has reasonable grounds to believe a person under the age of 21 was driving or in actual physical control of a motor vehicle while having a blood alcohol concentration of at least 0.02 or a THC concentration above 0.00 (RCW 46.61.503).

(c) The deputy has stopped a person operating a commercial motor vehicle license (CDL) and has reasonable grounds to believe that the person was driving while having alcohol in the person's system or while under the influence of any drug (RCW 46.25.120).

(d) The person is dead, unconscious or otherwise in a condition rendering him/her incapable of refusal

If a person withdraws this implied consent, or is unable to withdraw consent (e.g., the person is unconscious), the deputy should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

514.5.1 BREATH TESTS
The Washington State Patrol (WSP) maintains and services the breath devices located throughout the Department.

Deputies obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Traffic Lieutenant and the WSP.

Generally, chemical tests to determine alcohol concentration shall be of the breath only (RCW 46.20.308; RCW 46.25.120). Nothing in this policy precludes a deputy from obtaining a person's blood to test for alcohol, marijuana, or any other drug, pursuant to a search warrant, a valid waiver of the warrant requirement, when exigent circumstances exist, or under other authority of law (RCW 46.20.308(4)).

A person submitting to a chemical test pursuant to this policy may have a qualified person of his/her own choosing administer one or more tests in addition to any administered at the direction of a deputy (RCW 46.61.506).

514.5.2 STATUTORY NOTIFICATIONS
A deputy requesting that a person submit to a chemical test shall provide the person, prior to administering the test, with the mandatory warnings pursuant to RCW 46.20.308(2) or if driving a commercial vehicle the warnings pursuant to RCW 46.25.120(3).

514.5.3 BLOOD TESTS
Only persons authorized by law to withdraw blood shall collect blood samples (RCW 46.61.506). The withdrawal of the blood sample should be witnessed by the assigned deputy.

Deputies should inform an arrestee that two samples will be drawn, and under Implied Consent they have the right to additional tests administered by any qualified person of their own choosing.
Impaired Driving

The blood sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

If an arrestee cannot submit to a blood test because he/she is a hemophiliac or is using an anticoagulant, he/she shall not be required to take a blood test. Such inability to take a blood test should not be treated as a refusal.

A blood sample may be obtained only with the consent of the individual or as otherwise provided in this policy (RCW 46.20.308; RCW 46.25.120).

514.6 REFUSALS
When a person refuses to provide a chemical sample, deputies should:

(a) Advise the person of the requirement to provide a sample (RCW 46.20.308).
(b) Document the refusal in the appropriate report.
(c) Apply for a Search Warrant for blood (if feasible) or document why a search warrant wasn’t attempted.

514.6.1 BLOOD SAMPLE WITHOUT CONSENT
A blood sample may be obtained from a person who who has been arrested and does not consent to a blood test when any of the following conditions exist (RCW 46.20.308; RCW 46.25.120):

(a) A search warrant has been obtained.
(b) The deputy can articulate that exigent circumstances exist.

Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person’s bloodstream. Exigency can be established by the existence of special facts, such as a lengthy time delay in obtaining a blood sample due to an accident investigation or medical treatment of the person.

514.6.2 FORCED BLOOD SAMPLE
If a person indicates by word or action that he/she will physically resist a blood draw, the deputy should request a supervisor to respond.

The responding supervisor should:

(a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.
(b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes a viable form of testing in a timely manner.
(c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another deputy) and attempt to persuade the person to submit to such a sample without physical resistance. This dialogue should be recorded on audio and/or video when practicable.
(d) Ensure that the withdrawal is taken in a medically approved manner.
Impaired Driving

(e) Monitor and ensure that the type and level of force applied is reasonable under the circumstances. The forced withdrawal should recorded on audio and/or video when practicable.

1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods. Force which reasonably appears necessary to overcome the resistance to the blood being withdrawn may be permitted.

(f) Ensure the use of force and methods used to accomplish the blood sample draw are documented in the related report

If a supervisor is unavailable, deputies are expected to use sound judgment and perform as a responding supervisor, as set forth above.

514.7 ARREST AND INVESTIGATION

514.7.1 WARRANTLESS ARREST
A deputy having probable cause to believe that a person is DUI may make a warrantless arrest of the person whether or not the deputy observed the violation first hand (RCW 10.31.100(3)(d)).

Arrests supported by probable cause for DUI are mandatory booking into jail if the person has a prior offense as defined in RCW 46.61.5055 with-in 10 years or the person has been charged with or is awaiting arraignment for a prior offense as defined in RCW 46.61.5055. The arrest is not mandatory if the person requires immediate medical attention and is admitted to the hospital (RCW 10.31.100 (16) (a) (b)).

514.7.2 DEPUTY RESPONSIBILITIES
If a person refuses to submit to a chemical test, or the results from the test render above the legal limit of alcohol or THC concentration in the person's breath or blood, the deputy shall (RCW 46.20.308(6)):

(a) Serve the notice of intention to suspend, revoke, or deny the person's license or permit to drive.

(b) Provide the person with a written notice of their right to a hearing before the DOL.

(c) Immediately notify the DOL of the arrest and within 72 hours transmit to the DOL a sworn report that states:

1. The deputy had reasonable grounds to believe the person was DUI.

2. After having received the required statutory warnings, the person either refused to submit to a test of his/her blood or breath or submitted to a test that rendered above the legal limit of alcohol of THC concentration.

(d) Submit a sworn report to the DOL when the person has a CDL and either refused or had a test administered that disclosed a prohibited amount of alcohol or any amount of THC concentration (RCW 46.25.120(5)).
Impaired Driving

514.7.3 CHILD PROTECTIVE SERVICES NOTIFICATION
When a person is arrested for a violation of RCW 46.61.502 (DUI) or RCW 46.61.514 (Physical control of vehicle while DUI), the deputy shall make a clear notation on the report if there is a child under the age of 16 present in the vehicle and promptly notify child protective services as required in the Child Abuse Policy (RCW 46.61.507).

514.8 TRAINING
The Training Unit should ensure that deputies participating in the enforcement of DUI laws receive regular training. Training should include, at minimum, current laws on impaired driving, investigative techniques and rules of evidence pertaining to DUI investigations. The Training Unit should confer with the prosecuting attorney's office and the NTHSA standards to update training topics as needed.
Traffic Citations and Notices of Infraction (NOI)

516.1 PURPOSE AND SCOPE
This policy outlines the responsibility for traffic citations and Notice of Infraction (NOI), the procedure for dismissal, correction, and voiding of traffic citations and NOI.

516.2 RESPONSIBILITIES
Support Staff shall be responsible for the supply and accounting of all paper traffic citations/NOI issued to department members. South Sound 911 Records shall be responsible for the final accounting of all paper traffic citations/NOI issued or voided by employees of this department.

SECTOR
Statewide Electronic Collision & Ticket Online Records (SECTOR) is a data-collection system, providing deputies the ability to create and submit tickets and collision reports electronically. SECTOR shall only be used by those authorized employees who have completed training in the use of SECTOR software. Electronic citations/NOI will be managed by the SECTOR system.

516.3 DISMISSAL OF TRAFFIC CITATIONS
Employees of this department do not have the authority to dismiss a citation/NOI once it has been issued. Only the court has the authority to dismiss a citation/NOI that has been issued. All recipients requesting dismissal of a traffic citation/NOI shall be referred to the appropriate court.

516.4 VOIDING TRAFFIC CITATIONS
Voiding a traffic citation/NOI may occur when a traffic citation/NOI has not been completed or where it is completed, but not issued. All copies of the citation/NOI shall be presented to a supervisor with the reason the citation/NOI was voided for approval. The citation/NOI and copies shall then be forwarded to South Sound 911 Records.

SECTOR Electronic citations/NOI shall be voided with the process outlined in Section 17.7 (Ticket Void Procedures) in the on-line SECTOR manual.

516.5 CORRECTION OF TRAFFIC CITATIONS
When a traffic citation/NOI is issued and in need of correction, the deputy issuing the citation/NOI is responsible to make the correction and resubmit to the appropriate court.

516.6 DISPOSITION OF TRAFFIC CITATIONS
The court and file copies of all traffic citations/NOI issued by members of this department shall be forwarded to South Sound 911 Records.

Upon separation from employment with this department, all employees issued traffic citations/NOI books shall return any unused citations to Support Staff.
516.7 EXCEPTIONAL CITATION AND NOI CONSIDERATIONS

516.7.1 JUVENILES
Juveniles 16 years and older may be issued traffic citations/NOI in accordance with standard procedures. Juveniles under the age of 16 years require a referral through the Juvenile Court system for traffic citations/NOI.

516.7.2 LEGISLATORS
Legislators may be issued traffic citations and they may be taken into custody for the purpose of obtaining a breath test, but they should not be incarcerated for infraction or misdemeanor violations during the legislative session (Art II, sec. 16, WA St. Cont.). §500.3.2

516.7.3 FOREIGN DIPLOMATS
Foreign diplomats and consulate officers may be issued NOI's and citations. They may also be taken into custody for the purpose of a breath test. §422
Unauthorized 24 Hour Vehicle Violations

524.1 PURPOSE AND SCOPE
This policy provides procedures for the marking, recording, and storage of unauthorized vehicles parked in violation of 24 hour time limitations.

524.2 MARKING VEHICLES
A Department Notice of Abandoned Vehicle Card or notification sticker shall be applied in a visible location on the vehicle. (RCW 46.55.085(1)). Visible window marker paint should also be applied to an intact window containing the date and time the card or sticker was applied to the vehicle. The Officer’s unit number should be marked for reference.

524.2.1 MARKED VEHICLE FILE
The Traffic Unit is responsible for maintaining a log based on citizens concerns and complaints to the department of abandoned vehicles.

524.2.2 VEHICLE STORAGE
A deputy may take custody of any vehicle and provide for the vehicle’s removal to a place of safety, if the vehicle has not removed within 24 hours after marking (RCW 46.55.085(3)). The deputy authorizing the storage of the vehicle shall complete an Incident Report and a Uniform Impound Authorization/Inventory form. The completed form shall be submitted to SouthSound911 Law Enforcement Records immediately following the storage of the vehicle (RCW 46.55.075(2)).
Chapter 6 - Investigation Operations
Investigation and Prosecution

600.1 PURPOSE AND SCOPE
When assigned to a case for initial or follow-up investigation, Law Enforcement Officers (LEO's) shall proceed with due diligence in evaluating and preparing the case for appropriate clearance or presentation to a prosecutor for filing of criminal charges.

600.2 CONSTITUTIONAL MATTERS
All employees of the Sheriff's Department shall follow all United States and Washington State Constitutional requirements pertaining to custodial situations; including, but not limited to, search and seizure, access to counsel and interview and interrogation.

600.3 CUSTODIAL INTERROGATION REQUIREMENTS
LEO’s should consider audio recording a custodial interrogation, or any investigative interview, for any offense when the deputy reasonably believes it would be appropriate and beneficial to the investigation and is otherwise allowed by law. The person being interviewed/interrogated must consent to the tape recording.

No recording of an interrogation should be destroyed or altered without written authorization from the prosecuting attorney and the Criminal Investigations Bureau supervisor. Copies of recorded interrogations or interviews may be made in the same or different format provided they are true, accurate and complete copies and are made only for authorized and legitimate law enforcement purposes.

LEO’s should continue to prepare written summaries of custodial questioning and investigative interviews and continue to obtain written statements from suspects when applicable.

600.4 POTENTIALLY EXCULPATORY EVIDENCE OR FACTS
LEO’s must include in their reports adequate reference to all material evidence and facts which are reasonably believed to be exculpatory to any individual in the case. If a deputy learns of potentially exculpatory information anytime after submission of the case, the deputy must notify the prosecutor as soon as practical.

Evidence or facts are considered material if there is a reasonable probability that they may impact the result of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. A deputy who is uncertain whether evidence or facts are material should address the issue with a supervisor. Supervisors uncertain about the materiality of evidence or facts should address the issue (or direct the investigating deputy) to an appropriate Deputy Prosecuting Attorney. This should be documented in a supplementary report.

600.5 JUVENILE OPERATIONS FUNCTION
The Criminal Investigations Bureau is responsible for coordinating the Juvenile Operations function for the Pierce County Sheriff's Department. Cases involving juvenile offenders will be
reviewed by the Juvenile Unit Supervisor and assigned to the Juvenile Unit or to a detachment for investigation.

Juvenile investigations will be handled in the same manner as adult criminal cases. At the conclusion of the criminal investigation, the juvenile case shall be submitted to the proper juvenile justice court authority or its subdivision.

Non-criminal juvenile matters will be investigated and dealt with in the same dedicated manner as criminal investigations. An offense report will be completed using current state law and the policies of juvenile authorities to settle the incident. Those reports will be submitted to and reviewed by shift supervisors.
Asset Forfeiture

606.1 PURPOSE AND SCOPE
This policy describes the authority and procedure for the seizure, forfeiture and liquidation of property associated with designated offenses in accordance with RCW 69.50.505.

606.1.1 DEFINITIONS
Definitions related to this policy include:

**Fiscal agent** - The person designated by the Sheriff to be responsible for securing and maintaining seized assets and distributing any proceeds realized from any forfeiture proceedings. This includes any time the Pierce County Sheriff's Department seizes property for forfeiture or when the Pierce County Sheriff's Department is acting as the fiscal agent pursuant to a multi-agency agreement. The Tacoma Pierce County Property Room Manager is the Fiscal Agent for all seized items with the exception of vehicles. Those are handled by the SIU Lieutenant.

**Forfeiture** - The process by which legal ownership of an asset is transferred to a government or other authority.

**Forfeiture reviewer** - The department member assigned by the Sheriff who is responsible for reviewing all forfeiture cases and for acting as the liaison between the Department and the assigned attorney. The Forfeiture reviewer is a detective assigned to SIU.

**Property subject to forfeiture** - Generally includes, but is not limited to:

(a) Firearms that were carried, possessed or sold illegally (RCW 9.41.098).

(b) Devices, profits, proceeds, associated equipment and conveyances related to illegal gambling (RCW 9.46.231).

(c) Interests, proceeds, etc. related to organized crime (RCW 9A.82.060), criminal profiteering (RCW 9A.82.080), human trafficking (RCW 9A.40.100), commercial sexual abuse of a minor (RCW 9.68A.100) or promoting prostitution (RCW 9A.88.070) (RCW 9A.82.100).

(d) Proceeds traceable to or derived from money laundering (RCW 9A.83.020; RCW 9A.83.030).

(e) Property acquired or maintained in relation to commercial sexual abuse of a minor (RCW 9.68A.100), promoting commercial sexual abuse of a minor (RCW 9.68A.101) or promoting prostitution in the first degree (RCW 9A.88.070), and conveyances used to facilitate these offenses (RCW 9A.88.150).

(f) Personal property, money, a vehicle, etc. that was acquired through the commission of a crime involving theft, trafficking or unlawful possession of commercial metal property, or facilitating such crimes (RCW 19.290.230).
Asset Forfeiture

(g) Conveyances, including aircraft, vehicles or vessels, used for the violation of the Uniform Controlled Substances Act and proceeds from these violations (money, real property, etc.) (RCW 69.50.505).

(h) Boats, vehicles, gear, etc. used for poaching/wildlife crimes (RCW 77.15.070).

Seizure - The act of law enforcement officials taking property, cash or assets that have been used in connection with or acquired by specified illegal activities.

606.2 POLICY
The Pierce County Sheriff's Department recognizes that appropriately applied forfeiture laws are helpful to enforce the law, deter crime and reduce the economic incentive of crime. However, the potential for revenue should never compromise the effective investigation of criminal offenses, officer safety or any person’s due process rights.

It is the policy of the Pierce County Sheriff's Department that all members, including those assigned to internal or external law enforcement task force operations, shall comply with all state and federal laws pertaining to forfeiture.

606.2.1 SPECIAL GUIDELINES APPLICABLE TO CONVEYANCES
Special guidelines apply regarding the forfeiture of conveyances (aircraft, vehicles and vessels) in order for it to be seized as a conveyance that has been used to facilitate narcotic activity. All conveyances are subject to seizure and forfeiture, except (RCW 69.50.505(1)(d)):

- When the conveyance is used by any person as a common carrier in the transaction of business as a common carrier, unless it appears that the owner or other person in charge of the conveyance is a consenting party or has knowledge of the narcotics violations.
- When violations have been committed or omitted without the owner’s actual knowledge or consent.
- When the conveyance is used in the receipt of an amount of marijuana for which possession constitutes a misdemeanor under RCW 69.50.4014.
- When the conveyance is secured by a loan and the lender had no knowledge of, nor consented to, the act or omission.

606.3 ASSET SEIZURE
Property may be seized for forfeiture as provided in this policy.

606.3.1 PROPERTY SUBJECT TO SEIZURE
The following may be seized upon review and approval of a supervisor and in coordination with the forfeiture reviewer:

(a) Real or personal property subject to forfeiture identified in a court order authorizing seizure.
(b) Property subject to forfeiture without a court order when the property is lawfully seized incident to an arrest, the service of a search warrant or the service of an administrative inspection warrant.

(c) Property subject to forfeiture can also be seized without a court order when:

1. There is probable cause to believe that the property was used or is intended to be used for illegal gambling (RCW 9.46.231).

2. There is probable cause to believe that the property was used or is intended to be used for the commercial sexual abuse of a minor (RCW 9.68A.100; RCW 9.68A.101) or promoting prostitution in the first degree (RCW 9A.88.070) (RCW 9A.88.150).

3. There is probable cause to believe that the property was used or is intended to be used in the commission of any felony involving commercial metal, “bootlegging,” criminal profiteering or money laundering (RCW 19.290.230; RCW 66.32.020; RCW 9A.82.100; RCW 9A.83.030).

4. There is probable cause to believe that the property was used or is intended to be used in violation of the Uniform Controlled Substances Act (RCW 69.50.505).

5. There is probable cause to believe that the property was used or is intended to be used for poaching/wildlife crimes (RCW 77.15.070).

A large amount of money standing alone is insufficient to establish the probable cause required to make a seizure.

606.3.2 PROPERTY NOT SUBJECT TO SEIZURE

The following property should not be seized for forfeiture:

(a) Property from an “innocent owner,” or a person who had no knowledge of the offense or who did not consent to the property’s use.

(b) No vehicle or other conveyance based on a misdemeanor involving marijuana (RCW 69.50.505).

(c) Vehicles/conveyances that would be subject to forfeiture if more than 10 or 15 days have elapsed since the owner’s arrest and no court order has been issued (RCW 9.46.231; RCW 9A.88.150; RCW 69.50.505).

606.3.3 SEIZED VEHICLES

Vehicles seized subject to forfeiture will be taken to a designated secure storage facility. A seized vehicle should not be impounded to a tow company facility. The deputy seizing the vehicle shall notify the SIU Forfeiture reviewer of the seizure of the vehicle via e-mail before the end of their current shift.

If the vehicle cannot be driven, a tow truck will be used to tow the vehicle to the storage facility.
Asset Forfeiture

606.4 PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS
When property or cash subject to this policy is seized, the deputy making the seizure should ensure compliance with the following:

(a) Interview all persons involved concerning their possession of the seized assets, financial situation, employment, income, and other resources.

(b) Notify the SIU Forfeiture reviewer and an SIU supervisor via email by the end of shift. Include the case number, identified owner of the property, and if there is a vehicle involved include the location of the vehicle and location of the keys.

Photographs should be taken of items seized, particularly cash, jewelry and other valuable items. Deputies who suspect other property that was not able to be collected may be subject to seizure (e.g., the property is located elsewhere, the whereabouts of the property is unknown, it is real estate, bank accounts, non-tangible assets) should document and forward the information in the appropriate report to the SIU Forfeiture reviewer.

606.5 MAINTAINING SEIZED PROPERTY
The Property and Evidence Section Supervisor is responsible for ensuring compliance with the following:

(a) All property received for forfeiture is reasonably secured and properly stored to prevent waste and preserve its condition.

(b) All Firearms received for forfeiture are checked to determine if the firearms are reported stolen.

(c) All property received for forfeiture is retained in the same manner as evidence until forfeiture is finalized or the property is returned to the claimant or the person with an ownership interest.

(d) Property received for forfeiture is not used unless the forfeiture action has been completed.

606.6 FORFEITURE REVIEWER
The Sheriff will appoint a forfeiture reviewer. Prior to assuming duties, or as soon as practical thereafter, the forfeiture reviewer should attend a course approved by the Department on asset forfeiture. The forfeiture reviewer is a detective assigned to SIU.

The responsibilities of the forfeiture reviewer include:

(a) Remaining familiar with forfeiture laws, particularly those cited in this policy and the forfeiture policies of the forfeiture counsel.

(b) Serving as the liaison between the Department and the forfeiture counsel and ensuring prompt legal review of all seizures.
(c) Making reasonable efforts to obtain annual training that includes best practices in pursuing, seizing and tracking forfeitures.

(d) Reviewing each seizure-related case and deciding whether the seizure is more appropriately made under state or federal seizure laws. The forfeiture reviewer should contact federal authorities when appropriate.

(e) Ensuring that responsibilities, including the designation of a fiscal agent, are clearly established whenever multiple agencies are cooperating in a forfeiture case.

(f) Ensuring that deputies who may be involved in asset forfeiture receive training in the forfeiture process. The training should be developed in consultation with the appropriate legal counsel and may be accomplished through traditional classroom education, electronic media, Training Bulletins, or General Orders. The training should cover this policy and address any relevant statutory changes and court decisions.

(g) Reviewing each asset forfeiture case to ensure that:
   1. Written documentation of the seizure and the items seized is in the case file.
   2. Independent legal review of the circumstances and propriety of the seizure is made in a timely manner.
   3. Notice of seizure has been given in a timely manner to those who hold an interest in the seized property.
      (a) 10 or 15 days’ notice. (Gambling RCW 9.46.231; Money laundering RCW 9A.83.030; Child prostitution RCW 9A.88.150; Commercial metal RCW 19.290.230; Controlled substances RCW 69.50.505; Fish and wildlife enforcement RCW 77.15.070).
      (b) 10 or 15 days’ notice for conveyances. (Gambling RCW 9.46.231; Child prostitution/Promoting Prostitution in the 1st degree RCW 9A.88.150; Controlled substances RCW 69.50.505).
   4. Property is promptly released to those entitled to its return.
   5. Any cash received is deposited with the fiscal agent.
   6. Assistance with the resolution of ownership claims and the release of property to those entitled is provided.
   7. This policy and any related policies are periodically reviewed and updated to reflect current federal and state statutes and case law.

(h) Ensuring that a written plan is available that enables the Sheriff to address any extended absence of the forfeiture reviewer, thereby ensuring that contact information for other law enforcement officers and attorneys who may assist in these matters is available.
Asset Forfeiture

(i) Ensuring that the process of selling or adding forfeited property to the department’s regular inventory is in accordance with all applicable laws and consistent with the department’s use and disposition of similar property.

(j) Upon completion of any forfeiture process, ensuring that no property is retained by the Pierce County Sheriff's Department unless the Sheriff authorizes in writing the retention of the property for official use.

(k) Addressing any landlord claims for reimbursement through forfeited assets or damage to property (RCW 9.46.231; RCW 69.50.505).

(l) Compensating victims of commercial metal crimes within 120 days (RCW 19.290.230).

Forfeiture proceeds should be maintained in a separate fund or account subject to appropriate accounting control, with regular reviews or audits of all deposits and expenditures.

Forfeiture reporting and expenditures should be completed in the manner prescribed by the law and County financial directives.

606.7 DISPOSITION OF PROPERTY
No member of this department may use property that has been seized for forfeiture until the forfeiture action has been completed and the Sheriff or the Sheriff’s designee has given written authorization to retain the property for official use.
Eyewitness Identification

610.1 PURPOSE AND SCOPE
This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques.

610.1.1 DEFINITIONS
Definitions related to the policy include:

Eyewitness identification process - Any field identification or photographic identification.

Field identification - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

Photographic lineup - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

610.2 POLICY
The Pierce County Sheriff's Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

610.3 INTERPRETIVE SERVICES
Members should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating member should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

610.4 EYEWITNESS IDENTIFICATION PROCESS AND FORM
The Criminal Investigations Bureau supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process should include appropriate forms or reports that provide:

(a) The date, time and location of the eyewitness identification procedure.

(b) The name and identifying information of the witness.

(c) The name of the person administering the identification procedure.

(d) If applicable, the names of all of the individuals present during the identification procedure.
Eyewitness Identification

(e) An instruction to the witness that it is as important to exclude innocent persons as it is to identify a perpetrator.

(f) An instruction to the witness that the perpetrator may or may not be among those presented and that the witness is not obligated to make an identification.

(g) If the identification process is a photographic lineup, an instruction to the witness that the perpetrator may not appear exactly as he/she did on the date of the incident.

(h) An instruction to the witness that the investigation will continue regardless of whether an identification is made by the witness.

(i) A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.

(j) A statement from the witness in the witness's own words describing how certain he/she is of the identification or non-identification. This statement should be taken at the time of the identification procedure.

610.5 EYEWITNESS IDENTIFICATION
Members are cautioned not to, in any way influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case. Members should avoid mentioning that:

• The individual was apprehended near the crime scene.
• The evidence points to the individual as the suspect.
• Other witnesses have identified or failed to identify the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

610.6 PHOTOGRAPHIC LINEUP CONSIDERATIONS
Individuals in the lineup should reasonably match the description of the perpetrator provided by the witness and should bear similar characteristics to avoid causing any person to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

610.7 FIELD IDENTIFICATION CONSIDERATIONS
Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photographic lineup. A field elimination show-up or one-on-one identification should not be used when independent probable cause exists to arrest a suspect. In such cases a photographic lineup is the preferred course of action if eyewitness identification is contemplated.

When initiating a field identification, the member should observe the following guidelines:

(a) Obtain a complete description of the suspect from the witness.
Eyewitness Identification

(b) Members should bring the witness to the location of the subject of the show-up, rather than bring the subject of the show-up to the witness.

(c) The person who is the subject of the show-up should not be shown to the same witness more than once.

(d) In cases involving multiple suspects, witnesses should only be permitted to view the subjects of the show-up one at a time.

(e) The person who is the subject of the show-up should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.

(f) If a witness positively identifies a subject of the show-up as the suspect, members should not conduct any further field identifications with other witnesses for that suspect. In such instances members should document the contact information for any additional witnesses for follow up, if necessary.

610.8 DOCUMENTATION
A thorough description of the eyewitness process and the results of any eyewitness identification should be documented in the case report.

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report, and the original booked as evidence. In addition, the order in which the photographs were presented to the witness should be documented in the case report regardless of whether or not the witness selected someone from the lineup.
Brady Material Disclosure and Management

613.1 PURPOSE AND SCOPE
This policy establishes guidelines for identifying and releasing potential exculpatory or impeachment information (so called “Brady” information”) to a prosecuting attorney. This policy applies to information relevant to criminal investigations conducted by the Sheriff’s Department.

613.1.1 DEFINITIONS
Definitions related to this policy include:

Brady information -Information known or possessed by the Pierce County Sheriff’s Department that is potentially favorable to a criminal defense, pertaining to a specific investigation that is the subject of a criminal prosecution.

Exculpatory Evidence – Evidence is exculpatory if it is evidence that is potentially favorable to the defendant, is material to the guilt, innocence, or punishment of the defendant, or is impeachment evidence that may impact the credibility of a government witness, including a law enforcement agency employee. Exculpatory evidence must be documented and disclosed to the relevant prosecuting authority.

613.2 THE BRADY RULE
The prosecution must disclose to the defense evidence that is favorable to a defendant. Brady v. Maryland, 373 U.S. 83 (1963). This duty to disclose such evidence is applicable even though there has been no request by the accused. United States v. Agurs, 427 U.S. 97, 107 (1976). The rule encompasses material exculpatory evidence including impeachment evidence. United States v. Bagley, 473 U.S. 667, 676 (1985).

613.2 POLICY
The Pierce County Sheriff's Department will conduct fair and impartial criminal investigations and will provide the prosecution with both Brady information and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt related to a criminal defendant, the Pierce County Sheriff's Department will assist with its obligation to disclose information that is potentially favorable to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information as provided in this policy.

613.3 DISCLOSURE OF INVESTIGATIVE INFORMATION
Employees conducting criminal investigations must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an employee learns of potentially incriminating or exculpatory information any time after submission of a case, the employee or the handling investigator must prepare and submit a supplemental report.
Brady Material Disclosure and Management

documenting such information as soon as practical. Supplemental reports shall be promptly processed and transmitted to the prosecutor's office.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an employee is unsure whether evidence or facts are material the employee shall address the issue with a supervisor. If the information is believed to be privileged or confidential (e.g., confidential informant or protected personnel files); the employee shall discuss the matter with a supervisor to determine the appropriate manner in which to proceed.

Supervisors who are uncertain about whether evidence or facts are material shall address the issue with the appropriate prosecutor of legal counsel.
Potential Impeachment Evidence PIE

614.1 PURPOSE AND SCOPE
This policy addresses disclosure of potential impeachment information that may be in the possession of the department and or its personnel. It sets forth law enforcement duties and procedures regarding disclosure of information about department personnel who may be recurring witnesses pursuant to the Brady rule. It is intended to meet prosecutorial obligations and preserve the constitutional due process rights of defendants, while permitting efficient and effective law enforcement investigation and prosecution of criminal cases. This policy is intended to function in conjunction with the Department’s Brady policy and other established Brady policies and procedures applicable to prosecutors. Department personnel who may be witnesses in criminal proceedings should be familiar with the Brady/potential impeachment evidence disclosure policies of the prosecuting authorities who may call department personnel to testify.

614.1.1 DEFINITIONS
Definitions related to potential impeachment evidence disclosure:

Recurring Government Witness—Those law enforcement employees/officers for whom it is reasonable to believe will or may be called to testify more than once or on a regular basis.

Exculpatory Evidence – Evidence is exculpatory if it is evidence that is potentially favorable to the defendant, is material to the guilt, innocence, or punishment of the defendant, or is impeachment evidence that may impact the credibility of a government witness, including a law enforcement agency employee. Exculpatory evidence must be disclosed.

Impeachment Evidence – Evidence that might potentially be used to impeach a witness is exculpatory evidence and must be disclosed to the defense by the prosecutor. Impeachment evidence is evidence that may potentially demonstrate that a witness is biased or prejudiced against a party, has some other motive to fabricate testimony, has a poor reputation for truthfulness, has a pattern of performance errors, or has past specific incidents that may be probative of the witness’ truthfulness or untruthfulness.

Admissibility of impeachment evidence is determined on a case-by-case basis by the courts. Therefore, even evidence that is likely to be inadmissible can still be considered potential impeachment evidence information, and thus be required to be submitted to the prosecutor.

614.2 THE BRADY RULE
The prosecution must disclose to the defense evidence that is favorable to a defendant. Brady v. Maryland, 373 U.S. 83 (1963). This duty to disclose such evidence is applicable even though there has been no request by the accused. United States v. Agurs, 427

614.3 LAW ENFORCEMENT DUTIES
Department personnel must collect, and document exculpatory and potential impeachment information discovered pursuant to administrative investigations into the conduct of employees of the Sheriff’s Department as well as any criminal investigations and provide it to the prosecution. Department personnel who have knowledge of information that could impeach any non-law enforcement witness must provide that information to the prosecution as well.

614.4 TRAINING
All department personnel who may be a recurring government witness should be properly trained on the department’s obligation to disclose potential impeachment information. For the purposes of this policy, department personnel includes anyone employed by the agency who may be called to testify under oath. However, the existence of the policy and a copy should be made known and available to all employees.

614.5 EMPLOYER-EMPLOYEE AGREEMENTS REGARDING LAW ENFORCEMENT CONDUCT
The department shall investigate complaints regarding its personnel in accordance with established policies and the terms of any applicable collective bargaining agreement.

Actions/agreements such as resignation, demotion, retirement or separation from service of an employee/officer in lieu of disciplinary action do not control whether information is potential impeachment information. The Sheriff or his designee may consult with the appropriate legal counsel in making a determination if information not related to substantiated findings is potential impeachment information or in cases where he is uncertain regarding what action to take.

614.6 LAW ENFORCEMENT AGENCY RESPONSE TO POTENTIAL IMPEACHMENT INFORMATION REQUEST-CATEGORIES OF EVIDENCE AND PROCEDURES
The department must review all of its internal investigation files to determine if any possible potential impeachment evidence exists on any of its employees who may be called as witnesses by a prosecuting authority. If such information exists, the department must submit the information to the prosecuting authority. The prosecution is under a continuing duty to disclose potential impeachment information and therefore the department must also notify the prosecutor any time it becomes aware of new potential impeachment information.
If the department receives a request from a prosecuting authority for possible potential impeachment information on an employee/officer who qualifies as a recurring government witness, the department shall comply with the request as soon as practicable and according to the policies and procedures below, notwithstanding any other policies or procedures established in the collective bargaining agreement between the parties, which shall prevail if there is a conflict.

614.6.1 SUSTAINED FINDINGS OF MISCONDUCT
The department shall disclose to the prosecution as potential impeachment material information regarding any final determination by the Sheriff or his designee of a sustained finding related to an employee’s/officer’s dishonesty, untruthfulness, criminal conduct, or bias regardless of whether or not discipline was given. The department will follow its current policies, and the terms of any collective bargaining between the parties, regarding document retention for sustained findings and disciplinary processes. Admissibility of such information will be determined by the trial court.

614.6.2 CRIMINAL CONVICTIONS
Washington State criminal court rules provide that a prosecutor shall provide to the defense “any record of a prior criminal conviction known to the prosecuting attorney or all witnesses at a hearing or trial.” Disclosure is not limited to convictions for crimes of dishonesty. The department will disclose to the prosecution as potential impeachment material all known criminal conviction information regarding any employee/officer who may be a recurring government witness. Admissibility of such information will be determined by the trial court.

614.6.3 NOT SUSTAINED FINDINGS
The department shall disclose to the prosecution as potential impeachment material information regarding any final determination by the Sheriff or his designee regardless of whether or not discipline was given. The department will follow its current policies regarding document retention for not sustained findings and disciplinary processes. Admissibility of such information will be determined by the trial court.

The requirement to disclose potential impeachment evidence extends to “any information that a reasonable person, knowing all relevant circumstances, could view as impairing the credibility of an officer that will or could be called to testify in a particular criminal proceeding.” Disclosure by the department may be deemed necessary in circumstances where a sustained finding has not been reached by the Sheriff and the evidence would otherwise qualify as exculpatory or impeachment evidence. Such disclosure will not necessarily reflect a belief of the prosecutor’s office or the department that any misconduct took place. It is therefore possible that “disclosure may be required in cases where
a prosecutor’s office and/or the law enforcement agency believe that no misconduct occurred, if a reasonable person could draw a different conclusion.”

This policy is not intended to address every disclosure requirement imposed upon the department and its personnel. Department personnel should keep in mind that records pertaining to allegations of misconduct are otherwise subject to disclosure under the Public Records Act, RCW 42.56. et. seq. regardless of the stage of the investigative proceedings or the existence of any adverse administrative findings. Findings by the department for purposes of internal discipline and or management control may not be determinative of the department’s duties to disclose information to satisfy constitutional due process requirements in criminal proceedings and to avoid civil liability. In addition to violating the due process rights of a defendant, jeopardizing a criminal investigation, and risking dismissal of a criminal case, the failure of department personnel to disclose potential impeachment information could expose the department, its employees and their spouses, to municipal and individual liability for civil rights violation claims under 42 U.S.C. § 1983.

614.6.4 CURRENT OR ONGOING INVESTIGATIONS
Pending criminal or administrative investigations are considered preliminary in nature, and the prosecution should be notified of their existence. The department has an obligation to communicate potential impeachment evidence, specifically impeachment and exculpatory evidence as defined in Section 614.1.1, that becomes known to the department or its personnel at any time in the course of a criminal or administrative investigation regardless of whether any administrative findings have been made and regardless of whether any formal investigation has been initiated. U.S. v. Olsen, 704 F.3d 1172 (2013).

As required by the Olsen decision, disclosure of potential impeachment information that is the subject of an ongoing internal investigation will be governed by the nature and quality of the allegations and evidence, not by the status of the investigation.

It should be kept in mind that the Washington State Supreme Court has held that investigative records of an ongoing and yet to be completed internal investigation concerning law enforcement personnel are no longer categorically exempt from disclosure under the Public Records Act. See Sargent v. Seattle Police Dep’t., 179 Wn.2d 376 (2013). The department may consult with legal counsel in assessing whether information developed as part of an on-going investigation must be disclosed as a result of a public records request.

614.6.5 EXPERT WITNESSES
Department information regarding employee expert witnesses may be considered potential impeachment evidence. The department will investigate any confirmed performance errors committed by its expert witness employees. Any final determination of
a sustained finding related to an expert witness’s unsatisfactory employment performance that compromises the expert’s conclusions, opinions, or ability to serve as an expert witness, regardless of whether or not discipline was given, must be turned over to the prosecution.

614.6.6 OTHER POTENTIAL IMPEACHMENT OR RELEVANT INFORMATION
The Sheriff or his or her designee should consult with appropriate legal counsel in making a determination if evidence not related to sustained findings of dishonesty or untruthfulness is potential impeachment information. This may include evidence related to current or ongoing investigations, disciplinary actions, in-lieu-of actions, and employment agreements or when he or she is uncertain regarding what action to take. Legal counsel may be consulted in cases regarding potential disclosure of other evidence that may be relevant in a case (such as excessive use of force findings in current cases with allegations of excessive use of force, findings of bias etc.).

614.6.7 WHAT IS NOT POTENTIAL IMPEACHMENT INFORMATION
Allegations that are not credible, without merit, false, result in a finding of exonerated, not involved or unfounded are not potential impeachment information. If information disclosed is later determined to fall within this section, the department will issue a written retraction to all persons who received prior notification. The subject employee will receive written notification of the retraction, as well a copy of any notices sent to persons who received the information. These notices shall be included in the employee/officer file in accordance with Record Keeping section.

614.6.8 NOTIFICATION
The department will at the initiation of and upon completion of an investigation promptly notify the prosecutor’s office of allegations of misconduct concerning a recurring government witness that relate to any issue of truthfulness, honesty, bias, or other qualifying potential impeachment evidence. All such notifications shall be in writing. The act of disclosing information to a prosecuting authority does not necessarily reflect a conclusion by the department that the employee engaged in the alleged misconduct.

If potential impeachment information is found in department files or is known to department personnel, the department shall notify the employee/officer who is the subject of the potential impeachment information, consistent with all agency policies and procedures, the terms of any applicable collective bargaining agreement, and other regulations applicable to the agency and employee/officer. The employee/officer notification shall be in writing and shall include the opportunity to review the information that has been presented to the prosecutor. The employee/ officer may provide a response to the notification and request a meeting to discuss the potential impeachment information discovered. If the possible potential impeachment information identifies any other
employee who may have privacy rights to the information, the agency shall notify that person consistent with agency policy, of the agency’s provision of the information to the prosecutor and/or court.

614.6.9 RECORD KEEPING
If information is provided to the prosecutor and determined to be potential impeachment information, the department shall note in the employee/officer file that such information was subject to disclosure. In cases where a court determines that information must be disclosed to the prosecution and defense, the agency shall note in the file that the information was subject to disclosure and maintain a copy of the court order with the information in the file. If the court determines that the information should not be disclosed to the prosecution and defense, the agency shall note in the file that the information was not subject to disclosure and include a copy of the court’s finding in the file.
Sexual Assault Investigations

615.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims.

Mandatory notifications requirements are addressed in the Child Abuse and Adult Abuse policies.

615.1.1 DEFINITIONS
Definitions related to this policy include:

Sexual assault - Any crime or attempted crime of a sexual nature, to include, but not limited to, offenses defined in RCW 9A.44.010 et seq. and RCW 9A.64.020.

615.2 POLICY
It is the policy of the Pierce County Sheriff's Department that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will appropriately investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

615.3 REPORTING
In all reported or suspected cases of sexual assault, a report should be written and evaluated for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated. No opinions of whether the case is unfounded shall be included in any report.

615.4 VICTIM INTERVIEWS
An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances.

Victims are often reluctant or embarrassed to discuss details. Due to physical and emotional trauma associated with sexual assault, inconsistencies in the victim's report are not uncommon.

No opinion of whether the case is unfounded should be included in a report.

Victims should be apprised of applicable victim's rights provisions, as outlined in the Victim Witness Assistance Policy.

615.4.1 POLYGRAPH EXAMINATION OF VICTIM
Victims of alleged sex offenses shall not be asked or required to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of the offense. The
refusal of a victim to submit to a polygraph or other truth telling device shall not by itself prevent the investigation, charging or prosecution of the offense (RCW 10.58.038; 34 USC § 10451).

615.4.2 VICTIM PERSONAL REPRESENTATIVE
A victim may choose a personal representative to accompany him/her to the hospital or other health care facility and to any proceeding concerning the alleged sexual assault, including interviews. A personal representative includes a friend, relative, attorney, employee or volunteer from a community sexual assault program or specialized treatment service provider (RCW 70.125.030; RCW 70.125.060).

615.5 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE
When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault. If a drug-facilitated sexual assault is suspected, urine and blood samples should be collected from the victim as soon as practicable.

Subject to requirements set forth in this policy, biological evidence from all sexual assault cases, including cases where the suspect is known by the victim, should be submitted for testing.

615.5.1 COLLECTION AND TESTING REQUIREMENTS
Members investigating sexual assaults or handling related evidence are required to do the following:

(a) Sexual assault examination kits shall be submitted to an approved lab within 30 days with a request for testing prioritization when either of the following conditions are met (RCW 5.70.0003):
   1. A related report or complaint is received by the Department alleging a sexual assault or other crime has occurred and the victim has consented to the submission.
   2. The victim is an unemancipated person 17 years or age or younger.

(b) Facilitate the collection of an unreported sexual assault kit from a collecting entity when this department has jurisdiction to investigate any related criminal allegations (RCW 5.70.0002).

Additional guidance regarding evidence retention and destruction is found in the Property and Evidence Policy.

615.5.2 STATEWIDE SEXUAL ASSAULT KIT TRACKING SYSTEM
Members investigating a sexual assault should ensure that that biological evidence is tracked appropriately in the statewide sexual assault kit tracking system, when that system becomes operational (RCW 35.21.195; RCW 36.28.200).

615.6 RELEASING INFORMATION TO THE PUBLIC
In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing information
Sexual Assault Investigations

to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Criminal Investigation Division investigator should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes. Prior to the release of any information to the public the investigator shall consult with the Sheriff or the Sheriff’s designee. Any release of information shall be coordinated with the Public Information Officer.
Redacted per RCW 42.56.240(1)
Redacted per RCW 42.56.240(1)
Redacted per RCW 42.56.240(1)
Chapter 7 - Equipment
Department Issued Equipment

700.1 PURPOSE AND SCOPE
Employees shall use Department equipment only for its intended purpose in accordance with established Departmental procedures, and will not abuse, willfully damage, or permit loss through negligence of that equipment. Employees will maintain all equipment assigned to them in good condition and will not convert equipment to their own use.

700.2 CARE OF DEPARTMENT PROPERTY
Employees are responsible for the safekeeping, serviceable condition, proper care, use and replacement of department property assigned or entrusted to them.

(a) Employees shall examine all Department equipment assigned or entrusted to them prior to use. Any damage or operational defects discovered shall be promptly reported to the employee's supervisor. In addition, employees will report any inoperative, defective, or hazardous equipment which comes to their attention.

(b) Loss, damage, or waste of Department property or equipment through negligence, carelessness, or improper use may be grounds for disciplinary action.

(c) The employee responsible for such a loss, damage, or waste may be charged for the cost of repair or replacement of the property in question.

(d) Department property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without proper authority.

700.2.1 RETURN OF EQUIPMENT
When an employee resigns, is discharged, or leaves service of the Department for any reason, he shall surrender all department-owned property and equipment issued to him or in his possession.

Law Enforcement Deputies shall turn in their property as directed on the Property Management form.

Corrections Deputies shall turn their property in to the Bureau Supply Deputy (or Supervisor if Supply Deputy is not available).

Support staff shall turn their property in to their supervisors.

The final paycheck of such an employee may be held pending compliance with this section.

700.3 DEPARTMENT EQUIPMENT AND COMMERCIAL ENDORSEMENTS
No equipment, vehicle, uniform or other property of the Department may be used in commercial depiction - photograph, video, or other medium - regardless of whether the PCSD property is identifiable or not without the Sheriff's consent.
Personal Communication Devices

702.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs) wireless capable tablets and similar wireless two-way communications and/or portable internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games and accessing sites or services on the internet.

702.2 POLICY
The Pierce County Sheriff’s Department allows members to utilize department-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on-duty, or used off-duty in any manner reasonably related to the business of the Department, will be subject to monitoring and inspection consistent with the standards set forth in this policy.

The inappropriate use of a PCD while on-duty may impair officer safety. Additionally, members are advised and cautioned that the use of a personally owned PCD either on-duty or after duty hours for business-related purposes may subject the member and the member’s PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

702.3 PRIVACY POLICY
Any employee utilizing any communication and information systems (including but not limited to recorded communications, email, dispatch electronic messages, pagers, “Smart Phones”, cell phones, and computer files) provided by or funded by the Department expressly acknowledges and agrees that the use of such service, whether for business or personal use, shall remove any expectation of privacy the employee, sender and recipient of any communication utilizing such service might otherwise have, including as to the content of any such communication. The Department also expressly reserves the right to access and audit any and all communications (including content) sent, received and/or stored through the use of such service as business needs require.
702.4 GUIDELINES FOR TELEPHONE, VOICE MAIL, EMAIL, COMPUTER, AND DISPATCH SYSTEMS
The telephone, voice mail, email, and computer systems are intended to be used for department-related business purposes only. Improper or personal use of these systems which increase costs, interferes with job performance, or is used to harass or insult other employees will not be tolerated.

A. PERSONAL PHONE CALLS - Personal use of the telephone should be minimal. Such calls should be made during scheduled breaks or during emergencies only.

B. PERSONAL LONG-DISTANCE CALLS - Personal long-distance phone calls may not be charged to the department without a supervisor’s permission. Long distance calls must either be placed collect or billed to the employee’s personal calling card.

C. CELL PHONE POLICY - Cell phones and hand-held wireless devices are issued to employees in order for them to be more effective and efficient in their job functions, they are County property, and employees are responsible for their use. Cell phones and hand held wireless devices provided by the department are to be used exclusively for department business. Personal use of department issued cell phones and hand held wireless devices is prohibited, except as follows:

   (a) Communications to an employees home, family, child care provider or similar persons by an employee when the employee is required to work extended hours

   (b) Any communications in an emergency regarding personal injury or property damage, whether to private or public property

   (c) Employees requiring immediate representation from a Guild or Union representative prior to an unscheduled interview with a supervisor over a potential disciplinary action. No other Guild or Union related communications are allowed.

   (d) Incidental and infrequent personal phone calls may be made if there is no or negligible (de minimus) cost to the department and it does not interfere with department work. Typically, calls should not exceed 10 minutes in duration.

   (e) Phone calls related to personally owned business(s) and outside employment shall be prohibited. (This does not apply to department related off duty employment).

   (f) All phone records from County issued phones are subject to public disclosure.

D. EMAIL, VOICE MAIL, AND DISPATCH ELECTRONIC MESSAGING SYSTEMS - Email, voice mail, and dispatch electronic messaging systems are to be used for department business only. As with all communications, email, voice mail, and dispatch messages (and all other communication devices) communications should be professional and courteous and are not to be used in a way that may be disruptive to business operations, offensive to coworkers, or harmful to morale. When practical, employees are required to check their
email and voice mail daily when on-duty. Occasional and incidental personal use of email may be permitted on a limited basis if the content of such email is professional, and where the use of the system does not impact department systems or work time, or negatively affect the workplace.

E. DEPARTMENT LETTERHEAD AND SUPPLIES - Department letterhead, postage, supplies, etc. are to be used solely for business related communication. No personal use is allowed.

F. PHOTOCOPYING, FAXING, AND MAIL FACILITIES - Mail equipment, fax, and photocopying machines are to be used for department business purposes only. No personal use is allowed.

702.4.1 PROHIBITED ACTIVITIES
Use of department-provided communications equipment for the following activities is strictly prohibited:

(a) SOLICITATION - Solicitation for commercial, religious, political, charitable, union, or other non-business causes without the written authorization of the Sheriff.

(b) NON-JOB-RELATED COMMUNICATIONS - Communications regarding personal matters, outside organizations, or non-job-related matters (except for limited use as described in this policy).

(c) SEXUALLY EXPLICIT MESSAGE - The communication of any images, words, or other indication that is sexually explicit, sexually harassing, or containing any message which might be considered to have sexual content.

(d) DISCRIMINATORY MESSAGES - Transmission of ethnic slurs, racial epithets, jokes, or any communication that may be considered harassing or insulting to others based on race, national origin, gender, sexual orientation, age, disability, religious, or political beliefs.

(e) HARASSMENT - Transmission of derogatory comments, racial slurs, or any form of discriminatory communication to harass any other person.

Communication transmissions of department equipment are considered department property, and employees should hold no expectation that their communications are private. The department will not tolerate abuse of the communications systems and can trace the origin of abusive messages and employ appropriate disciplinary action up to and including termination.

702.5 GUIDELINES FOR COMPUTER SOFTWARE AND HARDWARE USE
A. UNAUTHORIZED INSTALLATION OF COMPUTER SOFTWARE AND HARDWARE
To ensure the safety and integrity of the Pierce County computer network, employees will not install any software or hardware on a department computer without the permission of the supervisor of the department's Information Technology (IT) Unit. Employees must request permission to install software or hardware by contacting the IT Unit supervisor.
Personal Communication Devices

B. DEPARTMENT RIGHT TO MONITOR

The department reserves the right to access, intercept, review, monitor, and disclose all messages sent or received over any department-issued communication equipment or systems. This right extends to communications systems provided by South Sound 911 Law Enforcement Records.

C. PASSWORDS

All passwords remain the property of the department. Confidential passwords should not be shared with co-workers or others.

702.6 INTERNET ACCESS

Filtered and logged Internet access is available to any user on the County's internal network by default. A Department Director or their designee can explicitly deny Internet access for a particular user or computer by request to the Information Technology Department. To enable certain specialized job functions, a Department Director may authorize, in writing to the Information Technology Department, unfiltered Internet access for particular employees.

Access to the Internet from any business computer connected to the County's internal network is only allowed via the County’s centralized Internet connection. Alternate methods of Internet access, such as using a modem, would compromise the County's network security exposing it to potential harm. Requests for exceptions to this rule must be reviewed and approved by the Information Technology Department Security Committee.

702.7 INTERNET USE

All Pierce County employees are responsible for using Internet resources in an ethical, responsible and legal manner. The primary use of the Internet via Pierce County business computers will be for County business related purposes. Department Directors are responsible for managing use of the Internet by their staff, restricting use or limiting time as they see appropriate. Users should consider their Internet activity as public information and manage their activity accordingly. All Internet traffic goes out beyond the protected Pierce County network into a wide reaching un-secure network. The Information Technology Department monitors and reports on the Internet activity on the County’s network.

Reference IT Internet Access/Use Policy - 02.01.16

702.7.1 INTERNET - PERSONAL USE

As a benefit to employees, Internet access for personal use by authorized users may be permitted on a limited and brief basis, in accordance with Pierce County Internet Access/Use Policy 02.01.16 where use of the system is not done in a manner that impacts work time or negatively affects the workplace. It is expected that such use will be conducted using good judgment, with the knowledge that we are accountable to the taxpayers and that personal Internet access directly competes for limited resources used to conduct legitimate County operations and provide the public access to our on-line government services. Employees will be held responsible for their Internet usage.
This limited personal use of the Internet is intended to allow employees incidental, unplanned, but necessary access to information needed during the workday, similar to the use of a County phone to make a brief personal phone call. These access periods are intended to be quick, as in less than five minutes, and to be specifically targeted activities rather than just looking around the Internet to pass the time on break. Such activities may not be done during work time. Please refer to the more detailed "Frequently Asked Questions: Personal Internet Use" document referenced later in this policy for more information.

Authorized users must understand that such use comes with the implicit and express consent of the user for the County to monitor, access, use and disclose activity. Such use must not violate other County policies (e.g., soliciting items for sale, discrimination, harassment, use for private business, misuse of County time, etc.).

See also "Prohibited Uses" in this policy. If an authorized user wants to access an Internet site and they are uncertain about whether it is permitted under this policy, they should first read the "Frequently Asked Questions: Personal Internet Use" document referred to in the reference section of this policy matter. If questions remain, they should discuss them with the supervisor. Users must understand that all personal use of the Internet via County resources is at their own risk and precautions necessary to protect their privacy and sensitive information is their responsibility.

Limited internet access using a Personal Internet Device in or around County facilities is currently allowed, but must be limited so it does not impact work time or negatively affect the workplace. Such access and use must be consistent with other County policies and prohibitions and must be on your break or lunch time. In the event such use impacts other County services, it may become necessary to further limit or restrict such use.

702.7.2 INTERNET - PROHIBITED USES
The following are provided as examples of prohibited uses and are not intended to be all inclusive. Users are prohibited from accessing, downloading, or viewing materials which would generally be considered to be inappropriate in the workplace. This includes any material of a sexual nature such as jokes, posters, pictures or sexual communications. In addition, communications which would be inappropriate under other policies are also prohibited (e.g., sexual harassment, racial comments, religious or political solicitations, insubordination, breaches of confidentiality, dealing with illegal activity, etc.) Other examples of prohibited uses include: use for personal or commercial gain, chat rooms, bypassing security systems, attempting to cause harm to another computer system, viewing or using bandwidth intensive activities, actions which violate copyright or trademark laws or other license restrictions. Employees are responsible for understanding what use is not acceptable and should read the "Frequently Asked Questions: Personal Internet Use" document referred to in the reference section of this policy.

The County shall consider a variety of factors when determining if there has been prohibited use of the County’s computer system including, but not limited to the:

(a) Extent of use
Personal Communication Devices

(b) Frequency of use
(c) Sites accessed
(d) Parties corresponded with
(e) Time spent
(f) Impact or potential impact on the County
(g) Potential risk of exposure to the County
(h) Content or purpose of the message

702.8 USE WHILE DRIVING
The use of a PCD while driving can adversely affect safety, cause unnecessary distractions and present a negative image to the public. Deputies operating Sheriff's Department emergency vehicles should restrict the use of these devices to matters of an urgent nature and should, where practical, stop the vehicle at an appropriate location to use the PCD.

Members who are operating Sheriff's Department vehicles other than authorized emergency vehicles should, if available and practical, use the hands-free mode while using a PCD in compliance with RCW 46.61.670.
Department Pool Vehicles

704.1 PURPOSE AND SCOPE
Employees are responsible for assisting in maintaining Department pool vehicles so that they are properly equipped, properly maintained, properly refueled and present a clean appearance.

704.2 DEFECTIVE VEHICLES
When a vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service for repair.

704.3 VEHICLE EQUIPMENT
Certain items shall be maintained in all vehicles for emergency purposes and to perform routine duties.

Employee’s shall inspect the vehicle (marked or unmarked) at the beginning of the shift and ensure that the following equipment, at a minimum, is present in the vehicle:

- Emergency road flares
- First aid kit
- Fire extinguisher
- Personal Protective Equipment per § 1016 and § 1024

704.4 VEHICLE REFUELING
Employee’s shall ensure that the vehicle has adequate fuel capacity when the vehicle is checked out and is refueled at the completion of the scheduled use.

704.5 WASHING OF VEHICLES
All vehicles shall be kept clean at all times and weather conditions permitting, shall be washed as necessary to enhance their appearance. Employees are authorized to use gas card for car wash purchase or County contracted wash facilities.

Employees using a vehicle shall remove any trash or debris at the end of their shift. Any confidential material should be placed in a designated receptacle provided for the shredding of this matter.

704.6 CIVILIAN EMPLOYEE USE
Civilian employees using marked vehicles shall check to ensure all weapons have been removed from vehicles before going into service. If a weapon is found, the civilian employee shall immediately notify the on duty supervisor to coordinate safe removal of the weapon. Civilian employees shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.
Vehicle Use

706.1 PURPOSE AND SCOPE
The department utilizes County owned motor vehicles in a variety of applications operated by department personnel. In order to maintain a system of accountability and ensure County owned vehicles are used appropriately, regulations relating to the use of these vehicles have been established. The term "County owned" as used in this section also refers to any vehicle leased or rented by the County.

706.2 POLICY
The Pierce County Sheriff's Department provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the department, requirements for tactical deployments and other considerations.

706.3 ASSIGNED VEHICLES
County owned vehicles assigned to personnel for their use within their job assignment may be used to transport the employee to and from their residence for work-related purposes.

Per Labor agreements, a limited number of assigned vehicles may be driven to out of county residences. Only employees with specific written approval may drive a County vehicle to their residence outside of Pierce County. Please refer to your labor contract.

The vehicle shall only be used for work-related purposes and shall not be used for personal errands, or transports, unless special circumstances exist and authorization has been given by a supervisor.

The assignment of vehicles is at the discretion of the Sheriff. Assigned vehicles may be changed at any time and/or permission to take home a vehicle may be withdrawn at any time.

Personnel in light duty status may not drive marked county owned vehicles.

706.3.1 INSPECTIONS
Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported.
All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

706.3.2 AUTHORIZED PASSENGERS
Unless special circumstances exist and authorization has been given by a supervisor, passengers in department vehicles should be limited to commissioned officers, non-commissioned department employees, Pierce County employees, law enforcement personnel from other agencies, government officials, news media representatives, prisoners, witnesses, victims being transported to the hospital, and civilians. Civilian observers must complete an observer form (Z-1457) and must obtain the approval of the shift supervisor prior to riding in a marked patrol vehicle.

Members shall not transport prisoners of the opposite sex without first calling in their mileage and location via radio. Members shall call in ending mileage and location via radio immediately upon reaching their destination.

706.3.3 ALCOHOL/MEDICATION
Members who have consumed an amount of alcoholic beverage or taken any medication that adversely affects their ability to drive are prohibited from operating any department vehicle. Regardless of assignment (e.g., task force, undercover work), members may not violate state law regarding vehicle operation while intoxicated.

706.3.4 UNDERCOVER VEHICLES
Undercover vehicles, if not assigned to an individual department member, shall not be used without first obtaining approval from the respective unit supervisor. Undercover vehicles shall not be used for routine law enforcement operations.

706.3.5 SPECIAL PURPOSE VEHICLES
All vehicles other than automobiles and small vans will be considered special purpose vehicles. Special purpose vehicles and equipment will be utilized by the department on an "as-required" basis. These vehicles will be utilized by commissioned officers and authorized volunteers who are properly trained and licensed only. Operation of these vehicles will be in compliance with all PCSD policies, regulations, county, state, and federal requirements.

The department uses the following SPECIAL PURPOSE VEHICLES:

1. Motorcycles
2. ATV's
3. Snowmobiles
4. Personal Watercraft
5. Patrol boats
6. Rescue One and Rescue Two armored vehicles (SWAT)
Vehicle Use

Only commissioned officers or authorized volunteers who meet minimum operator requirements will be allowed to operate and use special purpose vehicles. The exception to the training requirement for the use of these vehicles is in an exigent circumstance.

TRAFFIC MOTORCYCLES

The traffic sergeant will assign the department's motorcycles to traffic officers who will be responsible for maintenance and operational readiness. Prior to operation, traffic officers will complete a CJTC and a PCSD training program for motorcycle operation. Once completed, traffic motorcycle officers must pass a PCSD qualification twice a year.

ORV MOTORCYCLES

The Search and Rescue supervisor is responsible for the deployment and maintenance of ORV motorcycles which are used primarily for search and rescue missions. Operators must complete a PCSD approved training program, and must have a motorcycle endorsement on their driver's license. The supervisor having control of these vehicles will take reasonable steps to confirm that the PCSD approved training program meets PCSD policies and applicable state laws.

ATV'S/SNOWMOBILES

The Search and Rescue supervisor will be responsible for the maintenance and assignment of ATV's and snowmobiles. These vehicles will be used primarily in wilderness search and rescue operations. Operators must complete a PCSD approved training program. The supervisor having control of these vehicles will take reasonable steps to confirm that the PCSD approved training program meets PCSD policies and applicable state laws.

PERSONAL WATER CRAFT

The Marine Services Unit Supervisor will be responsible for the maintenance and assignment of personal watercraft. Operators must complete a PCSD approved training program. The supervisor having control of these vehicles will take reasonable steps to confirm that the PCSD approved training program meets PCSD policies and applicable state laws.

BOATS

The Marine Services Unit Supervisor will be responsible for the maintenance and assignment of all powered watercraft. Operators must complete a PCSD approved training program for the particular motor powered watercraft they are operating. The supervisor having control of these vessels will take reasonable steps to confirm that the PCSD approved training program meets PCSD policies and applicable state laws.

All department vessels shall be equipped and operated in conformance with applicable Federal, State and Local Laws.

All department personnel shall always wear a properly sized and secured Personal Flotation Device when on board any vessel that is on the water, and any department personnel in charge of or operating a vessel shall require all passengers to wear a properly sized and secured Personal Flotation Device.
Vehicle Use

TACTICAL ARMORED VEHICLES

The SWAT Commander is responsible for the deployment, training, logistical, and maintenance support of the SWAT tactical armored vehicles. The supervisor having control of these vehicles will take reasonable steps to confirm that the PCSD approved training program meets PCSD policies and applicable state laws.

All operations of SPECIAL USE VEHICLES are required to be in a manner consistent with applicable laws, policies and training received.

706.4 SECURITY

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging). Members who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended.

Employees may take County owned assigned vehicles home and shall meet the following criteria:

(a) Vehicles shall be locked when not attended.

(b) All firearms, kinetic impact weapons and MDC's that cannot be secured in a locking rack or locking computer docking station shall be removed from the interior of the vehicle and placed in the trunk or properly secured in the residence when the vehicle is not attended.

706.4.1 KEYS

Personnel assigned a permanent vehicle shall be issued keys for their respective vehicle. The loss of any assigned key shall be promptly reported to the employee's supervisor and the Fleet Services Garage.

706.5 ENFORCEMENT ACTIONS

When driving an assigned vehicle to and from work outside of the jurisdiction of the Pierce County Sheriff's Department, a deputy shall not become involved in enforcement actions except in those circumstances where a potential threat to life or serious property damage exists.

Deputies driving marked vehicles shall be armed at all times.

Deputies may render public assistance, e.g. to a stranded motorist, when deemed prudent.

Deputies driving take-home vehicles shall be armed, and carry their department-issued identification. Deputies should also ensure that department radio communication capabilities are maintained to the extent feasible.
706.6 MAINTENANCE OF ASSIGNED VEHICLES
Each member is responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicle. Personnel may use the wash racks at the sheriff's facility, use gas card for car wash purchase, or the county contracted car wash facility.

The department shall be notified of problems with the vehicle and approve any repairs before they are performed. If an emergency or operational need arises in which it is not practical to seek prior approval, a PCSD supervisor may authorize a vehicle repair. In the event an emergency repair is completed, the supervisor authorizing the repair will see that notification of the repair is made to the department Fleet Manager.

Department Members shall make routine inspections of their assigned vehicle for service/maintenance requirements and damage. Members with assigned vehicles are responsible to ensure their assigned vehicle is serviced/maintained to department standards.

Supervisors shall make periodic inspections of vehicles assigned to personnel under their command to ensure the vehicles are being maintained in accordance with policy.

Routine maintenance and oil changes will be normally serviced at the County Fleet Services Garage. Personnel are authorized to use county contracted maintenance facility for oil changes.

Vehicles requiring warranty service shall be taken to an authorized dealer after receiving clearance from a County Fleet Services garage mechanic.

All firearms shall be removed from any vehicle left for maintenance.

706.6.1 ACCESSORIES AND/OR MODIFICATIONS
No modifications, additions or deletions of any equipment or accessories shall be made to the vehicle without written permission from the Bureau Chief.

706.7 ACCIDENT DAMAGE, ABUSE, AND MISUSE
The safety and well-being of all persons on the roadways is of paramount importance. For this reason, employees, volunteers and others acting under the direction of the Sheriff shall operate County owned or leased vehicles in a manner that regards the welfare of others. Authorized operators shall at all time set a proper example for others by the manner in which they operate department vehicles.

When a Sheriff’s Department-owned or leased vehicle is involved in a traffic accident, the involved department member shall promptly notify a supervisor. The supervisor has the responsibility to ensure that a Traffic Deputy responds to the scene of the collision to conduct an investigation. If traffic is unavailable, the supervisor on the scene will ensure the following are completed:

- Photographs
- General Report
- Collision Report
- Email to SHRCOLLISION
- BlueTeam
Vehicle Use

If the traffic accident occurs in a different county or state making the response of a PCSD Traffic Deputy impractical the involved department member will promptly notify a supervisor and contact the local jurisdiction to respond to the scene of the collision to conduct an investigation. The involved deputy shall ensure photos are taken either by responding jurisdiction or by involved deputy him/herself.

The department member involved in the collision shall complete a Supplemental Report. If the member is incapable, the supervisor shall direct another deputy to complete all necessary reports. When a collision involves a sheriff’s department vehicle or department employee, where a serious injury or death occurs, the Sheriff reserves the right to designate the investigating agency.

The Department shall have an Accident Review Board established to review accidents involving department -owned or leased vehicles. The purpose of the board is to determine if a member's accident was preventable, by review of the actions the member took or should have taken to avoid the accident. The finding of preventable or non-preventable will be based solely on this concept, and is not to be confused with a finding of legal responsibility.

Any damage to a vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered to the supervisor and general report completed. It will be the supervisor's discretion whether a traffic unit is called to investigate.

An administrative investigation will be conducted to determine if there is any vehicle abuse or misuse. If it is determined that misuse or abuse was a result of negligent conduct or operation, appropriate disciplinary action may result.

706.8 TOLL ROAD USAGE
Authorized on-duty emergency vehicles are exempt from incurring toll road charges. An authorized emergency vehicle is an on-duty vehicle of the Department which is equipped with emergency lights and siren and used to respond to emergency calls (WAC 468-270-030; WAC 468-270-085; WAC 468-270-0105).

To avoid unnecessary toll road charges, all members operating department vehicles on a toll road shall adhere to the following:

(a) Members operating department vehicles that are not authorized emergency vehicles shall pay the appropriate toll charge or utilize the appropriate toll way transponder. Members may submit a request for reimbursement from the County for any tolls incurred in the course of official business.

(b) Members in unauthorized vehicles passing through a toll plaza or booth during a response to an emergency shall notify, in writing, the appropriate Division Commander with five working days explaining the circumstances.
Chapter 8 - Support Services
Crime Analysis

800.1 PURPOSE AND SCOPE
Crime analysis should provide actionable information to aid operational personnel in meeting their tactical crime control and prevention objectives by identifying and analyzing methods of operation of individual criminals, providing crime pattern and trend recognition, providing analysis of data from field interrogations and arrests, and data mining both internal and external law enforcement and open source databases. Crime analysis assists in data-driven and problem-oriented policing by looking at crime as well as environmental, economic, and socio-demographic information that aids the development of community partnership programs and grants.

800.2 CRIME ANALYSIS DISSEMINATION
For a crime analysis system to function effectively, information should be disseminated to the appropriate units or persons on a timely basis. Information that is relevant to the operational and tactical plans of specific line units should be sent directly to them. Information relevant to the development of the Department's strategic plans should be provided to the appropriate staff units. When information pertains to tactical and strategic plans, it should be provided to all affected units.
Property and Evidence

804.1 PURPOSE AND SCOPE
This policy provides for the proper collection, storage, and security of evidence and other property. Additionally, this policy provides for the protection of the chain of evidence and those persons authorized to remove and/or destroy property.

804.2 DEFINITIONS
Property - Includes all items of evidence, items taken for safekeeping and found property.

Evidence - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs and latent fingerprints.

Safekeeping - Includes the following types of property:
- Property obtained by the Department for safekeeping, such as a firearm
- Personal property of an arrestee not taken as evidence
- Property taken for safekeeping under authority of a law

Found Property - Includes property found by an employee or citizen that has no apparent evidentiary value and where the owner cannot be readily identified or contacted.

804.3 PROPERTY HANDLING
Any employee who first comes into possession of any property, shall retain such property in his/her possession until it is properly tagged and placed in the designated property locker or storage room along with the property form. Care shall be taken to maintain the chain of custody for all evidence.

Where ownership can be established as to found property with no apparent evidentiary value, such property may be released to the owner without the need for booking. The member releasing the property shall document in a report what property was released, the person it was released to, and the date/time of the release.

804.3.1 PROPERTY BOOKING PROCEDURE
All property must be booked prior to the employee going off-duty. Employees booking property shall observe the following guidelines:

(a) Complete the property tab describing each item of property separately (when appropriate), listing all serial numbers, owner’s name, finder’s name (use Other Person Tab), and other identifying information or markings.

(b) Print a bar code and attach it to each package or envelope in which the property is stored. To minimize the risk of damage do not place the bar code directly on the item unless absolutely necessary. A bar code may be affixed to a tag and attached to the item.

(c) Place the bar code on the lower half of the envelope.
(d) A copy of the property report shall be placed with the property in the temporary property locker or with the property if property is stored somewhere else other than a property locker.

(e) When the property is too large to be placed in a locker, the item may be placed in the outside cage. Enter the case number on the evidence log and note the location of the property item.

804.3.2 NARCOTICS AND DANGEROUS DRUGS
All narcotics and dangerous drugs must be submitted in separate packages to prevent cross-contamination. Each package must be sealed with evidence tape. The seal must contain the officer's initials, ID number and the date sealed.

804.3.3 EXPLOSIVES
Deputies who encounter a suspected explosive device or hazardous materials shall promptly notify their immediate supervisor. The Hazardous Device Squad will be called to manage and handle all explosive, biological and other hazardous material incidents. This includes the responsibility for the safe handling, storage, sampling and proper disposal of all suspected explosive devices and hazardous materials. The Hazardous Device Squad will manage the separation, transportation and security of all explosive devices and hazardous materials determined to be evidence. These materials will be kept in an appropriate storage facility according to local health regulations, Washington State and Federal Law.

Explosives will not be retained in the Sheriff's facility. Only expended fireworks that are considered stable and safe may be booked into property. All such items shall be stored in proper containers and in an area designated for the storage of flammable materials.

804.3.4 EXCEPTIONAL HANDLING
Certain property items require a separate process. The following items shall be processed in the described manner:

(a) Bodily fluids such as blood or semen stains shall be air dried prior to booking.

(b) All bicycles and bicycle frames require a property report. Property tags will be securely attached to each bicycle or bicycle frame. The property should be placed in the bicycle storage area for pick up.

(c) All cash shall be counted and must be sealed when submitted, including suspected counterfeit currency. A property officer should be called out to pick-up cash amounts greater than $10,000 that cannot be secured in a drop safe.

County property, unless connected to a known criminal case, should be released directly to the appropriate County department. No formal booking is required. In cases where no responsible person can be located, the property should be booked for safekeeping in the normal manner.
804.3.5 PROPERTY SUBJECT TO FORFEITURE
Whenever property seized by the Department is subject to forfeiture, specific notification procedures must be followed. It shall be the responsibility of the assigned deputy, detective, or the property officer to ensure that the following notifications are completed.

The owner of the property will be notified of the seizure and intended forfeiture of the seized property within 15 days following the seizure. Notification includes any person having any known right or legal interest in the seized property, including any community property interest. The notice of the seizure may be made by any method authorized by law (RCW 10.105.010).

The notification will include the legal reason for the seizure and information regarding how to appeal the pending forfeiture.

Notification procedures for property seized under Asset Forfeiture (RCW 69.50.505) are detailed in the Asset Forfeiture Policy.

804.3.6 STORAGE OF SURRENDERED FIREARMS
Deputies shall accept and store a firearm from any individual who has surrendered firearms under RCW 9.41.800 (Surrender of weapons), has been ordered under the Extreme Risk Protection Order Act to surrender the firearm, or after being detained under RCW 71.05.150 or RCW 71.05.153. No firearms will be surrendered at the County-City Building. The deputy receiving the firearm at a Sheriff's Precinct shall:

(a) Identify the respondent by a government issued photo identification.

(b) Write a report noting the cause number of the ERPO or other court order, the date the firearm was accepted for storage and the respondent's identity to include the individual's name, address, telephone number, and date of birth.

(c) Record the serial number of the firearm(s) and/or the number of the concealed pistol license.

(d) Book the firearm(s) and/or concealed pistol license into the evidence room for later pick up by the Property Room Officer.

(e) Provide the respondent with a copy of the property sheet as a receipt showing what items were surrendered.

(f) Notify the Civil Unit Sergeant of the surrender, including the case number of the report.

(g) If the firearm was surrendered pursuant to the Extreme Risk Protection Order Act, the Civil Unit Sergeant will ensure a copy of the property sheet (receipt) is filed with the court in a timely manner (RCW 7.94.090).

The Property Room shall store firearms accepted pursuant to this policy.

804.3.7 FOUND PROPERTY
Found property surrendered to the Department shall be handled as required by RCW 63.21.050.

804.4 PACKAGING OF PROPERTY
Certain items require special consideration and shall be booked separately as follows:
Property and Evidence

(a) Narcotics and dangerous drugs must be sealed.
(b) Firearms (ensure they are unloaded and booked separately from ammunition).
(c) Syringes are not accepted unless used as a weapon in an assault or as part of a death investigation.
(d) Cash, casings and DNA must be sealed when submitted.
(e) Property depicting a minor engaged in sexually explicit conduct shall be submitted sealed in a manila envelope or box when feasible.

804.4.1 PACKAGING CONTAINER
Employees shall package all property in a suitable container available for its size. Knife boxes or knife sleeves should be used to package knives, and syringe tubes should be used to package syringes and needles.

A property bar code shall be securely attached to the outside of all items or group of items packaged together.

804.4.2 PACKAGING NARCOTICS
The deputy seizing narcotics and dangerous drugs shall retain such property in their possession until it is properly weighed, packaged, tagged, and placed in the property locker, accompanied by a copy of the property report. Prior to packaging, if the quantity allows and the evidentiary circumstances require it, a presumptive test should be made on the suspected narcotics. If conducted, the results of this test shall be included in the deputy's report.

Narcotics and dangerous drugs shall be packaged in an envelope of appropriate size available in the report room. The booking deputy shall seal the package with evidence tape, and mark with their initials, ID number and date. Narcotics and dangerous drugs shall not be packaged with other property.

A bar code shall be attached to the outside of each package.

804.5 RECORDING OF PROPERTY
The property officer receiving custody of evidence or property shall record his/her signature, the date the property was received, and where the property will be stored on the property report.

An incident number shall be obtained for each item or group of items. This number shall be recorded on the property and the property report.

Any changes in the location of property held by the Sheriff's Department shall be noted in the Chain of Custody (CHoC) system and on the property report.

804.6 PROPERTY CONTROL
Each time the property officer receives property or releases property to another person, he/she shall enter this information on the property report and the Chain of Custody (CHoC) system.
Deputies desiring property for court shall contact the property officer at least one day prior to the court day.

804.6.1 RESPONSIBILITY OF OTHER PERSONNEL
Every time property is released or received, an appropriate entry on the property report and in the Chain of Custody system shall be completed to maintain the chain of possession. No evidence property is to be permanently released without first receiving written authorization from a supervisor or detective.

Request for analysis for items shall be completed on the appropriate forms and submitted to the property officer. This request may be filled out any time after booking of the property or evidence.

804.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY
The transporting employee will check the evidence out of property, indicating the date and time in the Chain of Custody system.

The property officer releasing the evidence must complete the required information in the Chain of Custody system. The lab forms will be transported with the property to the examining laboratory. Upon delivering the item involved, the Crime Lab will sign the check-out form. A copy of the check out form will be attached to the property sheet.

804.6.3 STATUS OF PROPERTY
Each person receiving property will make the appropriate entry to document the chain of evidence. Temporary release of property to deputies for investigative purposes, or for court, shall be noted in the Chain of Custody system, stating the date, time and to whom released.

The property officer shall obtain the signature of the person to whom property is released, and the reason for release. Any employee receiving property shall be responsible for such property until it is properly returned to property or properly released to another authorized person or entity.

The return of the property should be recorded in the Chain of Custody system, indicating date, time, and the person who returned the property.

804.6.4 AUTHORITY TO RELEASE PROPERTY
The submitting deputy, assigned detective or designated supervisors shall authorize the disposition or release of evidence coming into care and custody of the department. The Property Room Manager or designee may authorize release or disposal of property and evidence past the retention limits established by Memo of Understanding (MOU) or Standard Operating Procedure(SOP).

804.6.5 RELEASE OF PROPERTY
The Pierce County Sheriff's Department shall make every effort to return personal property that is in the possession of this department when such property is not considered evidence of a crime or is no longer needed as evidence. In such cases, the property officer shall make a reasonable attempt to identify the lawful owner and provide written notice via US Mail within 15 days after the property is authorized to be released.
If the property remains unclaimed beyond sixty days after the initial written notice to the property owner, or, in the case of property held as evidence, sixty days from the date when the case has been finally adjudicated and the property has been released as evidence by order of the court, the Department may (RCW 63.32.010; RCW 63.40.010):

(a) At any time thereafter sell the property at public auction to the highest and best bidder for cash in the manner provided by RCW 63.32 or RCW 63.40. The disposition of all proceeds from such auctions shall be accounted for and recorded according to law. (RCW 63.32.030).

(b) Retain the property for the use of the Department subject to giving notice in the manner prescribed in RCW 63.32.020 (or RCW 63.40.020) and the right of the owner, or the owner's legal representative, to reclaim the property within one year after receipt of notice, without compensation for ordinary wear and tear if, in the opinion of the Sheriff, the property consists of firearms or other items specifically usable in law enforcement work, provided that at the end of each calendar year during which there has been such a retention, the Department shall provide the County's elected body and retain for public inspection a list of such retained items and an estimation of each item's replacement value. At the end of the one-year period any unclaimed firearm shall be disposed of pursuant to RCW 9.41.098(2).

(c) Destroy an item of personal property at the discretion of the Sheriff if he/she determines that the following circumstances have occurred:

1. The property has no substantial commercial value, or the probable cost of sale exceeds the value of the property; and
2. The item has been unclaimed by any person after notice procedures have been met, as prescribed in this section; and
3. The Sheriff has determined that the item is unsafe and unable to be made safe for use by any member of the general public.

If the item is not unsafe or illegal to possess or sell, it may, after satisfying the notice requirements as prescribed in RCW 63.32.020, be offered by the Sheriff to bona fide dealers, in trade for law enforcement equipment. Such equipment shall be treated as retained property for purpose of annual listing requirements of the RCW. Such items may be destroyed at the discretion of the Sheriff if he/she believes that it has been, or may be used in a manner that is illegal (RCW 63.32.010).

The property officer shall release the property upon proper identification being presented by the owner for which an authorized release has been received. A signature of the person receiving the property shall be recorded on a numbered receipt and attached to the property sheet. After release of all property entered on the property sheet, the file will be archived and retained per statute.
804.6.6  DISPUTED CLAIMS TO PROPERTY
Occasionally more than one party may claim an interest in property being held by the Department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order, written court property release or other undisputed right to the involved property.

All parties should be advised that their claims are civil and in extreme situations, legal counsel for the Department may wish to file an interpleader to resolve the disputed claim.

804.6.7  PROPERTY DEPICTING A MINOR ENGAGED IN SEXUALLY EXPLICIT CONDUCT
No property or material that depicts a minor engaged in sexually explicit conduct shall be copied, photographed, or duplicated. Such material shall remain under the control of this department or the court and shall be made reasonably available for inspection by the parties to a criminal proceeding involving the material. The defendant may only view these materials while in the presence of his/her attorney or an individual appointed by the court either at this department or a neutral facility as approved by the court (RCW 9.68A.001). Any request for inspecting such material should be brought to the attention of the assigned investigator or an investigation supervisor.

804.7  DISPOSITION OF PROPERTY
All personal property, other than vehicles governed by Chapter 46.52 RCW, not held for evidence in a pending criminal investigation or proceeding, and held for 60 days or longer where the owner has not been located or fails to claim the property, may be disposed of in compliance with existing laws upon receipt of proper authorization for disposal. (RCW 63.32.010; RCW 63.40.010).

804.7.1  BIOLOGICAL EVIDENCE
Biological evidence shall be retained for a minimum period established by Washington law (RCW 5.70.010) or the expiration of any sentence imposed related to the evidence, whichever time period is greater.

Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Sheriff or the Sheriff's designee.

Biological evidence from an unsolved crime shall not be disposed of prior to expiration of the statute of limitations (RCW 5.70.010). Even after expiration of the applicable statute of limitations, the Criminal Investigations Bureau Chief should be consulted.

804.7.2  SEXUAL ASSAULT KITS
Unreported sexual assault kits shall be stored and preserved for 20 years from the date of collection (Chapter 26 § 3, 2020 Laws).

804.7.3  RETURN OF FIREARMS
Prior to the return of a privately owned firearm, the property officer shall ensure confirmation of the following (RCW 9.41.345):
(a) The individual to whom the firearm is to be returned is the individual from whom the firearm was obtained, an authorized representative of the individual, or other person identified by a court order.

(b) The individual is eligible to possess a firearm pursuant to RCW 9.41.080.

(c) The firearm is not required to be held in custody or prohibited from release.

(d) Twenty-four hours has elapsed from the time the firearm was obtained by law enforcement or five business days if the firearm was seized in connection with a domestic violence call under RCW 10.99.030.

(e) Notification is made to those family or household members, or an intimate partner, who have requested notification pursuant to established department protocol (RCW 9.41.340).

1. Firearms shall be held in custody for 72 hours from the time notification is provided.

If a firearm or dangerous weapon was surrendered or lawfully seized pursuant to a protection order issued under RCW 9.41.800 and is to be returned to a person other than the individual from whom the firearm or dangerous weapon was obtained, the property officer shall determine that the person is the lawful owner and obtain a written agreement, signed by the lawful owner under the penalty of perjury, that the firearm or dangerous weapon will be stored in a manner to prevent the individual from whom the firearm or dangerous weapon was obtained, from accessing, controlling, or possessing the firearm or dangerous weapon (RCW 9.41.801).

Upon confirmation that the individual is eligible to possess a firearm and any applicable notifications are complete, the firearm shall be released to the individual or authorized representative upon request without unnecessary delay.

If a firearm cannot be returned because it is required to be held in custody or is otherwise prohibited from release, written notice shall be provided to the individual within five business days of the date the individual requested return of the firearm. The written notice shall include the reason the firearm must remain in custody.

804.7.4 RELEASE OF FIREARMS IN EXTREME RISK PROTECTION ORDER MATTERS

If an extreme risk protection order is terminated or expires without renewal, a firearm taken or surrendered pursuant to the order shall be returned to the person after (RCW 7.94.100):

(a) The respondent has completed the Property Claim form (Z-287) on-line or in person at the Property Room.

(b) The Property Room will forward the form to the DV Unit Supervisor who will confirm with the court that the extreme risk protection order has been terminated or has expired without renewal.

(c) The Property Room will confirm through a background check that the respondent is currently eligible to own or possess firearms under federal and state law.
(d) The Property Room will, if requested, provide prior notice of the return of the firearm(s) to family or household members of the respondent in the manner provided in RCW 9.41.340 and 9.41.345.

(e) Any firearm surrendered by a respondent pursuant to RCW 7.94.090 that remains unclaimed by the lawful owner shall be disposed of in accordance with Department policies and procedures for the disposal of firearms in law enforcement custody.

If an individual other than the restrained person claims title to any firearms surrendered or taken into custody, and that individual is determined to be the lawful owner and a lawful possessor of the firearm, the firearm shall be returned to that individual provided that he/she agrees to store the firearm in a manner that prevents the restrained person from access (RCW 7.94.090).

804.7.5 RELEASE OF FIREARMS AFTER EMERGENCY DETENTION
Firearms surrendered pursuant to RCW 71.05.182 (surrender of firearms after emergency detention) shall be returned in compliance with the provisions of RCW 9.41.345 as long as the six-month suspension period has expired or the person’s right to possess firearms has been restored, whichever is sooner (RCW 71.05.182).

804.8 INSPECTIONS OF THE EVIDENCE ROOM

(a) Unannounced inspections of evidence storage areas shall be conducted annually as directed by the Sheriff.

(b) An annual audit of evidence held by the department shall be conducted by a member at the rank of Lieutenant or higher (as appointed by the Sheriff) not routinely or directly connected with evidence control.

(c) Whenever a change is made in management or supervisory personnel who have access to the evidence room, a full audit of all evidence/property shall be made by an individual(s) not associated to the property room or function to ensure that records are correct and all evidence property is accounted for.

804.8.1 PROPERTY AND EVIDENCE SECTION SECURITY
Access to the Pierce County Sheriff’s Department Property and Evidence Section is restricted to authorized department personnel only. It shall be the responsibility of the property officer to control all access to the Property and Evidence Section.

The property officer shall maintain a log of all persons entering the secured area of the Property and Evidence Section. Personnel, other than those assigned to the Property and Evidence Section, who have legitimate business in the secured area will be required to record their name, the date, time, and purpose for entry and be escorted at all times within the confines of the property storage areas.
Records Maintenance and Release

810.1 PURPOSE AND SCOPE
This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy.

810.2 PUBLIC RECORDS OFFICER
The Sheriff shall designate a Public Records Officer (RCW 42.56.580). The responsibilities of the Public Records Officer include, but are not limited to:

(a) Managing the records management system for the Department, including the retention, archiving, release and destruction of department public records.

(b) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records.

1. Rules and procedures for public inspection and copying shall be prominently displayed and made available to the public for inspection and copying (RCW 42.56.040). See www.co.pierce.wa.us

(c) Maintaining and making available for public inspection and copying an index of documents that provides identifying information of certain documents identified in RCW 42.56.070 that are maintained by the Department.

(d) Maintaining and updating the department records retention schedule including:

1. Identifying the minimum length of time the Department must keep records.
2. Identifying the department bureau responsible for the original record.

(e) Identifying records or portions of records that are exempt/confidential under state or federal law and not open for inspection or copying.

(f) Ensuring a current list containing every law that exempts or prohibits disclosure of specific information or records of the Department is available to the public (RCW 42.56.070).

(g) Establishing rules regarding the processing of subpoenas for the production of records.

(h) Ensuring the availability of a current schedule of fees for public records as allowed by law (RCW 42.56.070; RCW 42.56.120; RCW 42.56.130).

(i) Ensuring that the business hours for record inspection or copying are posted on the department’s website and made known by other means designed to provide the public with notice (RCW 42.56.090).

(j) Ensuring that the name and contact information of the Public Records Officer is visible to the public, including the department website and appropriate department publications (RCW 42.56.580).
810.3 PROCESSING REQUESTS FOR PUBLIC RECORDS
Any department member who receives a request for any record shall date and route the request to the Public Records Officer or the authorized designee.

810.3.1 REQUESTS FOR RECORDS
The processing of requests for any record is subject to the following:

(a) The Department is not required to create records that do not exist.

(b) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.

1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio or video, a copy of the redacted audio/video release should be maintained in the department-approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.

(c) Requests to inspect or copy records shall be responded to promptly. Within five business days of receiving the request, one of the following responses shall be made (RCW 42.56.520):

(a) Providing the record.

(b) Providing the internet address and link of the department website to the specific records requested.

   (a) If the requester notifies the Department that access cannot be obtained through the internet, then copies of the record shall be provided or the requester may view the records on the department computer.

(c) Acknowledging the receipt of the request and providing a reasonable estimate of time the Department will require to respond to the request. Additional time may be required to respond based upon:

   (a) The need to clarify the intent of the request.

   (b) The need to locate and assemble the information requested.

   (c) Notification to third persons or agencies affected by the request.

   (d) Determination whether any of the information requested is exempt.

(d) Acknowledging the receipt of the request and asking the requester for clarification if the request is not clear and providing the requester a reasonable estimate of the time that will be needed to respond if the request is not clarified. If the requester does not respond, and the entire request is unclear, the Department need not respond. If only part of the request is unclear, the Department shall respond to those portions of the request that are clear.
810.3.2 DENIALS

(a) The denial shall be accompanied by a written statement that includes the specific exemption and a brief explanation of how the exemption applies to the withheld record (RCW 42.56.210).

(b) Requests that are denied are subject to judicial review and the burden of proof is on the Department to show that the records requested are exempt or prohibited in whole or part by statute (RCW 42.56.550).

810.4 RELEASE RESTRICTIONS

Examples of release restrictions include:

(a) Personal identifying information, including an individual’s photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any driver license record, motor vehicle record, or any department record, including traffic collision reports, are restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722).

(b) Personnel records that contain personal information to the extent that disclosure would violate privacy rights (RCW 42.56.230; RCW 42.56.250).

(c) Specific intelligence and specific investigative records regarding the discipline of a member of any profession where nondisclosure is essential for effective law enforcement or for the protection of any person’s right to privacy (RCW 42.56.240).

(d) Victim and witness information revealing the identity of persons who file complaints if disclosure would endanger the person’s life, physical safety, or property (RCW 42.56.240).

(e) Child victim and witness identity information including name, address, recordings, and photographs (RCW 7.69A.030; RCW 42.56.240).

(f) Concealed pistol license applications or information on the applications unless release is to law enforcement or corrections agencies under RCW 9.41.070.

(g) Information revealing the specific details of the alleged assault, identity, or contact information of a child victim of sexual assault who is under age 18. Identifying information means the child victim’s name, address, location, photograph, and in cases in which the child victim is a relative, stepchild, or stepsibling of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator. Contact information includes phone numbers, email addresses, social media profiles, and usernames and passwords (RCW 10.97.130; RCW 42.56.240).

(h) Personal identifying information collected relating to local security alarm system programs and vacation crime watch programs (RCW 42.56.240).

(i) Certain criminal history record information as restricted by the Criminal Records Privacy Act (RCW 10.97.040 et seq.).

(j) Traffic collision reports except for what is authorized by RCW 46.52.080 and RCW 46.52.083.
(k) Preliminary drafts, notes, recommendations, or intra-agency memorandums in which opinions are expressed, or policies formulated, or recommended (RCW 42.56.280).

(l) Records that are relevant to a controversy (threatened, actual, or completed litigation) to which the Department is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts (RCW 42.56.290).

(m) Security records including but not limited to records relating to preparing and responding to criminal terrorist acts; vulnerability assessments and emergency and escape plans of secured facilities; information regarding infrastructure and security of computer and telecommunications networks; system security and emergency preparedness plans; and as further defined in RCW 42.56.420.

(n) Global positioning system data that indicates the location of a member’s residence or of a public employee or volunteer (RCW 42.56.240; RCW 42.56.250).

(o) Information contained in a local, regional, or statewide gang database (RCW 42.56.240).

(p) Body worn camera recordings that violate a person's right to privacy (RCW 42.56.240)

(q) Personal identifying information, or information regarding citizenship or immigration status, of any victim of criminal activity or trafficking who is requesting certification for a U or T visa, except where allowed by law (RCW 7.98.020).

(r) Personal identifying information about an individual’s religious beliefs, practices, or affiliation (RCW 42.56.235).

(s) Investigative records compiled by the Department regarding possible unfair practices of discrimination under RCW 49.60.010 et seq. or possible violation of other federal, state, or local laws or Pierce County Sheriff's Department internal policies during an active and ongoing investigation (RCW 42.56.250).

1. Records may be released upon completion of the investigation as allowed under RCW 42.56.250.

(t) Any other information that may be appropriately denied by Washington law.

810.5 SUBPOENAS AND DISCOVERY REQUESTS
Any member who receives a subpoena duces tecum or discovery request for records should promptly contact the Sheriff's Legal Advisor who will review for processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the Sheriff's Legal Advisor.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to the Sheriff's Legal Advisor so that a timely response can be prepared.
810.6 RELEASED RECORDS TO BE MARKED
Each page of any written record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the department name and to whom the record was released.

Each audio/video recording released should include the department name and to whom the record was released.

810.7 SECURITY BREACHES
Members who become aware that any Pierce County Sheriff's Department system containing personal information may have been breached should notify the Public Records Officer as soon as practicable.

The Public Records Officer shall ensure the required notice is given to any resident of this state whose unsecured personal information is reasonably believed to have been acquired by an unauthorized person (RCW 42.56.590).

Notice shall be given as soon as reasonably practicable but may be delayed if notification will impede a criminal investigation.

For the purposes of the notice requirement, personal information includes:

(a) An individual's first name or first initial and last name in combination with any one or more of the following:

1. Social Security number or the last four digits of the Social Security number
2. Driver license number or Washington identification card number
3. Full account number, credit or debit card number, or any required security code, access code, or password that would permit access to an individual's financial account
4. Any data elements listed in RCW 42.56.590 (e.g., date of birth, health insurance policy number, biometric data, email address, password)

(b) Any of the data elements listed above without the individual’s first and last name if the data elements would enable a person to commit identity theft or if encryption, redaction, or other methods have not safeguarded the data element (RCW 42.56.590).

If the breach reasonably appears to have been made to protected information covered in the Protected Information Policy, the Public Records Officer should promptly notify the appropriate member designated to oversee the security of protected information (see the Protected Information Policy).

810.8 TRAINING
The Public Records Officer shall complete a training program consistent with the Attorney General’s model rules within 90 days of assuming responsibilities for public records and complete refresher training as required (RCW 42.56.152).
Protected Information/Criminal History Record Information (CHRI)

812.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the Pierce County Sheriff’s Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

812.1.1 DEFINITIONS
Protected information - Any information or data that is collected, stored or accessed by members of the Pierce County Sheriff’s Department and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

CHRI- Refers to Criminal History Record Information, one type of protected information.

812.2 POLICY
Members of the Pierce County Sheriff’s Department will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

812.3 RESPONSIBILITIES
Each member of the Department is responsible for their use of protected information.

The responsibilities include, but are not limited to:

(a) Ensuring compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Department of Licensing (DOL) records and the Washington Crime Information Center (WACIC).

(b) Comply with the U.S. Department of Justice’s current Criminal Justice Information Services (CJIS) Security Policy.

(c) Comply with any other requirements for the access, use, dissemination, release and security of protected information.

(d) Ensure training and certification requirements are met.

812.4 ACCESS TO PROTECTED INFORMATION
Protected Information may be released only to authorized recipients who have both a right to know and a need to know. All law enforcement personnel with proper identification are authorized recipients, if they have an official need to know.
Protected Information shall only be disseminated to those entities authorized for dissemination that are listed under [RCW 10.97.050](#). Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Pierce County Sheriff's Department policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution.

### 812.4.1 PENALTIES FOR MISUSE OF RECORDS

It is a misdemeanor to furnish, buy, receive or possess criminal history record information without authorization by Washington law (RCW 10.97.120).

Divulging the content of any criminal record to anyone other than authorized personnel is a violation of the Standards of Conduct Policy.

Employees who obtain, or attempt to obtain, information from the department files other than that to which they are entitled in accordance with their official duties is a violation of the Standards of Conduct Policy.

### 812.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION

Protected information may be released only to authorized recipients who have both a right to know and a need to know (RCW 10.97.050).

All requests for protected information by any individual, including those representing a criminal justice agency, will be referred to South Sound 911 Law Enforcement Records Section on a 24-hour basis.

Criminal Justice agencies include courts, prosecutors' offices, and all local, state, and federal law enforcement agencies. A list of other agencies which are eligible to receive protected information is available through the South Sound 911 Records Supervisor.

No employee will release or disseminate any protected information or official report for any reason, except in a manner consistent with established departmental directives.

Only the persons listed below are authorized to release protected information. Each authorized person releasing protected information is responsible to ensure that each request granted appears legitimate and that the requester is an authorized recipient with a right and need to know.

- (a) Criminal Records Security Officer
- (b) Records Manager
- (c) Full-time employees of the South Sound 911 Law Enforcement Records Section
- (d) All PCSD supervisors and management personnel
812.5.1 RELEASE OF PROTECTED INFORMATION TO FIELD PERSONNEL
Personnel shall not have access to Protected Information until a background investigation has been completed and approved.

Protected Information shall not be transmitted by radio broadcast. Nothing in this procedure is intended to prohibit broadcasting warrant information concerning wanted persons.

812.5.2 RECORDS SUITABLE FOR RELEASE
Conviction Records may be disseminated without restriction (RCW 10.97.050(1)).

Employees are free to release wanted lists or posters or descriptions of wanted suspects to any person who inquires.

812.5.3 REVIEW OF CRIMINAL OFFENDER RECORD
An individual may review his/her criminal history record information held by this department after complying with established department requirements as authorized by RCW 10.97.080.

812.6 SECURITY OF PROTECTED INFORMATION
The Administrative Services Bureau will oversee the security of protected information.

The responsibilities of this include but are not limited to:

(a) Developing and maintaining security practices, procedures and training.
(b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.
(c) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.
(d) Tracking, documenting and reporting all breach of security incidents to the Sheriff and appropriate authorities (RCW 19.255.010).

812.6.1 MEMBER RESPONSIBILITIES
Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk, in or on an unattended vehicle, in an unlocked desk drawer or file cabinet, on an unattended computer terminal).

812.6.2 DESTRUCTION OF PROTECTED INFORMATION
When any document providing protected information has served the purpose for which it was obtained, it shall be destroyed by shredding.

Each member shall be responsible for destroying the protected information document(s) they receive.
812.7 RELIGIOUS AFFILIATION DISCLOSURE
Members shall not release personal information from any agency database for the purpose of investigation or enforcement of any government program compiling data on individuals based on religious belief, practice, affiliation, national origin, or ethnicity (RCW 42.60.020).

812.8 TRAINING
All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.
Computers and Digital Evidence

814.1 PURPOSE AND SCOPE
This policy establishes procedures for the seizure and storage of computers, personal communications devices (PCDs), digital cameras, digital recorders, and other electronic devices that are capable of storing digital information.

This policy also establishes guidelines for the preservation and storage of digital evidence, security and access. It provides guidelines for digital image distribution and establishes the minimum standards for digital camera purchase and operation.

All evidence seized and/or processed pursuant to this policy shall be done so in compliance with clearly established Fourth Amendment and search and seizure provisions.

814.2 SEIZING COMPUTERS AND RELATED EVIDENCE
Computer equipment requires specialized training and handling to preserve its value as evidence. Deputies should be aware of the potential to destroy information through careless or improper handling, and utilize the most knowledgeable available resources. When seizing a computer and accessories the following steps should be taken:

(a) Photograph each item, front and back, specifically including cable connections to other items. Look for a phone line or cable to a modem for Internet access.

(b) Do not overlook the possibility of the presence of physical evidence on and around the hardware relevant to the particular investigation such as fingerprints, biological or trace evidence, and/or documents.

(c) If the computer is off, do not turn it on.

(d) If the computer is on, do not shut it down normally and do not click on anything or examine any files.
   1. Photograph the screen, if possible, and note any programs or windows that appear to be open and running.
   2. Disconnect the power cable from the back of the computer box or if a portable notebook style, disconnect any power cable from the case and remove the battery.

(e) Label each item with case number and item number. When possible each item should be sealed with evidence tape. It is understood that some items due to size may not be able to be packaged and sealed with evidence tape.

(f) Handle and transport the computer and storage media (e.g., tape, disc's, memory cards, flash memory, external drives) with care so that potential evidence is not lost.

(g) Lodge all computer items in a designated Property Room locker. Do not store computers where normal room temperature and humidity is not maintained.
(h) Deputies are encouraged to document the following in related reports:

1. Where the computer was located and whether or not it was in operation.
2. Who was using it at the time.
3. Who claimed ownership.
4. Number of individuals users on the machine.
5. If it can be determined, how it was being used.

(i) In most cases when a computer is involved in criminal acts and is in the possession of the suspect, the computer itself and all storage devices (hard drives, tape drives, and disk drives) should be seized along with all media. Accessories (printers, monitors, mouse, scanner, keyboard, cables, software and manuals) should not be seized unless as a precursor to forfeiture.

814.2.1 BUSINESS OR NETWORKED COMPUTERS
If the computer belongs to a business or is part of a network, it may not be feasible to seize the entire computer. Cases involving networks require specialized handling. Deputies should contact a certified forensic computer examiner for instructions or a response to the scene. It may be possible to perform an on-site inspection, or to image the hard drive only of the involved computer. This should only be done by someone specifically trained in processing computers for evidence.

814.2.2 FORENSIC EXAMINATION OF COMPUTERS
If an examination of the contents of the computer's hard drive, or floppy disks, compact disc's, or any other storage media is required, forward the following items to a computer forensic examiner:

(a) Copy of report(s) involving the computer, including the Evidence/Property sheet.
(b) Copy of a consent to search form signed by the computer owner or the person in possession of the computer, or a copy of a search warrant authorizing the search of the computer hard drive for evidence relating to investigation.
(c) A listing of the items to search for (e.g., photographs, financial records, e-mail, documents).
(d) The computer Forensic Examiner will conduct a preview examination of the media, and if items of evidentiary value are located, a forensic image of the hard drive or other media will be made to be used as the working evidence copy.

814.3 SEIZING DIGITAL STORAGE MEDIA
Digital storage media (e.g., hard disc's, floppy disc's, CDs, DVDs, tapes, memory cards, flash memory devices) should be seized and stored in a manner that will protect them from damage.

(a) If the media has a write-protection tab or switch, it should be activated.
Computers and Digital Evidence

(b) Do not review, access or open digital files prior to submission. If the information is needed for immediate investigation, request the Computer Forensics Examiner to copy the contents to an appropriate form of storage media.

(c) Many kinds of storage media can be erased or damaged by magnetic fields. Keep all media away from magnetic devices, electric motors, radio transmitters or other sources of magnetic fields.

(d) Do not leave storage media where they would be subject to excessive heat such as in a parked vehicle on a hot day.

(e) Use plastic cases designed to protect the media, or other protective packaging, to prevent damage.

814.4 SEIZING PCDS

Personal communication devices such as cell phones, PDAs or other hand-held devices connected to any communication network must be handled with care to preserve evidence that may be on the device including messages, stored data and/or images.

(a) Deputies should not attempt to access, review or search the contents of such devices prior to examination by a forensic expert. Unsent messages can be lost, data can be inadvertently deleted and incoming messages can overwrite stored messages.

(b) Do not turn the device on or off. The battery should be pulled from the device if possible. If unable to access the battery, power the device off and place in an approved evidence container.

(c) When seizing the devices, also seize any peripheral cables related to the device.

(d) Document all steps taken in the seizure of the device.

814.5 PROCEDURES FOR DIGITAL IMAGE STORAGE, SECURITY, AND ACCESS

All digital images taken with a phone camera, laptop computer camera, tablet camera, a stand-alone camera or other device will be transferred to the Case Images server via the CASE IMAGES UPLOAD application on designated workstations or from an assigned laptop as long as the device is physically plugged into a network connection or the user is logged in using WIFI. Laptop air cards do not provide sufficient connection to the server.

A reader card will be the first image captured that will contain the:

(a) Case Number
(b) Person taking images
(c) Date and Time

Or, an image of the MPS screen showing the case number.
Images transferred into Case Images System should be documented on the Property of the associated Incident Report using “Evidence – Digital Image(s)” as the Common Item Name and “Transferred to Case Images” as the Property Disposition.

The back-up procedure for any digital image transmission failure requires the user to make a CD of the digital images and book them into Property according to past practice.

Images will be available for viewing in the Case Images Viewer application on the next business day following the image transfer if the associated “dot 1” General Report resides in WebRMS.

**814.6 DIGITAL IMAGE DISTRIBUTION**

All digital images obtained during the investigation of criminal activity are considered evidence. The rules of evidence, evidence display and acquisition apply. Incorporating digital images into any report impacts the evidentiary rules, subjecting those images to the rules that govern public disclosure. Therefore, members shall not attach any digital image or reproduction to any report.

Digital images may be restricted to specific department members in two ways:

- Using the Restrict Images tool within Case Images that mirrors the WebRMS Case Report Restriction Procedures
- Restricting any report in the WebRMS case file

**NOTE:** When an Incident Report is restricted in WebRMS, the associated images will automatically be restricted in Case Images.

Department policies and rules of evidence govern how copies of digital image evidence may be procured.

Copies of digital images stored in the Case Images application may only be printed or transferred to a zip file for authorized distribution. At no time should digital evidence be emailed outside the Pierce County secure network without encryption.

**814.7 MINIMUM STANDARDS FOR DIGITAL CAMERA PURCHASE AND CAMERA OPERATION**

The following are the Pierce County Sheriff Department’s minimum standards:

1. The camera’s minimum resolution will be 8 mega pixels.
2. The camera must be set to sequential numbering.
3. The camera must be configured to the correct date and time. This metadata elements are transferred and stored along with each image.
4. The images must be saved as a standard JPEG image format and at the highest resolution setting.
5. There will be no deletions or editing done of any image at any time.
6. If using a removable memory card, only one memory card per case at a time may be used. Multiple cases are not to be placed on the same memory card. Once images have been transferred, memory cards may be re-used only after being re-formatted.
Animal Control Procedures

820.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for interacting with animals and responding to calls for service that involve animals.

820.2 POLICY
It is the policy of the Pierce County Sheriff's Department to be responsive to the needs of the community regarding animal-related issues. This includes enforcing local, state and federal laws relating to animals and appropriately resolving or referring animal-related problems, as outlined in this policy.

820.3 ANIMAL CONTROL RESPONSIBILITIES
The Animal Control Officer (ACO) shall be responsible for enforcing local, state and federal laws relating to animals, and for appropriately resolving or referring animal related problems, as outlined in this policy. The ACO's shall be under the operational control of the Operations Bureau.

During hours when the ACO is on duty, requests for animal control services shall be assigned by South Sound 911 or the Shift Sergeant.

Animal control services are generally the primary responsibility of Animal Control and include the following:

(a) Animal-related matters during periods when Animal Control is available.
(b) Ongoing or persistent animal nuisance complaints. Such complaints may be scheduled, if reasonable, for handling during periods that Animal Control is available for investigation and resolution.
(c) Follow-up on animal-related calls, such as locating owners of injured animals.

820.4 DEPUTY RESPONSIBILITIES
When ACO's are not available, Deputies may be dispatched to animal related calls and should take appropriate actions to control the situation. Due to the hazards of handling animals without proper equipment, responding deputies generally should not attempt to capture and pick up any animal, but should keep the animal under observation if possible until the arrival of the ACO.

The following are examples of when a deputy may consider acting before the arrival of the ACO:

(a) Threat to the public safety.
(b) Animal has bitten someone, and measures should be taken to confine the animal and prevent further injury.
(c) Animal is creating a traffic hazard.
(d) Owner/handler has been arrested and there is no other alternative placement for the animal.
(e) Animal is gravely injured.

820.5 ANIMAL CRUELTY COMPLAINTS
Laws relating to the cruelty to animals should be enforced, including but not limited to RCW 9.08.070 (cruelty to pets), RCW 16.52.117 (animal fighting), RCW 16.52.205 (animal cruelty) and RCW 16.52.320 (cruelty to livestock).

(a) Animal Control Officers shall conduct investigations on reports of animal cruelty. A Deputy may be requested to assist with the investigation.

(b) Legal steps should be taken to protect an animal that is in need of immediate care or protection from acts of cruelty.

820.5.1 REMOVAL OF ANIMALS
An Animal Control Officer or a Deputy who has probable cause to believe that an animal is subject to cruelty may obtain a warrant for removal of the animal when there is no responsible person to assume care of the animal and a good faith effort to contact the animal’s owner has first been attempted. If an animal is in immediate life-threatening condition, a warrant need not be obtained. The animal may be removed to a suitable place for feeding and care or placed under the custody of Animal Control (RCW 16.52.085).

When an animal is removed, written notice shall be provided to the owner regarding the circumstances of the removal and the legal remedies available to the owner. The notice shall be given by posting at the place of the seizure, by delivery to a person residing at the place of seizure, or by registered mail if the owner is known (RCW 16.52.085).

The member who removed the animal may authorize an examination by a veterinarian to determine whether neglect or abuse is sufficient to require removal of the animal (RCW 16.52.085).

820.5.2 ANIMALS EXPOSED TO EXCESSIVE HEAT OR COLD, LACK OF VENTILATION OR LACK OF NECESSARY WATER
Animal Control Officers or Deputies may, in exigent circumstances, enter a vehicle or enclosed space other than a residence to save the life of an animal suffering harm from exposure to excessive heat or cold or lack of necessary ventilation or water when there is no person present in the immediate area who has access to the vehicle or enclosed space and is willing to immediately remove the animal (RCW 16.52.340).

In all other cases, a court order should be obtained when necessary to enter a vehicle or structure to protect the life of an animal.

820.6 ANIMAL BITE REPORTS
If an ACO is unavailable for response, deputies shall obtain as much information as possible for forwarding to the ACO for follow-up. Deputies shall instruct the owner of a biting animal, if contacted, to keep the animal confined on the property until contacted by the ACO. If the animal is a stray, then every effort shall be made to capture and impound the animal immediately.
820.7 STRAY DOGS
If the dog has a license or can otherwise be identified, the owner should be contacted, if possible. If the owner is contacted, the dog should be released to the owner and a citation may be issued if appropriate. If a dog is taken into custody, the ACO will transport it to the animal shelter as soon as possible. If an ACO is not available, the deputy may transport the dog to the shelter or advise the shift sergeant that an ACO call-out may be necessary. All releases of the dog should be handled by the Animal Shelter.

820.8 DANGEROUS ANIMALS
In the event responding deputies cannot fulfill a request for service because an animal is difficult or dangerous to handle, an Animal Control Officer will be dispatched to the call to assist. If no ACO is working, the Shift Sergeant will be contacted to determine available resources, including an ACO call-out.

820.9 PUBLIC NUISANCE CALLS RELATING TO ANIMALS
ACO’s should diligently address calls related to nuisance animals (e.g., barking dogs), as such calls may involve significant quality-of-life issues.

If an ACO is unavailable for response, deputies shall obtain and forward to the ACO as much information as possible regarding the nature of the complaint, complaining person, owner information (if possible), location of problem, etc. Deputies should also document any actions taken, citation(s) issued, related report numbers, etc.

820.10 DECEASED ANIMALS
In some circumstances, deceased animals on public property will be removed and properly disposed of by the ACO or public works. The deceased animals may be placed in the ACO truck. For health and sanitary reasons, deceased animals should be placed in a sealed plastic bag prior to placing in the ACO truck.

Neither the ACO nor any Deputy will be required to climb onto or under any privately owned structure for the purpose of removing a deceased animal.

All reasonable attempts should be made to preliminarily determine if the death of the animal is related to criminal activity.

820.11 INJURED ANIMALS
When any injured domesticated animal is located, all reasonable attempts shall be made to contact the owner or responsible handler. When the owner or responsible handler cannot be located and the animal is not an immediate danger to the community, the member may take the animal to the humane society during normal business hours.

If after normal business hours, the member should take the animal to the department authorized veterinary emergency clinic.
Animal Control Procedures

The only exception to the above is when the animal is an immediate danger to the community or the owner of the animal is identified and takes responsibility for the injured animal.

Injured wildlife should be referred to the SPCA, Marine Mammal Center or Department of Fish and Game as applicable. The SPCA will not pick up common pigeons (red legs), starlings, bats or skunks.

When handling injured animals department employees shall attempt to identify and notify the owner of the final disposition of the animal.

Each incident shall be documented and include, at minimum, the name of the reporting party and veterinary hospital and/or person to whom the animal is released. If the ACO is off duty, the information will be forwarded for follow-up.

820.12 DESTRUCTION OF ANIMALS
When it is necessary to use a firearm to euthanize a badly injured animal or stop an animal that poses an imminent threat to human safety, the Firearms Policy shall be followed. A badly injured animal shall only be euthanized with the approval of a supervisor and whenever possible, in consultation with a licensed veterinarian and the owner of the animal (RCW 16.52.210).

Department employees shall attempt to identify and notify the owner of the final disposition of the animal.

Each incident shall be documented and include, at minimum, the name of the reporting party and the circumstances that led to the euthanizing.
Chapter 9 - Custody
Temporary Custody of Adults

900.1 PURPOSE AND SCOPE
This policy provides guidelines to address the health and safety of adults taken into temporary custody by members of the Pierce County Sheriff's Department for processing prior to being released or transferred to a housing or other type of facility.

Temporary custody of juveniles is addressed in the Temporary Custody of Juveniles Policy. Juveniles will not be permitted where adults in custody are being held.

Custodial searches are addressed in the Custodial Searches Policy.

900.2 POLICY
The Pierce County Sheriff's Department is committed to releasing adults from temporary custody as soon as reasonably practical, and to keeping adults safe while in temporary custody at the Department. Adults should be in temporary custody only for as long as reasonably necessary for investigation, processing, transfer or release.

900.3 NON-DETAINABLE PRISONERS
Arrestees who fall within the following classifications should not be detained in the Temporary Holding Facility. They should be transported to the county jail, the designated medical facility or the county mental health facility, as appropriate:

(a) Any person who is sick, injured or who has any other medical condition, including pregnant females who may require medical attention, supervision or medication during confinement.

(b) Any person who has claimed, or is known to be afflicted with or displays symptoms of any communicable disease.

(c) Any person suffering from a severe mental disorder.

(d) Any combative or unruly person who is likely to cause damage to the facility or severely disrupt the good order of the Temporary Holding Facility.

(e) A prisoner who is or may be contemplating suicide.

(f) Any person suspected of being under the influence of a hallucinogen, hyperglycemic agent, psychotropic medication, sedative, tranquilizer, anti-neoplastic (cancer) drug, research medication or any person suffering from withdrawals of any of the above.

900.4 DEPARTMENT ORGANIZATION AND RESPONSIBILITY
Immediately after placing an arrestee in a holding cell, the arresting deputy will initiate and post a Holding Cell-Welfare Check Sheet outside the holding cell door. If the arrestee is a juvenile, the form should note it and the offense the juvenile is being held for. When completed the Check Sheet will be turned in to the designated person.
Temporary Custody of Adults

The arresting deputy is responsible for transporting or arranging transport for any person arrested and placed in holding cell.

If the arresting deputy does not do the transport for booking they will note in their report the officer to whom custody of the prisoner was transferred.

No arresting deputy will go off duty without notifying the on duty sergeant as to what transportation arrangements have been made.

It is the responsibility of the sergeant to determine the status of any in-custody person. In areas where there is not a sergeant working on every shift this responsibility will be designated to the senior deputy on duty.

900.5 PRISONERSUPERVISION AND CLASSIFICATION

No prisoner will be left in holding cells without monitoring from the deputy who placed the prisoner in the cells. Another deputy may be designated if needed, to monitor and respond to emergencies that may occur in the holding cells if circumstances require a replacement deputy.

The arresting deputy will visually check and document the welfare of the arrestee every 30 minutes. Arrestees will not be held in holding cells longer than two (2) hours without the approval of a supervisor, for a MAXIMUM of 6 hours duration.

Consideration for restraint removal will be made when placing arrestees in the holding cells. Restraint removal will be considered during each welfare check.

Juveniles who are in custody for a criminal offense may be detained in a holding cell. The arresting deputy will visually check and document the welfare of the juvenile every 30 minutes. Juveniles will not be held in holding cells longer than two (2) hours without the approval of a supervisor, for a MAXIMUM of 6 hours duration. They may not be detained in the same cell as an adult.

Juveniles who are being detained for non criminal offense, such as being a runaway, will not be detained in a holding cell, nor handcuffed or otherwise restrained to a chair, table, wall, etc.

900.5.1 ENTRY RESTRICTIONS

Entry into any location where a person is held in custody should be restricted to:

(a) Authorized members entering for official business purposes.

(b) Emergency medical personnel when necessary.

(c) Any other person authorized by the Shift Sergeant.

When practical, more than one authorized member should be present for entry into a location where a person is held in custody for security purposes and to witness interactions.

900.6 INITIATING TEMPORARY CUSTODY

The deputy responsible for an individual in temporary custody should evaluate the person for any apparent chronic illness, disability, vermin infestation, possible communicable disease or any other potential risk to the health or safety of the individual or others. The deputy should specifically
Temporary Custody of Adults

ask if the individual is contemplating suicide and evaluate him/her for obvious signs or indications of suicidal intent.

The receiving deputy should ask the arresting deputy if there is any statement, indication or evidence surrounding the individual's arrest and transportation that would reasonably indicate the individual is at risk for suicide or critical medical care. If there is any suspicion that the individual may be suicidal, he/she shall be transported to the appropriate jail or the appropriate mental health facility.

The deputy should promptly notify the Shift Sergeant of any conditions that may warrant immediate medical attention or other appropriate action. The Shift Sergeant shall determine whether the individual will be placed in a cell, immediately released or transported to jail or other facility.

900.6.1 SCREENING AND PLACEMENT
The deputy responsible for an individual in custody shall:

(a) Advise the Shift Sergeant of any significant risks presented by the individual (e.g., suicide risk, health risk, violence).
(b) Evaluate the following issues against the stated risks in (a) to determine the need for placing the individual in a single cell:
   1. Consider whether the individual may be at a high risk of being sexually abused based on all available known information (28 CFR 115.141), or whether the person is facing any other identified risk.
   2. Provide any individual identified as being at a high risk for sexual or other victimization with heightened protection. This may include (28 CFR 115.113; 28 CFR 115.141):
      (a) Continuous, direct sight and sound supervision.
      (b) Single-cell placement in a cell that is actively monitored on video by a member who is available to immediately intervene.
   3. Ensure individuals are separated according to severity of the crime (e.g., felony or misdemeanor).
   4. Ensure males and females are separated by sight and sound when in cells.
   5. Ensure restrained individuals are not placed in cells with unrestrained individuals.
(c) Ensure that those confined under civil process or for civil causes are kept separate from those who are in temporary custody pending criminal charges.
(d) Ensure separation, as appropriate, based on other factors, such as age, criminal sophistication, assaultive/non-assaultive behavior, mental state, disabilities and sexual orientation.

900.6.2 CONSULAR NOTIFICATION
Consular notification may be mandatory when certain foreign nationals are arrested. The Patrol Bureau Chief will ensure that the U.S. Department of State’s list of countries and
Temporary Custody of Adults

Jurisdictions that require mandatory notification is readily available to department members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be transmitted and then retained for documentation. Prominently displayed signs informing foreign nationals of their rights related to consular notification should also be posted in areas used for the temporary custody of adults.

Department members assigned to process a foreign national shall:

(a) Inform the individual, without delay, that he/she may have his/her consular officers notified of the arrest or detention and may communicate with them.
   1. This notification should be documented.
(b) Determine whether the foreign national’s country is on the U.S. Department of State’s mandatory notification list.
   1. If the country is on the mandatory notification list, then:
      (a) Notify the country’s nearest embassy or consulate of the arrest or detention by fax or telephone.
      (b) Tell the individual that this notification has been made and inform him/her without delay that he/she may communicate with consular officers.
      (c) Forward any communication from the individual to his/her consular officers without delay.
      (d) Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the individual’s file.
   2. If the country is not on the mandatory notification list and the individual requests that his/her consular officers be notified, then:
      (a) Notify the country’s nearest embassy or consulate of the arrest or detention by fax or telephone.
      (b) Forward any communication from the individual to his/her consular officers without delay.

900.6.3 NOTICE TO INDIVIDUALS
To ensure compliance with treaty obligations, including consular notification, and state and federal law, written notice shall be given to an individual being detained explaining that the individual has the right to refuse to disclose their nationality, citizenship, or immigration status and that disclosure may result in civil or criminal immigration enforcement, including removal from the United States (RCW 10.93.160).

900.7 SAFETY, HEALTH AND OTHER PROVISIONS

900.7.1 TEMPORARY CUSTODY REQUIREMENTS
Members monitoring or processing anyone in temporary custody shall ensure:

(a) Safety checks and significant incidents/activities are noted on the log.
Temporary Custody of Adults

(b) Individuals in custody are informed that they will be monitored at all times, except when using the toilet.
   1. There shall be no viewing devices, such as peep holes or mirrors, of which the individual is not aware.
   2. This does not apply to surreptitious and legally obtained recorded interrogations.

(c) There is reasonable access to toilets and wash basins.

(d) There is reasonable access to a drinking fountain or water.

(e) There are reasonable opportunities to stand and stretch, particularly if handcuffed or otherwise restrained.

(f) There is privacy during attorney visits.

(g) Those in temporary custody are generally permitted to remain in their personal clothing unless it is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.

(h) Clean blankets are provided as reasonably necessary to ensure the comfort of an individual.
   1. The supervisor should ensure that there is an adequate supply of clean blankets.

(i) Adequate shelter, heat, light and ventilation are provided without compromising security or enabling escape.

(j) Adequate furnishings are available, including suitable chairs or benches.

900.7.2 MEDICAL CARE
First-aid equipment and basic medical supplies should be available to department members. At least one member who has current certification in basic first aid and CPR should be on-duty at all times.

Should a person in custody be injured or become ill, appropriate medical assistance should be sought. A supervisor should meet with those providing medical aid at the facility to allow access to the person. Members shall comply with the opinion of medical personnel as to whether an individual in temporary custody should be transported to the hospital. If the person is transported while still in custody, he/she will be accompanied by a deputy.

Those who require medication while in temporary custody should not be at the Pierce County Sheriff's Department. They should be released or transferred to another facility as appropriate.

900.7.3 ORTHOPEDIC OR PROSTHETIC APPLIANCE
Subject to safety and security concerns, individuals shall be permitted to retain an orthopedic or prosthetic appliance. However, if the appliance presents a risk of bodily harm to any person or is a risk to the security of the facility, the appliance may be removed from the individual unless its removal would be injurious to his/her health or safety.
Whenever a prosthetic or orthopedic appliance is removed, the Shift Sergeant shall be promptly apprised of the reason. It shall be promptly returned when it reasonably appears that any risk no longer exists.

**900.7.4 HOLDING CELL WINDOWS/DOORS**

Holding Cell windows will not be obscured in any manner except when briefly necessary to prevent a prisoner from viewing a witness, victim, or another suspect. When a juvenile is being held in a holding cell, the cell window shall be covered to prevent adult prisoners from seeing the juvenile.

Holding cell doors will remain open when the cell is not in use.

**900.8 USE OF RESTRAINT DEVICES**

Individuals in custody may be handcuffed in accordance with the Handcuffing and Restraints Policy. Unless an individual presents a heightened risk, handcuffs should generally be removed when the person is in a cell.

The use of restraints, other than handcuffs or leg irons, generally should not be used for individuals in temporary custody at the Pierce County Sheriff's Department unless the person presents a heightened risk, and only in compliance with the Handcuffing and Restraints Policy.

Individuals in restraints shall be kept away from other unrestrained individuals in custody and monitored to protect them from abuse.

**900.9 RELEASE AND/OR TRANSFER**

When an individual is released or transferred from custody, the member releasing the individual should ensure the following:

(a) All proper reports, forms and logs have been completed prior to release.

(b) A check has been made to ensure that the individual is not reported as missing and does not have outstanding warrants.

(c) It has been confirmed that the correct individual is being released or transported.

(d) All property, except evidence, contraband or dangerous weapons, has been returned to, or sent with, the individual.

(e) All pertinent documentation accompanies the individual being transported to another facility (e.g., copies of booking forms, medical records, an itemized list of his/her property, warrant copies).

(f) The individual is not permitted in any nonpublic areas of the Pierce County Sheriff's Department unless escorted by a member of the Department.

(g) Any known threat or danger the individual may pose (e.g., escape risk, suicide potential, medical condition) is documented, and the documentation transported with the individual if he/she is being sent to another facility.

1. The department member transporting the individual shall ensure such risks are communicated to intake personnel at the other facility.
Temporary Custody of Adults

(h) Generally, persons of the opposite sex, or adults and juveniles, should not be transported in the same vehicle unless they are physically separated by a solid barrier. If segregating individuals is not practicable, deputies should be alert to inappropriate physical or verbal contact and take appropriate action as necessary.

(i) Transfers between facilities or other entities, such as a hospital, should be accomplished with a custodial escort of the same sex as the person being transferred to assist with his/her personal needs as reasonable.

900.9.1 TRANSFER TO HOSPITAL
When an individual in custody for a violent or sex offense is taken to a hospital, the transporting deputy shall remain with, or secure, the individual while the individual is receiving care, unless (RCW 10.110.020; RCW 10.110.030):

(a) The medical care provider determines the individual does not need to be accompanied or secured.

(b) The deputy notifies the medical care provider that the deputy is leaving after reasonably determining:

   1. The individual does not present an imminent and significant risk of causing physical harm to themselves or another person.

   2. There is no longer sufficient evidentiary basis to maintain the individual in custody.

   3. In the interest of public safety, his/her presence is urgently required at another location and supervisor approval is obtained.

(a) The deputy shall make a reasonable effort to ensure a replacement deputy is provided or other means of securing the individual is provided as soon as possible.

900.10 TRAINING
Department members should be trained and familiar with this policy and any supplemental procedures.
Custodial Searches

902.1 PURPOSE AND SCOPE
This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants or weapons into the Pierce County Sheriff's Department facility. Such items can pose a serious risk to the safety and security of department members, individuals in custody, contractors and the public.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

902.1.1 DEFINITIONS
Definitions related to this policy include:

Pat Down Search - The normal type of search used by a deputy to check an individual for weapons, it involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the deputy, the prisoner, or other prisoners.

Custody search - An in-custody search of an individual and of his/her property, shoes and clothing, including pockets, cuffs and folds on the clothing, to remove all weapons, dangerous items and contraband.

Physical body cavity search - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of an individual, and the vagina of a female person.

Strip search - A search that requires 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.

902.2 POLICY
All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment or retaliation.

902.3 FIELD AND TRANSPORTATION SEARCHES
A deputy shall conduct a custody search of an individual immediately after his/her arrest, when receiving an individual from the custody of another, and before transporting a person who is in custody in any department vehicle.

Whenever practical, a custody search should be conducted by a deputy of the same sex as the person being searched. If a deputy of the same sex is not reasonably available, a witnessing deputy should be present during the search.
Custodial Searches

902.4 SEARCHES AT SHERIFF'S FACILITIES
Custody searches shall be conducted on all individuals in custody, upon entry to the Pierce County Sheriff's Department facilities. Except in exigent circumstances, the search should be conducted by a member of the same sex as the individual being searched. If a member of the same sex is not available, a witnessing member should be present during the search when practical.

Custody searches should also be conducted any time an individual in custody enters or re-enters a secure area, or any time it is reasonably believed that a search is necessary to maintain the safety and security of the facility.

902.4.1 PROPERTY
All property and evidence seized at the time of arrest will be handled and accounted for in accordance with the Property and Evidence Policy.

Members shall take reasonable care in handling the property of an individual in custody to avoid discrepancies or losses. Property retained for safekeeping shall be kept in a secure location until the individual is released or transferred. Whenever possible, personal items (excluding evidence), will accompany the individual to the jail and be turned over to the jail staff at the time of booking.

Some property may not be accepted by a facility or agency that is taking custody of an individual from this department, such as weapons or large items. These items should be retained for safekeeping in accordance with the Property and Evidence Policy.

902.4.2 VERIFICATION OF MONEY
Whenever possible, all money shall be counted in front of the individual from whom it was received. All money (including foreign and counterfeit currency, and coins) should be placed in a separate envelope and sealed. All envelopes should clearly indicate the contents on the front. The department member sealing it should place his/her initials, ID number and the date across the evidence seal and sealed flap. Should any money be withdrawn or added, the member making such change shall enter the amount below the original entry and initial it. The amount of money in the envelope should always be totaled and written on the outside of the envelope.

902.5 STRIP SEARCHES
No individual in temporary custody at any Pierce County Sheriff's Department facility shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the individual has a health condition requiring immediate medical attention or is concealing a weapon or contraband that constitutes a threat to the facility. Probable cause is required for a strip search when there is a belief the individual is concealing on his/her body evidence not constituting a threat to the facility (RCW 10.79.130).

Factors to be considered in determining reasonable suspicion or probable cause include, but are not limited to (RCW 10.79.140):

(a) The detection of an object during a custody search that may be a weapon or contraband and cannot be safely retrieved without a strip search.
Custodial Searches

(b) Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.

1. **A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.**

(c) Custody history (e.g., past possession of contraband while in custody, assaults on department members, escape attempts).

(d) The individual’s actions or demeanor.

(e) Criminal history (i.e., level of experience in a custody setting).

(f) The nature of the offense.

No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual’s genital status. If the individual’s genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

902.5.1 STRIP SEARCH RESTRICTIONS

Strip searches shall not be conducted by Law Enforcement members unless noted in this policy. All other strip searches will only be performed by Corrections Deputies following established Corrections procedures. Strip searches should be limited to those situations where such searches are necessary. Reasonable efforts to use less intrusive methods, such as pat-downs, electronic metal detector or clothing searches shall be made prior to any strip search (RCW 10.79.060; RCW 10.79.140).

902.5.2 CONFIDENTIAL INFORMANTS

With prior supervisory approval, Law Enforcement members may conduct a limited strip search of individuals that are acting in the capacity of a confidential informant. The search may take place in a non-custodial facility or setting and shall be limited to the need to ensure a CI is not concealing weapons, money or narcotics on their person. Confidential informants may be asked to adjust items of clothing but shall not be required to remove articles of clothing in a public place.

A member of the same sex as the confidential informant shall do the search and, as with all informant contacts, a second deputy shall be in close proximity. If the second deputy is of the opposite sex they shall not observe the search.

Supervisors will ensure personnel performing these limited strip searches review this policy on an annual basis.

902.5.3 NARCOTICS SEARCH WARRANT SERVICE

Persons detained at the scene of a narcotics search warrant are often found in possession of narcotics concealed within their clothing and undergarments. Suspects that are arrested and booked into jail are subject to a strip search at the correctional facility in accordance with this policy.
Custodial Searches

Individuals on scene that are detained but not arrested may also be concealing evidence. After an interview to determine the scope of concealment and within current legal parameters, a Law Enforcement member of the same sex may remove or assist in the removal of narcotics and other items of evidence from the detained individual. Privacy concerns shall be considered and the retrieval of evidence should be done in as private a setting as possible, however officer safety shall not be compromised for the retrieval of items. Such individuals shall not be subject to a strip search unless booked into jail.

902.6 PHYSICAL BODY CAVITY SEARCH
Body cavity searches shall not be conducted by Law Enforcement members. Body cavity searches will only be performed at a medical facility by trained medical personnel. RCW 10.79.080 requires a search warrant be obtained for any body cavity search and written authorization by the shift Sergeant.

902.7 LIABILITY
The Revised Code of Washington expressly provides that a person who suffers damage or harm as a result of an improper search may bring a civil action to recover damages (RCW 10.79.110). The agency and its employees are not liable for injury, death, or damage caused by a person in custody when the injury, death or damage was made possible by contraband that would have been discovered sooner but for the delay caused by having to seek a search warrant (RCW 10.79.170).
Biological Samples

905.1 PURPOSE AND SCOPE
This policy provides guidelines for the collection of biological samples from those individuals required to provide samples upon conviction for certain offenses. This policy does not apply to biological samples collected at a crime scene or taken from an individual in conjunction with a criminal investigation. Nor does it apply to biological samples collected from those required to register, for example, as sex offenders.

905.2 POLICY
The Pierce County Sheriff's Department will assist in the expeditious collection of required biological samples from offenders in accordance with the laws of this state and with as little reliance on force as practical.

905.3 OFFENDERS SUBJECT TO BIOLOGICAL SAMPLE COLLECTION
The following offenders must submit a biological sample (RCW 43.43.754):

(a) An offender convicted of any felony offense.
(b) An offender convicted of assault in the fourth degree where domestic violence as defined in RCW 9.94A.030 was pleaded and proven (RCW 9A.36.041).
(c) An offender convicted of assault in the fourth degree with sexual motivation (RCW 9A.36.041; RCW 9A.44.835).
(d) An offender convicted of communication with a minor for immoral purposes (RCW 9.68A.090).
(e) An offender convicted of custodial sexual misconduct in the second degree (RCW 9A.44.170).
(f) An offender convicted of failure to register as a sex or kidnap offender (RCW 9A.44.040 et seq.).
(g) An offender convicted of harassment (RCW 9A.46.020).
(h) An offender convicted of patronizing a prostitute (RCW 9A.88.110).
(i) An offender convicted of sexual misconduct with a minor in the second degree (RCW 9A.44.096).
(j) An offender convicted of stalking (RCW 9A.46.110).
(k) An offender who violates a sexual assault protection order granted under RCW 7.90.005 et seq.
(l) An offender convicted of indecent exposure (RCW 9A.88.010).

905.3.1 POINT OF COLLECTION
A. Collection of DNA samples from persons confined to the Pierce County Corrections Facility will be the responsibility of the Correctional Staff.
B. Collection of DNA samples of persons not confined to the Pierce County Corrections Facility will be the responsibility of Forensics Technicians and/or the Forensic Investigators depending on availability from the Forensics Investigations Unit.

905.3.2 OPTIONAL SUBMISSION OF BIOLOGICAL SAMPLES
The Department may submit biological samples to the forensic laboratory services of the Washington State Patrol of an offender who is deceased and who was previously convicted of a qualifying offense regardless of the date of conviction (RCW 43.43.754(1)).

905.4 PROCEDURE
When an offender is required to provide a biological sample, a trained member shall attempt to obtain the sample in accordance with this policy.

905.4.1 COLLECTION
The following steps should be taken to collect a sample:

(a) Verify that the offender is required to provide a sample pursuant to RCW 43.43.754.

(b) Verify that a biological sample has not been previously collected from the offender by querying the WSP WATCH list and the person's LINX criminal history records. There is no need to obtain a biological sample if one has been previously obtained (RCW 43.43.754).

(c) Use the designated collection kit provided by the Washington State Patrol to perform the collection and take steps to avoid cross contamination.

(d) Once the biological sample has been obtained the date and time will be updated in the person's LINX record to reflect the collection of the sample. If the WSP WATCH list indicates a biological sample has been taken, but not by our agency, the date that is observed in the WSP WATCH list will be updated in the person's LINX record.

905.4.2 BLOOD SAMPLES
Health care providers trained and qualified to draw blood are the only persons authorized to perform the withdrawal of blood in a medically approved manner.

905.4.3 BUCCAL SWABS
Buccal swab samples (taken from the inside of the mouth) may only be procured by employees who have successfully completed departmentally approved training in the collection of buccal swabs. If an individual violently resists or presents other officer safety issues, employees may omit buccal swab samples upon approval of a supervisor.

905.4.4 FINGERPRINTS
The right and left thumb prints shall be obtained on appropriate forms along with DNA samples.

905.4.5 USE OF FORCE TO OBTAIN SAMPLES
If, after a written or oral request, an individual required to provide samples refuses to provide any or all of the required DNA samples, a LEO of this department may use reasonable force necessary
Biological Samples

and consistent with constitutional and legal requirements to compel them to submit to collection of the required sample (RCW 43.43.750).

Use of force to obtain such sample(s) should occur only under the following conditions:

(a) Prior to the use of reasonable force, LEO's shall take and document reasonable steps to secure voluntary compliance.

(b) Prior to the use of reasonable force, LEO's shall obtain written authorization from a supervisor which shall minimally include that the individual was asked to provide the sample(s) and refused.

(c) Prior to the use of reasonable force, LEO's shall notify the prosecutor of the individual's refusal to provide the sample(s).

(d) If the authorized use of reasonable force includes a cell extraction, such extraction shall be videotaped.

For the purpose of this section, the "use of reasonable force" shall be defined as the force that an objective, trained, and competent LEO faced with similar facts and circumstances would consider necessary and reasonable to gain compliance.

905.4.6 PROCESSING DNA SAMPLES
All DNA or biological sample taken pursuant to RCW 43.43.752 through 43.43.758 shall be delivered to the forensic laboratory services bureau of the Washington State Patrol and shall be used solely for the purpose of providing DNA or other tests for identification analysis and prosecution of a criminal offense or for the identification of human remains or missing persons (RCW 43.43.754(4)).

905.5 LEGAL MANDATES AND RELEVANT LAWS
Washington law provides for the following:

905.5.1 AVAILABLE INFORMATION AND TRAINING
The supervisor should maintain relevant informational material from the Washington State Patrol in the booking area of the Pierce County Sheriff's Department for training and guidance purposes. This should include the protocols for the collection, preservation and shipment of biological samples prepared by the Washington State Patrol (WAC 446-75-060). See http://www.wsp.wa.gov/forensics/docs/crimelab/conv_off_dna_ppt.pdf for more information.
Chapter 10 - Personnel
Recruitment and Selection

1000.1 POLICY
In accordance with applicable federal, state and local law, the Pierce County Sheriff's Department provides equal opportunities for applicants and employees, regardless of race, gender expression, age, pregnancy, religion, creed, color, national origin, ancestry, physical or mental handicap, genetic information, veteran status, marital status, sex or any other protected class or status. The Department does not show partiality or grant any special status to any applicant, employee or group of employees unless otherwise required by law.

The Department will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

1000.1.1 JOB DESCRIPTIONS AND REQUIREMENTS
It is the policy of the Sheriff's Department to set minimum entry level requirements for prospective employees. These requirements as well as job descriptions are maintained by the Pierce County Civil Service Commission.

1000.2 RECRUITMENT
The Administrative Services Captian should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy should include:

(a) Identification of racially and culturally diverse target markets.
(b) Use of marketing strategies to target diverse applicant pools.
(c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.
(d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities and the military.
(e) Employee referral and recruitment incentive programs.
(f) Consideration of shared or collaborative regional testing processes.

The Administrative Services Captian shall avoid advertising, recruiting and screening practices that tend to stereotype, focus on homogeneous applicant pools or screen applicants in a discriminatory manner.

The Department should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of his/her status in the recruiting process.
Pierce County Sheriff's Department
Pierce County SD Policy Manual

Recruitment and Selection

1000.3 PURPOSE AND SCOPE
This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Pierce County Sheriff's Department and that are promulgated and maintained by the Department of Human Resources.

1000.4 BACKGROUND INVESTIGATION
Every candidate shall undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate’s unsuitability to perform duties relevant to the operation of the Pierce County Sheriff’s Department (RCW 43.101.095).

1000.4.1 NOTICES
Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA (15 USC § 1681d).

1000.4.2 REVIEW OF SOCIAL MEDIA SITES
Due to the potential for accessing unsubstantiated, private or protected information, the Administrative Services Captain shall not require candidates to provide passwords, account information or access to password-protected social media accounts (RCW 49.44.200).

The Administrative Services Captain should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, internet-based searches and/or review information from social media sites to ensure that:

(a) The legal rights of candidates are protected.
(b) Material and information to be considered are verified, accurate and validated.
(c) The Department fully complies with applicable privacy protections and local, state and federal law.

Regardless of whether a third party is used, the Administrative Services Captain should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

1000.4.3 DOCUMENTING AND REPORTING
The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate’s background investigation file. These files shall be stored in a secured manner and made available only to those who are authorized to participate in the selection process.
1000.4.4 RECORDS RETENTION
The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

1000.5 DISQUALIFICATION GUIDELINES
As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate’s qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

1000.6 EMPLOYMENT STANDARDS
All candidates shall meet the minimum standards required by state law (RCW 43.101.095; RCW 43.101.200). Candidates will be evaluated based on merit, ability, competence and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community.

Validated, job-related and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge and skills required to perform the position’s essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The Department of Human Resources should maintain validated standards for all positions.

1000.6.1 STANDARDS FOR DEPUTIES
Candidates shall meet the following minimum standards established by the Washington State Criminal Justice Training Commission (WSCJTC) (RCW 43.101.095):

(a) Be eligible for WSCJTC certification
(b) Submit to a psychological evaluation
(c) Submit to a polygraph examination
(d) Submit to a criminal history check
(e) Not been convicted of a felony offense
Employee Conduct

1001.1 PURPOSE AND SCOPE
The public demands exemplary conduct from all police personnel. Although public scrutiny is particularly intense for uniformed personnel, it includes all employees. The actions of any employee of this Department which are found or perceived to be unjustified or illegal will be criticized more severely than comparable actions by persons in other occupations. For these reasons, rules must be established to govern the conduct of all employees on and off duty.

1001.2 PERSONAL CONDUCT
In the performance of his duty to serve society, an employee is often called upon to make difficult decisions. He must exercise discretion in situations where his rights and liabilities and those of the Department hinge upon his conduct and judgment. An employee’s decisions are not easily made, and occasionally they involve a choice which may cause him hardship or discomfort. An employee must be faithful to his oath of office, the principles of professional police service, and the objectives of the Department, and in the discharge of his duty he must not allow personal motives to govern his decisions and conduct.

1001.3 TRUTHFULNESS
Employees shall not intentionally omit or withhold pertinent information or make false or fraudulent statements, either orally or in writing, or induce others to do so.

1001.4 AUTHORITY AND RESPONSIBILITY
Each employee of the Department will perform the duties and assume the obligations of his rank in the reporting of commendations and investigation of inquiries and complaints regarding Department employees. Department employees will cooperate with all employees of the Department and County conducting an investigation.

Supervisors may attempt to resolve a complaint, but shall not attempt to dissuade any person from lodging a complaint.

1001.5 RESOLUTION OF DISAGreements BETWEEN EMPLOYEES
When a difference of opinion arises between employees, the matter will be resolved by the employee who is higher in the chain of command. If the employees are in equivalent positions relative to the chain of command, the matter will be resolved whenever possible by the immediate supervisor of both employees. If the matter cannot be resolved by the immediate supervisors, the next supervisor in the chain of command or the Command Duty Officer will resolve the dispute. For example, if a dispute arises between a Correctional Deputy and a Deputy, the Correctional Sergeant and the Deputy’s Sergeant will attempt to resolve the matter. If the matter cannot be resolved, further utilization of the chain of command will occur.
Evaluation of Employees

1002.1 PURPOSE AND SCOPE
The Department's employee performance evaluation system is designed to record work performance for both the Department and the employee, providing recognition for good work and developing a guide for improvement.

1002.2 POLICY
The Department utilizes a performance evaluation report to measure performance and to use as a factor in making personnel decisions. The evaluation report is intended to serve as a guide for work planning and review by the supervisor and employee. It gives supervisors a way to create an objective history of work performance based on job standards.

Employees are evaluated in a non-discriminatory manner based upon job-related factors specific to the employee's position, without regard to sex, race, color, national origin, religion, age, disability or other protected classes.

1002.3 EVALUATION PROCESS
Evaluation reports will cover a specific period of time and should be based on documented performance during that period. Evaluation reports will be completed by each employee's immediate supervisor. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the immediate supervisor for their input.

(2) Instructions for the performance appraisal program are in the supervisor's appraisal guide booklet and found in the Employment & Training section (Performance Review Forms) on SHRnet.

Each supervisor should discuss the tasks of the position, standards of performance expected and the evaluation criteria with each employee at the beginning of the rating period. Supervisors should document this discussion in the prescribed manner.

Assessment of an employee's job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise.

Employees demonstrating substandard performance shall be notified as soon as possible in order to have an opportunity to remediate the issues prior to the end of the evaluation period.

1002.4 FULL TIME PROBATIONARY PERSONNEL
Civilian personnel are on probation for 12 months before being eligible for certification as permanent employees. Civilian probationary employees shall at a minimum receive a performance appraisal at the 3 month and 12 month mark (no later than 2 weeks prior to the end) of their probationary period.
Corrections Deputies are on probation for 12 months, including the length of the corrections academy before being eligible for certification as permanent employees. Probationary Corrections Deputies are evaluated daily during the FTO Phase, and monthly during the probationary period.

Sheriff Deputies are on probation for 12 months plus the length of the law enforcement academy before being eligible for certification as permanent employees. Probationary deputies are evaluated daily during the FTO Phase, and monthly during the probationary period.

1002.5 FULL-TIME PERMANENT STATUS PERSONNEL
Permanent employees are subject to three types of performance evaluations:

**Regular** - An Employee Performance Evaluation shall be completed once each year by the employee's immediate supervisor.

**Transfer** - If an employee is transferred from one assignment to another in the middle of an evaluation period and less than six months have transpired since the transfer, then an evaluation shall be completed by the current supervisor with input from the previous supervisor.

**Special** - A special evaluation may be completed any time the rater and the rater's supervisor feel one is necessary due to employee performance that is deemed less than standard. Generally, the special evaluation will be the tool used to demonstrate those areas of performance deemed less than standard when follow-up action is planned (action plan, remedial training, retraining, etc.). The evaluation form and the attached documentation shall be submitted as one package.

1002.5.1 RATINGS CRITERIA
When completing the Employee Performance Evaluation, the rater will select the rating that best describes the employee's performance from a drop down menu. The definition of each rating category is as follows:

**Excellence** - Represents performance that is better than expected of a fully competent employee. It is superior to what is expected.

**Success** - is the performance of a fully competent employee. It means satisfactory performance that meets the standards required of the position.

**Needs Improvement** - Is a level of performance less than that expected of a fully competent employee and less than standards required of the position. A needs improvement rating must be thoroughly discussed with the employee.

**Does Not Meet Minimum Requirements** - Performance is inferior to the standards required of the position. It is very inadequate or undesirable performance that cannot be tolerated.

Space for written documents is provided at the end of the evaluation in the rater comments section. This section allows the rater to document the employee's strengths, weaknesses, and suggestions for improvement. Any rating under any job dimension marked "Excellence", "Needs Improvement", or "Does Not Meet Minimum Requirements" must be substantiated in the rater comments section.
Evaluation of Employees

1002.6 EVALUATION INTERVIEW
Upon completion of the preliminary evaluation, the rater shall meet with his/her supervisor for review/comments/signature of the document. Arrangements shall then be made for a private discussion of the evaluation with the employee. The supervisor should discuss the results of the just completed rating period and clarify any questions the employee may have. Areas needing improvement and goals for reaching the expected level of performance should be identified and discussed. The supervisor should also provide relevant counseling regarding advancement, specialty positions and training opportunities.

If the employee has a concern as to the content or validity of the appraisal, they may submit a written response/rebuttal documenting the specific concerns and providing additional information that may be considered in the evaluation review within ten (10) working days of receiving their evaluation. All additional documentation shall become a part of the official record (Civil Service 3.38.040).

Employees may also write comments in the Employee Comments section of the performance evaluation report. The supervisor and employee will sign and date the evaluation.

1002.7 EVALUATION REVIEW
After the supervisor finishes the discussion with the employee, the signed performance evaluation is forwarded to the rater’s supervisor. The supervisor shall review the evaluation for fairness, impartiality, uniformity, and consistency. Appraisals for those employees in a supervisory position shall contain as a performance dimension the ability to successfully conduct appraisals in compliance with department policy.

1002.8 EVALUATION DISTRIBUTION
The original performance evaluation shall be maintained in the employee’s personnel file for the tenure of the employee’s employment. A copy will be given to the employee.
Promotional Opportunities and Transfers Within the Department

1004.1 POLICY
The Pierce County Sheriff’s Department determines assignments and promotions in a nondiscriminatory manner based upon job-related factors and candidate skills and qualifications. Assignments and promotions are made by the Sheriff.

Electronic copies of all promotional announcements shall be posted to SHRNet, as well as announced via Department-wide e-mail distribution lists.

1004.2 TRANSFERS WITHIN THE DEPARTMENT
The following guidelines will be followed in the selection process:

1004.2.1 SELECTION COMMITTEE FOR SUPERVISORY POSITIONS
Selection Committee for supervisory positions will consist of:
   (a) Lieutenant or above
   (b) A Sergeant, Detective Sergeant, or first-line supervisor
   (c) A Guild or Union observer (non-voting) may be present during the selection process
   (d) For supervisory positions within contract cities, the city may elect to have a representative on the selection committee

1004.2.2 SELECTION COMMITTEE FOR NON-SUPERVISORY POSITIONS
For non-supervisory positions, the following will be added to the above positions:
   (a) One or two officers or employees from affected unit
   (b) One other employee, at large, may be appointed

1004.3 ANNOUNCEMENT OF OPEN POSITION MEMORANDUM
Announcement of open position via memorandum stating:
   (a) Description of position
   (b) Eligibility requirements
   (c) When position will be available
   (d) Number of open positions
   (e) Memorandum to be posted for a minimum of 21 calendar days to SHRNet and shall be included in the Electronic Mail distribution

1004.4 APPLICATION
Application by letter or request for transfer containing:
   (a) Qualifications:
Promotional Opportunities and Transfers Within the Department

1. Length of service
2. Special Skills possessed
3. Experience
4. Education
5. Previous special assignments
6. Time elapsed since last special assignment

(b) Past Performance:
1. To be documented by applicant:
   (a) Letters of commendation
   (b) Training schools attended
2. Recommendation by a direct supervisor from the applicant's primary assignment
3. At least two of the most recent past evaluations

1004.5 APPLICANT INTERVIEWS BY SELECTION COMMITTEE
The Guild must be notified of all oral boards at least seven days before the board is convened. If the Guild does not elect to send a representative or the representative does not appear, the board may proceed.

All applicants are to receive the same basic interview.

All applicants will be notified of their standing, in writing, by the Committee.

Each applicant is to be graded as interviewed, and that grade will be recorded and maintained for the life of the list by the Committee Chairman.

1004.6 SELECTION PROCESS
The Committee has the responsibility to select the best possible person for the position, taking into consideration productivity, efficiency and effectiveness, and employee job satisfaction; measuring these criteria by the employee's career goals and interests, education, experience and training.

All applicants must submit the minimum required information (packet) per this policy and Policy 1028. If the minimum required information is not provided, the person is disqualified and cannot appear at the oral board.

Any ties will be resolved by bargaining unit seniority.

All oral boards candidates must have a minimum passing score of 70%.
1004.7 POSITION APPOINTMENT

(a) The Sheriff is to be notified, in writing, of the Selection Committee's recommendations for his consideration

(b) The affected Bureau Chief(s) and Undersheriff will also be notified of the recommendation for their consideration

(c) All applicants will be notified of their standing in writing, by the Committee

(d) The Sheriff, Undersheriff or Bureau Chief may veto the recommendation of the Committee, if that occurs, the Selection Committee will submit another recommendation for consideration until the position is filled

(e) In any case, the Sheriff has final approval

(f) The appointment notification will then be made by Personnel Order

1004.8 FUTURE APPOINTMENTS

(a) A position list and all records pertaining to the selection committee processes will be maintained for ninety (90) days by the Committee Chairman

(b) If a position becomes open during the life of the list, the Committee may recommend its second or third choice for the position

(c) Requests for transfer will be maintained by the Selection Committee Chairman for ninety (90) days

1004.9 INVOLUNTARY ASSIGNMENTS

Involuntary assignments will be appointed to employees who are off probation. There is a bright line rule regarding whether an employee has completed their probationary period at the time of the appointment.

References to assignments will be by bid cycle and not six month periods as all bid cycles are not exactly six months long.

Involuntary assignments for Deputies will be one bid cycle.

Involuntary assignments for Sergeants / Detective Sergeants and above will be for two bid cycles.
Grievance Procedure

1006.1 PURPOSE AND SCOPE
It is the policy of this department that all grievances be handled quickly and fairly without discrimination against employees who file a grievance whether or not there is a basis for the grievance. Our Department’s philosophy is to promote a free verbal communication between employees and supervisors.

1006.1.1 GRIEVANCE DEFINED
Grievance - Is any dispute involving the interpretation or application of any of the following documents by the person(s) affected:

- The employee bargaining agreement and/or any applicable Memorandum of Understanding/Letter of Understanding.
- This Policy Manual.
- County rules and regulations covering personnel practices or working conditions.

Grievances may be brought by an individual affected employee or by a group representative in accordance with his/her appropriate bargaining agreement or under this policy.

Complaints related to alleged acts of sexual, racial, ethnic or other forms of unlawful harassment, as well as complaints related to allegations of discrimination on the basis of sex, race, religion, ethnic background and other lawfully protected status or activity, are subject to the complaint options set forth in Policy Manual § 328; and personnel complaints related to any allegation of misconduct or improper job performance against any department employee that, if true, would constitute a violation of department policy, federal, state or local law set forth in Policy Manual § 1020, except as otherwise specified under collective bargaining agreements.

1006.2 PROCEDURE
If the employee is covered by a union/guild contract or agreement, the employee may follow the grievance procedure outlined in their Collective Bargaining Agreement.

If the employee wishes to file a grievance and the employee is not covered by a union agreement, the employee should follow the Administrative Guidelines for the Career Service procedures.

In all instances the employee may directly contact the Pierce County Equal Employment Opportunity Officer in the Human Resources Office.

1006.2.1 RECOGNIZED UNIONS AND ASSOCIATIONS BARGAINING
- Local #1889 Pierce County Deputy Sheriffs' Independent Guild
- Local #1889 Pierce County Sheriff's Department, Community Service Officers
- Pierce County Corrections Deputy Guild
- AFSCME Local #3752 Correctional Lieutenants
Grievance Procedure

- AFSCME Local #3752 Corrections and Detention, Non-Uniformed Support Staff
- AFSCME Local #120 Animal Control Officers
- Teamsters Local #117 Pierce County Sheriff
- Pierce County Captain's Association

1006.3 EMPLOYEE REPRESENTATION
Employees are entitled to have representation during the grievance process. The representative may be selected by the employee from the appropriate employee bargaining group, or for non-represented employees by any department employee.

1006.4 GRIEVANCE RECORDS
At the conclusion of the grievance process, all documents pertaining to the process shall be forwarded to Administrative Services Bureau Chief for inclusion into a secure file for all written grievances.

1006.5 COLLECTIVE BARGAINING
The Pierce County Sheriff’s Department believes in working closely with labor groups to insure that all of its members are treated fairly and equally in its endeavors to provide the best service possible to the citizens of Pierce County. The department takes an active role in this endeavor by providing a Labor Management Committee. The Chief of Services or his designee serves as a member of the county negotiating team to provide input to the chief negotiator for the county during collective bargaining negotiations.

1006.5.1 SUPERVISOR TRAINING ON LABOR AGREEMENTS
The Chief of Services will insure that all supervisors and management personnel are informed of and trained on, if necessary, changes in the labor agreements affecting personnel under their supervision.
Alcohol and Drug Use

1012.1 PURPOSE AND SCOPE
The intent of this policy is to deter the misuse or abuse of legal or illegal substances that create a threat to the safety and health of any employee or member of the public. The Pierce County Sheriff's Department discourages alcohol and drug abuse and strives to achieve a work force free from the influence of drugs and alcohol.

1012.2 GENERAL GUIDELINES
The consumption of illegal drugs is strictly prohibited and the consumption of alcohol is generally prohibited by on-duty personnel except as necessary and expressly authorized in the performance of an official special assignment. Personnel who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

Employees who have consumed an amount of an alcoholic beverage or taken any medication that adversely affects their mental or physical abilities shall not report for duty. The affected employee shall notify the Shift Sergeant or appropriate supervisor as soon as the employee is aware that employee will not be able to report to work. If the employee is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner.

1012.2.1 PURCHASE OR POSSESSION OF DRUGS OR ALCOHOL ON DUTY
Department employees shall not purchase or possess alcohol or other controlled substances, for which they don't have a valid prescription, on County property, at work, or while on-duty except in the performance of a special assignment as described above.

Department employees shall not illegally manufacture any alcohol or drugs while on-duty, on County property or at any other time.

1012.2.2 USE OF PRESCRIBED MEDICATIONS
Department employees who are medically required to take prescription medications during work hours shall not allow such medications to impair their ability to perform their work. Any employee who is required to take any medication with side effects which might impair the employee’s ability to fully and safely perform all requirements of the position shall report the need for such medication to the immediate supervisor. No employee shall be permitted to work or drive a department-owned or leased vehicle while taking such potentially impairing medication without a written release from the employee’s physician provided to Human Resources. Employees are not required to disclose their medical condition or provide the specific name of the medication(s) to their supervisor.

Possession or use of medical marijuana or being under the influence of marijuana on- or off-duty is prohibited and may lead to disciplinary action (RCW 69.51A.060(7)).
1012.3 EMPLOYEE ASSISTANCE PROGRAM
There may be available a voluntary employee assistance program to assist employees who wish to seek help for alcohol and drug problems. There is also available a variety of insurance coverage which provide treatment for drug and alcohol abuse. Employees may contact the Department of Human Resources, their insurance provider, or the Employee Assistance Program for additional information.

Employees who experience drug or alcohol problems are encouraged to seek referral for rehabilitation through the Employee Assistance Programs or their insurance provider. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

1012.4 WORK RESTRICTIONS
If an employee informs a supervisor that they have consumed any alcohol, drug or medication that could interfere with the safe and efficient performance of their duties, the employee may be required to obtain clearance from their physician before the employee continues to work.

If a supervisor reasonably believes, based upon objective facts, that an employee's ability to perform their duties safely and efficiently may be impaired by the consumption of alcohol or other drugs, the supervisor may ask the employee whether they have consumed any alcohol or other drugs.

If the supervisor reasonably believes, based on objective facts, that an employee is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the employee from continuing work and shall transport the employee or cause the employee to be transported safely away from the employee’s work location.

1012.5 SCREENING TESTS
If a supervisor has reasonable suspicion based on objective facts and inferences drawn therefrom to believe that an employee is adversely affected by the use of an intoxicating beverage and/or drugs while on duty, that employee shall be required to submit to tests for intoxication, and may request assistance of a union representative prior to the test. The employee will be given the Garrity Admonishment prior to the test. Results of the tests will be reported on an Alcohol Influence Report form and will be supplemented by a Breathalyzer or other test determined appropriate by the supervisor, for the measurement of either alcohol or drugs. The time lapse between the initial report of the employee’s condition and the intoxication test shall be accurately recorded. If it is determined from the test that the employee is under the influence of alcohol and/or drugs, or if the employee fails to submit to testing, the employee may receive an emergency suspension. An employee who tests positive shall have the right to challenge the test results.

1012.5.1 ADDITIONAL SCREENING TESTS FOR DEPUTIES
The Department may request an employee to submit to a screening test if the employee:
Alcohol and Drug Use

(a) Is a law enforcement officer and during the performance of the employee’s duties, discharges a firearm.

(b) During the performance of the employee’s duties, drives a motor vehicle in such a manner as to cause bodily injury to the employee or another person or causes substantial damage to property.

1012.5.2 SCREENING TEST REFUSAL
An employee is subject to disciplinary action if the employee:

(a) Fails or refuses to submit to a screening test as requested.

(b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested by the employee’s appointing authority that the employee took the controlled substance as directed, pursuant to a current and lawful prescription issued in the employee’s name.

1012.6 CONFIDENTIALITY
The Department recognizes the confidentiality and privacy due employees. Disclosure of any information relating to chemical abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the employee involved or pursuant to lawful process. The written results of any screening test may be provided to the employee but will remain confidential and separate from the employee's other personnel files.

1012.7 COMPLIANCE
Employees must, as a condition of employment, abide by the terms of this policy.
Department Leaves

1013.1 ADMINISTRATIVE LEAVE
Administrative Leave is a non-active duty status that a Department member may be placed on after using force that has resulted in the death of another person. While on Administrative Leave, an employee will be in a paid status. Administrative Leave that is the result of a fatal use of force incident will normally be for a minimum of forty working hours. An employee will formally be placed on Administrative leave only through a Departmental Personnel Order, however that status may be implemented by the Sheriff, his designee, or the Command Duty Officer. While on Administrative Leave, the Department will not typically require an activity such as firearms training or a compelled fit for duty examination unless requested by the employee or dictated by unique circumstances. No employee shall engage in any law enforcement related off duty employment while on Administrative Leave.

The Sheriff may also direct, through a Department Personnel Order, that an employee be placed on Administrative Leave after other types of traumatic incidents. This type of Administrative Leave may be for varying lengths of time.

Nothing in this section is intended to prevent an employee from voluntarily participating in an activity facilitated by the Department. (Per General Order 06-002)

1013.2 HOLIDAYS, ANNUAL LEAVE, BEREAVEMENT LEAVE, STANDBY TIME, SICK LEAVE, OVERTIME, FAMILY AND MEDICAL LEAVE
All employees will be compensated and/or regulated for holidays, annual leave, bereavement leave, standby time, sick leave, family and medical leave, and overtime according to union agreements in force and/or the County Personnel Rules.

1013.3 MILITARY LEAVE
Military leave is regulated by Washington State law, R.C.W. 38.40.060. Written notification of intent to use leave must be provided as required by the County Personnel Rules.

1013.4 DISABILITY LEAVE
Disability leave is regulated under Law Enforcement Officers and Fire Fighters Retirement System and the Pierce County Personnel Rules.

1013.5 LEAVE OF ABSENCE
Leaves of absence are regulated by Civil Service Rules, union agreements, and County Personnel Rules.

1013.6 JURY DUTY AND VOTING LEAVE
Jury duty and voting leave are regulated by union agreements and County Personnel Rules.
Sick Leave

1014.1 PURPOSE AND SCOPE
This policy provides general guidance regarding the use and processing of sick leave. The accrual and terms of use of sick leave for eligible employees are detailed in the County personnel manual or applicable labor agreement.

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) or the Washington Paid Family and Medical Leave program (PFML) (29 USC § 2601 et seq.; RCW 50.04.010 et seq.).

1014.2 POLICY
It is the policy of the Pierce County Sheriff's Department to provide eligible employees with a sick leave benefit.

1014.3 USE OF SICK LEAVE
Sick leave is intended to be used for qualified absences (RCW 49.46.210). Sick leave is not considered vacation. Abuse of sick leave may result in discipline, denial of sick leave benefits, or both (WAC 296-128-750).

Employees on sick leave shall not engage in other employment or self-employment or participate in any sport, hobby, recreational activity, or other activity that may impede recovery from the injury or illness (see Off Duty Employment Policy).

Qualified appointments should be scheduled during a member’s non-working hours when it is reasonable to do so.

1014.3.1 NOTIFICATION
All members should notify the Shift Sergeant or appropriate supervisor as soon as they are aware that they will not be able to report to work and no less than one hour before the start of their scheduled shifts. If, due to an emergency, a member is unable to contact the supervisor, every effort should be made to have a representative for the member contact the supervisor (WAC 296-128-650).

Members injured while on duty shall report such injury to their supervisors as soon as possible, and shall comply with the provisions of existing regulations pertaining to such injury (See Occupational Disease and Work Related Injury Reporting policy).

Members who become ill while on duty and find it necessary to leave an assigned post or duty shall report this fact to their supervisors before leaving the assignment or post.

When the necessity to be absent from work is foreseeable, such as planned medical appointments or treatments, the member shall, whenever possible and practicable, provide the Department with no less than 10 days’ notice of the impending absence (WAC 296-128-650).
Sick Leave

1014.3.2 SICK LEAVE QUALIFICATIONS
The Department recognizes that an employee may be ill and incapacitated for a number of reasons, not excluding stress. If an employee cannot work because of a stress-caused condition and is indeed incapacitated, the same rules for use and substantiation of sick leave would apply as to any other condition of illness; i.e. the employee may be required to provide a physician's written certificate stating the nature of the problem and that the employee is incapacitated.

1014.3.3 FICTITIOUS ILLNESS OR INJURY REPORT
Employees shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the Department as to the condition of their health.

1014.4 SUPERVISOR RESPONSIBILITIES
The responsibilities of supervisors include, but are not limited to:
(a) Monitoring and regularly reviewing the attendance of those under their command to ensure that the use of sick leave and absences is consistent with this policy.
(b) Attempting to determine whether an absence of four or more days may qualify as family medical leave and consulting with legal counsel or the Department of Human Resources as appropriate.
(c) When appropriate, counseling members regarding inappropriate use of sick leave.
(d) Referring eligible members to an available employee assistance program when appropriate.

1014.5 PERSONNEL AGENCY
The Director of Human Resources shall ensure:
(a) Written or electronic notice is provided to each employee regarding applicable paid sick leave provisions as required by WAC 296-128-760.
(b) This Sick Leave Policy is readily available to all employees.
(c) Employee records are retained and preserved regarding paid sick leave information and data as required by WAC 296-128-010.

1014.6 RETALIATION
No employee shall be retaliated against for using qualifying sick leave (WAC 296-128-770).
Communicable Diseases

1016.1 PURPOSE AND SCOPE
This policy is intended to provide guidelines for department personnel to assist in minimizing the risk of contracting and/or spreading communicable diseases and to minimize the incidence of illness and injury. The policy will offer direction in achieving the following goals:

(a) To manage the risks associated with bloodborne pathogens (BBP), aerosol transmissible diseases (ATD) and other potentially infectious substances.

(b) To assist department personnel in making decisions concerning the selection, use, maintenance, limitations, storage and disposal of personal protective equipment (PPE).

(c) To protect the privacy rights of all department personnel who may be exposed to or contract a communicable disease during the course of their duties.

(d) To provide appropriate treatment and counseling should an employee be exposed to a communicable disease.

1016.1.1 DEFINITIONS
Definitions related to this policy include:

Communicable disease - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include, but are not limited to, hepatitis B virus (HBV), HIV and tuberculosis.

Exposure - When an eye, mouth, mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member’s position at the Pierce County Sheriff’s Department.

1016.2 POLICY
The Pierce County Sheriff’s Department is committed to providing a safe work environment for its personnel. Personnel should be aware that they are ultimately responsible for their own health and safety.

1016.3 PROCEDURES FOR CONTACT WITH BLOOD OR BODILY FLUIDS
All department personnel who may be involved in providing emergency medical care or who come in contact with another person’s blood or bodily fluids (e.g., during an altercation or while attending to any injured person), shall follow these procedures and guidelines (WAC 296-823-140 et seq.).
1016.3.1 GENERAL PRECAUTIONS
All human blood and bodily fluids such as saliva, urine, semen and vaginal secretions, are to be treated as if they are known to be infectious. Where it is not possible to distinguish between fluid types, all bodily fluids are to be assumed potentially infectious (WAC 296-823-14060).

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes, but is not limited to:

(a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area or department vehicles, as applicable.

(b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.

(c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.

(d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.

(e) Using an appropriate barrier device when providing CPR.

(f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.

(g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing and portable radio) as soon as possible if the equipment is a potential source of exposure.

(h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.

(i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.

(j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

1016.3.2 PERSONAL PROTECTIVE EQUIPMENT
The PPE is the last line of defense against communicable disease. Therefore, the following equipment is provided for all personnel to assist in the protection against such exposures (WAC 296-823-15005):

• Not less than two pair of disposable latex gloves (keeping a box in the car is recommended)

• Safety glasses or goggles

• Alcohol (or similar substance) to flush skin at emergency site (keeping several alcohol hand wipes in the car is recommended)

• Ear Protection

• Traffic Vest
Communicable Diseases

- First Aid Kit
- Disposable shoe covers

1016.3.3 IMMUNIZATIONS
All department personnel who, in the line of duty, may be exposed to or have contact with a communicable disease shall be offered appropriate treatment and/or immunization for Hepatitis B (HBV) (WAC 296-823-130 and WAC 296-823-13005).

1016.3.4 WORK PRACTICES
All personnel shall use the appropriate barrier precautions to prevent skin and mucous membrane exposure whenever contact with blood or bodily fluid is anticipated (WAC 296-823-15005).

Disposable gloves shall be worn on all medical emergency responses. Disposable gloves shall be worn before making physical contact with any patient and/or when handling items (e.g., evidence, transportation vehicle) soiled with blood or other bodily fluids. Should one's disposable gloves become contaminated with blood or other bodily fluids, the gloves shall be disposed of as contaminated waste (WAC 296-823-15010). Care should be taken to avoid touching other items (e.g., pens, books and personal items in general) while wearing the disposable gloves in a potentially contaminated environment.

All procedures involving blood or other potentially infectious materials shall be done in a way to minimize splashing, spraying or otherwise generating droplets of those materials (WAC 296-823-14020).

1016.4 DISPOSAL AND DECONTAMINATION
The following procedures will apply to the disposal and decontamination after responding to an event that involved contact with a person's blood or bodily fluids.

1016.4.1 USE OF WASTE CONTAINERS
Deputies shall dispose of biohazards with the on-scene fire response vehicle, or at the attending clinic/hospital with its approval, or in an appropriately marked biohazard waste container at the station immediately upon arrival.

1016.4.2 DECONTAMINATION OF SKIN AND MUCOUS MEMBRANES
Personnel shall wash their hands immediately (on-scene if possible) or as soon as possible following the removal of potentially contaminated gloves.

If an employee's intact skin contacts someone else's blood or bodily fluids or other potentially infectious materials, the employee shall immediately wash the exposed part of his/her body with soap and warm water and/or an approved disinfectant as soon as possible. If the skin becomes grossly contaminated, body washing shall be followed by an approved hospital strength disinfectant. If large areas of the employee's skin are contaminated, the employee shall shower as
soon as possible, using warm water and soap and/or an approved disinfectant. Medical treatment should be obtained (WAC 296-823-14030).

Contaminated non-intact skin (e.g., injured skin, open wound) shall be cleaned using an approved disinfectant and then dressed or bandaged as required. Medical treatment is required.

1016.4.3 SHARPS AND ITEMS THAT CUT OR PUNCTURE
All personnel shall avoid using or holding sharps (needles) unless needed to do so while assisting a paramedic or collecting them for evidence. Unless required for evidentiary reasons related to evidence preservation, employees are not to recap sharps. If a sharp object contains known or suspected blood or other bodily fluids, that item is to be treated as a contaminated item.

1016.4.4 DISPOSABLE PROTECTIVE EQUIPMENT
Waste material shall be disposed of in a biohazard waste container at the hospital or sheriff's station.

1016.4.5 DECONTAMINATION OF PPE
After using any reusable PPE, it shall be washed or disinfected and stored appropriately. If it is non-reusable (e.g., disposable gloves), it shall be discarded in a biohazard waste container as described in this policy (WAC 296-823-15030).

1016.4.6 DECONTAMINATION OF NON-DISPOSABLE EQUIPMENT
Contaminated non-disposable equipment (e.g., flashlight, gun, baton, clothing, portable radio) shall be decontaminated as soon as reasonably practicable. If it is to be transported, it shall be done by first placing it into a biohazard waste bag.

Contaminated equipment should be cleaned using an approved EPA germicide or a 1:100 solution of chlorine bleach (one-quarter cup of bleach per one gallon of water), while wearing disposable gloves and goggles. Large particles of contaminants such as vomit, feces or blood clots should first be removed using a disposable towel or other means to prevent direct contact, and properly disposed (WAC 296-823-14055).

1016.4.7 DECONTAMINATION OF CLOTHING
Contaminated clothing such as uniforms and undergarments shall be removed as soon as feasible and rinsed in cold water to prevent the setting of bloodstains. If the clothing may be washed in soap and hot water, do so as soon as possible (WAC 296-823-15030).

Contaminated leather boots shall be brushed and scrubbed with detergent and hot water. If the contaminant soaked through the boot, the boot shall be discarded.

1016.4.8 DECONTAMINATION OF VEHICLES
Contaminated vehicles and components such as the seats, radios and doors shall be washed with soap and warm water and disinfected with an approved germicide as soon as feasible.
1016.4.9 DECONTAMINATION OF STATION AND CLEANING AREA
The Safety Officer shall designate a location at the station that will serve as the area for cleaning/decontamination. This area is to be used to keep equipment clean and sanitary and for the employees to wash any potential contamination from their bodies. This area is to be thoroughly cleaned after each use and maintained in a clean and sanitary order at all times between each use.

1016.5 POST-EXPOSURE REPORTING AND FOLLOW-UP REQUIREMENTS
In actual or suspected exposure incidents, proper documentation and follow-up action must occur to limit potential liabilities, ensure the best protection and care for the employee (WAC 296-823-160 et seq.).

1016.5.1 EMPLOYEE RESPONSIBILITY TO REPORT EXPOSURE
In order to provide appropriate and timely treatment should exposure occur, all employees shall verbally report the exposure to their immediate supervisor and complete a written exposure report as soon as possible following the exposure or suspected exposure. That report shall be submitted to the employee's immediate supervisor.

1016.5.2 SUPERVISOR REPORTING REQUIREMENTS
The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as reasonably practical following the incident, while gathering the following information (WAC 296-823-16005):

(a) Names and social security numbers of the employees exposed
(b) Date and time of incident
(c) Location of incident
(d) The potentially infectious materials involved
(e) Source of material or person
(f) Current location of material or person
(g) Work being done during exposure
(h) How the incident occurred or was caused
(i) PPE in use at the time of incident
(j) Actions taken post-event (clean-up, notifications, etc.)

The supervisor shall use the above information to prepare a written summary of the incident, its causes and recommendations for avoiding similar events. This report will be provided to the Safety Officer, the consulting physician and to the County's Risk Manager.

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited.
1016.5.3 MEDICAL CONSULTATION, EVALUATION, AND TREATMENT
Any employee who was exposed or suspects he/she was exposed to any bodily fluids should be seen by a physician (or qualified health care provider) immediately following the exposure or as soon as practical thereafter. The doctor (or qualified health care provider) should review the supervisor’s report, the employee's medical records relevant to the visit and examination and the Communicable Disease Notification Report. The medical consultation, evaluation and treatment shall be provided at no cost to the affected employee.

The health care professional shall provide the Safety Officer and/or the County's Risk Manager with a written opinion/evaluation of the exposed employee's situation. This opinion shall only contain the following information:

- If a post-exposure treatment is indicated for the employee.
- If the employee received a post-exposure treatment.
- Confirmation that the employee received the evaluation results.
- Confirmation that the employee was informed of any medical condition resulting from the exposure incident that will require further treatment or evaluation.
- Whether communicable disease testing from the source is warranted, and if so, which diseases should the testing include.

All other findings or diagnosis shall remain confidential and are not to be included in the written report (WAC 296-823-16005).

1016.5.4 COUNSELING
The Department shall provide the exposed employee (and his/her family if necessary) the opportunity for counseling and consultation (WAC 296-823-16005).

1016.5.5 CONFIDENTIALITY OF REPORTS
Most of the information involved in the process must remain confidential. The Safety Officer shall ensure that all records and reports are kept in the strictest confidence.

The Safety Officer shall be responsible for maintaining records containing the employee's HBV status and the results of examinations, medical testing and follow-up procedures that took place as a result of an exposure.

The Risk Manager shall be responsible for maintaining the name and social security number of the employee and copies of any information provided to the consulting health care professional as a result of an exposure.

This information is confidential and shall not be disclosed to anyone without the employee's written consent (except as required by law).
1016.6 SOURCE TESTING
Testing for communicable diseases of a person who was the source of an exposure shall be sought whenever the source is a known individual.

(a) A licensed health care provider should notify the person to be tested of the exposure and make a good faith effort to obtain voluntary informed consent from the person or his/her authorized legal representative to perform a test for HIV, hepatitis B, hepatitis C and other communicable diseases the health care provider deems appropriate.

(b) The voluntary informed consent obtained by the health care provider must be in writing and include consent for three specimens of blood for testing. The Safety Officer should document the consent as a supplement to the exposure report.

(c) The results of the tests should be made available to the source and the exposed employee.

It is the responsibility of the Safety Officer to ensure the proper testing and reporting occur (WAC 296-823-16010). If consent is not obtained, the Safety Officer should document that fact and promptly consult with the Legal Advisor to consider requesting that a court order be sought for appropriate testing.

When an employee is exposed to the bodily fluids of an arrestee, the Safety Officer shall file a report with the county health officer. The county health officer may pursue testing for HIV or hepatitis B or C (RCW 70.24.360 and WAC 246-100-206).

Since there is potential for overlap between attempts to obtain consent and the duties of the county health officer, the Safety Officer is responsible for coordinating the testing with the county health officer to prevent unnecessary or duplicate testing.

1016.7 TRAINING
All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training shall include the mandates provided in WAC 296-823-12005 et seq. and:

(a) Shall be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.

(b) Shall be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.

(c) Shall provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure and what steps should be taken if a suspected exposure occurs.
Personnel Complaint Procedure for Corrections Deputies and Corrections Sergeants

1019.1 PURPOSE AND SCOPE
The Sheriff recognizes his responsibility to the citizens of Pierce County and employees of the Department to accept, investigate and respond to inquiries and complaints regarding employees.

1019.1.1 PERSONNEL COMPLAINTS DEFINED
Personnel complaints consist of any allegation of misconduct or improper job performance against any department employee that, if true, would constitute a violation of department policy, federal, state or local law.

Inquiries about employee conduct which, even if true, would not qualify as a personnel complaint may be handled informally by a department supervisor and shall not be considered complaints.

Personnel Complaints shall be classified in one of the following categories:

Informal - A matter in which appropriate action has been taken by a department supervisor of rank greater than the involved employee. Informal complaints need not be documented on an Incident Performance Report (IPR) form and the responsible supervisor shall have the discretion to handle the complaint in any manner consistent with this policy.

A supervisor may elect to document informal complaints used in the annual evaluation process on a Performance Tracking Form (PTF).

Formal - A matter in which the complaining party requests further investigation or which a department supervisor determines that further action is warranted. Such complaints may be investigated by a department supervisor of rank greater than the involved employee or referred to the Internal Affairs Unit depending on the seriousness and complexity of the investigation.

1019.2 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1019.2.1 SOURCE OF COMPLAINTS
(a) A department employee becoming aware of alleged misconduct shall immediately notify a supervisor.

(b) A supervisor receiving a complaint from any source alleging misconduct of an employee which, if true, could result in disciplinary action.

(c) Anonymous complaints and third party complaints should be accepted and investigated to the extent that sufficient information is provided.

(d) A complaint may be filed directly with Internal Affairs (IA) Unit.
1019.2.2 ACCEPTANCE OF COMPLAINTS
A complaint may be filed in person, in writing, or by telephoning the Department. Although not required, every effort should be made to have the complainant appear in person. The following should be considered before taking a complaint:

(a) When an uninvolved supervisor or the Shift Sergeant determines that the reporting person is satisfied that their complaint required nothing more than an explanation regarding the proper/improper implementation of department policy or procedure, a complaint need not be taken.

(b) Depending on the urgency and seriousness of the allegations involved, complaints from juveniles should generally be taken only with their parents or guardians present and after the parents or guardians have been informed of the circumstances prompting the complaint.

1019.2.3 COMPLAINT DOCUMENTATION
Formal complaints of alleged misconduct shall be documented by a supervisor on an Incident Performance Report (IPR) form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible, and that the appropriate manual section is cited.

When an IPR form is completed in person, the complainant should legibly write a detailed narrative of his/her complaint. If circumstances indicate that this is not feasible, the complaint may be dictated to the receiving supervisor. In an effort to ensure accuracy in any complaint, it is recommended that a recorded statement be obtained from the reporting party. A refusal by a party to be recorded shall not alone be grounds to refuse to accept a complaint. Whether handwritten or dictated, the complainant's signature should be obtained at the conclusion of the statement and they should be advised of the false reporting warning.

1019.2.4 EMPLOYEE RESPONSIBILITY
All employees shall cooperate fully and answer all questions relating to the investigation, whether bureau level or internal affairs. All employees involved in the actual police action, investigation, hearing, or other inquiry shall, when directed, prepare written statements setting forth the facts in order that a record shall be available. Procedures in cases that will result in criminal prosecution shall include those rights accorded to all citizens of the state.

1019.2.5 ASSIGNMENT OF COMPLAINT INVESTIGATION
There are two paths used to accomplish an internal investigation: Internal Affairs and Bureau level.

1019.2.6 INTERNAL AFFAIRS
The Internal Affairs (IA) Unit is, by its nature, an investigatory organization. When matters are brought to its attention, its primary responsibility is to investigate within specific categories if policies, regulations, or laws may have been violated. The following complaints generally are handled by the IA Unit:

- Complaints of criminal acts
- Excessive force
Personnel Complaint Procedure for Corrections Deputies and Corrections Sergeants

- Civil litigation on a case by case basis
- Racial or sexual harassment
- Cases of high public interest
- Cases the Sheriff may otherwise direct

1019.2.7 BUREAU LEVEL
Those complaints normally investigated within the Bureau are the following:
- Non-criminal complaints of violations regarding department policy or regulations
- Issues of unsatisfactory performance
- Allegations of rudeness or lack of appropriate or timely response on the part of a bureau member
- Conflicts between supervisors and subordinates, except those alleging sexual or racial harassment
- The criteria for assignment may necessarily be altered at the direction of the Sheriff
- The considerations for assignment are in addition to and separate from any criminal investigation that may be conducted

1019.2.8 EMPLOYEE NOTIFICATION
If an employee becomes the subject of an internal affairs investigation, the assigned investigator will provide written documentation to the employee that will include an explanation of the allegations and the employee’s rights and responsibilities relative to the investigation.

1019.3 DISCIPLINARY PROCESS FOR INTERNAL AFFAIRS INVESTIGATIONS
The following paragraphs describe the disciplinary process to be followed on internal investigations (per Memorandum 94-04):

(a) At the conclusion of an Internal Affairs investigation, the employee who is the subject of the investigation will be provided a copy of the investigative report.
(b) The investigating officer will offer the employee the opportunity to submit a written statement to be included as part of the written record.
(c) The employee will have five (5) business days from the receipt of the investigative report to submit their written statement to Internal Affairs.
(d) The written statement may include comments from the employee regarding the facts found by the investigation, mitigating circumstances or any other information the employee deems relevant to the disciplinary hearing.
(e) The entire written record, including but not limited to, the investigative report and the written response, shall be forwarded to the Bureau Chief or Undersheriff for assignment to the employee’s chain of command for review.
1019.3.1 REVIEW OF INVESTIGATIVE REPORT BY CHAIN OF COMMAND

1. The review by an employee's chain of command will be in accordance with § 339.
2. Each supervisor who reviews the report will provide a copy of their recommendation only to the employee.
3. The supervisor may meet with the employee prior to making a recommendation but is not required unless the employee requests a meeting.
4. The supervisor does not need to wait 5 business days for the employee to respond to his recommendation before sending his/her recommendation and packet up the chain of command for review.

1019.4 ADMINISTRATIVE ASSIGNMENT

When a complaint of misconduct is of a serious nature or when circumstances practically dictate that it would impose an unreasonable risk to the Department, the employee, other employees or the public, the Sheriff or his designee may assign the accused employee to administrative assignment pending completion of the investigation.

1019.4.1 ADMINISTRATIVE ASSIGNMENT GUIDELINES

An employee placed on administrative assignment may be subject to the following guidelines:

(a) Under such circumstances, an employee placed on administrative assignment shall continue to receive regular pay (excluding hazardous duty or incentive pays) and benefits pending completion of the investigation.
(b) An employee may be required by a supervisor to relinquish any badge, departmental identification, assigned weapon(s), assigned vehicle, and any other departmental equipment.
(c) An employee may be ordered to refrain from taking any action as a departmental employee or in an official capacity. The employee shall be required to continue to comply with all policies and lawful orders of a supervisor.
(d) An employee may be temporarily reassigned to a different shift (generally normal business hours) during the pendency of the investigation. The employee will be required to remain available for contact and fit for duty at all times during such shift and will report as ordered.
(e) An employee is not authorized to work in any law enforcement off duty status at any time.
(f) An employee is not authorized to work any other type of employment during the hours the employee is required to be available for duty.
(g) An employee shall not engage in activities that would bring discredit or scrutiny to the employee or the department if engaged while on duty.

1019.4.2 EMERGENCY ADMINISTRATIVE LEAVE

Command and supervisory personnel in the rank of sergeant or above have the authority to impose emergency administrative leave on an employee until the next business day when the condition
or actions of an employee are such that it would be unsafe or imprudent to allow the employee to exercise the duties and responsibilities of the job. The Command Duty Officer (CDO) shall be notified when an employee is placed on emergency administrative leave. An employee placed on emergency administrative leave shall report to the Sheriff on the next business day at 0900 hours, unless otherwise directed by a Bureau Chief or CDO. The supervisor imposing the emergency administrative leave shall report to the Sheriff at the same time as the employee.

1019.5 ALLEGATIONS OF CRIMINAL CONDUCT
Where an employee is alleged to be involved in potential criminal conduct, a separate supervisor or assigned detective shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Sheriff shall be notified as soon as practical when an employee becomes the subject of a criminal investigation.

An employee who is subject of a criminal conduct investigation shall be provided with rights and privileges afforded to a civilian.

1019.6 ADMINISTRATIVE INVESTIGATION OF COMPLAINT
Except as otherwise required under a collective bargaining agreement, whether conducted by a supervisor or an assigned member of the Internal Affairs Unit, the following procedures shall be followed with regard to the involved employee(s):

(a) Prior to questioning about an incident, and/or a pre-disciplinary meeting which could reasonably be expected to result in discipline, the Employer’s representative shall notify the employee of the employee’s right to be represented by a union representative, shop steward or fellow employee during the course of the questioning.

(b) Prior to any questioning, the employee shall be informed of the nature of the matter in sufficient detail to reasonably apprise him of the matter. Such information shall include the name of the complainant, and/or supervisor, the address or location of the incident and other information necessary to apprise the employee of the allegation(s) against them.

(c) All questions asked during such investigations will be specifically, directly, and narrowly related to performance of duties within the scope of employment and fitness to hold the position. The employee may request a union representative, shop steward or fellow employee by name. If the requested union representative or shop steward is not reasonably available, the employee will be assisted by any reasonably available union representative or shop steward then on duty. The unions will provide management with a current list of union representatives and shop stewards authorized to act as union representatives for disciplinary review purposes. In the event a union representative or official is being investigated, they shall also have the right to be assisted by another union representative. Telephone or radio contact between the employee and the union representative will not substitute for the physical presence of the union representative unless waived by the employee being interviewed.
As soon as practical after receiving a complaint against an employee, the Employer shall forward a copy of the IPR and any attachments to the employee. Employees should receive a copy of the IPR and any attachments within 90 days after the Department receives the complaint, unless command staff has reviewed the matter and a Bureau Chief has approved an extension of that time period based on the nature of the complaint. The employee shall not be required to schedule the interview for a date sooner than five (5) scheduled employee workdays from receiving the IPR, and any attachments.

The questioning shall be conducted at a reasonable hour, preferably at a time when the employee is on duty or during the normal waking hours for the employee, unless the seriousness of the investigation requires otherwise. If such questioning occurs during the off-duty time of the employee being questioned, the employee shall be compensated for such off-duty time.

All interviews shall be for a reasonable period and the employee's personal needs shall be accommodated.

Absent circumstances preventing it, the interviewer should record all interviews of employees and witnesses. The employee may also record the interview. If the employee has been previously interviewed, a copy of that recorded interview transcript shall be provided to the employee at least 24 hours prior to any subsequent interview.

No employee may be compelled to submit to a polygraph examination, or similar test as a condition of continued employment.

1019.7 DISPOSITION OF PERSONNEL COMPLAINTS
Each allegation shall be classified with one of the following dispositions:

Unfounded - When the investigation indicates that the alleged act(s) complained of did not occur or that the allegations are false.

Exonerated - When the investigation indicates that the alleged act occurred, but that the act was justified, lawful and/or proper.

Not Sustained - When the investigation indicates that there is insufficient evidence to clearly prove or disprove the allegations made in the complaint.

Sustained - When the investigation discloses sufficient evidence to clearly prove the allegation made in the complaint.

Not Involved – When the investigation established that the individual or subject of the complaint was not involved in the alleged incident.

If an investigation discloses misconduct or improper job performance which was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1019.8 COMPLETION OF INVESTIGATIONS
Reference Policy Manual § 339.4 and 339.5
1019.8.1 CONFIDENTIALITY OF PERSONNEL FILES
All investigations of personnel complaints shall be considered confidential personnel files (Policy Manual § 1026).
Personnel Complaints

1020.1 PURPOSE AND SCOPE
This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Pierce County Sheriff's Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

1020.2 POLICY
The Pierce County Sheriff's Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules and the requirements of any memorandum of understanding or collective bargaining agreements.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

1020.3 PERSONNEL COMPLAINTS
Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or of federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries are questions about conduct or performance that, if true, would not violate department policy or federal, state or local law, policy or rule. Inquiries may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

All Inquiries and Personnel Complaints, whether formal or informal and regardless if a member is identified or not, will be documented by the Supervisor who receives the information into the department tracking system. That system is currently Blue Team.

1020.3.1 COMPLAINT CLASSIFICATIONS
Personnel complaints shall be classified in one of the following categories:

**Informal** - A matter in which the supervisor of the affected member is satisfied that appropriate action has been taken.

**Formal** - A matter in which a supervisor determines that further action is warranted or as policy mandates. Such complaints may be investigated by a supervisor or referred to the Internal Affairs Unit, depending on the seriousness and complexity of the investigation.
1020.3.2 SOURCES OF COMPLAINTS
The following applies to the source of complaints:

(a) Individuals from the public may make complaints in any form, including in writing, by email, in person, by telephone, or any other credible source.

(b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.

(c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.

(d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.

(e) Tort claims and lawsuits may generate a personnel complaint.

(f) A complaint may be filed directly with Internal Affairs (IA) Unit.

A complaint alleging conduct in violation of the County’s Equal Employment Opportunity Policy (Pierce County Code Ch. 3.16), must immediately be referred to the County’s EEO/ADA Specialist or the Human Resources Director for consideration.

1020.4 ACCEPTANCE OF COMPLAINTS
All complaints from the public will be courteously accepted by any department member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person and include a written narrative. Filing complaints in person ensures proper identification, signatures, photographs or physical evidence may be obtained as necessary.

1020.4.1 DOCUMENTATION
Supervisors shall ensure that all inquiries, formal and informal complaints are documented in the department tracking system. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible and the appropriate manual section is cited.

The Internal Affairs Unit shall document all complaints and inquiries in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint. The Sheriff or the Sheriff’s designee shall be provided a report upon request.

1020.4.2 MEMBER RESPONSIBILITY
All members shall cooperate fully and answer all questions relating to the investigation, whether Bureau level or Internal Affairs. All members involved in an interview regarding actual police action,
Personnel Complaints

investigation, hearing, or other inquiry shall be recorded in order that a record shall be available. Procedures in cases that may result in criminal prosecution shall include those rights accorded to all citizens of the state.

1020.5 ASSIGNMENT OF COMPLAINT INVESTIGATION
There are two paths used to accomplish an internal (administrative) investigation: Internal Affairs and Bureau level.

1020.5.1 INTERNAL AFFAIRS
The Internal Affairs (IA) Unit is, by its nature, an investigatory organization. When matters are brought to its attention its primary responsibility is to investigate if policies, regulations, or laws may have been violated. The following complaints are examples of the types generally handled by the IA Unit:

- Complaints of criminal acts
- Excessive force
- Civil litigation on a case by case basis
- Complaints of racial, sexual or other types of protected status harassment (equal employment opportunity related allegations shall be immediately referred to the HR Director for consideration)
- Cases of high public interest
- Cases the Sheriff may otherwise direct

1020.5.2 BUREAU LEVEL
Those complaints normally investigated within the Bureau are the following:

- Non-criminal complaints of minor violations regarding department policy or regulations
- Issues of unsatisfactory performance
- Allegations of rudeness or lack of appropriate or timely response on the part of a bureau member
- Conflicts between supervisors and subordinates, except those alleging sexual, racial or other harassment (County HR investigates)
- The criteria for assignment may necessarily be altered at the direction of the Sheriff
- The considerations for assignment are in addition to and separate from any criminal investigation that may be conducted

1020.5.3 MEMBER NOTIFICATION
If a member becomes the subject of an internal affairs investigation, the assigned investigator will provide written documentation to the member. The documentation shall inform the member of the nature of the matter in sufficient detail to reasonably apprise him/her of the matter and the member’s rights and responsibilities relative to the administrative investigation.
Personnel Complaints

As soon as practical after receiving a complaint against a member, the Employer shall forward a copy of the criticism/inquiry report to the member. Members should receive a copy of the criticism/inquiry report within 90 days after the Department receives the complaint, unless command staff has reviewed the matter and a Bureau Chief has approved an extension of that time period based on the nature of the complaint. The member shall not be required to attend the investigatory interview sooner than five (5) scheduled member workdays from receiving the criticism/inquiry report.

1020.6 ADMINISTRATIVE INVESTIGATIONS
Except as otherwise required under a collective bargaining agreement, whether conducted by a supervisor or an assigned member of the Internal Affairs Unit, the following procedures shall be followed with regard to the involved member(s):

(a) Prior to questioning about an incident, and/or a pre-disciplinary meeting which could reasonably be expected to result in discipline, the Employer's representative shall notify the member of the member's right to be represented by a union representative or shop steward during the course of the questioning. The member may request a union representative or shop steward by name. If the requested union representative or shop steward is not reasonably available, the member will be assisted by any reasonably available union representative or shop steward then on duty. The unions will provide management with a current list of union representatives and shop stewards authorized to act as union representatives for disciplinary review purposes. In the event a union representative or official is being investigated, they shall also have the right to be assisted by another union representative. Telephone or radio contact between the member and the union representative will not substitute for the physical presence of the union representative unless waived by the member being interviewed. Non-represented members may have a fellow member present if so desired.

(b) Prior to any questioning about a matter which could reasonably be expected to lead to disciplinary action, the member shall be informed of the nature of the matter in sufficient detail to reasonably apprise him/her of the matter. The member shall be informed in writing (including the criticism/inquiry report and any attachments) of the nature of the investigation and whether he/she is a witness or a suspect. Such information shall include the name of the complainant (unless legally protected) if known, and/or supervisor, the address or location of the incident if known, the date of the incident if known, and other information necessary to reasonably apprise the member of the nature of the allegation(s) against them.

(c) All questions asked during such investigations will be specifically, directly, and narrowly related to performance of duties within the scope of employment and fitness to hold the position.

(d) The questioning shall be conducted at a reasonable hour, preferably at a time when the member is on duty or during normal business hours (currently 0800-1700), unless the seriousness of the investigation requires otherwise. If such questioning occurs during the off-duty time of the member being questioned, the member shall be compensated for such off-duty time.
Personnel Complaints

(e) All interviews shall be for a reasonable period and the member's personal needs shall be accommodated.

(f) Absent circumstances preventing it, the interviewer should record all interviews of members and witnesses. The member may also record the interview. If the member has been previously interviewed in connection with the same investigation, a copy of that recorded interview transcript shall be provided to the member at least 24 hours prior to any subsequent interview.

(g) No member may be compelled to submit to a polygraph examination, or similar test as a condition of continued employment.

(h) If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1020.6.1 ADMINISTRATIVE SEARCHES
Assigned lockers, storage spaces and other employer areas, including desks, offices, employer vehicles, any assigned equipment or employer electronic accounts may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct. Such areas may also be searched any time by a supervisor for reasonable non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

A member of this department may be administratively ordered to submit to a blood, breath, or urine test for alcohol and drugs after being provided a Garrity Warning under any of the following circumstances:

- When the member is involved in a shooting or law enforcement related death.
- When the member is involved in an injury or fatal accident while on duty.
- When the member is involved in an injury or fatal accident while operating any County owned vehicle whether on or off-duty.
- When the member is found to be exhibiting objective symptoms of intoxication or drug influence while on duty.

The use of compelled testing results shall be restricted to the administrative investigation.

1020.6.2 DISPOSITIONS
Each allegation shall be classified with one of the following dispositions:

**Unfounded** - When the investigation indicates that the alleged act(s) complained of did not occur or that the allegations are false.

**Exonerated** - When the investigation indicates that the alleged act occurred, but that the act was justified, lawful and/or proper.

**Not Sustained** - When the investigation indicates that there is insufficient evidence to prove or disprove the allegations made in the complaint.
**Personnel Complaints**

**Sustained** - When the investigation indicates sufficient evidence to prove the allegation made in the complaint.

**Not Involved** – When the investigation established that the individual or subject of the complaint was not involved in the alleged incident.

1020.6.3 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate or review a personnel complaint shall proceed with due diligence in a timely manner as feasible and shall treat the information obtained as confidential, releasing it only to those with a need to know.

1020.6.4 INFORMAL PERSONNEL COMPLAINT INVESTIGATIONS

Informal complaints may be closed following the review of a second level supervisor using the dispositions found in section 1020.6.2.

Examples of Informal Complaints can include but are not limited to:

- Non-criminal complaints of minor violations regarding department policy or regulations
- Issues of unsatisfactory performance
- Allegations of rudeness or lack of appropriate or timely response on the part of a bureau member
- Conflicts between supervisors and subordinates, except those alleging sexual, racial or other harassment (County HR investigates)

When a supervisor decides to impose any informal discipline (Counseling, Verbal Warning, Verbal Reprimand, or Letter of Expectation) that supervisor shall consult with the second level supervisor prior to imposing the informal discipline.

1020.6.5 FORMAL PERSONNEL COMPLAINT INVESTIGATIONS

The following paragraphs describe the process to be followed on internal investigations (per Memorandum 94-04):

1. At the conclusion of an administrative investigation, the member who is the subject of the investigation will be provided a copy of the investigative summary. Upon request the entire file, subject to any redactions required by law such as social security numbers and DOL information, will be released to the member.

2. The investigating officer will offer the member the opportunity to submit a written statement to be included as part of the written record.

3. The member will have five (5) business days from the receipt of the investigative report to submit their written statement to Internal Affairs.

4. The written statement may include comments from the member regarding the facts found by the investigation, mitigating circumstances or any other information the member deems relevant to the disciplinary hearing.
Personnel Complaints

5. The entire written record, including but not limited to, the investigative report and the written response, shall be forwarded to the Bureau Chief or Undersheriff for assignment to the member’s chain of command for review.

1020.6.6 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS
The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

1020.7 ADMINISTRATIVE ASSIGNMENT
When a complaint of misconduct is of a serious nature or when circumstances practically dictate that it would impose an unreasonable risk to the Department, the member, other members or the public, the Sheriff or the Sheriff’s designee may assign the accused member to administrative assignment pending completion of the investigation.

1020.7.1 ADMINISTRATIVE ASSIGNMENT GUIDELINES
A member placed on administrative assignment shall be subject to the following guidelines:

(a) A member placed on administrative assignment shall continue to receive regular pay (excluding hazardous duty or incentive pays) and benefits pending completion of the investigation, except where the member has been placed on investigative suspension or investigative discharge (see Standards of Conduct 340.4.2).

(b) A member may be required by a supervisor to relinquish any badge, departmental identification, assigned weapon(s), assigned vehicle, and any other departmental equipment.

(c) A member may be ordered to refrain from taking any action as a departmental member or in an official capacity. The member shall be required to continue to comply with all policies and lawful orders of a supervisor and to remain available during the Department’s normal business hours to participate in the investigation or for any purpose as may be assigned.

(d) A member may be temporarily reassigned to a different shift (generally normal business hours) during the pendency of the investigation. The member will be required to remain available for contact and fit for duty at all times during such shift and will report as ordered.

(e) A member is not authorized to work in any law enforcement off duty status at any time.

(f) A member is not authorized to work any other type of employment during the hours the member is required to be available for duty.

(g) A member shall not engage in activities that would bring discredit or scrutiny to the member or the department if engaged while on duty.

1020.8 EMERGENCY ADMINISTRATIVE LEAVE
Command and supervisory personnel in the rank of sergeant or above have the authority to impose emergency administrative leave on a member until the next business day when the condition or actions of a member are such that it would be unsafe or imprudent to allow the member to exercise the duties and responsibilities of the job. The Command Duty Officer (CDO) shall
be notified when a member is placed on emergency administrative leave. A member placed on emergency administrative leave shall report to the Sheriff on the next business day at 0900 hours, unless otherwise directed by a Bureau Chief or CDO. The supervisor imposing the emergency administrative leave shall report to the Sheriff at the same time as the member.

1020.9 UNPAID ADMINISTRATIVE LEAVE
Refer to Standards of Conduct Policy 340.4.2 Investigative Suspension/Investigative Discharge.

1020.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES
Upon completion of a formal investigation, an investigation report should be forwarded to the Sheriff through the chain of command. Each level of command should review and include their comments in writing before forwarding the report. The Sheriff may accept or modify any classification or recommendation for disciplinary action.

1020.11 POST-ADMINISTRATIVE RESPONSIBILITIES
Upon completion of a formal investigation, an investigation report should be forwarded to the Sheriff through the chain of command. Each level of command should review and include their comments in writing as indicated in 1020.11.1 before forwarding the report. The Sheriff may accept or modify any recommendation for disciplinary action.

1020.11.1 REVIEWER RESPONSIBILITIES
Upon receipt of any completed personnel investigation, the supervisor of the involved member shall review the entire investigative file and any other relevant materials.

The reviewer shall make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations the reviewer may return the entire investigation to the assigned investigator for further investigation or action.

When forwarding any written recommendation, the reviewer shall include all relevant materials supporting the recommendation.

1. Each reviewer will provide a copy of their recommendation to the member.
2. The reviewer may meet with the member prior to making a recommendation but it is not required unless the member requests it.
3. The reviewer does not need to wait 5 business days for the member to respond to his recommendation before sending his/her recommendation up the chain of command for review.

See Discipline Findings (340.4.1) and Removals, Suspensions, and Demotions (340.4.2) for Informal and Formal Discipline and Management Control details.
1020.11.2 ACCEPTANCE OF RECOMMENDATION
During the disciplinary process whenever a member accepts a recommendation which is then approved by the next level in the chain of command, that member has then waived his right to appeal or grieve the discipline issued.

1020.11.3 SHERIFF RESPONSIBILITIES
Upon receipt of any written recommendation for disciplinary action, the Sheriff or the Sheriff’s designee shall review the recommendation and all accompanying materials. The Sheriff or the Sheriff’s designee may modify any recommendations and/or may return the file to the Bureau Chief for further investigation or action.

In the event disciplinary action is recommended, which, if implemented, would result in the deprivation of a property or liberty interest, the Sheriff or the Sheriff’s designee shall provide the member with written (Loudermill) notice of the following information:

1. Specific charges set forth in separate counts, describing the conduct underlying each count.
2. A separate recommendation of proposed discipline for each charge.
3. An opportunity to respond orally or in writing to the Sheriff or the Sheriff’s designee.
4. A statement that the member is entitled to union representation, if represented by a union.

If the member elects to respond orally, the presentation shall be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

1020.11.4 PRE-DISCIPLINE PROCESS
The pre-discipline process is intended to provide the accused member with an opportunity to present a written or oral response to the Sheriff or the Sheriff’s designee after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. If a Labor representative has been requested to attend by the member he/she may address the Sheriff or the Sheriff’s designee. The member shall consider the following:

1. The Loudermill response is not intended to be an adversarial or formal hearing.
2. Although the member may be represented by an uninvolved representative or legal counsel, the Loudermill response is the member's opportunity to respond and is not designed to accommodate the presentation of others' testimony or witnesses.
3. The member and/or Labor representative may suggest that further investigation could be conducted or the member and/or Labor representative may offer any additional information or mitigating factors for the Sheriff or the Sheriff's designee to consider.
4. In the event the Sheriff or the Sheriff’s designee elects to cause further investigation to be conducted, the member shall be provided with the results of such subsequent investigation prior to the imposition of any discipline.
Personnel Complaints

5. The member may thereafter have the opportunity to further respond orally or in writing to the Sheriff or the Sheriff’s designee on the limited issue(s) of information raised in any subsequent materials.

6. Once the member has completed his/her Loudermill response or, if the member has elected to waive any such response, the Sheriff or the Sheriff’s designee shall consider all information received in regard to the recommended discipline. The Sheriff or the Sheriff’s designee shall thereafter render a timely written decision to the member imposing, modifying or rejecting the recommended discipline.

7. Once the Sheriff or the Sheriff’s designee has issued a written decision, the discipline shall become effective.

1020.11.5 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT
The Sheriff or the Sheriff’s designee should ensure the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded, not involved) of the complaint.

1020.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE
In the event that a member tenders a written retirement or resignation prior to the imposition of discipline, it shall be noted in the investigative file. The tender of a retirement or resignation prior to a decision by the Sheriff or the Sheriff’s designee, places the investigative file in a pending status.

1020.13 POST-DISCIPLINE APPEAL RIGHTS
Non-probationary Civil Service members removed, suspended, demoted or discharged may, within the specified time following his/her removal, suspension, demotion or discharge, appeal the decision through the Civil Service Commission (Pierce County Civil Service Commission Rules 10.4) or through the contractual grievance procedure outlined in their respective Collective Bargaining Agreement, but not both.

1020.14 AT WILL AND PROBATIONARY MEMBERS
At-will and probationary members may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy, and without notice or cause at any time. However, any of these individuals released for misconduct should be afforded an opportunity solely to clear their names through a liberty interest hearing, which shall be limited to a single appearance before the Sheriff or the Sheriff’s designee.

Any probationary period may be extended at the discretion of the Sheriff or the Sheriff’s designee (with Civil Service approval) in cases where the individual has been absent for more than a week or when additional time to review the individual’s performance is considered to be appropriate.

Per Pierce County Civil Service Commission Rules 9.4.2 the Sheriff or the Sheriff’s designee may request up to a seven (7) accruable pay cycle extension of the probationary period. The request shall be submitted to the Civil Service Commission in writing prior to the end of the probationary period and shall indicate the reasons for the extension. If the requested extension is approved, the Sheriff or the Sheriff’s designee shall notify member in writing of the extension and purpose of the extension.
Personnel Complaints

All requests for extension of a probationary period must be approved by the Civil Service Commission.

1020.15  RETENTION OF PERSONNEL INVESTIGATION FILES
All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy or by applicable collective bargaining agreement.

1020.16  NOTIFICATION TO CRIMINAL JUSTICE TRAINING COMMISSION (CJTC) CERTIFICATION BOARD
Upon termination of a peace officer for any reason, including resignation, the Department shall, within 15 days of the termination, notify the CJTC on a personnel action report form provided by the commission. The Department shall, upon request of the CJTC, provide such additional documentation or information as the commission deems necessary to determine whether the termination provides grounds for revocation of the peace officer’s certification (RCW 43.101.135).
Seat Belts

1022.1 PURPOSE AND SCOPE
This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in department vehicles.

1022.1.1 POLICY
Vehicles purchased by Pierce County for use by the Sheriff's Department personnel are equipped with safety belts in compliance with Federal Motor Vehicle Standards.

All department personnel who drive county vehicles shall use, and insure all passengers use, available safety belt equipment installed in the vehicle being operated. This policy includes, but is not limited to, unmarked vehicles, emergency vehicles, pickups, van, etc.

1022.1.2 DEFINITIONS
Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and regulations set forth in 49 CFR 571.213 and RCW 46.61.687(6).

1022.2 WEARING OF SAFETY RESTRAINTS
When operating a vehicle, department personnel shall insure all occupants of the vehicle are using the safety belt/shoulder harness before moving the motor vehicle.

(a) When arriving at an emergency call, officers may remove restraint devices just prior to stopping so that a quick exit, if necessary, can be made.

(b) Officers may remove the safety restraint device just prior to coming to a stop for a vehicle traffic stop. Caution should be exercised to insure the violator is going to stop. This would prevent becoming involved in a pursuit without the use of a safety restraint device.

(c) LEO’s shall restrain prisoners in the rear of vehicles using the restraints provided. EXCEPTION: If the prisoner is so combative as to create a potential for injury to the officer or prisoner, or the configuration of a non-standard specialty vehicle presents a safety hazard to the officer, the belt need not be used until the prisoner can be restrained safely.

Department personnel shall adjust the safety restraint device so it is comfortable, yet provide maximum protection in the event of a collision.

1022.3 TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES
Suspects, prisoners and arreestees should be in a seated position and secured in the rear seat of any department vehicle with a prisoner restraint system or, when a prisoner restraint system is
Seat Belts

not available, by seat belts provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints (WAC 204-41-030).

Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

1022.4 INOPERABLE SEAT BELTS
Department vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Sheriff.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

1022.5 VEHICLES MANUFACTURED WITHOUT SEAT BELTS
Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer’s operator requirements for safe use.

1022.6 VEHICLE AIRBAGS
In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.
Body Armor

1024.1 PROTECTIVE BODY ARMOR
The purpose of this policy is to provide law enforcement officers with guidelines for the proper use of body armor.

1024.2 POLICY
It is the policy of the Pierce County Sheriff's Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

1024.3 ISSUANCE OF BODY ARMOR
The Administrative Services Captain shall ensure that body armor is issued to all deputies when the deputy begins service at the Pierce County Sheriff's Department and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Administrative Services Captain shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to the schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

1024.3.1 USE OF SOFT BODY ARMOR
Protective body armor is an official part of all Deputy Sheriff’s uniforms, it is required to be worn by all members of the Department while wearing a Deputy Sheriff uniform unless otherwise noted in this policy. Exceptions to this section may only be authorized by a Bureau Chief, Undersheriff or Sheriff.

Generally, the use of body armor is required subject to the following:

(a) Body armor shall be worn when a deputy is working in uniform or taking part in Department range training.

(b) Non-Uniformed personnel shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action.

(c) Deputies may wear their personal protective body armor rather than Department-issued body armor if the personal body armor meets or exceeds Department standards.

(d) Deputies may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action.

(e) A deputy may be excused from wearing body armor when he/she is involved in undercover or plainclothes work that his/her supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.
Body Armor

(f) Body armor is required for Corrections Deputies performing prisoner escort duties or other duties outside the facilities while in uniform and at certain posts as established by the Bureau Chief.

(g) Honor Guard personnel, the Public Information Officer, Lieutenants, Captains, Chiefs, the Undersheriff and the Sheriff are exempt from wearing body armor when in formal dress uniform. Formal dress uniform is defined in policy 1046.3.1

1024.3.2 INSPECTIONS OF BODY ARMOR
Supervisors should ensure that body armor is worn and maintained in accordance with this policy through routine observation. Annual inspections of body armor should be conducted by each member for fit, cleanliness, signs of damage, abuse and wear.

1024.3.3 CARE AND MAINTENANCE OF SOFT BODY ARMOR
Soft body armor should never be stored for any period of time in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g., normal ambient room temperature/humidity conditions).

Soft body armor should be cared for and cleaned pursuant to the manufacturer’s care instructions provided with the soft body armor. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

All Department-issued body armor will be marked with an issuance date and control/serial number. Body armor will be replaced in accordance with the manufacture’s guidelines.

1024.4 RANGEMASTER RESPONSIBILITIES
The Rangemaster should:

(a) Monitor technological advances in the body armor industry for any appropriate changes to Department approved body armor.

(b) Assess weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.

(c) Provide training that educates deputies about the safety benefits of wearing body armor.
Personnel Records

1026.1 PURPOSE AND SCOPE
This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual member's name.

1026.2 POLICY
It is the policy of this department to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of Washington.

1026.3 PERSONNEL RECORDS DEFINED
Personnel records shall include any file maintained under an individual employee's name relating to:

(a) Personal data, including marital status, family members, educational and employment history, or similar information.

(b) Medical history, including medical leave of absence forms, fitness for duty examinations, workers compensation records, medical releases and all other records which reveal an employee's past and current medical conditions.

(c) Election of employee benefits.

(d) Employee advancement, evaluations, or discipline or commendations.

(e) Complaints, or investigations of complaints, concerning an event or transaction in which the employee participated, or was alleged to have participated.

(f) Any other information the disclosure of which would constitute an unwarranted invasion of personal privacy.

1026.4 CONFIDENTIALITY OF ALL PERSONNEL RECORDS
In general, unless expressly stated by statutory exemption, personnel records are subject to public disclosure. To the extent possible, all personnel records, whether or not subject to public disclosure, should be maintained as private records. Access to personnel records should be limited to only those local government employees who are needed to maintain the records and those who have a legitimate need for access or legal right to access. All of the personnel records listed in PERSONNEL RECORDS DEFINED shall be deemed private, and access to such records will be limited to only those Department or County employees who are needed to maintain the records and those who have a legitimate need for access. Nothing in this section is intended to preclude review of personnel records by the Sheriff's Legal Advisor, or other attorneys or representatives of the County in connection with official business.
1026.5 REQUESTS FOR DISCLOSURE

All records kept by Washington State public agencies are considered public unless they are covered by specific exemption statutes (RCW 42.56.070).

(a) Private personnel records that are exempted from public disclosure include:

1. Applications for public employment (RCW 42.56.250).
2. Residential addresses, telephone numbers, personal e-mail accounts, social security numbers, information for dependents, and date of birth (RCW 42.56.250).
3. Performance evaluations which do not discuss specific instances of misconduct.
4. Medical information (RCW 70.02).
5. Industrial insurance (workers' compensation) claim files and records (RCW 51.28.070).
6. Photographs and month and year of birth (RCW 42.56.250(8)).
7. Taxpayer information, such as tax withholding data (RCW 42.56.230(3)).

(b) Records that are not covered by other specific disclosure exemption statutes must be made available for inspection and copying. This includes the following private personnel records:

1. Member advancement, commendation, or discipline reports.
2. Personnel complaint investigations after such investigations have been completed or are no longer under review or deliberation.
3. Department reports to CJTC regarding the separation from employment of a peace officer.

When complaint investigations are complete and found to be unsubstantiated (not-sustained, exonerated or unfounded) the names and identifying information of the subject member is protected from public disclosure only if (1) the subject matter of the allegation would be highly offensive to a reasonable person and (2) is of no legitimate concern to the public. In cases where the criteria is met, the Public Disclosure Unit shall ensure that the name and other identifying information of the subject member is redacted before the document or documents are released.

All requests for the disclosure of any information contained in any member's personnel record shall be documented in writing and promptly brought to the attention of the department's Public Disclosure Unit.

Upon receipt of any such request, the responsible person shall notify the affected member(s) as soon as practical that such a request has been made.
The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this will require assistance of approved and available legal counsel.

All requests for disclosure, which result in access to a member’s personnel records(s), shall be logged in the corresponding record.

1026.5.1 RELEASE OF CONFIDENTIAL INFORMATION
Except as provided by this policy or pursuant to lawful process, no information contained in any confidential personnel record shall be disclosed to any unauthorized person(s) without the expressed prior consent of the involved employee or written authorization of the Sheriff or the Sheriff's designee.

1026.6 MEMBER ACCESS TO OWN RECORDS
In accordance with RCW 49.12.240, members have the right of asking to physically review their records. This may be accomplished by contacting the Services Bureau Chief or his designee. Any member seeking the removal of any item from his/her personnel record shall file a written request to the Sheriff through the chain of command. The Department shall thereafter remove any such item if appropriate or provide the member with a written explanation why the contested item will not be removed. If the contested item is not removed from the record, the member's request and/or rebuttal or correction and the department's written response shall be retained with the contested item in the member's personnel record (RCW 49.12.250).

1026.7 TYPES OF PERSONNEL RECORDS
All member records will be secured and available only to persons authorized to access such information. Personnel records can be located in any of the following places:

1026.7.1 DEPARTMENT RECORD
The Department record shall be maintained by the Department Personnel Officer. The record should contain, but is not limited to, the following:

(a) Performance evaluation reports regularly completed by appropriate supervisors and signed by the affected member shall be permanently maintained, including any member response to such evaluations.

(b) Disciplinary action;
   1. Formal disciplinary action resulting from sustained complaints shall be maintained in the individual member's department record.
   2. Investigations of complaints which result in a finding of not-sustained, unfounded, exonerated, or informal disciplinary action shall not be placed in the member's department file, but will be separately maintained for the appropriate retention period in the internal affairs file.
Personnel Records

(c) Commendations shall be retained in the member's department record, with a copy provided to the involved member(s).

(d) Personnel Orders reflecting assignments, promotions and other changes in the member's employment status.

1026.7.2 BUREAU RECORD
The Bureau record shall be maintained by the member's supervisor. The entries should contain, but is not limited to, the following:

(a) Supervisor log entries, notices to correct (Performance Tracking Forms-PTF's) and other materials intended to serve as a foundation for the completion of timely Performance Evaluations. PTF's are completed in Blue Team and kept in the Department's IA Pro program; PTF's are purged from IA Pro one year from completion date unless otherwise approved by the Sheriff or the Sheriff's designee.

1. All notices to correct (PTFs) shall be provided to the member after its has been reviewed by the Lieutenant/Contract Chief.

2. Duplicate copies of items that will also be included in the member's department record may be placed in this interim record in anticipation of completing any upcoming performance evaluation.

3. Once the permanent performance evaluation form has been made final, the underlying foundational material(s) and/or duplicate copies may be purged in accordance with this policy.

(b) All rules of confidentiality and disclosure shall apply equally to this record.

1026.7.3 INTERNAL AFFAIRS RECORD
The internal affairs record shall be maintained under the exclusive control of the Internal Affairs Unit in conjunction with the office of the Sheriff. These records shall be maintained in IAPro. Access to these records may only be approved by the Sheriff, Undersheriff, or the supervisor of the Internal Affairs Unit. These records shall contain:

(a) The complete investigation of all formal complaints of member misconduct regardless of disposition.

1. Each investigation record in IA Pro shall be sequentially numbered within a calendar year (e.g., yyXXX-0001, yyXXX-0002).

(b) Pursuant to the Washington State Local Government Common Records Retention Schedule (CORE), investigative records (whether internally generated or arising out of a formal citizen's complaint) shall be maintained as follows:

1. **INFORMAL DISCIPLINE**: Includes cases where the finding is Exonerated, Not-Sustained, Not-Involved, and Unfounded. Includes cases where the discipline imposed is Counseling, Verbal Warning, Verbal Reprimand, and Letter of Expectation. Retain for 6 years after the final disposition and completion of informal disciplinary action (if imposed), and 3 years after minor reaches 18 (if minor involved), then destroy.
Personnel Records

2. **FORMAL DISCIPLINE:** Includes cases where the discipline imposed is a Written Reprimand, Performance Improvement Contract, Suspension, Investigative Suspension/Discharge, Demotion, and/or Discharge. Retain for 6 years after completion of disciplinary action and 3 years after minor reaches 18 (if minor was involved); then contact WA State Archives for appraisal and selective retention by WA State Archives. Upon approval of the Sheriff, the department may retain any case that is Sustained for one or more of the following:

   (a) Dishonesty/Truthfulness
   (b) Biased
   (c) Criminal Convictions/Activity

3. When a case is purged from IA Pro, a summary report of the investigation shall be maintained in IA Pro and the remainder of the documentation compiled during the investigation will be purged. All names of those involved will be deleted from the summary report.

1026.7.4 TRAINING RECORDS
An individual training record shall be maintained by the Training Unit for each member. Records of all training (FTO Records, original or photocopies of available certificates, transcripts, diplomas, and other documentation) state medical certification if applicable, and education should be maintained. This is to include firearm qualifications, mandated annual proficiency requalification, and any other training mandated by law or the department.

   (a) It shall be the responsibility of the involved member to provide the Training Unit and/or immediate supervisor with evidence of completed training/education in a timely manner.
   (b) The Training Unit or supervisor shall ensure that copies of such training is placed in the member's training records.

1026.7.5 MEDICAL RECORDS
The Medical record shall be held separately from all other records and maintained by the Department Personnel Officer or Human Resources. The record shall contain all documents relating to the member's medical condition and history, including but not limited to the following:

   (a) Materials relating to medical leaves of absence.
   (b) Documents relating to workers compensation claims or receipt of short or long term disability benefits.
   (c) Fitness for duty examinations, psychological and physical examinations, follow-up inquires and related documents.
   (d) Medical release forms, doctor's slips and attendance records which reveal an member's medical condition.
(e) Any other documents or material which reveals the member's medical history or medical condition, including past or present mental, psychological or physical limitations.

1026.7.6 PRE-EMPLOYMENT PERSONNEL RECORDS
Pre-Employment Personnel records are maintained in the Background Unit including background information, psychological and polygraph results. Such records shall be kept separately from other personnel records.
Career Development Program

1028.1 PURPOSE AND SCOPE

The Career Development Program is designed to enhance the career of an employee and at the same time provide for the efficiency of the Department. The program provides for a two-year length of service in the majority of the career development assignments, with an option for one additional year based on exemplary service or unique and specific needs within the Bureau. The extra year option will be the decision of the Bureau Chief. Some positions have a longer length of service as noted in 1028.4. Any other extension will need the approval of the Sheriff. (§ 1028.9)

1028.2 GOOD STANDING FOR CAREER DEVELOPMENT ASSIGNMENTS

Good standing means that there has been no interruption in service caused by disciplinary suspension. Disciplinary suspensions will affect career rotational eligibility as follows:

<table>
<thead>
<tr>
<th>LENGTH OF SUSPENSION</th>
<th>PERIOD OF INELIGIBILITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-3 Days</td>
<td>6 Months</td>
</tr>
<tr>
<td>4-6 Days</td>
<td>9 Months</td>
</tr>
<tr>
<td>7-10 Days</td>
<td>12 Months</td>
</tr>
<tr>
<td>11-15 Days</td>
<td>18 Months</td>
</tr>
<tr>
<td>16 + Days</td>
<td>24 Months</td>
</tr>
</tbody>
</table>

This process applies only to career development positions. Eligibility for promotional examinations remains controlled by the Sheriff's Civil Service Commission.

1028.3 CAREER DEVELOPMENT ASSIGNMENTS

1. **Law Enforcement Deputy** - Length of Assignment - two years
   a. Crime Suppression Team
   b. Civil Deputy
   c. Court Security
   d. School Resource Officer (SRO)
   e. Domestic Violence
   f. Juvenile
   g. Recruiting/Background
   h. Traffic
Career Development Program

i. Training
j. Warrants
k. Transportation Officer
l. SH Operations Desk
m. Proactive Property Crime Unit
n. Pierce Transit Investigator
o. Detachment Investigator

2. **Sergeant**
   (a) Background Supervisor
   (b) Community Support Team Supervisor
   (c) School Resource Supervisor
   (d) Court Security Supervisor
   (e) Traffic Supervisor
   (f) Training Supervisor
   (g) Sex Offender Registration Supervisor

3. **CIB Detective and Detective-Sergeant** positions are subject to the CIB Personnel Selection and Rotation Letter of Understanding. Detective-Sergeant positions have been identified as:
   (a) Training/Background Polygraph Examiner
   (b) Internal Affairs Investigator
   (c) Special Assault Unit Supervisor
   (d) Proactive Property Crimes Unit Supervisor
   (e) Intelligence Task Force Investigator
   (f) Homicide Investigator
   (g) Domestic Violence Unit Supervisor
   (h) Robbery/Assault/Gang Unit Supervisor
   (i) Financial Crimes
   (j) Juvenile/Warrants Supervisor

4. **Correction Deputies** - Length of Assignment - three years
   (a) Classification Team
   (b) Court Escort Team
   (c) Training Deputy
Career Development Program

(d) Reception Team
(e) Release Team
(f) Road Crew Supervisor
(g) Supply Deputy
(h) General Maintenance Deputy
(i) Inmate Worker Coordinator
(j) Public Disclosure Deputy
(k) Recruiter/Background Investigator
(l) Safety Deputy (Bureau Chief option to extend to 5 years)

4. **Correction Sergeant** - Length of Assignment - three years
   (a) Courts
   (b) Release
   (c) Jail Industries Program
   (d) Classifications
   (e) Courts/IT

5. **Correction Lieutenant** - Length of Assignment - three years
   (a) Programs
   (b) Administrative/Contract Services and PREA
   (c) Court/Classification

1028.4 POSITIONS WITH LONGER LENGTH OF SERVICE
The Department recognizes that some career development assignments may require a greater learning period to obtain the appropriate skills, and that a two-year length of service would not be cost effective. The Department may require that an applicant have special schooling, or training, or meet a specified experience level prior to applying for these assignments. These assignments and their respective length of service are as follows:

1. **Law Enforcement Deputy**
   (a) Civil Unit Executions - 5 years; optional 1 year extension as in section 1028.1.
   (b) Canine Handler - minimum of 3 years; maximum of the working life of the canine and no more than two canines.
   (c) Principal Firearms Instructor - 2 years; with the option of three 1 year extensions based on exemplary service.
   (d) SIU - 2 years; with the option of three 1 year extensions based on exemplary service.
Career Development Program

(e) Motorcycle Officer (Deputy Only/No promoted ranks) - may qualify for additional 2 year extension, for a maximum of 5 years.

(f) Gang Unit- 2 years; with the option of two 1 year extensions based on exemplary service,

(g) K-9 Alternate Master Handler- Minimum 5 years after which one year extensions can occur with management approval,

2. Sergeant

(a) Civil / Court Security Supervisor - 5 years; optional 1 year extension as in section 1028.1

(b) SIU/SIU Meth - 2 years; with the option of three 1 year extensions based on exemplary service

1028.5 POSITIONS EXEMPTED FROM CAREER DEVELOPMENT PROGRAM GUIDELINES

Mitigating circumstances may cause a specialized position to be exempted from career development guidelines. The notation "exempted from Career Development Program Guidelines" will be affixed to a Personnel Order when it applies. There are also a number of additional duty assignments and career development assignments which are excluded from career development on a normal basis. Primary duty assignments exempt from the Career Development Program include:

(a) K-9 Master Handler and/or Trainer

(b) Range Master and Armorer

(c) Resident Deputies and Resident Supervisors

(d) Technical Traffic Accident Investigator

(e) Accident Reconstructionist

Additional duty assignments which are excluded from the Career Development Program include:

(a) Air Operations

(b) Hazardous Response Team

(c) DIVE Team

(d) Search and Rescue

(e) SWAT

(f) Hazardous Device Technician

(g) Marine Services

(h) Honor Guard

Instructor assignments that are excluded from the Career Development Program include:

(a) All non-Primary Duty Instructor Assignments
Our department has a variety of assignments which are in addition to the normal duties of individual employees. In order to share the burden and to expand the participation of individuals, it is the policy of this department to avoid multiple additional duty assignments. Individual employees who have an assignment to a special unit such as SWAT, Marine Services, Dive Team, Search and Rescue, etc., will be required to limit their involvement to only one of those units. In addition to one additional duty assignment, officers may hold one instructor assignment. This provision also applies for those officers who are in career development positions.

**1028.6 LENGTH OF SERVICE BETWEEN CAREER DEVELOPMENT ASSIGNMENTS**

Employees will be ineligible for an appointment to a career development assignment for a twelve-month period following any two or more years' length of service in a career development assignment, except as listed in Section 1028.8

**1028.7 FILLING VACANCIES IN CAREER DEVELOPMENT ASSIGNMENTS**

Vacancies will be filled in accordance with the guidelines in Section 1028.8 and §1004.

1028.7.1 ORAL BOARD

Career rotation position openings will have an oral board regardless of the number of applicants.

**1028.8 ELIGIBILITY FOR A CAREER DEVELOPMENT ASSIGNMENT**

A single announcement will be issued when a Career Development position becomes available. Absent special needs of the department, an announcement will be posted a minimum of 21 days before a position is filled. Any employee interested in the position should apply during this period.

Employees will be considered for the position in the following order:

(a) Category 1 - Employees with a minimum of three years on the Department (including one year of probation), who are not currently in a career development position and who have not held such a position for one year.

(b) Category 2 - Any employee off probation, regardless of present assignment, excluding the employee in the position for which the announcement is posted.

(c) Category 3 - Any employee off probation, including the employee whose position is about to be vacated.

Each applicant’s eligibility (Category) will be determined as of the date the career rotation position is filled, not the date when the career rotation position was announced.

 Unless otherwise agreed upon per Labor Agreement (GUILD 1889 LOU 1/23/08) the intent of this section is that Category 1 applicants be interviewed and a selection decision be made before any applicants in Category 2 or Category 3 are interviewed. For example, if the number of Category 1 applicants is equal to or less than the number of positions to be filled, the Category 1 candidate(s) will be interviewed to ensure suitability for the position.

All Category 1 applicants are to be reviewed and scored as a single process limited to Category 1 applicants. Individual scores are to be provided to each applicant before the examination of any
Career Development Program

Category 2 or Category 3 applicants may commence. If there are a sufficient number of Category 1 applicants who have received a passing score to fill the existing vacancies, the interview process is to be concluded and no Category 2 or 3 applicants are to be interviewed or considered.

Category 2 applicants are to be interviewed if, and only if, there is not sufficient number of Category 1 applicants receiving a passing score to fill the existing vacancies.

All Category 2 applicants are to be reviewed and scored as a single process limited to Category 2 applicants. Individual scores are to be provided to each applicant before the examination of any Category 3 applicants may commence. If there are sufficient number of Category 2 applicants who have received a passing score to fill the existing vacancies, the interview process is to be concluded and no Category 3 applicants are to be considered.

Category 3 applicants are to be interviewed if, and only if, there is not sufficient number of Category 1 or Category 2 applicants receiving a passing score to fill the existing vacancies.

During the life of the list, each person's category will not be re-evaluated as career rotation positions become open. As positions become open, the Category 1's will be selected first and then Category 2's, and then Category 3's, from the list determined at the conclusion of the oral board.

If a person becomes ineligible during the life of the list due to a suspension, work contract, or other event that may cause ineligibility, then the person's name will be removed from the list.

The above will also apply to positions designated as exempt from rotation.

1028.9 EXTENSION OF ASSIGNMENT

Because of the complex nature of some career development assignments, it may be in the best interest of the department to extend an individual's tour of duty beyond the normal rotational period. These extensions will be made by the Bureau Chief and will be for a one-year period. The Bureau Chief will keep the effected bargaining unit informed of the decision. Further extensions may be granted by the Sheriff in extraordinary situations.
Commendations and Awards

1030.1 PURPOSE AND SCOPE
This policy provides general guidelines for recognizing commendable or meritorious acts by members of the Pierce County Sheriff's Department and individuals from the community.

1030.2 POLICY
It is the policy of the Pierce County Sheriff's Department to recognize and acknowledge exceptional individual or group achievements, performance, proficiency, heroism and service of its members and individuals from the community through commendations and awards.

1030.3 COMMENDATIONS
Commendations for members of the Department or for individuals from the community may be initiated by any department member or by any person from the community.

1030.4 CRITERIA
A meritorious or commendable act may include, but is not limited to:

- Superior handling of a difficult situation.
- Conspicuous bravery or outstanding performance.
- Any action or performance that is above and beyond typical duties.

1030.4.1 DEPARTMENT MEMBER DOCUMENTATION
Members of the Department should document meritorious or commendable acts in Blue Team. The documentation should contain:

(a) Identifying information:
   1. For members of the Department - name, bureau and assignment at the date and time of the meritorious or commendable act
   2. For individuals from the community - name, address, telephone number

(b) A brief account of the meritorious or commendable act with report numbers, as appropriate.

(c) The electronic signature of the member submitting the documentation.

1030.4.2 COMMUNITY MEMBER DOCUMENTATION
Documentation of a meritorious or commendable act submitted by a person from the community should be accepted in any form. However, written documentation is preferred. Department members accepting the documentation should attempt to obtain detailed information regarding the matter, including:

(a) Identifying information:
Commendations and Awards

1. For members of the Department - name, bureau and assignment at the date and time of the meritorious or commendable act
2. For individuals from the community - name, address, telephone number
   (b) A brief account of the meritorious or commendable act with report numbers, as appropriate.
   (c) The signature of the person submitting the documentation.
   (d) The department member accepting the documentation is responsible for entering the commendation into Blue Team after consulting with his/her supervisor.

1030.4.3 PROCESSING DOCUMENTATION
Completed reports shall be forwarded to the Sheriff for review via the chain of command. The Internal Affairs Unit will provide a copy of the commendation with review comments to the employee. The report will be kept within the Internal Affairs Unit which maintains its own record-keeping function. A copy of all commendations will also be placed in the department member’s personnel file.

Documentation regarding the meritorious or commendable act of an individual from the community should shall be maintained in a file designated for such records.

1030.5 AWARDS
Awards may be bestowed upon members of the Department. These awards include:
   • Award of Merit.
   • Award of Valor.
   • Lifesaving Award.
   • Life Line Award.

Criteria for each award to include the nomination, selection, presentation and display of any award are noted in the Departmental Awards policy (1031). Nominations for these awards are done separately from Blue Team and are referred to the Board of Professional Standards, they are not initiated through Blue Team.

Awards for meritorious conduct, etc. given to an individual or individuals from the community will be in the form of a Certificate of Appreciation describing the action(s) taken. Nominations for these awards shall be referred to the Board of Professional Standards.
Departmental Awards

1031.1 PURPOSE AND SCOPE
The Department has established a policy of awarding medals of valor, merit, and other appropriate honors to members of the Department who perform outstanding service. It is intended that the awards, by providing for recognition of various acts, meritorious accomplishments, and outstanding substantive service, will promote esprit de corps, and contribute to improved levels of service. All employees are eligible to receive the Medals of Merit, Valor, Lifesaving, and the Lifeline Award. The various awards and the requirements necessary for receiving them are listed below.

1031.1.1 MEDAL OF VALOR
The Pierce County Sheriff's Department Medal of Valor shall consist of a miniature medallion, a replica of the official Department badge, gold color, on which is inscribed the word "VALOR". A gold bar, approximately 1/4" X 1", on which is inscribed the word "VALOR", will also be presented for wear on the Sheriff's Department uniform. In addition, the recipient shall receive a framed certificate and the recipient's name shall be placed upon a plaque which will be conspicuously displayed.

This decoration shall be awarded to any member of the Department who, while serving in his official capacity, distinguishes himself conspicuously by heroic action above and beyond the call of duty. Each recommendation for the Medal of Valor must incontestably prove that the self-sacrifice or personal bravery involved conspicuous risk of life, the omission of which could not justly cause censure. In addition to the individual award, when a group of employees' combined efforts meet the requirements for this award, they may be awarded a "Team Valor" award.

1031.1.2 MEDAL OF MERIT
The Pierce County Sheriff's Department Medal of Merit shall consist of a miniature medallion, a replica of the official Department badge, silver in color, on which is inscribed the word "MERIT". A silver bar, approximately 1/4" X 1", on which is inscribed the word "MERIT", will also be presented for wear on the Sheriff's Department uniform. In addition, the recipient shall receive a framed certificate, and the recipient's name shall be placed upon a plaque which will be conspicuously displayed.

This Medal of Merit will be awarded to any member of the Department who, while serving in his official capacity, distinguishes himself by meritorious achievement or meritorious service. The degree of merit need not be unique, but must be exceptional and superior. Acts of courage which do not meet the voluntary risks of life requirements for the Medal of Valor may be considered for award of the Medal of Merit. In addition to the individual award, when a group of employees' combined efforts meet the requirements for this award, they may be awarded a "Team Merit" award.
1031.1.3 LIFESAVING AWARD
The Pierce County Sheriff's Department Lifesaving Medal shall consist of a silver bar, approximately 1/4” X 1”, on which is inscribed the word “LIFESAVING”, and an appropriate framed certificate.

This Lifesaving Medal will be awarded to any member of the Department who, while serving in their official capacity, saves a human life. It is intended that this award be predicated by an overt act on the part of the officer which directly results in the saving of a human life, with the implied likelihood that the omission of such act would have resulted in death.

1031.1.4 LIFE LINE AWARD
The Pierce County Sheriff's Department "LIFE LINE" award shall consist of a miniature medallion, a replica of the official Department badge, silver in color, on which are inscribed the words "LIFE LINE", which may be worn on the lapel of civilian clothing. A silver bar, approximately 1/4” X 1”, on which are inscribed the words "LIFE LINE" shall be also presented for wear on the Sheriff's Department uniform. In addition, the recipient shall receive a framed certificate, and the recipient's name shall be placed upon a plaque which will be conspicuously displayed.

The Life Line award will be awarded to any member of the Department who, while serving in his official capacity, received a wound or injury of a degree necessitating hospitalization or the immediate care of a physician. This injury must be of a serious nature, inflicted by a weapon or instrument capable of causing death or permanent disability.

To qualify for this award, the wound or injury must have appeared to have been caused by the deliberate actions of another in an attempt to cause injury to the officer, some other person, thing, or property. The final decision to determine eligibility for this award will be made by the Awards Board.

1031.1.5 DEPUTY OF THE YEAR
The Pierce County Sheriff's Department "DEPUTY OF THE YEAR" award shall consist of a framed certificate for presentation to the recipient. In addition, the recipient's name shall be placed upon a plaque which will be conspicuously displayed.

The "DEPUTY OF THE YEAR" award will be awarded to a member of the Department who has served the Department in the past year in an outstanding substantive manner. The award is presented to an individual who has constantly performed his job in a manner which is highly reflective of professionalism. Some areas for consideration include continued self-improvement on and off the job and consistent outstanding performance on the job.

1031.1.6 CORRECTIONS DEPUTY OF THE YEAR
The Pierce County Sheriff's Department "CORRECTIONS DEPUTY OF THE YEAR" award shall consist of a framed certificate for presentation to the recipient. In addition, the recipient's name shall be placed upon a plaque which will be conspicuously displayed.

The Pierce County Sheriff's Department "CORRECTIONS DEPUTY OF THE YEAR" award will be awarded to a member of the Pierce County Sheriff's Department Corrections Bureau who has
Departmental Awards

served the Department in the past year in an outstanding and substantive manner. The award is presented to an individual who has constantly performed his job in a manner which is highly reflective of professionalism. Some areas for consideration include continued self-improvement on and off the job and consistent outstanding performance on the job, etc.

1031.1.7 EMPLOYEE OF THE YEAR
The Pierce County Sheriff's Department "EMPLOYEE OF THE YEAR" award shall consist of a framed certificate for presentation to the recipient. In addition, the recipient's name shall be placed upon a plaque which will be conspicuously displayed.

The Pierce County Sheriff's Department "EMPLOYEE OF THE YEAR" award will be presented to an employee who has served the Department in the past year in an outstanding and substantive manner. The award is presented to an individual who has constantly performed his job in a manner which is highly reflective of professionalism. Some areas for consideration include continued self-improvement on and off the job and consistent outstanding performance on the job, etc.

1031.1.8 RESERVE DEPUTY OF THE YEAR
The Pierce County Sheriff's Department "RESERVE DEPUTY OF THE YEAR" award shall consist of a framed certificate for presentation to the recipient. In addition, the recipient's name shall be placed upon a plaque which will be conspicuously displayed.

The Department "RESERVE DEPUTY OF THE YEAR" award will be awarded to a reserve deputy who has served the Department in the past year in an outstanding substantive manner. The award is presented to a reserve deputy who has consistently performed his job in a manner that is highly reflective of competency. The areas for consideration include continued self-improvement on and off duty, number of hours of service donated to the Department, and overall dedication to the concept of citizen participation in government on a volunteer basis.

1031.1.9 CADET OF THE YEAR
The Pierce County Sheriff's Department "CADET OF THE YEAR" award will be given to a cadet who has served the Department in the past year in an outstanding and substantive manner. The award is presented to a cadet who has consistently performed his job in a manner which is highly reflective of competency. Some areas for consideration include continued self-improvement, number of service hours donated, dedication to the program, outstanding performance on the job, and overall dedication to the concept of citizen participation in government on a volunteer basis.

The "CADET OF THE YEAR" award shall consist of a framed certificate for presentation to the recipient. In addition, the recipient's name shall be placed upon a plaque which will be conspicuously displayed.

1031.1.10 VOLUNTEER OF THE YEAR
The Pierce County Sheriff's Department "VOLUNTEER OF THE YEAR" award will be given to a volunteer who has served the department in the past year in an outstanding and substantive manner. The award is presented to a volunteer who has consistently performed his/her job in a
manner which is highly reflective of competency. Some areas for consideration include continued self-improvement, number of service hours donated, dedication to the program, outstanding performance on the job, and overall dedication to the concept of citizen participation in government on a volunteer basis.

The "VOLUNTEER OF THE YEAR" award shall consist of a framed certificate for presentation to the recipient. In addition, the recipient's name shall be placed upon a plaque which will be conspicuously displayed.

1031.1.11 DEPUTY PROSECUTING ATTORNEY OF THE YEAR
The Pierce County Sheriff's Department's "DEPUTY PROSECUTING ATTORNEY OF THE YEAR" award will be awarded to a Pierce County DPA who has demonstrated outstanding public service to the criminal justice system in the past year. The award is presented to an individual who has consistently performed their job in a manner which is highly reflective of their professionalism, cooperative and committed team approach to carrying out justice for the citizens of Pierce County.

The "DEPUTY PROSECUTING ATTORNEY OF THE YEAR" award shall consist of a framed certificate for presentation to the recipient.

1031.1.12 DISPATCHER OF THE YEAR
The Pierce County Sheriff's Department's "DISPATCHER OF THE YEAR" award will be awarded to a South Sound 911 Dispatcher who has demonstrated outstanding service to the Department in the past year. The award is presented to an individual who has consistently performed their job in a manner which is highly reflective of their professionalism, cooperative and committed team approach to serving the citizens of Pierce County.

The "DISPATCHER OF THE YEAR" award shall consist of a framed certificate for presentation to the recipient.

1031.1.13 NOMINATIONS FOR DEPARTMENTAL AWARDS
Individuals may be nominated for Medals of Valor, Merit, Lifesaving and Lifeline at any time during the year. Periodically, the Board of Professional Standards will review nominations which have been submitted for awards during the preceding months and select those persons who are to receive awards. The Sheriff will present the Medals of Valor, Merit, Lifesaving and Lifeline on a quarterly basis. Presentation of the Officer of the Year, Employee of the Year, Corrections Officer of the Year, Reserve Officer of the Year, Volunteer of the Year, Deputy Prosecuting Attorney of the Year, and Dispatcher of the Year, and recognition of the award recipients during the preceding year will be made at an annual Sheriff's Officers and Citizens Recognition Awards Ceremony.

1031.1.14 NUMBER OF AWARDS A PERSON MAY RECEIVE
No limitation will be placed on the number of awards that may be presented to one individual. However, only one award shall be made for the same act, achievement, or period of meritorious service, with the following exception: an individual may be awarded the Lifesaving Award and/or the Life Line Award in conjunction with another award when the qualifying action meets the requirements for each award. In the event an individual earns a second award in one award
Departmental Awards

classification, the second award shall be a miniature gold star, to be worn immediately above the original award.

1031.1.15 POSTHUMOUS AWARDS
The next of kin is entitled to receive an award which has been earned by a deceased member of the Department.
Fitness for Duty

1032.1 PURPOSE AND SCOPE
All Department employees are expected to be free from any physical, emotional, or mental condition which might adversely affect their ability to perform their job functions.

1032.2 EMPLOYEE RESPONSIBILITIES
All Department employees are expected to maintain their good physical and mental fitness. Subject to the provisions of Civil Service Rule 7.15 - Fitness for Duty Examination and LE Guild LOU dated 11/15/2011, the Sheriff may require any employee to obtain psychological or physical medical examination(s) to resolve any questions as to the fitness for duty of the employees.

Every member of the Department has an obligation to report any reason why he/she may not be fit for duty.

1032.3 APPEALS
An employee who is determined by the Appointing Authority to be physically and/or mentally unfit for service shall be transferred, demoted or separated from the Classified Service in accordance with Civil Service Rules, related County policies (Policy Manual § 340 - Disciplinary Policy) and state or federal laws. The employee may appeal the Appointing Authority's decision to the Civil Service Commission, in accordance with Civil Service Rule 10.4, Removal, Suspension, Demotion-Procedure-Appeal.
Meals and Breaks

1034.1 PURPOSE AND SCOPE
The Department provides meals and breaks as required by Labor Laws. Represented groups should refer to their Collective Bargaining Agreement. Unrepresented employees should refer to the Pierce County Administrative Guidelines for the Career Service.

1034.1.1 MEAL AND BREAK PERIODS
All employees are entitled to a meal and break periods.

Sworn employees shall be permitted to suspend assigned activity, subject to immediate call at all times, for the purpose of having meals and break periods during their tour of duty.

Professional staff's meal and break periods shall follow WAC 296-126-092.

Field deputies shall inform South Sound 911 prior to taking a meal break.
Off Duty Employment

1036.1 PURPOSE AND SCOPE
The Off-Duty Employment Policy of the Pierce County Sheriff's Department is established to avoid actual or perceived conflicts of interest for departmental employees. Off-duty employment shall be in accordance with the provisions of this policy.

1036.2 OBTAINING APPROVAL
No member of this department may engage in any off-duty employment without first obtaining prior written approval by the employee's Bureau Chief. Failure to obtain written approval for off-duty employment or engaging in off-duty employment prohibited by this policy may lead to disciplinary action.

In order to obtain approval for off-duty employment, the employee must complete an Outside Employment Request found in SHRnet which shall be submitted to the employee's immediate supervisor. The application will then be forwarded through channels to the Bureau Chief for consideration. All Law Enforcement related off duty requests shall be renewed on a monthly basis.

If approved, the employee will be provided with a copy of the approved request.

Any employee seeking approval of off-duty employment, whose request has been denied, shall be provided with a written reason for the denial of the application at the time of the denial.

1036.2.1 APPEAL OF DENIAL OF OUTSIDE EMPLOYMENT
All non-law enforcement related off-duty employment, not excluded by subsequent rules, must be reported annually to the employee's Bureau Chief. This reporting is advisory only and shall include an estimate of hours per week involved.

An employee directed to report for overtime work will do so regardless of his off-duty employment situation.

Each employee is responsible for providing an accurate record of all off-duty business or employment to his Bureau Chief. The Bureau Chief will maintain a file of off-duty employment.

While engaged in off-duty law enforcement employment, the employee shall adhere to all rules, regulations and orders governing conduct or equipment used while on duty.

In those off-duty situations where the employee will be acting as a law enforcement officer the employee will notify the Duty Sergeant one hour in advance of his duty, including: the hours of his employment, what equipment he will have, where he will be employed, and any particular dangers or hazards which may be relevant to that assignment. The Duty Sergeant and/or the employee working off-duty shall notify SouthSound 911 Law Enforcement Communications and Dispatch of the off-duty status of each officer as soon as possible.

1036.2.2 REVOCATION/SUSPENSION OF OUTSIDE EMPLOYMENT PERMITS
Off-duty employment may be revoked or suspended under the following circumstances:
Off Duty Employment

(a) Should an employee's performance at this department decline to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Bureau Chief may, at his/her discretion, revoke any previously approved off-duty employment request(s). That revocation will stand until the employee's performance has been reestablished at a satisfactory level and his/her supervisor recommends reinstatement of the off-duty employment request.

(b) As a term or condition of sustained discipline.

(c) When an employee's conduct or off-duty employment conflicts with the provisions of department policy.

(d) When an employee is unable to perform at a full duty capacity due to an injury or other condition until the employee has been cleared to return to full duty status.

(e) Deputies shall not work off-duty in a law enforcement capacity while on suspension or administrative assignment.

1036.3 PROHIBITED OUTSIDE EMPLOYMENT
Permission for off-duty employment will not be granted in any of the following situations:

1. Any occupation of a nature which would tend to lower the dignity of the police service in any manner;

2. Any employment which has any connection with the towing of vehicles;

3. Performing tasks other than those of a police nature while hired in law enforcement capacity;

4. Process serving, bill collecting, private investigating, the business of bail bondsman (or agent) or in any employment in which police authority might tend to be used for private purposes of a civil nature;

5. Any employment which may require access to police information, files, records or services as a condition for employment;

6. Any employment which assists, in any manner, the case preparation for the defense in any criminal action or proceedings;

7. Any place where gambling is done;

8. While on regular work schedule, working more than twenty-four hours per week in an off-duty capacity. The only exception to this is when an officer works the Western Washington Fair. When working the fair, no officer shall work more than nine days straight at the fair, while at the same time working his regular assignment;

9. Any establishment whose primary business is the sale of intoxicating liquor for on-premises consumption, such as taverns or cocktail lounges; except when approved on a case-by-case basis by the Sheriff.
10. Employment directly for or on behalf of businesses that sell, produce, or dispense marijuana, marijuana-infused products, marijuana extracts or marijuana concentrates; except when approved on a case-by-case basis by the Sheriff.

11. Working off-duty prior to completion of the probationary period. (Entry level only);

12. Performing law enforcement functions for a private employer within any incorporated municipality (excluding PCSD contract cities) without having received previous written approval from the police agency having jurisdiction;

13. While using sick leave, or if excessive use of sick leave is evident;

14. When the requesting officer has, on his last evaluation, received an evaluation below the rating of success.

15. Correctional Officers will not be authorized to perform as reserve law enforcement officers for this agency.

Officers will not work in an off-duty law enforcement related status in the place in which they live, such as an apartment complex, condominiums, etc. Further, no officer will receive a rent reduction or any other form of compensation from the owners, managers, etc., of the place in which they live because they are a Sheriff's employee or because they perform any Sheriff's related functions for those persons. This does not prohibit officers from working off duty Sheriff's related jobs in apartment complexes, etc., in which they do not reside. Such jobs may be approved if they are consistent with current Department regulations governing off-duty work.

1036.3.1 OUTSIDE OVERTIME ARREST AND REPORTING PROCEDURE
Any employee making an arrest or taking other official police action while working in approved off-duty employment shall be required to complete all related reports in a timely manner pursuant to department policy.

1036.4 OUTSIDE EMPLOYMENT WHILE ON DISABILITY
The Pierce County Sheriff's Department will not approve, endorse, or certify any officer who has separated from the Department by disability retirement, resignation, termination, or normal retirement, to work in an off-duty law enforcement capacity.

The Department will not approve the wearing of any part of the Department's uniform by a retired or separated employee. (This prohibition applies to retired employees working at the Western Washington Fair.)

1036.5 OWNERSHIP AND/OR VESTED INTEREST
Employees are prohibited from purchasing or having a vested interest in:

1. Any establishment that sells or dispenses intoxicating beverages within the limits of Pierce County for on-premises consumption.
2. Any establishment within the limits of Pierce County where there is an obligation for continuous police scrutiny or potential conflict of interest. Examples include, but are not limited to: pawnshops, towing companies, bail bond companies, saunas, taverns, cocktail lounges, private security/investigation agencies, and marijuana related businesses.
Occupational Disease and Work-Related Injury Reporting

1042.1 PURPOSE AND SCOPE
The purpose of this policy is to provide for the timely reporting of on-duty injuries, occupational illnesses/diseases, post-traumatic stress disorder (PTSD) or deaths to the Risk Management Office to ensure that proper medical attention is received, and that the circumstances of the incident are properly documented.

1042.1.1 POLICY
Pierce County Government is subject to Washington industrial insurance laws and has been approved by the state to cover its own worker’s compensation benefits. Self insured employers must provide all benefits required by the laws. The Department of Labor and Industries regulates your employer's compliance with these laws. If you become injured on the job or develop an occupational disease, you may be entitled to industrial insurance benefits. Your claim will be handled and your benefits paid by your employer.

The Pierce County Sheriff's Department will address occupational diseases and work-related injuries appropriately, and will comply with applicable state workers' compensation requirements (RCW 51.04.062 es esq).

1042.1.2 DEFINITIONS
Definitions related to this policy include:

Occupational disease or work-related injury - An injury, disease, PTSD, or infection while acting in the course of employment (RCW 51.08.013; RCW 51.08.100; RCW 51.08.140; RCW 51.08.142).

1042.2 EMPLOYEE INJURY FORMS

1042.2.1 SELF INSURER ACCIDENT REPORT (SIF-2)
Any employee sustaining any work-related injury or illness, as well as any employee who is involved in any accident while on duty shall report such injury, illness or accident to their supervisor as soon as practical, and shall comply with the provisions of existing regulations pertaining to such injuries/illness.

Injured employees shall be provided a Self-Insurer Accident Report (SIF-2) form (WAC 296-15-320(2)) and a copy of the 'Guide to Industrial Insurance Benefits'. All work related injuries and illnesses requiring medical care should be reported to the Risk Management Office within 24 hours from the time the injury was discovered, excluding weekends and holidays.

1042.2.2 SUPERVISOR'S REPORT OF INJURY
Upon notification of any work-related injury, illness or accident, a supervisor shall promptly prepare a 'Supervisor's Report of Injury' and process following Risk Management protocol.
1042.3 SETTLEMENT OFFERS
When a member sustains an occupational disease or work-related injury that is caused by another person and is subsequently contacted by that person, his/her agent, insurance company or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to his/her supervisor as soon as possible.

1042.3.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL
No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an occupational disease or work-related injury, the member shall provide the Sheriff with written notice of the proposed terms of such settlement. In no case shall the member accept a settlement without first providing written notice to the Sheriff. The purpose of such notice is to permit the County to determine whether the offered settlement will affect any claim the County may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the disease or injury, and to protect the County’s right of subrogation, while ensuring that the member’s right to receive compensation is not affected.
Personal Appearance Standards

1044.1 PURPOSE AND SCOPE
In order to project uniformity and neutrality toward the public and other members of the department, employees shall maintain their personal hygiene and appearance in a manner that projects a professional image appropriate for this department and for their assignment.

1044.2 GROOMING STANDARDS
Unless otherwise stated, and because deviations from these standards could present officer safety issues, the following appearance standards shall apply to all employees, except those whose current assignment would deem them not appropriate, and where the Sheriff has granted exception.

1044.2.1 HAIR
Hairstyles of all members shall be neat in appearance.

For male sworn members, hair must not extend below the top edge of the uniform collar at the back while assuming a normal stance, must not extend below the eyebrows at the front, may not cover the ears and must have a gradual taper from front to back.

For female sworn members, hair must be no longer than the horizontal level of the bottom of the uniform patch when the employee is standing erect, worn up or in a tightly wrapped braid or ponytail.

Hairstyles may not be extreme in nature. Such hairstyles include but are not limited to: Mohawks, Sculpture, Spiked, unnatural hair dyed colors, multi-colored dyed hair, extreme length changes, and large or ornamental hair accessories.

1044.2.2 MUSTACHES
A short and neatly trimmed mustache may be worn. Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip.

1044.2.3 SIDEBURNS
Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat.

1044.2.4 FACIAL HAIR
Facial hair other than sideburns, mustaches and eyebrows shall not be worn, unless authorized by the Sheriff or his/her designee.

1044.2.5 FINGERNAILS
Fingernails extending beyond the tip of the finger can pose a safety hazard to deputies or others. For this reason, fingernails shall be trimmed so that no point of the nail extends significantly beyond the tip of the finger.
Personal Appearance Standards

Only female deputies may wear fingernail polish or colorings. Professional appearance shall dictate acceptable colors and styles. Officer safety concerns should be considered.

1044.2.6 JEWELRY AND ACCESSORIES

No jewelry or personal ornaments shall be worn by deputies or on any part of the uniform or equipment, except those authorized within this manual.

Jewelry, if worn around the neck, shall not be visible above the shirt collar.

Visible jewelry, other than those items listed below, shall not be worn unless specifically authorized by the Sheriff or his designee.

1. Wrist watch.

2. Wedding ring(s), class ring, or other ring of tasteful design. A maximum of one ring/set may be worn on each hand.

3. Medical alert bracelet.

4. Only Female deputies may wear earrings, a maximum of one earrings per ear of a stud/post or small hoop design is authorized. Professional appearance shall dictate acceptable styles and officer safety concerns should be considered.

1044.3 TATTOOS

It is prohibited for members of the Pierce County Sheriff’s Department to have tattoos on their face, neck, head, ears, hands or wrists that are visible when wearing the authorized uniform or standard work attire. The exception is a single inconspicuous band tattoo on a single finger. Visible tattoos are prohibited if they are obscene, offensive, sexually suggestive, profane or discriminatory in any way towards persons on the basis of race, color, national origin or ancestry, religion, age, gender, or disability.

A long sleeve uniform is required to cover any employee’s arm tattoos when appearing in court, unless excused by the prosecutor’s office, or at events that require a Class A uniform. Regularly scheduled duty is not considered an event requiring a Class A uniform for purposes of this policy.

Any member at implementation of this policy who already displays tattoos on their face, neck, head, ears, hands, or wrists is exempt from this language as it pertains to these locations regarding any existing tattoo or tattoos. No new tattoos on the face, neck, head, ears, hands, or wrists will be allowed after implementation of this policy, with the exception of a single inconspicuous band tattoo on a single finger.

Tattoo policy compliance questions shall be directed to the member’s chain of command. Members considering a new tattoo that may be in violation of this policy should consult with his/her chain of command prior to obtaining the tattoo. The member’s chain of command will make a recommendation to the Undersheriff who will have the authority to determine if a tattoo is prohibited. Labor reserves all rights in regards to disputing the Undersheriff’s determination of what is prohibited.
Personal Appearance Standards

1044.4 BODY PIERCING OR ALTERATION

Body piercing or alteration to any area of the body visible in any authorized uniform or attire that is a deviation from normal anatomical features and which is not medically required is prohibited except with prior authorization of the Sheriff. Such body alteration includes, but is not limited to:

(a) Tongue splitting or piercing.
(b) The complete or transdermal implantation of any material other than hair replacement.
(c) Abnormal shaping of the ears, eyes, nose or teeth.
(d) Branding or scarification.
Uniform and Equipment Regulations

1046.1 PURPOSE AND SCOPE
The uniform policy of the Pierce County Sheriff's Department is established to ensure that uniformed deputies will be readily identifiable to the public through the proper use and wearing of department uniforms. Employees should also refer to the following associated Policy Manual sections:

Section 700 - Department Issued Equipment.
Section 1024 - Body Armor.
Section 1044 - Personal Appearance Standards.

The Department will provide uniforms for all employees required to wear them in the manner, quantity and frequency agreed upon in the respective employee group's collective bargaining agreement.

1046.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT
Sheriff's employees wear a uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose to identify the wearer as a source of assistance in an emergency, crisis or other time of need.

(a) Uniforms and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Class A, Class B, and Class C uniforms shall be neat, clean, in serviceable condition and appear professional. Jumpsuits shall be kept zipped up when in view of the public.

(b) All LEO's shall possess and maintain at all times, a serviceable uniform and the necessary equipment to perform uniformed field duty.

(c) Personnel shall wear only the uniform specified for their rank and assignment.

(d) All supervisors will ensure conformance to these regulations.

(e) Civilian attire shall not be worn in combination with any distinguishable part of the uniform.

(f) Uniforms are only to be worn while on duty, while in transit to or from work or authorized Off-Duty employment, for court, at other official department functions or events or as otherwise approved by a supervisor.

(g) If the uniform is worn while in transit in a non department vehicle, an outer garment shall be worn over the uniform shirt so as not to bring attention to the employee while he/she is off duty.

(h) Employees are not to purchase or drink alcoholic beverages while wearing any part of the department uniform, including the uniform pants or while wearing/displaying a Sheriff's Department Badge or Department/County identification.

(i) Mirrored sunglasses will not be worn with any Department uniform.
(j) Visible jewelry, other than those items listed below, shall not be worn with the uniform unless specifically authorized by the Sheriff or his designee.

1. Wrist watch.
2. Wedding ring(s), class ring, or other ring of tasteful design. A maximum of one ring/set may be worn on each hand.
3. Medical alert bracelet.
4. Only Female deputies may wear earrings, a maximum of one earrings per ear of a stud/post or small hoop design. Professional appearance shall dictate acceptable styles and officer safety concerns should be considered.

1046.3 UNIFORM CLASSES

1046.3.1 CLASS A UNIFORM
All LEO's will possess and maintain a serviceable Class A uniform at all times.

The Class A uniform is to be worn on special occasions such as funerals, graduations, ceremonies, or as directed. The Class A uniform is required for all sworn personnel. The Class A uniform includes the standard issue uniform trouser with:

(a) A long sleeve shirt, pressed in military style, with tie.
(b) Highly polished, plain toe, all black shoes or boots, to include Corfam type footwear. Footwear with pointed toes are not permitted.
(c) An external vest carrier shall not be worn with the Class A uniform.
(d) Issued uniform Jackets and caps may be worn, as necessary, with the Class A uniform.

There is a formal dress uniform for Lieutenants and above. It is primarily worn at formal or special occasions such as swearing in ceremonies, formal public presentations, funerals, etc. The formal dress uniform consists of the following:

1. All-season regulation trousers or slacks
2. Long-sleeve white dress shirt
3. Navy Blue tie
4. Highly polished, plain toe, all black shoes or boots, to include Corfam type footwear.
5. Regulation dress tunic (Flying Cross model 34800 with added upper pocket flaps)
6. White cotton (or other suitable fabric) gloves, as needed.
7. Regulation Pershing round style uniform cover with black brim, gold braid and Sheriff Star hat badge with appropriate rank. The Sheriff may have gold oak leaves on the brim.

The tunic will only have the following items attached to it:

1. Gold colored metal "PC" on each lapel affixed above the cutouts, parallel to the cut out.
Uniform and Equipment Regulations

2. Metal name tag centered 1/4” over right breast pocket
3. Department issued badge over left breast pocket
4. Department shoulder patch with gold border
5. Rank insignia on the shoulders shall consist of shoulder boards with braided borders and insignia of rank. Rank designation shall be the same as in section 1046.4 (h).
6. Stripes of gold braid, spaced half- inch apart, sewn horizontally on each forearm sleeve. One, half-inch wide stripe for Lieutenants, two half-inch wide stripes for Captain through the Undersheriff and three, one half-inch wide stripes or stripes of varying size for the Sheriff. No other personnel approved to wear a tunic shall have stripes on the sleeves.

1046.3.2 CLASS B UNIFORM
All deputies will possess and maintain a serviceable Class B uniform at all times.
The Class B uniform will consist of the same garments and equipment as the Class A uniform with the following exceptions:

(a) The long or short sleeve uniform shirt may be worn with the collar open. No tie is required.
(b) A black or white crew neck undershirt without distasteful or offensive images, words or logos, will be worn with the uniform. Short sleeve t-shirts must be worn with short sleeve shirts and short sleeve jumpsuits. Long sleeve t-shirts may be worn with long sleeve shirts or long sleeve jumpsuits.
(c) All shirt buttons must remain buttoned except for the last button at the neck.
(d) Footwear for the Class B uniform will be as described in the Class A uniform in 1046.3.1.
(e) Issued hats, caps, jackets, and other rain/inclement weather gear may be worn, as necessary, with the Class B uniform. Hats and caps will be worn with the logo facing forwards.
(f) A Department approved external vest carrier may be worn with the Class B Uniform.

1046.3.3 CLASS C UNIFORM
The Class C uniform includes several options:

(a) An approved navy blue jumpsuit with embroidered insignia (“PC” on collars and name tag) and a sewn on cloth badge, or
(b) A pair of uniform trousers, a long sleeve or short sleeve uniform shirt with embroidered insignia (“PC” on collars and name tag) and a sewn on cloth badge, and
(c) A black or white crew neck undershirt without distasteful or offensive images, words, or logos, will be worn with the uniform or jumpsuit. Short sleeve t-shirts should only be worn with short sleeve shirts. Long sleeve t-shirts may be worn with long sleeve shirts, and
Uniform and Equipment Regulations

(d) Black tactical or police style shoes or boots with a polishable or non-polishable toe.
   1. Any visible logos on the footwear shall be black in color
   2. Footwear with pointed toes, Velcro closures, or athletic style sneakers are not permitted.
   3. All footwear worn with any of the above listed uniforms shall be clean and black in color and maintained in a clean and serviceable condition.

(e) An external vest carrier may be worn with any Class C uniforms
   1. The external carrier must be navy blue in color
   2. The authorized pockets are pistol magazine pouch (two or three magazines), radio pouch, one handcuff pouch (single or double), OC spray pouch OR flashlight holder, tourniquet pouch
   3. Any additional or substitute pouches may be worn upon approval of the Sheriff or designee.

(f) Issued hats, caps, jackets, and other rain/inclement weather gear may be worn, as necessary, with the Class C uniform. Hats and caps will be worn with the logo facing forward.

1046.3.4 SPECIALIZED UNIT UNIFORMS
The Sheriff or designee may authorize special uniforms to be worn by deputies in specialized units such as Canine Team, SWAT, Bicycle Patrol, Motor Deputies and other specialized assignments. Standards for those uniforms will be approved by the Sheriff or designee.

1046.4 INSIGNIA AND PATCHES

(a) Shoulder Patches - The authorized shoulder patch supplied by the Department shall be machine stitched to the sleeves of all uniform shirts, jackets and jumpsuits, three-quarters of an inch below the shoulder seam of the shirt and be centered on the sleeve.

(b) Collar ornaments - All uniforms shall have the letters "P.C." or Contract Agency abbreviation on the points of the shirt collar. Class A and B uniforms shall have metal letters, and Class C uniforms shall have embroidered letters. Letters will be silver for deputies and gold for detectives/sergeants/detective sergeants and above.

(c) Service stripes - Service stripes for length of service may be worn on long sleeved shirts, jackets and jumpsuits. They are to be machine stitched onto the left sleeve only. The bottom of the service stripe shall be sewn the width of one and one-half inches above the cuff seam.

(d) The regulation nameplate, or an authorized sewn on cloth nameplate, shall be worn at all times while in uniform. The nameplate shall display the employee's first initial and last name. The nameplate shall be worn above the right pocket.

(e) Assignment Insignias - Assignment insignias, (SWAT, FTO, etc.) may be worn as designated.

(f) Flag Pin - A flag pin may be worn, centered above the nameplate.
Uniform and Equipment Regulations

(g) Badge - The department issued badge, or an authorized sewn on cloth replica, must be worn and visible at all times while in uniform. Non uniform commissioned employees shall carry their badge at all times when on duty, unless exempted under another section of this manual.

(h) Rank Insignia - The designated insignia indicating the employee’s rank must be worn at all times while in uniform. The Sheriff may authorize exceptions. Only Departmental issued insignia of rank shall be worn. Rank insignia for Lieutenants and above shall be affixed to the uniform shirt on the shoulders of the Class A, Class B, and Class C shirt and jumpsuit and on the shoulders of the formal uniform tunic. The only exception is that the Sheriff may wear rank insignia on the shoulders or the collar. Insignia of rank shall not be worn on the white shirt under the formal tunic. The insignia for each rank is as follows:

1. Sheriff - Three metal gold colored stars;
2. Undersheriff and Bureau Chief - Two metal gold colored stars:
   (a) Contract City Police Chief - Three metal gold colored stars;
3. Major/Commander - One metal gold colored oak leaf;
4. Captain - Two metal gold colored bars;
5. Lieutenant - One metal gold colored bar;
6. Sergeant/Detective Sergeant - A chevron consisting of three silver stripes sewn on the sleeves (all uniforms except Honor Guard).
   (a) Tactical uniforms, i.e. SWAT, Bomb Squad may use subdued rank insignia
   (b) Honor Guard tunic: Gold colored metal chevrons pinned to both sides of collar.
7. Master Patrol Officer (MPO) and Career Progression Officer 2 (CPO2 and above) may have full-size chevrons consisting of two silver stripes, sewn on both sleeves, or approved MPO qualification pin worn above the nametag.

(i) Department awards or medals may be worn as authorized.

1046.4.1 ADDITIONAL ASSIGNMENT INSIGNIA
In addition to the insignia listed in 1046.4, the insignia for the following positions are:

1. Chaplain - Metal gold colored cross.
2. Field Training Officer (FTO) - Engraved metal pin reading, “Field Training Officer.
3. Special units - (i.e. SWAT, Honor Guard, Dive, SAR, etc) may wear insignia approved by the Sheriff or designee.
4. Contract agency Police Departments/Detachments: Pin depicting the contract agency or Detachment seal or logo may be worn if available.

1046.4.2 IDENTIFYING GRAPHICS ON CLOTHING
Where it is appropriate to display identifying graphics on the back of jumpsuits or special purpose jackets, the guideline is as follows:
1. Deputies regularly assigned to work in unincorporated Pierce County will display the word “SHERIFF.”

2. Deputies regularly assigned to contract cities will display the word “POLICE.”

1046.4.3 MOURNING BADGE
Uniformed employees may wear a black mourning band across the department badge whenever a law enforcement officer is killed in the line of duty and the wearing of a Mourning Band is authorized by the Sheriff or his designee. The following mourning periods will be observed:

(a) A deputy of this department - From the time of death until midnight on the 14th day after the death.
(b) An officer or deputy from Washington State - From the time of death until midnight on the day of the funeral or seven days, whichever occurs first.
(c) Funeral attendee - While attending the funeral of an out of region fallen officer.
(d) National Peace Officers Memorial Day (May 15th) - From 0001 hours until 2359 hours.
(e) As otherwise directed by the Sheriff or designee.

1046.5 CIVILIAN ATTIRE
There are assignments within the Department in which the wearing of civilian attire is appropriate.

(a) All employees shall wear appropriate clothing that fits properly, is clean and free of stains, and not damaged or excessively worn.
(b) All male administrative, investigative and support personnel who wear civilian clothing to work shall wear button style or polo shirts with a collar, slacks or suits that are moderate in style and provide a professional appearance. Forensic Investigators should refer to their SOP.
(c) All female administrative, investigative, and support personnel who wear civilian clothes to work shall wear dresses, slacks, shirts, blouses, or suits which are moderate in style and provide a professional appearance. Forensic Investigators should refer to their SOP.
(d) The following items shall not be worn on duty or while operating a department vehicle:
   1. T-shirt or Undershirt alone.
   2. Open toed sandals or thongs.
   3. Swimsuit, tube tops, or halter-tops.
   4. Spandex type pants or see-through clothing.
   5. Distasteful printed slogans, buttons or pins.
(e) Variations from this order are allowed at the discretion of the Sheriff or designee when appropriate for the employee’s assignment or current task. Clothing worn to department training shall be appropriate for the training intended but shall not violate categories 2 through 5 in section d above, unless required for training.
(f) No item of civilian attire may be worn on duty or while operating a department vehicle that would adversely affect the reputation of the Pierce County Sheriff's Department or the morale of the employees.

1046.6 POLITICAL ACTIVITIES, ENDORSEMENTS, AND ADVERTISEMENTS
Unless specifically authorized by the Sheriff, Pierce County Sheriff's Department employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a department badge, patch or other official insignia, or cause to be posted, published, or displayed, the image of another employee, or identify himself/herself as an employee of the Pierce County Sheriff's Department, to do any of the following:

(a) Endorse, support, oppose or contradict any political campaign or initiative.
(b) Endorse, support, oppose, or contradict any social issue, cause or religion.
(c) Endorse, support, or oppose, any product, service, company or other commercial entity.
(d) Appear in any commercial, social, or non-profit publication, or any motion picture, film, video, public broadcast or any website.

1046.7 GUN BELT AND RELATED EQUIPMENT
The gun belt, holster, and related cases (handcuff case(s), cartridge case(s), radio case) shall be worn by uniformed LEO's in the performance of their duties. All of the equipment shall be black in color, basket-weave leather, nylon web gear or fabricated composite.

Uniformed LEO's must carry at a minimum; handgun, two extra magazines, one set of handcuffs, pepper spray, and an impact weapon.

1046.7.1 SUSPENDERS
Department issued suspenders may be worn by those LEO's who request to do so for prevention and remediation of the effects of carrying the weight of a gun belt and its equipment. It is not mandatory that officers use the suspenders, but rather those who request such will be supplied with them at department expense.

1046.7.2 BATONS
Uniformed LEO's shall carry a department-issued or approved impact weapon while on duty unless otherwise directed.

1046.8 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES
Employees may not wear any uniform item, accessory or attachment unless specifically authorized by the Sheriff or designee.

Employees may not use or carry any weapon, tool or other piece of equipment unless specifically authorized by the Sheriff or designee.
1046.9 PERSONAL EQUIPMENT - MAINTENANCE, AND REPLACEMENT
a. Any of the items listed as optional or personal shall be purchased totally at the expense of the employee. No part of the purchase cost shall be offset by the Department for the cost of providing the Department issued item.

b. Maintenance of optional items shall be the financial responsibility of the purchasing employee.

c. Replacement of optional items shall be done as follows:

1. When the item is no longer functional because of normal wear and tear, the employee bears the full cost of replacement.

2. When the item is no longer functional because of damage in the course of the employee's duties, it shall be replaced following the procedures for the replacement of damaged personal property (Policy Manual § 700). The Employee will complete the Request for Reimbursement, the Expense Claim, attach the original receipt for replacement or repair and submit all documents to their Bureau Chief via their Supervisor.
Explorer Cadet Program

1048.1 PURPOSE AND SCOPE
The Department Cadet Program is a volunteer program in partnership with Boy Scouts of America, and designed to give young women and men ages 15-21 interested in law enforcement, firsthand knowledge of this career field.

1048.2 CADET PROGRAM
Cadet's work under direct supervision of Law Enforcement Officer's (L.E.O.'s) and perform a variety of routine and progressively more advanced law enforcement tasks in the program. Additionally, Cadets volunteer time and participate in various Community Services Events and are authorized to wear the Cadet uniform (§1046) while participating in those events.

1048.3 PERFORMANCE EVALUATIONS
Cadets are evaluated on a yearly basis to assess their current job Performance. They are governed by the Department Cadet Manual in the performance of their duties. The Cadet Manual is available for viewing by contacting a Cadet Advisor.

1048.4 CADET ADVISOR'S
The Cadet program is managed by L.E.O.'s referred to as Cadet Advisor's from the Operations and Corrections Bureau's who serve as mentors. Cadet Advisor's, who are overseen by the Community Services Lieutenant, lead training sessions, schedule and coordinate meetings and community events.

1048.5 RIDE-ALONG / WALK-ALONG PROGRAM
Cadets may be authorized to participate in the Ride-Along or Walk-Along Program on their own time as approved by their Cadet Advisor and the appropriate shift supervisor from the Operations or Corrections Bureau. Age requirements for Cadet participation in each program are listed in the Cadet Manual. Applicable waivers must be signed in advance. Cadets shall wear their uniform while participating in either of these programs.
Workplace Relationships

1050.1 PURPOSE AND SCOPE
The Pierce County Sheriff's Department believes that it is in the employee's and the Department's best interest to keep business and professional relationships separate from personal relationships. The purpose of this policy is to ensure equal opportunity and effective employment practices by avoiding actual or perceived favoritism, discrimination, or actual or potential conflicts of interest by or between members of this department. These employment practices include: recruiting, testing, hiring, compensation, assignment, use of facilities, access to training opportunities, supervision, performance appraisal, discipline and workplace safety and security.

1050.1.1 DEFINITIONS

Business relationship - Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder or investor in an outside business, company, partnership, corporation, venture or other transaction where the Department employee's annual interest, compensation, investment or obligation is greater than $250.

Conflict of interest - Any actual, perceived or potential conflict of interest in which it reasonably appears that a department employee's action, inaction or decisions are or may be influenced by the employee's personal or business relationship.

Nepotism - The practice of showing favoritism to relatives in appointment, employment, promotion or advancement by any public official in a position to influence these personnel decisions.

Personal relationship - Includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship.

Relative - An employee’s parent, stepparent, spouse, domestic partner, significant other, child (natural, adopted or step), sibling, aunts, uncles or grandparent and like relatives of the spouse, domestic partner, or significant other of the employee.

Subordinate - An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

Supervisor - An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and/or performance of a subordinate employee.

1050.2 RESTRICTED DUTIES AND ASSIGNMENTS
The Department does not prohibit all personal or business relationships between employees. However, in order to avoid nepotism or other inappropriate conflicts, the following restrictions shall apply:

(a) Employees are prohibited from directly supervising or being directly supervised by any other employee who is a relative or with whom they are involved in a personal or business relationship.
Workplace Relationships

1. If circumstances require that such a supervisor/subordinate relationship exist, the supervisor shall make every reasonable effort to defer matters pertaining to the involved employee to an uninvolved supervisor.

2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing employees in such supervisor/subordinate situations. The Department, however, reserves the right to transfer or reassign any employee to another position within the same classification in order to avoid conflicts with any provision of this policy.

(b) Employees are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal or business relationship.

(c) Whenever possible, FTOs and other trainers will not be assigned to train relatives.

(d) All Department employees are prohibited from entering into or maintaining personal or business relationships with any Deputy Recruit until the Deputy Recruit is released to Operations. All Department employees are prohibited from entering into or maintaining personal or business relationships with any non-commissioned probationary employees or prospective employment candidates. This does not preclude maintaining personal or business relationships that were established prior to any prospective employment. All Department employees and volunteers are prohibited from entering into or maintaining personal or business relationships with any Pierce County Sheriff Cadet.

(e) Except as required in the performance of official duties or, in the case of immediate relatives, employees shall not develop or maintain personal or financial relationships with any individual they know or reasonably should know is under criminal investigation; is a convicted felon and less than 10 years have passed since completion of their sentence (including probation); is a parolee; fugitive; current registered sex offender; or who engages in felony violations of state or federal laws. Employees will not enter into activities detrimental to the department’s safety or security, nor further the interests of criminals.

1050.2.1 EMPLOYEE RESPONSIBILITY

Prior to entering into any personal or business relationship or other circumstance which the employee knows or reasonably should know could create a conflict of interest or other violation of this policy, the employee shall promptly notify his/her uninvolved, next highest level of supervisor.

Whenever any employee is placed in circumstances that would require the employee to take enforcement action or provide official information or services to any relative or individual with whom the employee is involved in a personal or business relationship, the employee shall promptly notify his/her uninvolved, immediate supervisor. In the event that no uninvolved supervisor is
immediately available, the employee shall promptly notify dispatch to have another uninvolved employee relieve the involved employee.

1050.2.2 SUPERVISORS RESPONSIBILITY
Upon being notified of, or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to promptly mitigate or avoid such violations, whenever possible. Supervisors shall also promptly notify the Sheriff of such actual or potential violations through the chain of command.
Domestic Violence Involving Law Enforcement Members

1052.1 PURPOSE AND SCOPE
This policy establishes procedures, protocols and actions for investigating and reporting domestic violence involving members of this and other law enforcement agencies. The intent of this policy is to ensure that law enforcement members are held to the standards of the law regarding domestic violence (RCW 10.99.090).

1052.1.1 DEFINITIONS
Domestic Violence - By definition includes two elements: First, a relationship between the perpetrator and the victim, defined in RCW 10.99.020 (1) or (2), and secondly, that a criminal act as defined by RCW has occurred by the perpetrator against the victim, defined in RCW 10.99.020 (3).

Domestic Dispute - Non-criminal incident involving a relationship, defined in RCW 10.99.020 (1) or (2) where there was no criminal action as defined by RCW. An example could be a loud argument or disagreement.

Member - Means any person currently employed with an agency.

Non-PCSD personnel - Include law enforcement officers from other agencies or jurisdictions, public officials, and persons of power within our community.

Public Official - Includes senior government officials, elected officials to city, county, state or federal government, judicial officials.

Sworn member - Means a general authority Washington peace officer as defined in RCW 10.93.020, any person appointed under RCW 35.21.333, and any person appointed or elected to carry out the duties of the sheriff under RCW Chapter 36.28.

1052.2 DEPARTMENT RESPONSIBILITIES
The Department has the following obligations (RCW 10.99.030 and 10.99.090):

(a) Provide pre-hire screening procedures reasonably calculated to disclose whether an applicant for a sworn member position has a history of domestic violence, child abuse allegations, or have been subject to protective order.

(b) Maintain ongoing relationships with victim advocacy groups and other domestic violence professionals in the community.

(c) Provide education to Department members on the dynamics of interpersonal violence.

(d) In response to observed behavior or at the request of the member, the Department may offer or recommend intervention services to its members (Employee Assistance Program - E.A.P.). If domestic violence is suspected, the referral should be to a Domestic Violence Unit supervisor.
Domestic Violence Involving Law Enforcement Members

(e) Any member who becomes aware of domestic violence committed by any member must immediately report that allegation to their supervisor.

(f) Recognize that members who disclose that they have personally engaged in criminal acts of domestic violence are not entitled to confidentiality. Such acts shall be investigated administratively and criminally as appropriate.

(g) Provide information to employing law enforcement agencies within 24 hours of a domestic violence or domestic dispute report involving a sworn law enforcement officer.

(h) Provide information on this domestic violence policy and programs under RCW 26.50.150 to members and make it available to member families and the public.

(i) Provide victims of domestic violence by Department members a point of contact to assist the victim through the investigative process. Consideration should be given to selecting a point of contact at least one rank higher than the perpetrator, and would ideally be someone other than the investigator.

(j) Provide victims of domestic violence by Department members contact information about public and private nonprofit domestic violence services and information regarding relevant confidentiality policies related to the victim’s information.

(k) Respond to Department members who are alleged victims of violence at the hands of a member of the Department. Safety concerns and domestic violence services information will be reviewed with the victim member.

(l) Provide for an impartial administrative investigation and appropriate criminal investigation of all acts of domestic violence allegedly committed by any member and appropriate sanctions when it is found that a member has committed an act of domestic violence. Administrative investigations may be conducted by the Department or through agreements with other law enforcement agencies.

(m) Consider whether to relieve a sworn member of Department-issued weapons and suspend law enforcement powers pending resolution of an investigation.

1052.2.1 SUPERVISOR RESPONSIBILITIES

Patrol and Investigative Supervisors are required to:

(a) Be aware of behaviors in their subordinates that could be indicative of domestic violence and properly process observations of such behavior.

(b) Ensure that domestic violence incidents are properly recorded and processed according to this policy.

(c) Patrol supervisors shall immediately notify the Command Duty Officer (CDO), as well as any other appropriate command personnel of all domestic violence incidents involving persons covered under this policy.
Domestic Violence Involving Law Enforcement Members

(d) Patrol supervisors shall call the DV Unit Supervisor or Criminal Investigations Lieutenant for consultation on incidents involving persons covered under this policy.

(e) Patrol supervisors shall ensure that the report of the incident is submitted and restricted to the Criminal Investigations Bureau Chief, Domestic Violence Unit Sergeant, Internal Affairs Unit Supervisor and any other person who will need access to the report.

1052.2.2 COMMAND DUTY OFFICER RESPONSIBILITIES
A Command Duty Officer (CDO) notified of an incident covered by this policy shall notify the Sheriff promptly of the incident. The CDO will ensure the on-scene supervisor has the required resources and that appropriate measures are being taken to investigate the incident; and

(a) If a department member is involved the CDO shall:
   1. Determine if the involved member's law enforcement powers shall be suspended and if duty weapon, and other Department-owned equipment, shall be removed pending the investigations outcome and possible prosecutorial charging decision.
   2. Issue an administrative order prohibiting contact with the victim if appropriate.
   3. Forward information on the incident to the Internal Affairs Unit and/or the Undersheriff for review and further action.
   4. Respond or designate a command officer to respond to a scene if the involved member is a sergeant or above or if the situation dictates a command presence.

(b) If a member of another law enforcement agency is involved the CDO shall:
   1. Verify command notification of the employing agency.
   2. Verify the supervisor has offered assistance with removing weapons, police powers, etc.
   3. Ensure that the Sheriff's Department provides appropriate reports and any other requested documentation to the employing agency.

1052.2.3 DOMESTIC VIOLENCE UNIT RESPONSIBILITIES
(a) In all instances of law enforcement domestic violence the Domestic Violence Unit shall:
   1. Review the report and assign the criminal investigation.
   2. Coordinate with the appropriate Prosecutor's Office regarding charging and prosecution.
   3. Coordinate with the appropriate domestic violence advocacy organization to assist with victim safety concerns.
   4. Coordinate with the Operations Chief to designate an appropriate point of contact for the victim.
Domestic Violence Involving Law Enforcement Members

5. Ensure the victim is given a copy of this policy.

(b) All completed investigations of domestic violence that reveal probable cause of a crime committed by any agency sworn members or the agency head shall be promptly forwarded to the appropriate prosecuting authority for a charging decision.

(c) For all situations involving a member of this department, the Domestic Violence Deputy or DV Unit Supervisor shall:
   1. Contact the victim.
   2. Introduce the point of contact.
   3. Provide an update regarding the administrative process.

1052.3 MEMBER ACTIONS
Law enforcement members have the following obligations or entitlements (RCW 10.99.090):

(a) Members are entitled to seek assistance through the employee assistance program, member peer support, chaplains, or psychological professionals, however, in situations where family violence is indicated a referral to the domestic violence unit is critical.

(b) Members with knowledge or information about any member in violation of this policy must report the incident to their supervisor or the Internal Affairs Unit as soon as possible, but no later than 24 hours. Failure to report may subject the member to disciplinary action.

(c) Members who are victims of domestic violence are encouraged to request assistance, but are not subject to punitive measures for failing to report their abuse.

(d) Members should be alert to the likelihood of victim or witness intimidation and shall immediately take appropriate action. This action will include, but is not limited to the report to their supervisor or the Internal Affairs Unit within 24 hours.

(e) Members are expected to fully cooperate with the investigation of allegations under this policy but only as requested by a supervisor, the Internal Affairs Unit, the law enforcement agency conducting the investigation or by court subpoena.

(f) Personnel who fail to cooperate with the investigation of a domestic violence allegation by a person covered under this policy may be subject to investigation, and possible disciplinary action and/or other consequences. (IAW 5th Amendment Rights, Garrity or current PCSD policy.)

(g) When a law enforcement agency responds to a call in which a sworn member is alleged to have been involved in a domestic dispute or committed an act of domestic violence, the involved member must immediately report that police response to their supervisor. A written report must follow within 24 hours, subject to the agency’s internal investigatory process.
Domestic Violence Involving Law Enforcement Members

(h) When a member becomes the subject of an investigation for child abuse or neglect, or becomes subject to an order under RCW 26.44.063 or an order of protection under RCW 26.50 issued by any court in any jurisdiction or any equivalent order issued by another state or tribal court, that member must immediately report the fact to his/her supervisor. A written report must follow within 24 hours to include a copy of any order and any notices of court dates, appearances, and proceedings received by the member.

1052.4 INCIDENT RESPONSE
Any notification of any incident of domestic violence involving any law enforcement officer requires a prompt response, full investigation and a complete written report by this Department (RCW 10.99.030). These incidents additionally require:

(a) On-scene supervisory presence.

(b) Notification through the chain of command to the Sheriff of this Department; and if the incident involves members of another agency, notification of the appropriate supervisor and/or commander of the employing agency.

(c) The Sheriff may delegate responsibility for receiving such reports to the Domestic Violence Unit supervisor and/or specific command level person.

(d) Domestic Violence Unit personnel will receive specialized training regarding the dynamics of violent relationships, victim safety and the role of advocacy.

(e) The Domestic Violence Unit supervisor should review each case referral for any potential conflict of interest.

(f) If a PCSD member is involved, the Department will refer the incident to the Internal Affairs Unit for an internal investigation, or, as otherwise may be directed for investigation by the Sheriff.

(g) The Department will determine the member’s duty status during any criminal or internal investigation procedure.

(h) For the purpose of internal investigations, the Department will provide other agencies with the reports related to the incidents of alleged domestic violence involving their members covered under this policy.

(i) In the event of a report of domestic violence alleged to have been committed by the Sheriff, prompt notification will be made to the County Prosecutor and the Pierce County Executive.

1052.4.1 PATROL RESPONSE
A patrol deputy responding to an incident described as domestic violence involving a law enforcement officer or anyone covered under this policy, shall request a supervisor respond.

(a) The primary unit will conduct a thorough investigation, including, but not limited to:
Domestic Violence Involving Law Enforcement Members

1. Photographs of the crime scene and any injuries identified.
2. If children are present, they should be spoken to away from the parties involved to determine what they saw or heard in line with department protocol.
3. The Domestic Violence Supplemental Report Form.
4. Seizure of any weapons used or referred to in the crime.
5. Signed medical releases.
6. Written statements of the victim, witnesses, and suspect.
7. Determine if the victim requests any guns or specific weapons be removed for safekeeping and accommodate removal or explain the process for seeking a court order for removal.
8. Complete and submit the report prior to the end of the shift.

(b) Patrol units responding to suspicious circumstances, compelling third party accounts of incidents, unexplained property damage, etc. or other troubling events involving law enforcement officers will complete reports of the incidents.

(c) A copy the incident report should be forwarded to the Domestic Violence Unit, access to the report should then be restricted.

1052.4.2 PATROL SUPERVISOR RESPONSE
A patrol supervisor shall:

(a) A shift sergeant or appropriate supervisor shall respond to the scene of all domestic violence incidents within Pierce County involving PCSD members, regardless of the jurisdiction. The supervisor will coordinate with outside jurisdictions to ensure that a complete investigation is conducted. The supervisor may offer additional PCSD resources to assist in the investigation.

(b) Respond to the scene of all domestic violence incidents within unincorporated Pierce County, or our contracted cities, involving any law enforcement officer or other persons covered by this policy.

(c) Coordinate the investigation, notify and consult with the Criminal Investigations Lieutenant and or DV Unit sergeant. Request appropriate resources as needed.

(d) Ensure reports on all incidents are completed, restricted, submitted, reviewed and approved before the end-of-shift.

(e) In the event of the arrest of a sworn member of the Pierce County Sheriff's Department, the sergeant will order the surrender of the member’s Department-issued weapons, commission card, badge, assigned vehicle and computer.

(f) In the arrestee is a sworn member of another law enforcement agency, contact that agency prior to custody transport and request authorization to seize that member's
agency-issued weapons or arrange for the employing agency to take custody of them unless the weapon is held as evidence.

(g) If probable cause exists for an arrest, ensure that a good faith effort is made to locate the suspect within the 4 hour mandatory arrest period.

(h) Explain the process to the victim, including the opportunity for applicable emergency protection orders, administrative no-contact orders, and confidentiality statutes and policies.

(i) The supervisor shall inquire if the victim would like any weapons removed from the residence for safekeeping.

(j) The supervisor shall assist the victim with contacting the Domestic Violence Hotline.

(k) The sergeant will act as the point of contact for the victim until another assignment is made.

1052.5 VICTIM SAFETY ASSISTANCE AND NOTIFICATION

The Pierce County Sheriff's Department will work with community resources and domestic violence advocacy agencies and shall make available to the victim (RCW 10.99.090):

(a) Information on how to obtain protective orders and/or removal of weapons from his/her home.

(b) Assistance with obtaining such orders in coordination with domestic violence victim advocates.

(c) A copy of this policy and any agency confidentiality policy.

(d) Information about public and private domestic violence advocacy resources to include the Washington State Domestic Violence Hotline.

(e) Information related to relevant confidentiality policies related to the victim's information and public disclosure as provided by law.

The Pierce County Sheriff's Department will coordinate victim notification regarding criminal and administrative investigative processes through the designated agency liaison in order to assist with victim safety. All members shall keep all information concerning victims confidential, including their whereabouts and safety plan.
Department Badges and Identification

1054.1 PURPOSE AND SCOPE
The Pierce County Sheriff's Department badge and uniform patch are subject to approval by the Sheriff. The likeness of these items and the name of the Pierce County Sheriff's Department are the property of the Department, and their use shall be restricted as set forth in this policy.

1054.2 POLICY
The uniform badge shall be issued to department members as a symbol of authority and the use and display of departmental badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on duty or otherwise acting in an official or authorized capacity.

1054.2.1 DEPARTMENT ISSUED IDENTIFICATION
The Department issues each employee an official department identification card bearing the employee's name, identifying information and photo likeness. All employees shall be in possession of their department issued identification card at all times while on duty or when carrying a concealed weapon.

(a) Whenever on duty or acting in an official capacity representing the department, employees shall display their department issued identification in a courteous manner to any person upon request and as soon as practical.

(b) Deputies working specialized assignments may be excused from the possession and display requirements when directed by their Bureau Chief.

1054.2.2 CIVILIAN PERSONNEL
Badges and departmental identification cards issued to non-sworn personnel shall be clearly marked to reflect the position of the assigned employee (e.g. Forensics, Property personnel).

Non-sworn personnel shall not display any department badge or identification card except as a part of his/her uniform and while on duty, or otherwise acting in an official and authorized capacity.

Non-sworn personnel shall not display any department badge or represent him/herself, on or off duty, in such a manner which would cause a reasonable person to believe that he/she is a sworn peace officer.
Recognition/Retirement Policy

1055.1 COMMISSIONED OFFICERS
The Department will recognize retiring Law Enforcement and Correctional Deputies with 20 or more years of service by giving them a plaque with a badge permanently affixed to it. The badge may be the same badge the deputy last carried with the word "RETIRED" attached to it; or one similar.

Plaques for Law Enforcement and Correctional Deputies serving 20 or more years, who have served the department in two or more ranks (such as Deputy and Sergeant), will have a badge representing each rank affixed to the plaque.

Deputies who have served from 10 to 20 years will be given a plaque or an item without a badge affixed, in recognition of their contributions to our Department and the community.

The Sheriff will review, on an individual basis, situations of officers who become medically retired (duty related) and recognize them appropriately.

1055.2 NON-COMMISSIONED PERSONNEL
Non-commissioned members of our department with at least 10 years of service will be given a plaque or another item in recognition of their contribution and dedication to the Department. It will be the responsibility of the retiring employee’s Bureau Chief to insure a recognition function (i.e. lunch, dinner, etc.) is planned and implemented prior to the employee’s last day. The employee may have input into the planning of this function, however, it is the Department’s position that a function be planned and held.

1055.3 EXIT INTERVIEW
In addition to the exit interview required by County Human Resources, there will be a mandatory exit interview with the employee’s Bureau Chief. The Bureau Chief will insure that all issued equipment has been returned and any assigned vehicle has been turned in and inventoried. At that time, the Bureau Chief will approve the release of the employee’s last paycheck.
Modified Duty Assignments

1056.1 PURPOSE AND SCOPE
This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, County rules or current collective bargaining agreements or memorandums of understanding. For example, nothing in this policy affects the obligation of the Department to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

The determination regarding Modified Duty availability will be made on a case by case basis utilizing the following procedure:

(a) The employee shall have his or her attending physician complete a Physician's Report of Medical Evaluation.

(b) The employee shall submit the completed form to Risk Management. Human Resources/Risk Management will contact the immediate supervisor for assistance in determining whether or not light duty work is available within the limitations prescribed by the attending physician.

(c) An ill/injured employees is considered a light duty candidate when the employee's attending physician has notified Risk Management that the employee can perform some work activities but is not capable of performing their regular duty at full capacity. Also, if a supervisor contacts Risk Management for the availability of light duty, these procedures will apply as well.

1056.2 DEFINITIONS
Modified Duty - Means a temporary, limited-term assignment not requiring performance of the full range of duties associated with the regular job classification. Modified duty also may be termed as light-duty assignments.

1056.3 LIMITATIONS
Modified duty assignments shall be subject to continuous re-assessment dependent upon Department need and the employee's ability to perform in a modified duty capacity.

An injured employee may be offered a modified duty position outside of his/her normal assignment or duties if it becomes available, but the employee shall be given the option to either accept the position or continue to draw on applicable sick leave, worker's compensation or disability accounts as applicable notwithstanding the fact that the employer is prohibited from discriminating against an employee with regard to modified duty assignments or otherwise excluded from the obligation to comply with state and federal law.

(a) If an employee cannot adequately perform in a modified duty assignment, such assignment may be modified or terminated.
Modified Duty Assignments

(b) The lack of Department need or a change in priorities may result in the employee's removal from or modification of a modified duty assignment.

(c) The Department may place conditions as deemed appropriate upon any modified duty assignment.

1056.4 PROCEDURE

Employees may request assignment to modified duty by completing the Department Request for Temporary Assignment due to Physical Impairment form or by providing a signed statement from their health care provider describing their restrictions, limitations and expected duration to their Bureau Chief or his/her designee. The statement must also indicate if the employee requires any workplace accommodations, mobility aids or medical devices.

The Bureau Chief will determine what modified duty assignments may be available based on the needs of the Department, limitations of the employee and suitability of the employee to work a particular assignment. Requests for a modified duty assignment of 20 hours or less may be approved and facilitated by the Shift Sergeant or Bureau Chief. Assignments of longer duration are subject to the approval of the Bureau Chief or his/her designee.

When employees of one section or Bureau are temporarily assigned for modified duty to another area, they will be supervised by the chain of command for that particular area. Guidelines will be developed for extended assignments to help the “visiting” employee appreciate his/her obligations and duties.

1056.4.1 MODIFIED DUTY SCHEDULES

The schedules of employees assigned to modified duty may be adjusted to suit medical appointments or Department needs at the discretion of the Bureau Chief.

The employee and his/her supervisors should be informed in writing of the schedule, assignment and limitations and restrictions as determined by the employee's health care provider.

1056.4.2 ACCOUNTABILITY

The employee’s supervisors shall coordinate efforts to ensure proper time accountability and a change of shift/assignment.

(a) Employees on modified duty are responsible for coordinating required doctor visits and physical therapy appointments in advance with their supervisor to appropriately account for any duty time. Doctor visits and appointments for treatment of injuries or illnesses that are not work related shall be arranged during off-duty time or otherwise charged to the employee's sick leave.

(b) Employees shall promptly submit a status report for each visit to their treating health care provider and shall immediately notify their supervisor of any change or release of restrictions or limitations as determined by their health care provider. An employee assigned to a modified duty assignment shall provide a duty status report to their supervisor no less than once every 30 days while the employee is on modified duty.
Modified Duty Assignments

(c) Supervisors shall keep the Bureau Chief apprised of the employee's status and ability to perform the modified duty assignment. Modified duty assignments that extend beyond 60 days will require a written status report and a request for an extension to the Bureau Chief with an update of the employee's current status and anticipated date of return to regular duty. Extensions require approval of the Bureau Chief.

(d) When it is determined that an employee on modified duty will return to regular duty, the supervisor shall notify the Bureau Chief and coordinate a change of shift/assignment. All training and certification necessary for return to duty shall be reviewed and updated as necessary.

1056.4.3 MEDICAL EXAMINATIONS
The Department reserves the right to require, prior to returning to full-duty status, a fitness-for-duty examination of any employee assigned to a modified duty assignment or of any employee having been on such assignment. Such examinations shall be at the expense of the Department.

Prior to returning to full-duty status, employees shall be required to provide a statement signed by their health care provider indicating that they are medically cleared to perform the basic and essential job functions of their assignment without restriction or limitation.

1056.5 PREGNANCY
If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

Nothing in this policy limits a pregnant employee’s right to a temporary modified-duty assignment if required under RCW 43.10.005.

1056.5.1 EMPLOYEE NOTIFICATION
Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the County’s personnel rules and regulations regarding family and medical care leave.

1056.5.2 SUPERVISOR’S RESPONSIBILITY
Upon receiving the medical verification of the pregnancy and a request for job accommodation, reassignment or leave, the supervisor shall notify the Bureau Chief, who will consider assigning the employee to an available temporary modified duty assignment if it is deemed appropriate by the Department or medically necessary by the employee’s health care provider.

If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted consistent with the County Personnel Rules and Regulations regarding family and medical care leave.
Modified Duty Assignments

1056.6 PROBATIONARY EMPLOYEES
Probationary employees who are assigned to a temporary modified duty assignment shall have their probation extended by a period of time equal to the employee's assignment to modified duty.

1056.7 MAINTENANCE OF CERTIFICATION AND TRAINING
Employees assigned to modified duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided the certification, training or qualifications are not in conflict with any limitations or restrictions. Employees who are assigned to modified duty shall inform their supervisor of any inability to maintain any certification, training or qualifications.
Employee Speech, Expression and Social Networking

1060.1 PURPOSE AND SCOPE
This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balancing of employee speech and expression with the needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or deputy associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

1060.1.1 APPLICABILITY
This policy applies to all forms of communication including but not limited to film, video, print media, public or private speech, use of all Internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file-sharing sites.

1060.2 POLICY
Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Pierce County Sheriff’s Department will carefully balance the individual employee’s rights against the Department’s needs and interests when exercising a reasonable degree of control over its employees’ speech and expression.

1060.3 SAFETY
Employees should consider carefully the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of the Pierce County Sheriff’s Department employees, such as posting personal information in a public forum, can result in compromising an employee’s home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be expected to compromise the safety of any employee, an employee’s family or
Employee Speech, Expression and Social Networking

associates. Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of a deputy who is working undercover.
- Disclosing the address of a fellow deputy.
- Otherwise disclosing where another deputy can be located off-duty.

1060.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the department’s safety, performance and public-trust needs, the following are prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or deputy associations, on a matter of public concern):

(a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Pierce County Sheriff's Department or its employees.

(b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Pierce County Sheriff's Department and tends to compromise or damage the mission, function, reputation or professionalism of the Pierce County Sheriff's Department or its employees. Examples may include:
   1. Statements that indicate disregard for the law or the state or U.S. Constitution.
   2. Expression that demonstrates support for criminal activity.
   3. Participating in sexually explicit photographs or videos for compensation or distribution.

(c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination or illegal behavior.

(d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape.

(e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Pierce County Sheriff's Department.

(f) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Department
Employee Speech, Expression and Social Networking

...for financial or personal gain, or any disclosure of such materials without the express authorization of the Sheriff or the authorized designee (RCW 9A.68.020).

(g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Pierce County Sheriff's Department on any personal or social networking or other website or web page, without the express authorization of the Sheriff.

(h) Accessing websites for non-authorized purposes, or use of any personal communication device, game device or media device, whether personally or department-owned, for personal purposes while on-duty, except in the following circumstances:

1. When brief personal communication may be warranted by the circumstances (e.g., inform family of extended hours).

2. During authorized breaks; such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

1060.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or deputy associations, employees may not represent the Pierce County Sheriff's Department or identify themselves in any way that could be reasonably perceived as representing the Pierce County Sheriff's Department in order to do any of the following, unless specifically authorized by the Sheriff:

(a) Endorse, support, oppose or contradict any political campaign or initiative.

(b) Endorse, support, oppose or contradict any social issue, cause or religion.

(c) Endorse, support or oppose any product, service, company or other commercial entity.

(d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or any website.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization (e.g. bargaining group), is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Pierce County Sheriff's Department.

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized...
bargaining unit or deputy associations, on political subjects and candidates at all times while off-duty. However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

1060.5 PRIVACY EXPECTATION
Members forfeit any expectation of privacy with regard to emails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, MySpace) that is accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

1060.6 CONSIDERATIONS
In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Sheriff or authorized designee should consider include:

(a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.

(b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.

(c) Whether the speech or conduct would reflect unfavorably upon the Department.

(d) Whether the speech or conduct would negatively affect the member’s appearance of impartiality in the performance of his/her duties.

(e) Whether similar speech or conduct has been previously authorized.

(f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

1060.7 TRAINING
Subject to available resources, the Department should provide training regarding employee speech and the use of social networking to all members of the Department.
Attachments
Stand-Off Distance Chart.JPG
<table>
<thead>
<tr>
<th>Threat</th>
<th>Explosive</th>
<th>Lethal Air Blast</th>
<th>Building</th>
<th>Outdoor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pipe Bomb</td>
<td>5 lb</td>
<td>20 ft.</td>
<td>70 ft.</td>
<td>850 ft.</td>
</tr>
<tr>
<td>Suicide Belt</td>
<td>10 lb</td>
<td>30 ft.</td>
<td>90 ft.</td>
<td>1080 ft.</td>
</tr>
<tr>
<td>Suicide Vest</td>
<td>20 lb</td>
<td>35 ft.</td>
<td>110 ft.</td>
<td>1360 ft.</td>
</tr>
<tr>
<td>Briefcase Bomb</td>
<td>50 lb</td>
<td>50 ft.</td>
<td>150 ft.</td>
<td>1850 ft.</td>
</tr>
<tr>
<td>Compact Sedan</td>
<td>500 lb</td>
<td>100 ft.</td>
<td>320 ft.</td>
<td>1500 ft.</td>
</tr>
<tr>
<td>Full Size Sedan</td>
<td>1000 lbs</td>
<td>125 ft.</td>
<td>400 ft.</td>
<td>1750 ft.</td>
</tr>
<tr>
<td>Cargo Van</td>
<td>4000 lbs</td>
<td>200 ft.</td>
<td>640 ft.</td>
<td>2750 ft.</td>
</tr>
<tr>
<td>Small Delivery Truck</td>
<td>10000 lbs</td>
<td>300 ft.</td>
<td>860 ft.</td>
<td>3750 ft.</td>
</tr>
<tr>
<td>Moving Van/Water Truck</td>
<td>30000 lbs</td>
<td>450 ft.</td>
<td>1250 ft.</td>
<td>6500 ft.</td>
</tr>
<tr>
<td>Semi-Truck and Trailer</td>
<td>60000 lbs</td>
<td>600 ft.</td>
<td>1570 ft.</td>
<td>7000 ft.</td>
</tr>
</tbody>
</table>
## INDEX / TOPICS

<table>
<thead>
<tr>
<th>Index / Topics</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>23</td>
</tr>
<tr>
<td>ABBREVIATIONS</td>
<td>18</td>
</tr>
<tr>
<td>ADULT ABUSE</td>
<td>153</td>
</tr>
<tr>
<td>AIRCRAFT</td>
<td></td>
</tr>
<tr>
<td>Accidents</td>
<td>349</td>
</tr>
<tr>
<td>Flying while armed.</td>
<td>116</td>
</tr>
<tr>
<td>Temporary flight restrictions</td>
<td>233</td>
</tr>
<tr>
<td>ANIMALS</td>
<td></td>
</tr>
<tr>
<td>Dangerous</td>
<td>115</td>
</tr>
<tr>
<td>APPOINTMENTS</td>
<td>462</td>
</tr>
<tr>
<td>Custodian of records.</td>
<td></td>
</tr>
<tr>
<td>Reserve coordinator.</td>
<td>239</td>
</tr>
<tr>
<td>ARRESTS</td>
<td></td>
</tr>
<tr>
<td>Child and dependent adult safety</td>
<td>266</td>
</tr>
<tr>
<td>Citations</td>
<td>335</td>
</tr>
<tr>
<td>First amendment assemblies</td>
<td>373</td>
</tr>
<tr>
<td>Immigrants</td>
<td>345</td>
</tr>
<tr>
<td>Seat belts</td>
<td>540</td>
</tr>
<tr>
<td>AUTHORITY</td>
<td></td>
</tr>
<tr>
<td>Law enforcement</td>
<td>8</td>
</tr>
<tr>
<td>AUXILIARY RERAINTS</td>
<td>85</td>
</tr>
<tr>
<td>B</td>
<td></td>
</tr>
<tr>
<td>BACKGROUNDS</td>
<td>497</td>
</tr>
<tr>
<td>BARRICACED SUSPECTS</td>
<td>317</td>
</tr>
<tr>
<td>BIOLOGICAL SAMPLES</td>
<td></td>
</tr>
<tr>
<td>Hazards</td>
<td>351</td>
</tr>
<tr>
<td>Sexual assault</td>
<td>420</td>
</tr>
<tr>
<td>BLOOD TESTS</td>
<td>390</td>
</tr>
<tr>
<td>BOMBS</td>
<td></td>
</tr>
<tr>
<td>Aircraft accidents.</td>
<td>351</td>
</tr>
<tr>
<td>MDT/MDC</td>
<td>365</td>
</tr>
<tr>
<td>BREATH TESTS</td>
<td>390</td>
</tr>
<tr>
<td>C</td>
<td></td>
</tr>
<tr>
<td>CHANGE OF ASSIGNMENT</td>
<td>550</td>
</tr>
<tr>
<td>CHAPLAINS</td>
<td>263</td>
</tr>
<tr>
<td>CHILD ABUSE</td>
<td>163</td>
</tr>
<tr>
<td>CHILD AND DEPENDENT ADULT SAFETY</td>
<td>266</td>
</tr>
<tr>
<td>CHILDREN</td>
<td></td>
</tr>
<tr>
<td>Child safety</td>
<td>266</td>
</tr>
<tr>
<td>Firearms</td>
<td>113</td>
</tr>
<tr>
<td>CITATIONS</td>
<td>335</td>
</tr>
<tr>
<td>CIVIL</td>
<td></td>
</tr>
<tr>
<td>Immigration hold.</td>
<td>345</td>
</tr>
<tr>
<td>Warrant</td>
<td>344</td>
</tr>
<tr>
<td>CIVIL DISPUTES</td>
<td>366</td>
</tr>
<tr>
<td>CIVILIAN/NON-SWORN</td>
<td></td>
</tr>
<tr>
<td>Crisis intervention incidents</td>
<td>377</td>
</tr>
<tr>
<td>COMMENDATIONS AND AWARDS</td>
<td>556</td>
</tr>
<tr>
<td>COMMUNICABLE DISEASE</td>
<td></td>
</tr>
<tr>
<td>Health orders</td>
<td>300</td>
</tr>
<tr>
<td>COMMUNICABLE DISEASES</td>
<td>515</td>
</tr>
<tr>
<td>COMMUNICATIONS CENTER</td>
<td></td>
</tr>
<tr>
<td>Sexual assault</td>
<td>419</td>
</tr>
<tr>
<td>COMMUNICATIONS WITH HEARING IMPAIRED OR DISABLED</td>
<td>255</td>
</tr>
<tr>
<td>CONFIDENTIALITY</td>
<td></td>
</tr>
<tr>
<td>Custodian of records</td>
<td>462</td>
</tr>
<tr>
<td>Radio broadcasts</td>
<td>365</td>
</tr>
<tr>
<td>CONTACTS AND TEMPORARY DETENTIONS</td>
<td></td>
</tr>
<tr>
<td>Bias-based policing.</td>
<td>287</td>
</tr>
<tr>
<td>Warrant service</td>
<td>424</td>
</tr>
<tr>
<td>CONTROL DEVICES</td>
<td></td>
</tr>
<tr>
<td>First amendment assemblies</td>
<td>372</td>
</tr>
<tr>
<td>CORRESPONDENCE</td>
<td>59</td>
</tr>
<tr>
<td>COURT APPEARANCES</td>
<td>236</td>
</tr>
<tr>
<td>COURT ORDERS</td>
<td></td>
</tr>
<tr>
<td>Canine controlled substance</td>
<td>140</td>
</tr>
<tr>
<td>Citation releases</td>
<td>335</td>
</tr>
<tr>
<td>Civil disputes</td>
<td>367</td>
</tr>
<tr>
<td>CRIME AND DISASTER SCENE INTEGRITY</td>
<td>299</td>
</tr>
<tr>
<td>CRIMINAL ACTIVITY REPORTING</td>
<td>228</td>
</tr>
<tr>
<td>CRIMINAL INTELLIGENCE</td>
<td>360</td>
</tr>
<tr>
<td>CRIMINAL ORGANIZATIONS</td>
<td>360</td>
</tr>
<tr>
<td>CRISIS INTERVENTION INCIDENTS</td>
<td>375</td>
</tr>
<tr>
<td>CRISIS NEGOTIATION TEAM</td>
<td>303</td>
</tr>
<tr>
<td>CRISIS RESPONSE UNIT</td>
<td>303</td>
</tr>
<tr>
<td>CUNDUCTED ENERGY DEVICE</td>
<td>95</td>
</tr>
<tr>
<td>CUSTODIAN OF RECORDS</td>
<td>462</td>
</tr>
<tr>
<td>D</td>
<td></td>
</tr>
<tr>
<td>DAMAGE BY COUNTY PERSONNEL</td>
<td>229</td>
</tr>
<tr>
<td>DEATH</td>
<td></td>
</tr>
<tr>
<td>Chaplains</td>
<td>264</td>
</tr>
<tr>
<td>DEATH INVESTIGATION</td>
<td>251</td>
</tr>
<tr>
<td>DECONFLICION</td>
<td>428</td>
</tr>
<tr>
<td>DEFECTIVE VEHICLES</td>
<td>440</td>
</tr>
<tr>
<td>DEFINITIONS</td>
<td>18</td>
</tr>
<tr>
<td>DEPARTMENT OWNED PROPERTY</td>
<td>433</td>
</tr>
<tr>
<td>DEPENDENT ADULTS</td>
<td></td>
</tr>
<tr>
<td>Safety</td>
<td>266</td>
</tr>
<tr>
<td>DISCRIMINATORY HARASSMENT</td>
<td>158</td>
</tr>
<tr>
<td>Complaint</td>
<td>160</td>
</tr>
<tr>
<td>Definitions</td>
<td>158</td>
</tr>
<tr>
<td>Topic</td>
<td>Page</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Supervisor's Role</td>
<td>160</td>
</tr>
<tr>
<td>DOMESTIC VIOLENCE</td>
<td>141</td>
</tr>
<tr>
<td>DOMESTIC VIOLENCE BY LAW ENFORCEMENT EMPLOYEES</td>
<td>586</td>
</tr>
<tr>
<td>E</td>
<td></td>
</tr>
<tr>
<td>ELECTRO-MUSCULAR DISRUPTION TECHNOLOGY DEVICE</td>
<td>95</td>
</tr>
<tr>
<td>EVALUATION</td>
<td>501</td>
</tr>
<tr>
<td>Evidence</td>
<td></td>
</tr>
<tr>
<td>Seizing recordings</td>
<td>379</td>
</tr>
<tr>
<td>EYEWITNESS IDENTIFICATION</td>
<td>408</td>
</tr>
<tr>
<td>F</td>
<td></td>
</tr>
<tr>
<td>FIELD SOBRIETY TESTS</td>
<td>389</td>
</tr>
<tr>
<td>FIREARMS</td>
<td></td>
</tr>
<tr>
<td>Destruction of animals</td>
<td>479</td>
</tr>
<tr>
<td>Retiree carry</td>
<td>68</td>
</tr>
<tr>
<td>FIRST AMENDMENT ASSEMBLIES</td>
<td>369</td>
</tr>
<tr>
<td>FLYING WHILE ARMED</td>
<td>116</td>
</tr>
<tr>
<td>FOREIGN COURT ORDERS</td>
<td>144</td>
</tr>
<tr>
<td>FOREIGN DIPLOMATIC AND CONSULAR REPRESENTATIVES</td>
<td>337</td>
</tr>
<tr>
<td>FORMS</td>
<td></td>
</tr>
<tr>
<td>Eyewitness identification</td>
<td>408</td>
</tr>
<tr>
<td>G</td>
<td></td>
</tr>
<tr>
<td>GRIEVANCE PROCEDURE</td>
<td>507</td>
</tr>
<tr>
<td>GROOMING STANDARDS</td>
<td>571</td>
</tr>
<tr>
<td>H</td>
<td></td>
</tr>
<tr>
<td>HANDCUFFING AND RESTRAINTS</td>
<td></td>
</tr>
<tr>
<td>Custody</td>
<td>486</td>
</tr>
<tr>
<td>HATE CRIMES</td>
<td>189</td>
</tr>
<tr>
<td>HAZARDOUS MATERIAL (HAZMAT)</td>
<td></td>
</tr>
<tr>
<td>RESPONSE</td>
<td>310</td>
</tr>
<tr>
<td>Aircraft accidents</td>
<td>351</td>
</tr>
<tr>
<td>HEARING IMPAIRED</td>
<td>255</td>
</tr>
<tr>
<td>HOSTAGE AND BARRICADE INCIDENTS</td>
<td></td>
</tr>
<tr>
<td>Rapid response and deployment</td>
<td>341</td>
</tr>
<tr>
<td>HOSTAGES</td>
<td>317</td>
</tr>
<tr>
<td>I</td>
<td></td>
</tr>
<tr>
<td>IDENTITY THEFT</td>
<td>253</td>
</tr>
<tr>
<td>IMMIGRATION VIOLATIONS</td>
<td>344</td>
</tr>
<tr>
<td>IMPAIRED DRIVING</td>
<td>389</td>
</tr>
<tr>
<td>INFORMATION TECHNOLOGY USE</td>
<td>223</td>
</tr>
<tr>
<td>J</td>
<td></td>
</tr>
<tr>
<td>JURISDICTION</td>
<td></td>
</tr>
<tr>
<td>Z</td>
<td></td>
</tr>
<tr>
<td>Aircraft accidents</td>
<td>350</td>
</tr>
<tr>
<td>JUVENILES</td>
<td></td>
</tr>
<tr>
<td>Release of Information</td>
<td>152</td>
</tr>
<tr>
<td>K</td>
<td></td>
</tr>
<tr>
<td>KINETIC ENERGY PROJECTILES</td>
<td>92</td>
</tr>
<tr>
<td>L</td>
<td></td>
</tr>
<tr>
<td>LAW ENFORCEMENT AUTHORITY</td>
<td>8</td>
</tr>
<tr>
<td>LEG IRONS</td>
<td>85</td>
</tr>
<tr>
<td>LEG RESTRAINT</td>
<td>83</td>
</tr>
<tr>
<td>LIMITED ENGLISH PROFICIENCY</td>
<td></td>
</tr>
<tr>
<td>Immigration violations</td>
<td>344</td>
</tr>
<tr>
<td>LIMITED ENGLISH PROFICIENCY</td>
<td>254</td>
</tr>
<tr>
<td>M</td>
<td></td>
</tr>
<tr>
<td>MEAL PERIODS AND BREAKS</td>
<td>564</td>
</tr>
<tr>
<td>MEDIA</td>
<td></td>
</tr>
<tr>
<td>First amendment assemblies</td>
<td>373</td>
</tr>
<tr>
<td>MEDICAL</td>
<td></td>
</tr>
<tr>
<td>Examinations - adult abuse</td>
<td>156</td>
</tr>
<tr>
<td>For canines</td>
<td>140</td>
</tr>
<tr>
<td>Screening - custody adults</td>
<td>485</td>
</tr>
<tr>
<td>MEDICAL</td>
<td></td>
</tr>
<tr>
<td>Aircraft accidents</td>
<td>350</td>
</tr>
<tr>
<td>MEDICAL EXAMS</td>
<td>597</td>
</tr>
<tr>
<td>MOBILE DIGITAL TERMINAL USE</td>
<td>364</td>
</tr>
<tr>
<td>MUTUAL AID</td>
<td>242</td>
</tr>
<tr>
<td>First amendment assemblies</td>
<td>372</td>
</tr>
<tr>
<td>N</td>
<td></td>
</tr>
<tr>
<td>NOTIFICATIONS</td>
<td></td>
</tr>
<tr>
<td>Adult abuse</td>
<td>153</td>
</tr>
<tr>
<td>Aircraft accident</td>
<td>350</td>
</tr>
<tr>
<td>Termination of reserve officer/deputy</td>
<td>241</td>
</tr>
<tr>
<td>O</td>
<td></td>
</tr>
<tr>
<td>OATH OF OFFICE</td>
<td>12</td>
</tr>
<tr>
<td>OFFICER RESPONSE TO CALLS</td>
<td>133</td>
</tr>
<tr>
<td>OFFICER SAFETY</td>
<td></td>
</tr>
<tr>
<td>Crime and disaster scene integrity</td>
<td>299</td>
</tr>
<tr>
<td>LEOSA</td>
<td>68</td>
</tr>
<tr>
<td>Warrant service</td>
<td>422</td>
</tr>
<tr>
<td>OPERATIONS PLANNING AND DECONFlictION</td>
<td>426</td>
</tr>
<tr>
<td>ORDERS</td>
<td></td>
</tr>
<tr>
<td>Compliance with</td>
<td>24</td>
</tr>
<tr>
<td>ORGANIZATIONAL STRUCTURE</td>
<td>23</td>
</tr>
<tr>
<td>OUTSIDE AGENCY ASSISTANCE</td>
<td>242</td>
</tr>
<tr>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Topic</td>
<td>Page</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>PATROL FUNCTION</td>
<td>282</td>
</tr>
<tr>
<td>PERSONAL APPEARANCE</td>
<td>571</td>
</tr>
<tr>
<td>PERSONAL PROPERTY</td>
<td>433</td>
</tr>
<tr>
<td>PERSONAL PROTECTIVE EQUIPMENT</td>
<td></td>
</tr>
<tr>
<td>Hazardous material response</td>
<td>312</td>
</tr>
<tr>
<td>PERSONNEL COMPLAINTS</td>
<td></td>
</tr>
<tr>
<td>Bias-based policing</td>
<td>287</td>
</tr>
<tr>
<td>PERSONNEL RECORDS</td>
<td>544</td>
</tr>
<tr>
<td>PHOTOGRAPHS</td>
<td></td>
</tr>
<tr>
<td>Aircraft accidents</td>
<td>351</td>
</tr>
<tr>
<td>First amendment assemblies</td>
<td>370</td>
</tr>
<tr>
<td>POLICY MANUAL</td>
<td>17</td>
</tr>
<tr>
<td>PRIVACY EXPECTATIONS</td>
<td></td>
</tr>
<tr>
<td>MDT/MDC</td>
<td>364</td>
</tr>
<tr>
<td>Technology use</td>
<td>223</td>
</tr>
<tr>
<td>PROMOTIONAL PROCESS</td>
<td>504</td>
</tr>
<tr>
<td>PROPERTY AND EVIDENCE</td>
<td>453</td>
</tr>
<tr>
<td>PROTECTED INFORMATION</td>
<td>467</td>
</tr>
<tr>
<td>PUBLIC RECORD REQUEST</td>
<td>463</td>
</tr>
<tr>
<td>PUBLIC RECORDING OF LAW ENFORCEMENT</td>
<td></td>
</tr>
<tr>
<td>ACTIVITY</td>
<td>378</td>
</tr>
<tr>
<td>SEARCHES</td>
<td></td>
</tr>
<tr>
<td>Crime scene</td>
<td>300</td>
</tr>
<tr>
<td>SEAT BELTS</td>
<td>540</td>
</tr>
<tr>
<td>SEXUAL HARASSMENT</td>
<td>158</td>
</tr>
<tr>
<td>SHERIFF’S CADETS</td>
<td>582</td>
</tr>
<tr>
<td>SOCIAL MEDIA</td>
<td></td>
</tr>
<tr>
<td>Backgrounds</td>
<td>497</td>
</tr>
<tr>
<td>STAFF</td>
<td>17</td>
</tr>
<tr>
<td>STANDARDS OF CONDUCT</td>
<td>205</td>
</tr>
<tr>
<td>SUBPOENAS</td>
<td></td>
</tr>
<tr>
<td>Records release and discovery requests</td>
<td>465</td>
</tr>
<tr>
<td>SUBPOENAS</td>
<td></td>
</tr>
<tr>
<td>Acceptance</td>
<td>236</td>
</tr>
<tr>
<td>Civil Subpoenas</td>
<td>237</td>
</tr>
<tr>
<td>Failure To Appear</td>
<td>237</td>
</tr>
<tr>
<td>SUCCESSION OF COMMAND</td>
<td>24</td>
</tr>
<tr>
<td>TASER</td>
<td>95</td>
</tr>
<tr>
<td>TECHNOLOGY USE</td>
<td>223</td>
</tr>
<tr>
<td>TEMPORARY CUSTODY</td>
<td></td>
</tr>
<tr>
<td>Adults</td>
<td>481</td>
</tr>
<tr>
<td>TRAINING</td>
<td></td>
</tr>
<tr>
<td>Adult abuse</td>
<td>157</td>
</tr>
<tr>
<td>Crisis intervention incidents</td>
<td>377</td>
</tr>
<tr>
<td>Custody</td>
<td>487</td>
</tr>
<tr>
<td>Fair and objective policing</td>
<td>288</td>
</tr>
<tr>
<td>First amendment assemblies</td>
<td>374</td>
</tr>
<tr>
<td>Immigration</td>
<td>346</td>
</tr>
<tr>
<td>In-service reserve officers/deputies</td>
<td>240</td>
</tr>
<tr>
<td>Operation planning and deconfliction</td>
<td>430</td>
</tr>
<tr>
<td>Pursuits</td>
<td>132</td>
</tr>
<tr>
<td>Rapid response and deployment</td>
<td>343</td>
</tr>
<tr>
<td>TRANSFER PROCESS</td>
<td>504</td>
</tr>
<tr>
<td>TRANSPORT BELTS</td>
<td>85</td>
</tr>
<tr>
<td>U VISA AND T VISA</td>
<td>345</td>
</tr>
<tr>
<td>UNIFORM REGULATIONS</td>
<td>574</td>
</tr>
<tr>
<td>UNITY OF COMMAND</td>
<td>24</td>
</tr>
<tr>
<td>UNLAWFUL ASSEMBLY</td>
<td>372</td>
</tr>
<tr>
<td>USE OF FORCE</td>
<td></td>
</tr>
<tr>
<td>First amendment assemblies</td>
<td>372</td>
</tr>
<tr>
<td>VEHICLE MAINTENANCE</td>
<td>440</td>
</tr>
<tr>
<td>VIDEO RECORDINGS</td>
<td></td>
</tr>
<tr>
<td>First amendment assemblies</td>
<td>370</td>
</tr>
<tr>
<td>WARRANT SERVICE</td>
<td>422</td>
</tr>
</tbody>
</table>

**Copyright Lexipol, LLC 2020/11/04, All Rights Reserved. Published with permission by Pierce County Sheriff's Department**